

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

March 4, 2003

Forty-third Day

The House was called to order by Speaker Kott at 11:37 a.m.

Roll call showed 34 members present. Representatives Kookesh and Whitaker had been previously excused from a call of the House today. Representative Moses was absent and his presence was noted later. There was one vacancy.

Representative Coghill moved and asked unanimous consent that Representatives Kerttula and Kohring be excused from a call of the House today. There being no objection, it was so ordered.

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

The word *Genesis* means beginnings. Each day we discover many new beginnings. Each day we celebrate new life, new hope, and new directions. Today, in fact this very morning, in our great state we recognize new leaders. These men and women chosen to lead will be tasked with a truly awesome responsibility.

Leaders know that wise men build their house on rock so that when the rains come, and the streams rise, and the winds blow and beat upon the house, the house will not fall. So, too, we ask that these new leaders of our great state consider each decision as a part of the foundation of our great state. And we

ask that each decision be guided by wisdom, by a sense of purpose, and ultimately by their strong love for Alaska. And by your fruits they will know you.

The Pledge of Allegiance was led by Representative Berkowitz.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 42nd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

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

Sarah H. Palin
Randy Ruedrich

as members of the Oil and Gas Conservation Commission.

The reports were signed by Representative Fate, Co-chair; and Representatives Lynn, Heinze, Guttenberg, and Masek.

HB 51

The Labor & Commerce 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 Anderson, Chair, with the following individual recommendations:

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

No recommendation (1): Rokeberg

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

1. Zero, Dept. of Community & Economic Development

HB 51 was referred to the Rules Committee for placement on the calendar.

HB 100

The Finance Committee has considered:

HOUSE BILL NO. 100

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 100(FIN)

"An Act making supplemental and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

The report was signed by Representatives Harris and Williams, Co-chairs, with the following individual recommendations:

Do pass (7): Meyer, Hawker, Stoltze, Chenault, Foster, Harris, Williams

No recommendation (2): Joule, Moses

Amend (1): Croft

HB 100 was referred to the Rules Committee for placement on the calendar.

HB 140

The State Affairs Committee has considered:

HOUSE BILL NO. 140

"An Act relating to benefits for retired teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; and providing for an effective date."

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

Do pass (6): Seaton, Gruenberg, Holm, Dahlstrom, Lynn, Weyhrauch

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 140 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Marguerite Mead
By Representative Meyer

Honoring - Juneau-Douglas High School Crimson Bears 2002 4A
Volleyball Champions
By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Kenneth John Alcantra
By Representatives Stoltze, Kohring, Gatto; Senator Green

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 146**

HOUSE BILL NO. 146 by Representatives McGuire and Gruenberg, entitled:

"An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; and providing for an effective date."

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

HB 147

HOUSE BILL NO. 147 by Representatives Holm, Fate, and Stoltze, entitled:

"An Act naming the William Ransom Wood Centennial Bridge in Fairbanks."

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

HB 148

HOUSE BILL NO. 148 by Representative Harris, entitled:

"An Act instructing the State Board of Registration for Architects, Engineers, and Land Surveyors to adopt minimum technical standards relating to the practice of surveying."

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

The Speaker stated that the House would stand at ease to allow members of the Senate to enter the Chamber for a joint session; and so, the House stood at ease at 11:46 a.m.

AFTER AT EASE

The Speaker called the House back to order at 12:07 p.m.

**The presence of Representative Moses was noted.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Kott turned the gavel over to President Therriault who called the joint session to order at 12:08 p.m.

The purpose of the joint session was to consider limited confirmation of the Governor's appointments.

A roll call of the Senate showed 19 members present.

A roll call of the House showed 35 members present.

