

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 10, 2003

#### Forty-ninth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:05 a.m.

Roll call showed 35 members present. Representatives Cissna and Rokeberg had been previously excused from a call of the House today. There was one vacancy.

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

The invocation was offered by the Chaplain, the Reverend George A. Walter of St. Brendan's Episcopal Church. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O God, the fountain of wisdom, whose will is good and gracious and whose law is truth: we beseech You so to guide and bless our Representatives assembled in the legislature of this great state of Alaska, that we may enact such laws as shall please You, to the glory of Your Name and the welfare of this people; through Jesus Christ my Lord. Amen.

The Pledge of Allegiance was led by Representative Masek.

**CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 46th, 47th, and 48th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**COMMUNICATIONS**

Notification of the following was received:

Dept. of Public Safety  
Violent Crimes Compensation Board  
Twenty-Ninth Annual Report 2002  
<http://www.dps.state.ak.us/Vccb/htm>  
(as required by AS 18.67.170)

**REPORTS OF STANDING COMMITTEES**

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

LeRoy Barker

as a member of the Violent Crimes Compensation Board.

The report was signed by Representative McGuire, Chair; and Representatives Holm, Samuels, Anderson, Gruenberg, and Coghill.

**HB 18**

The State Affairs Committee has considered:

HOUSE BILL NO. 18

"An Act relating to the liability of parents and legal guardians of minors who destroy property."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 18(STA)  
(same title)

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

Do pass (2): Lynn, Dahlstrom

No recommendation (4): Seaton, Holm, Berkowitz, Weyhrauch

Amend (1): Gruenberg

The following fiscal note(s) apply to CSHB 18(STA):

1. Zero, Alaska Court System

HB 18 was referred to the Judiciary Committee.

**HB 24**

The Resources Committee has considered:

HOUSE BILL NO. 24

"An Act relating to intergovernmental agreements regarding management of fish or game."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 24(RES)

"An Act relating to intergovernmental agreements with the National Park Service regarding management of fish or game in the navigable waters within or adjoining Glacier Bay National Park and Preserve."

The report was signed by Representative Fate, Co-chair, with the following individual recommendations:

Do pass (4): Heinze, Gatto, Lynn, Fate

No recommendation (3): Kerttula, Guttenberg, Masek

The following fiscal note(s) apply to CSHB 24(RES):

1. Zero, House Resources Committee

HB 24 was referred to the Judiciary Committee.

**HB 25**

The Health, Education & Social Services Committee has considered:

## HOUSE BILL NO. 25

"An Act relating to health care decisions, including do not resuscitate orders and the donation of body parts, and to powers of attorney relating to health care, including the donation of body parts; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 25(HES)

"An Act relating to health care decisions, including do not resuscitate orders, anatomical gifts, and mental health treatment decisions, and to powers of attorney relating to health care, including anatomical gifts and mental health treatment decisions; and providing for an effective date."

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

Do pass (7): Gatto, Wolf, Heinze, Seaton, Cissna, Kapsner, Wilson

The following fiscal note(s) apply to CSHB 25(HES):

1. Zero, Dept. of Health & Social Services

HB 25 was referred to the Judiciary Committee.

**HB 64**

The Judiciary 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(JUD)  
(same title)

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

Do pass (7): Coghill, Anderson, Samuels, Gara, Holm, Gruenberg, McGuire

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

1. Zero, Dept. of Community & Economic Development
2. Zero, Alaska Court System
3. Zero, Dept. of Labor & Workforce Development

HB 64 was referred to the Rules Committee for placement on the calendar.

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

**HSCR 1**

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1 by  
Representative Gara:

Disapproving Executive Order No. 107, relating to the transfer of certain functions of the Department of Fish and Game to the Department of Natural Resources and to the transfer of certain functions within the Department of Natural Resources.

was read the first time and referred to the House Special Committee on Fisheries, the House Special Committee on Economic Development,

International Trade, & Tourism, and the Resources, State Affairs, Labor & Commerce, and Finance Committees.

**HJR 14**

HOUSE JOINT RESOLUTION NO. 14 by Representatives Croft, Crawford, Kapsner, Gara, Guttenberg, Berkowitz, Joule, Gruenberg, and Kerttula:

Relating to urging that the 2006 National Veterans Wheelchair Games be held in Anchorage, Alaska.

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

**HJR 15**

HOUSE JOINT RESOLUTION NO. 15 by Representatives Lynn, Foster, Heinze, Holm, Wilson, and Dahlstrom:

Relating to the United States Court of Appeals for the Ninth Circuit, to its decision concerning the Pledge of Allegiance, and to removing Alaska from the jurisdiction of the Ninth Circuit.

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

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 179**

HOUSE BILL NO. 179 by Representative Berkowitz, entitled:

"An Act transferring the assets, liabilities, and responsibilities of the Alaska Municipal Bond Bank Authority and of the Alaska Student Loan Corporation to the Alaska Housing Finance Corporation; and relating to the Alaska Housing Finance Corporation."

was read the first time and referred to the House Special Committee on Education and the Community & Regional Affairs and Finance Committees.

**HB 180**

HOUSE BILL NO. 180 by Representatives Croft, Crawford, Kapsner, Gara, Moses, Berkowitz, Joule, Gruenberg, Guttenberg, and Kerttula, entitled:

"An Act designating November 11 as Alaska Veterans Appreciation Day."

