

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Tuesday

May 3, 2005

One Hundred Fourteenth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:20 a.m.

Roll call showed 36 members present. Representatives Berkowitz and Stoltze were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representatives Hawker and Samuels be excused to 11:00 a.m., today. There being no objection, it was so ordered.

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

Honoring the religious traditions of all Alaskans, I offer this prayer with respect and humility.

Most good, giving, and gracious God, I give You thanks for this day, for our lives within it, and the endless opportunities that lie before us. As the days dwindle down to a precious few in our time together, keep us from acting from anxiety or impatience. Help us to take the long view to remember we are building upon legacies laid before us which may come to their completion only long after our part in them is played.

Bless this house and its members with a vision great enough to inspire and open enough for all to find their part to play in bringing it to life. Upon the staff, who toil behind the scenes

and out of public view, give a keen sense of the importance of their work and the appreciation of those who depend upon them for the means to make a good decision. Bless the families of these gentle folk and give them an increase of joy at the impending return of those they have given to us for a season and a purpose. And always keep us ever mindful of the poorest and least powerful among us and our sacred duty to serve those best who can do the least for us as a sign of our true greatness and the true wealth of this great land. Amen.

The Pledge of Allegiance was led by Representative McGuire.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 113th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Weyhrauch introduced Charlie Moline, Guest Page, from Juneau.

Representative Kott introduced Abby Keller, Guest Page, from Eagle River.

MESSAGES FROM THE SENATE

HB 102

A message dated May 2, 2005, was read stating the Senate has passed:

HOUSE BILL NO. 102 am

"An Act relating to the licensure of foreign medical graduates and to applications for a license to practice medicine; and providing for an effective date."

HB 102 am was referred to the Chief Clerk for enrollment.

HB 229

A message dated May 2, 2005, was read stating the Senate has passed:

HOUSE BILL NO. 229

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

HB 229 was referred to the Chief Clerk for enrollment.

HB 256

A message dated May 2, 2005, was read stating the Senate has passed:

HOUSE BILL NO. 256

"An Act naming the Ruth Burnett Sport Fish Hatchery in Fairbanks."

HB 256 was referred to the Chief Clerk for enrollment.

HB 85

A message dated May 2, 2005, was read stating the Senate has passed CSHB 85(JUD) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 85(JUD)

"An Act relating to self-administration and documentation of certain types of medication prescribed to a child attending school."

CSHB 85(JUD) is under Unfinished Business.

**The presence of Representative Stoltze was noted.

HB 116

A message dated May 2, 2005, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 116(JUD)

"An Act relating to the liability of certain persons for certain violations of alcoholic beverages laws."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 116(JUD) am S
"An Act relating to the liability of certain persons for certain violations of alcoholic beverages laws; and providing for an effective date."

(technical title change)

CSHB 116(JUD) is under Unfinished Business.

A message dated May 2, 2005, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 12

CS FOR SENATE BILL NO. 12(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to financial relationships with persons conducting business in or having headquarters in countries that support or ignore slavery and trafficking in persons."

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

SB 164

CS FOR SENATE BILL NO. 164(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the salmon product development tax credit; providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES**HCR 13**

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 13

Expressing the legislature's support for the construction of a natural gas spur pipeline between Fairbanks and the Nenana Basin and Southcentral Alaska, commending the interest and initiative of the sponsors of that project, and encouraging the appropriate state resource agencies to lend support to those efforts.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 13(RES)
(same title)

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

Do pass (3): Elkins, Crawford, Ramras

No recommendation (4): Olson, Gatto, LeDoux, Samuels

The following fiscal note(s) apply to CSHCR 13(RES):

1. Zero, Legislative Agency

HCR 13 was referred to the Rules Committee for placement on the calendar.

HJR 17

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 17

Opposing the Federal Lands Recreation Enhancement Act.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 17(RES)
(same title)

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

Do pass (2): Elkins, Crawford

Do not pass (1): Seaton

No recommendation (5): Olson, Gatto, LeDoux, Samuels, Ramras

The following fiscal note(s) apply to CSHJR 17(RES):

1. Zero, Legislative Agency

HJR 17 was referred to the Rules Committee for placement on the calendar.