2003 CONFIRMATION OF GOVERNOR'S APPOINTMENTS

The commissioner appointments are as follows:

Attorney General

Gregg D. Renkes
Appointed: 12/02/2002

Commissioner - Department of Administration

Mike Miller
Appointed: 02/01/2003

Commissioner - Department of Community and Economic Development

Edgar Blatchford
Appointed: 01/18/2003

Commissioner - Department of Corrections

Marc Antrim
Appointed: 12/09/2002

Commissioner - Department of Environmental Conservation

Ernesta Ballard
Appointed: 12/09/2002

Commissioner - Department of Health and Social Services

Joel Gilbertson

Appointed: 12/09/2002

**Commissioner - Department of Labor and Workforce
Development**

Greg S. O'Claray

Appointed: 12/09/2002

Commissioner - Department of Military and Veterans' Affairs

Brigadier General Craig E. Campbell

Appointed: 12/30/2002

Commissioner - Department of Natural Resources

Tom Irwin

Appointed: 01/17/2003

Commissioner - Department of Public Safety

Bill Tandeske

Appointed: 02/03/2003

Commissioner - Department of Revenue

William A. Corbus

Appointed: 12/09/2002

**Commissioner - Department of Transportation and Public
Facilities**

Mike Barton

Appointed: 02/18/2003

The boards and commissions appointments are as follows:

Oil and Gas Conservation Commission

Sarah H. Palin - Wasilla

Appointed: 02/19/2003 Term Expires: 03/01/2008

Randy Ruedrich - Anchorage

Appointed: 02/19/2003 Term Expires: 03/01/2006

University of Alaska Board of Regents

James C. Hayes - Fairbanks

Appointed: 02/01/2003 Term Expires: 02/01/2011

Cynthia Henry - Fairbanks

Appointed: 02/01/2003 Term Expires: 02/01/2011

Mary K. Hughes - Anchorage

Appointed: 07/09/2002 Term Expires: 02/01/2009

Derek Miller - Fairbanks, Student Representative

Appointed: 10/25/2002 Term Expires: 06/01/2003

Michael Snowden - Sitka

Appointed: 01/21/2003 Term Expires: 02/01/2009

Regulatory Commission of Alaska (RCA)

Dave Harbour - Anchorage

Appointed: 02/01/2003 Term Expires: 03/01/2008

Mark Johnson - Anchorage

Appointed: 07/01/2003 Term Expires: 03/01/2009

Senator Ben Stevens moved and asked unanimous consent that the following appointment as attorney general be confirmed:

Attorney General

Gregg D. Renkes

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Administration

Mike Miller

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Community and Economic Development

Edgar Blatchford

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Corrections

Marc Antrim

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Environmental Conservation

Ernesta Ballard

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Health and Social Services

Joel Gilbertson

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Labor and Workforce Development

Greg S. O'Claray

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Military and Veterans' Affairs

Brigadier General Craig E. Campbell

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Natural Resources

Tom Irwin

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Public Safety

Bill Tandeske

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Revenue

William A. Corbus

There being no objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

Commissioner - Department of Transportation and Public Facilities

Mike Barton

Representative Gara objected.

The question being: "Shall Mike Barton be confirmed as Commissioner of the Department of Transportation and Public Facilities?" The roll of the Senate was called with the following result:

Commissioner - Dept. of Transportation and Public Facilities
Confirm - Barton
SENATE

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Stevens B, Stevens G, Taylor, Wagoner, Wilken, Bunde, Cowdery, Davis, Therriault

Excused: Seekins

The roll of the House was taken with the following result:

Commissioner - Dept. of Transportation and Public Facilities
Confirm - Barton
HOUSE

YEAS: 34 NAYS: 1 EXCUSED: 4 ABSENT: 0 VACANT: 1

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

Nays: Gara

Excused: Kerttula, Kohring, Kookesh, Whitaker

Absent: Vacant

TOTAL: YEAS: 53 NAYS: 1 EXCUSED: 5 ABSENT: 0 VACANT: 1

And so, Mike Barton was confirmed as Commissioner of the Department of Transportation and Public Facilities.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

Regulatory Commission of Alaska (RCA)