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

**HB 181**

HOUSE BILL NO. 181 by Representatives Croft, Crawford, Kapsner, Gara, Guttenberg, Berkowitz, and Gruenberg, entitled:

"An Act relating to a state veterans' home; directing the Department of Administration to apply for federal grants available for construction of a state veterans' home; and providing for an effective date."

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

**HB 182**

HOUSE BILL NO. 182 by Representatives Croft, Crawford, Kapsner, Gara, Guttenberg, Berkowitz, and Gruenberg, entitled:

"An Act appropriating money for the construction of a state veterans' home; and providing for an effective date."

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

**HB 183**

HOUSE BILL NO. 183 by Representative Weyhrauch, entitled:

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain juvenile detention employees and juvenile correctional institution employees."

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

**HB 184**

HOUSE BILL NO. 184 by Representatives Coghill and Harris, entitled:

"An Act relating to individual deferred annuities; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 51**

The following was read the second time:

HOUSE BILL NO. 51

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

with the:	Journal Page
HES RPT CS(HES) 5DP	212
FN1: ZERO(CED)	212
L&C RPT CS(HES) 6DP 1NR	374
FN1: ZERO(CED)	375

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:



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

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 51(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 51(HES) was read the third time.

The question being: "Shall CSHB 51(HES) pass the House?" The roll was taken with the following result:

CSHB 51(HES)  
Third Reading  
Final Passage

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

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

Excused: Chenault, Cissna, Heinze, Rokeberg

Absent: Moses

And so, CSHB 51(HES) passed the House and was referred to the Chief Clerk for engrossment.

**HB 112**

The following was read the second time:

HOUSE BILL NO. 112

"An Act relating to the authority of the Alaska Industrial Development and Export Authority to issue bonds; and providing for an effective date."

with the:	Journal Page
FIN RPT CS(FIN) NT 9DP 1NR	335
FN1: ZERO(CED)	336

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 112(FIN)

"An Act relating to the authority of the Alaska Industrial Development and Export Authority to issue bonds and to a municipal tax exemption for certain assets and projects of the Alaska Industrial Development and Export Authority; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 112(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 112(FIN) was read the third time.

The question being: "Shall CSHB 112(FIN) pass the House?" The roll was taken with the following result:

CSHB 112(FIN)

Third Reading

Final Passage

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

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

Excused: Chenault, Cissna, Heinze, Rokeberg

Absent: Moses

And so, CSHB 112(FIN) passed the House.

Representative Coghill 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 112(FIN) was referred to the Chief Clerk for engrossment.

### **LEGISLATIVE CITATIONS**

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

In Memoriam - Agnes Elizabeth Hoffman Charles  
By Senator Hoffman; Representatives Kapsner, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

### **UNFINISHED BUSINESS**

#### **HSCR 1**

The Speaker removed the House Special Committee on Economic Development, International Trade, & Tourism referral for the following:

#### **HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1**

Disapproving Executive Order No. 107, relating to the transfer of certain functions of the Department of Fish and Game to the Department of Natural Resources and to the transfer of certain functions within the Department of Natural Resources.

HSCR 1 is in the House Special Committee on Fisheries.

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 - from 7:00 a.m., March 13 to 7:00 p.m., March 14, 2003

Representative Harris - from 7:00 a.m., March 13 to 7:00 p.m., March 14, 2003

Representative Lynn - from 7:00 a.m., March 13 to 7:00 p.m., March 14, 2003

Representative Joule - from 1:00 p.m., today to noon, March 11; and from 7:00 a.m., March 13 to 5:00 p.m., March 14, 2003

Representative Kookesh - from 7:00 a.m., March 14 to 11:00 a.m., March 15, 2003

### **HB 174**

The Office of the Governor submitted the following fiscal note:

#### 2. Fiscal, Dept. of Education & Early Development

The fiscal note applies to HB 174 and accompanies the introduction (page 449) for:

#### HOUSE BILL NO. 174

"An Act relating to the state centralized correspondence study program, to funding for educational programs that occur primarily outside school facilities, and to the duties of school boards of borough and city school districts and regional educational attendance areas; and providing for an effective date."

HB 174 is in the House Special Committee on Education.

### **HCR 1**

Representative Kohring removed his name as cosponsor to:

#### HOUSE CONCURRENT RESOLUTION NO. 1

Honoring Governor Frank H. Murkowski and Lieutenant Governor Loren D. Leman for their years of public service; and congratulating Governor Murkowski and Lieutenant Governor Leman and extending them best wishes.

**HB 10**

Representative Gruenberg 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 51**

Representatives Wilson and Berkowitz added their names as cosponsors to:

## CS FOR HOUSE BILL NO. 51(HES)

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

**HB 91**

Representatives Dahlstrom and Lynn 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 108**

Representative Gruenberg added his name as cosponsor to:

## HOUSE BILL NO. 108

"An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening tests; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date."

**HB 141**

Representatives Kapsner and Kookesh added their names as cosponsors to:

HOUSE BILL NO. 141

"An Act making a special appropriation from the budget reserve fund under art. IX, sec. 17(c), Constitution of the State of Alaska, to the dividend fund for 2003 permanent fund dividends; and providing for an effective date."

**HB 178**

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 178

"An Act requiring that the cost of contraceptives be included in certain health care insurance coverage."

**ENGROSSMENT****HB 51**

CSHB 51(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 112**

CSHB 112(FIN) 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 10:00 a.m., March 12, 2003. There being no objection, the House adjourned at 11:47 a.m.

Suzi Lowell  
Chief Clerk