HB 161

The State Affairs Committee has considered:

HOUSE BILL NO. 161

"An Act relating to reemployment of and benefits for retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 161(STA)

"An Act relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which

is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

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

Do pass (2): Elkins, Seaton

No recommendation (2): Gardner, Lynn

The following fiscal note(s) apply to CSHB 161(STA):

2. Zero, Dept. of Administration

HB 161 was referred to the Rules Committee for placement on the calendar.

HB 189

The State Affairs Committee has considered:

HOUSE BILL NO. 189

"An Act relating to an extension for review and approval of revisions to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 189(STA)

"An Act repealing the Alaska Coastal Management Program; relating to an extension for review and approval of revisions to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

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

Do pass (1): Seaton

No recommendation (4): Gardner, Lynn, Gatto, Gruenberg

Amend (1): Ramras

The following fiscal note(s) apply to CSHB 189(STA):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources

HB 189 was referred to the Resources Committee.

HB 277

The State Affairs Committee has considered:

HOUSE BILL NO. 277

"An Act naming the Charles Gamble Jr. - Donald Sperl Joint Use Facility in Juneau."

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

Do pass (7): Gardner, Lynn, Gatto, Gruenberg, Elkins, Ramras, Seaton

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee

HB 277 was referred to the Rules Committee for placement on the calendar.

HB 280

The Resources Committee has considered:

HOUSE BILL NO. 280

"An Act relating to the taxation of mining property; relating to contracts approved by municipalities for payments in lieu of taxes; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 280(RES)

"An Act relating to the taxation of minerals and mining property; relating to contracts approved by municipalities for payments in lieu of taxes; and providing for an effective date."

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

Do pass (6): Kapsner, Seaton, Elkins, Crawford, Samuels, Ramras

No recommendation (3): Olson, Gatto, LeDoux

The following fiscal note(s) apply to CSHB 280(RES):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Revenue

HB 280 was referred to the Finance Committee.

**The presence of Representative Berkowitz was noted.

HB 283

The State Affairs Committee has considered:

HOUSE BILL NO. 283

"An Act relating to the compensation for board members of the Alaska Housing Finance Corporation; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 283(STA)
(same title)

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

Do pass (2): Gardner, Seaton

No recommendation (5): Lynn, Gatto, Gruenberg, Elkins, Ramras

The following fiscal note(s) apply to CSHB 283(STA):

1. Fiscal, Dept. of Revenue

HB 283 was referred to the Finance Committee.

HB 293

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 293

"An Act relating to a borough sales tax exemption for a source that is taxed by a city in that borough."

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

Do pass (3): Kott, LeDoux, Olson

No recommendation (2): Neuman, Salmon

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development

The Speaker removed the Finance Committee referral for HB 293.

HB 293 was referred to the Rules Committee for placement on the calendar.

SB 141

The Finance Committee has submitted the following forthcoming committee substitute to accompany their report (page 1434):

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN)

"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first

hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; allowing members in the defined contribution plan of the public employees' retirement system who are not employees of participating employers to make wage reductions to purchase supplemental death or disability benefits in the Alaska Supplemental Annuity Plan; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

(pending title change resolution)

SB 141 is on today's calendar.

SB 142

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 142(L&C)

"An Act relating to ownership of land by regional school boards; and providing for an effective date."

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

Do pass (1): Olson

No recommendation (3): Neuman, Kott, LeDoux

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development
2. Zero, Dept. of Transportation & Public Facilities

CSSB 142(L&C) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

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

Ms. Esther Cox
Ms. Shirley Holloway

as members of the Board of Education and Early Development.

Ms. Karen Macklin

as a member of the Professional Teaching Practices Commission.

Mr. Jacob Gondek

as a member of the University of Alaska Board of Regents.

The report was signed by Representative Neuman, Chair; and Representatives Wilson, Thomas, Lynn, Salmon, Gara, and Gatto.