Dave Harbour - Anchorage

Appointed: 02/01/2003 Term Expires: 03/01/2008

Mark Johnson - Anchorage

Appointed: 07/01/2003 Term Expires: 03/01/2009

University of Alaska Board of Regents

James C. Hayes - Fairbanks

Appointed: 02/01/2003 Term Expires: 02/01/2011

Cynthia Henry - Fairbanks

Appointed: 02/01/2003 Term Expires: 02/01/2011

Mary K. Hughes - Anchorage

Appointed: 07/09/2002 Term Expires: 02/01/2009

Derek Miller - Fairbanks, Student Representative

Appointed: 10/25/2002 Term Expires: 06/01/2003

Michael Snowden - Sitka

Appointed: 01/21/2003 Term Expires: 02/01/2009

Oil and Gas Conservation Commission

Sarah H. Palin - Wasilla

Appointed: 02/19/2003 Term Expires: 03/01/2008

Randy Ruedrich - Anchorage

Appointed: 02/19/2003 Term Expires: 03/01/2006

Objection was heard to the confirmation of Sarah H. Palin and Randy Ruedrich to the Oil and Gas Conservation Commission.

Senator Ben Stevens restated his motion to confirm the appointments to the Regulatory Commission of Alaska and the University of Alaska Board of Regents and asked unanimous consent. There being no objection, it was so ordered.

Senator Ben Stevens moved that Sarah H. Palin be confirmed to the Oil and Gas Conservation Commission.

Senator Lincoln objected.

The question being: "Shall Sarah H. Palin be confirmed to the Oil and Gas Conservation Commission?" The roll of the House was taken with the following result:

Oil and Gas Conservation Commission

Confirm - Palin

HOUSE

YEAS: 33 NAYS: 2 EXCUSED: 4 ABSENT: 0 VACANT: 1

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

Nays: Croft, Masek

Excused: Kerttula, Kohring, Kookesh, Whitaker

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

Oil and Gas Conservation Commission

Confirm - Palin

SENATE

YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0

Yeas: Ellis, Elton, French, Green, Guess, Hoffman, Ogan, Olson, Stevens B, Stevens G, Taylor, Wagoner, Wilken, Bunde, Cowdery, Davis, Dyson, Therriault

Nays: Lincoln

Excused: Seekins

TOTAL: YEAS: 51 NAYS: 3 EXCUSED: 5 ABSENT: 0 VACANT: 1

And so, Sarah H. Palin was confirmed to the Oil and Gas Conservation Commission.

Senator Ben Stevens moved that Randy Ruedrich be confirmed to the Oil and Gas Conservation Commission.

Representative Berkowitz objected.

Senator Taylor placed a call of the joint session.

The call was satisfied.

The question being: "Shall Randy Ruedrich be confirmed to the Oil and Gas Conservation Commission?" The roll of the Senate was called with the following result:

Oil and Gas Conservation Commission

Confirm - Ruedrich

SENATE

YEAS: 11 NAYS: 8 EXCUSED: 1 ABSENT: 0

Yeas: Green, Ogan, Stevens B, Stevens G, Taylor, Wagoner, Wilken, Bunde, Cowdery, Dyson, Therriault

Nays: Elton, French, Guess, Hoffman, Lincoln, Olson, Davis, Ellis

Excused: Seekins

The roll of the House was taken with the following result:

Oil and Gas Conservation Commission

Confirm - Ruedrich

HOUSE

YEAS: 25 NAYS: 10 EXCUSED: 4 ABSENT: 0 VACANT: 1

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Heinze, Holm, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Moses

Excused: Kerttula, Kohring, Kookesh, Whitaker

TOTAL: YEAS: 36 NAYS: 18 EXCUSED: 5 ABSENT: 0 VACANT: 1

And so, Randy Ruedrich was confirmed to the Oil and Gas Conservation Commission.

Senator Ben Stevens moved and asked unanimous consent that the joint session adjourn. There being no objection, President Therriault adjourned the joint session at 1:14 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 1:19 p.m.

ENROLLMENT

HCR 6

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:12 p.m., March 3, 2003:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH)
Relating to the continuation of the Joint Legislative Salmon Industry Task Force until 2004.

UNFINISHED BUSINESS

HB 26

Representative Gatto added his name as cosponsor to:

HOUSE BILL NO. 26

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

HB 46

Representative Holm added his name as cosponsor to:

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

HB 51

Representative Guttenberg added his name as cosponsor to:

HOUSE BILL NO. 51
"An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed."

HB 52

Representative Wolf added his name as cosponsor 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."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 5, 2003. There being no objection, the House adjourned at 1:25 p.m.

Suzi Lowell
Chief Clerk