

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

January 24, 2003

Fourth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:05 a.m.

Roll call showed 30 members present. Representative Morgan had been previously excused from a call of the House today. Representatives Chenault, Foster, and Stevens were absent and their presence was noted later.

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 Gatto - from today to 11:00 p.m., January 26, 2003

Representative Croft - to 11:30 a.m. today

Representative Whitaker - from today to 2:00 a.m., January 28, 2003

Representative Kohring - from today to 9:35 a.m., plane time, January 27, 2003

Representative Dahlstrom - from today to 4:00 p.m., January 25, 2003

Representative Williams - from today to 1:00 p.m., January 27, 2003

The invocation was offered by the Chaplain, The Reverend Kathleen Wakefield of The Church of the Holy Trinity. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

God of all peoples, as we come to the end of the first week of this new legislative session, we ask You to continue to spread Your grace on these, Your servants. They have long days and difficult decisions ahead--please bless them with patience, perseverance, generosity, and courtesy. Help them listen to each other and to those who will come to them for assistance. And grant them true sensitivity towards the poor, the hungry, and the vulnerable--those most in need of their work and their care. 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 first, second, and third legislative days and Senate and House Joint Journal Supplement No. 1 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

OATH OF OFFICE

Speaker Kott appointed Representatives McGuire and Kerttula to escort Peggy Wilson to the rostrum.

Speaker Kott administered the oath of office to Peggy Wilson, District 2.

**The presence of Representative Chenault was noted.

MESSAGES FROM THE SENATE

A message dated January 21, 2003, was received stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 7:00 p.m., January 23 to hear the Governor's State of the State and Budget messages.

A message dated January 24, 2003, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., March 5 to hear the State of the Judiciary address by Chief Justice Dana Fabe.

COMMUNICATIONS

Letters dated January 22, 2003, were received from Dana Fabe, Chief Justice of the Alaska Supreme Court, stating she has nominated the following public members to serve on the Select Committee on Legislative Ethics:

Dennis "Skip" Cook
Shirley McCoy

The Speaker referred the appointments to the Judiciary Committee.

The following were received:

Dept. of Administration
Division of Retirement and Benefits
Comprehensive Annual Financial Report
Fiscal Year Ended June 30, 2002
Public Employees' Retirement System
Teachers' Retirement System

Dept. of Environmental Conservation
Office of the Commissioner
Oil and Other Hazardous Substances Pollution Control
Amendments to 18 AAC 75
(as required by AS 46.03.758)
January 21, 2003

Division of Spill Prevention and Response
Oil and Hazardous Substance Release
Prevention and Response Fund
Biennial Report, Fiscal Year 2001-2002
January 2003
(as required by AS 46.08.060)

Underground Storage Tank Revolving Fund
Annual Report, Fiscal Year 2002
January 21, 2003
(as required by AS 46.03.410)

Dept. of Transportation & Public Facilities
Office of the Commissioner
FY 2003 Spending Plan for the International
Airport Revenue Bond Construction Fund
(as required by AS 37.15.420)

Legislative Affairs Agency
Division of Legal and Research Services
Report Listing Alaska Statutes with Delayed
Repeals or Delayed Amendments and
Examining Court Decisions and Opinions of
the Attorney General Construing Alaska Statutes
(as required by AS 24.20.065)

The following were received from:

Division of Legislative Audit
Legislative Budget & Audit Committee
(as required by AS 24.20.311)

2002 Annual Report, Unabridged
2002 Annual Report, Condensed

**The presence of Representative Stevens was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Jean Burand
By Representative Foster

Commemorating - Dr. Martin Luther King, Jr. Day
By Senator Davis

Honoring - Mahala Ashley Dickerson
By Senator Davis

In Memoriam - Sven Haakanson, Sr.
By Representative Stevens; Senator Austerman

In Memoriam - Margaret "Peggy" Sutliff
By Representative Stevens; Senator Austerman

In Memoriam - Mrs. Charlie Berkley
By Senator Davis

In Memoriam - Eula Cleveland
By Senator Davis; Representative Gara

In Memoriam - Gail Dorr
By Senator Davis

In Memoriam - Mrs. Iola K. Banks
By Senator Davis

In Memoriam - Roscoe Wyche, Jr.
By Senator Davis; Representative Gara

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 6

HOUSE JOINT RESOLUTION NO. 6 by the House Special
Committee on Oil & Gas:

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.

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

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

HB 61

HOUSE BILL NO. 61 by Representatives Chenault, Kohring, and Wolf, entitled:

"An Act establishing an exploration and development incentive tax credit for persons engaged in the exploration for and development of less than 150 barrels of oil or of gas for sale and delivery without reference to volume from a lease or property in the state; and providing for an effective date."

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

HB 62

HOUSE BILL NO. 62 by Representative Harris, entitled:

"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."

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

HB 63

HOUSE BILL NO. 63 by Representative Berkowitz, entitled:

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

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

The following Governor's bills are out of numerical sequence because the numbers were preassigned.

HB 75

HOUSE BILL NO. 75 by the House Rules Committee by request of the Governor, entitled:

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

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

The Governor's transmittal letter dated January 23, 2003, follows:

"Dear Speaker Kott:

AS 37.07.020 required that I submit a budget for the 2004 fiscal year to the Legislature and the public on December 15th of last year. That law also requires that 'bills identical in content' to those I released in December be delivered to the Legislature by the fourth legislative day. The bills delivered today contain the Fiscal Year 2003 operating budget as appropriated by the last Legislature and signed into law by the previous Governor. Again, they provide a useful point of reference for your budget discussions.