INTRODUCTION OF CITATIONS

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

Honoring - Juneau-Douglas High School, Alaska Regional Ocean Science Bowl Participants
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Eagle Scouts, Terrence Carlson, Jared Forbes, Kurt Romberg, and Tyler Wehrli
By Representative Olson; Senator Wagoner

Honoring - Cook Inlet Academy Boys Basketball Team
By Representatives Olson, Chenault; Senator Wagoner

Honoring - Hoonah Braves Boys Basketball Team
By Representative Thomas; Senator Kookesh

Honoring - Mildred Austin Jack
By Senator Kookesh; Representative Thomas

Honoring - Bing Santamour and Michael Shantz
By Senator Hoffman; Representative Kapsner

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 14

HOUSE CONCURRENT RESOLUTION NO. 14 by the House Labor and Commerce Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 137, providing that an institution providing accommodations exempt from the provisions of the Uniform Residential Landlord and Tenant Act may evict tenants without resorting to court proceedings under AS 09.45.060 - 09.45.160.

was read the first time and referred to the Rules Committee for placement on the calendar.

HCR 15

HOUSE CONCURRENT RESOLUTION NO. 15 by the House Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 104, relating to the crimes of unsworn falsification in the first and second degree and false information or report; requiring the

establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue.

was read the first time and referred to the Rules Committee for placement on the calendar.

HJR 22

HOUSE JOINT RESOLUTION NO. 22 by the House Special Committee on Oil and Gas:

Strongly encouraging the United States Secretary of the Interior to conduct additional competitive oil and gas lease sales within the National Petroleum Reserve-Alaska.

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 296

HOUSE BILL NO. 296 by Representatives Chenault and Lynn, entitled:

"An Act relating to tracking of sex offenders and child kidnappers."

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

HB 297

HOUSE BILL NO. 297 by the House Special Committee on Oil and Gas, entitled:

"An Act extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from other leases

or properties in the state and, conditionally, for exploration expenditures made in the Alaska Peninsula competitive oil and gas areawide lease sale area; and providing for an effective date."

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

HB 298

HOUSE BILL NO. 298 by Representative Neuman, entitled:

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

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 101

The following was read the second time:

HOUSE BILL NO. 101

"An Act relating to sex trafficking and tourism."

with the:

Journal Page

JUD RPT CS(JUD) NT 5DP	833
FN1: ZERO(ADM)	833
FN2: ZERO(COR)	833
FN3: ZERO(CRT)	833
FN4: ZERO(LAW)	833
FN5: ZERO(DPS)	833
FIN RPT CS(JUD) NT 9DP	1254
FN1: ZERO(ADM)	1254
FN2: ZERO(COR)	1254
FN3: ZERO(CRT)	1254

FN4: ZERO(LAW)
FN5: ZERO(DPS)

1254
1254

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. 101(JUD)
"An Act relating to sex tourism."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Weyhrauch:

Page 2, line 3:
Delete "or"

Page 2, line 5, following "acts":
Insert "; or

(D) that provides or advertises access to or intentionally facilitates the availability of sexual acts with persons under 18 of age that would be a crime if occurring in this state"

Representative Weyhrauch moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Stoltze objected.

Amendment to Amendment No. 1 was offered by Representative Weyhrauch:

Following "18":
Insert "years"

Representative Weyhrauch moved and asked unanimous consent that Amendment to Amendment No. 1 be adopted. There being no objection, it was so ordered.

Representative Stoltze withdrew the objection. There being no further objection, Amendment No. 1 as amended was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 101(JUD) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 101(JUD) am was read the third time.

**The presence of Representative Samuels, who was excused (page 1451), was noted.

The question being: "Shall CSHB 101(JUD) am pass the House?"
The roll was taken with the following result:

CSHB 101(JUD) am
Third Reading
Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Hawker

And so, CSHB 101(JUD) am passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 103

The following was read the second time:

SENATE BILL NO. 103

"An Act relating to regulation of underground injection under the federal Safe Drinking Water Act; and providing for an effective date."

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with the:

Journal Page

FIN RPT 3DP 4NR	1325
SENATE LETTER OF INTENT WITH FIN REPORT	1325
FN1: (ADM)	1325
FN2: ZERO(DNR)	1325

Representative Coghill moved and asked unanimous consent that SB 103 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 103 was read the third time.