This Administration will use the next five weeks to prepare for delivery to you a responsive state budget for fiscal year 2004. Departments are evaluating all services they deliver, using the process set forth in Administrative Order 202. This process includes identification of the intended purpose of all programs, their effectiveness in delivering those results, and the efficiency in which they use public dollars. The goal is to provide a basis upon which reasoned budget decisions may be made that further the goals of my Administration.

I look forward to working closely with this Legislature to jointly craft a responsive state budget that efficiently provides Alaska residents

essential state services at a cost that the state can afford over the long-term.

Sincerely,
/s/
Frank H. Murkowski
Governor"

Administrative Order No. 202 was attached.

HB 76

HOUSE BILL NO. 76 by the House Rules Committee by request of the Governor, entitled:

"An Act making appropriations for the operating expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

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

The Governor's transmittal letter for HB 75 applies to HB 76.

A letter dated January 23, 2003, with an accompanying spreadsheet, to the Alaska Mental Health Trust Authority from Cheryl Frasca, Director, Office of Management and Budget, was attached (as required by AS 37.14.003) and is on file in the Chief Clerk's office.

**The presence of Representative Foster was noted.

UNFINISHED BUSINESS

Representative Coghill moved that the House confirm the appointment of Representatives Rokeberg and Kapsner, and Representatives Heinze and Kerttula (Alternates) to the Select Committee on Legislative Ethics.

The question being: "Shall the House confirm the appointment of Representatives Rokeberg and Kapsner, and Representatives Heinze and Kerttula (Alternates) to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Select Committee on Legislative Ethics
Confirm - Representatives Rokeberg, Kapsner
Representatives Heinze, Kerttula (Alternates)

YEAS: 33 NAYS: 0 EXCUSED: 7 ABSENT: 0

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

Excused: Croft, Dahlstrom, Gatto, Kohring, Morgan, Whitaker, Williams

And so, the appointments were confirmed.

The Chief Clerk will notify the Senate.

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 10:24 a.m.

AFTER RECESS

The Speaker called the House back to order at 10:37 a.m.

UNFINISHED BUSINESS

The Speaker changed the referral for the confirmation of Commissioner Designee Blatchford, Department of Community & Economic Development from the Labor & Commerce Committee to the Community & Regional Affairs Committee.

The Speaker stated that, without objection, the House would revert to:

REPORTS OF SPECIAL COMMITTEES

The following report of the Committee on Committees, dated January 24, 2003, was received submitting an amendment to the January 21, 2003, report (page 11):

Transportation: Holm and Masek, Co-chairs

House Special Committee on Economic Development, International Trade, and Tourism: Dahlstrom replaces Morgan

Legislative Budget & Audit Committee: Joule, Alternate

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

Representative Coghill moved and asked unanimous consent that the House adopt the Committee on Committees Report as amended. There being no objection, it was so ordered.

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 Fate - from 6:00 p.m., January 30 to 10:00 p.m., February 2, 2003

Representative Anderson - from 12:55 p.m., January 24 to 10:00 p.m., January 26, 2003; and from 7:30 p.m., January 31 to 10:00 p.m., February 2, 2003

Representative Berkowitz - from 12:55 p.m., January 24 to 10:00 p.m., January 26, 2003

Representative Cissna - from 7:00 a.m., January 25 to 11:00 p.m., plane time, January 26, 2003

Representative Joule - from noon, February 3 to 1:00 p.m., February 6, 2003

Representative Dahlstrom - from 7:30 a.m., January 29 to plane time, p.m., January 29, 2003

Representative Meyer - from 7:00 a.m., January 31 to 10:00 p.m., February 3, 2003

Representative Wolf - from 7:00 a.m., January 31 to 10:00 p.m., February 3, 2003

Representative Samuels - from noon, February 7 to 11:00 a.m., plane time, February 10, 2003

HCR 2

Representative Holm added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 2

Relating to the extension of the Alaska Railroad to Fort Greely to serve the anti-ballistic missile launch facility.

HB 8

Representative Gara added his name as cosponsor to:

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."

HB 27

Representatives Foster, Gatto, Wolf, and Dahlstrom added their names as cosponsors to:

HOUSE BILL NO. 27

"An Act relating to driving while intoxicated; and providing for an effective date."

HB 51

Representative Meyer 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."

ENGROSSMENT AND ENROLLMENT**HR 1**

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:35 p.m., January 23, 2003:

HOUSE RESOLUTION NO. 1

Establishing a House Special Committee on Economic Development, International Trade, and Tourism.

HR 2

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:35 p.m., January 23, 2003:

HOUSE RESOLUTION NO. 2

Establishing a House Special Committee on Education.

HR 3

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:35 p.m., January 23, 2003:

HOUSE RESOLUTION NO. 3

Establishing a House Special Committee on Fisheries.

HR 4

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:35 p.m., January 23, 2003:

HOUSE RESOLUTION NO. 4

Establishing a House Special Committee on Military and Veterans' Affairs.

HR 5

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:35 p.m., January 23, 2003:

HOUSE RESOLUTION NO. 5

Establishing a House Special Committee on Oil and Gas.

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., January 27, 2003. There being no objection, the House adjourned at 10:45 a.m.

Suzi Lowell
Chief Clerk