**The presence of Representative Hawker, who was excused (page 1451), was noted.

The question being: "Shall SB 103 pass the House?" The roll was taken with the following result:

SB 103

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, SB 103 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.

Representative Coghill moved and asked unanimous consent that the House adopt the Senate letter of intent (Senate Journal page 531). There being no objection, it was so ordered.

SB 103 was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 141

The following was read the second time:

CS FOR SENATE BILL NO. 141(FIN)

"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

The Speaker stated that, without objection, CSSB 141(FIN) would be moved to the bottom of the calendar.

THIRD READING OF HOUSE BILLS**HB 257**

The following, which was advanced to third reading from the May 2, 2005, calendar (page 1426), was read the third time:

CS FOR HOUSE BILL NO. 257(JUD)

"An Act relating to and extending the pilot program for state procurement and electronic commerce tools; and providing for an effective date."

The question being: "Shall CSHB 257(JUD) pass the House?" The roll was taken with the following result:

CSHB 257(JUD)

Third Reading

Final Passage

YEAS: 32 NAYS: 4 EXCUSED: 0 ABSENT: 4

Yeas: Anderson, Berkowitz, Cissna, Coghill, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Salmon, Samuels, Seaton, Thomas, Wilson

Nays: Crawford, Guttenberg, Kerttula, Stoltze

Absent: Chenault, Kott, Rokeberg, Weyhrauch

And so, CSHB 257(JUD) 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 257(JUD) was referred to the Chief Clerk for engrossment.

HB 275

The following, which was advanced to third reading from the May 2, 2005, calendar (page 1444), was read the third time:

CS FOR HOUSE BILL NO. 275(FIN) am

"An Act authorizing financing for certain public transportation projects; giving notice of and approving the entry into, and the issuance of revenue obligations that provide participation in, lease-financing agreements for those transportation projects; and providing for an effective date."

The question being: "Shall CSHB 275(FIN) am pass the House?" The roll was taken with the following result:

CSHB 275(FIN) am
Third Reading
Final Passage

YEAS: 32 NAYS: 4 EXCUSED: 0 ABSENT: 4

Yeas: Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Hawker, Kapsner, Kelly, Kohring, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Crawford, Guttenberg, Holm, Ramras

Absent: Anderson, Joule, Kerttula, Kott

And so, CSHB 275(FIN) am 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.

Representative Berkowitz gave notice of reconsideration of the vote on CSHB 275(FIN) am.

HOUSE BILLS IN THIRD READING

HB 272

The Speaker stated that, without objection, the following, which had been held in third reading from the May 2, 2005, calendar (page 1427), would be moved to the bottom of the calendar:

CS FOR HOUSE BILL NO. 272(FIN)

"An Act relating to card rooms and card operations."

THIRD READING OF SENATE BILLS

SB 129

The following, which was advanced to third reading from the May 2, 2005, calendar (page 1427), was read the third time:

CS FOR SENATE BILL NO. 129(JUD)

"An Act relating to the wrongful recording of a notice of pendency of an action relating to title to or right to possession of real property."

The question being: "Shall CSSB 129(JUD) pass the House?" The roll was taken with the following result:

CSSB 129(JUD)

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 0 ABSENT: 4

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Kapsner, Kerttula, Ramras, Samuels

And so, CSSB 129(JUD) passed the House and 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 - Larry Jacobson

By Representatives Stoltze, Neuman, Gatto, Kohring, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Green, Huggins

Honoring - Homer Hockey Association

By Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Stoltze, Thomas, Weyhrauch, Wilson

In Memoriam - John D. Nash

By Representatives Stoltze, Neuman, Gatto, Kohring, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Huggins, Green

In Memoriam - Lucille "Mollie" Buswell

By Representatives Kohring, Gatto, Neuman, Stoltze, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Green, Huggins

The Speaker stated that, without objection, the House would recess to 5:00 p.m.; and so, the House recessed at 11:40 a.m.

AFTER RECESS

The Speaker called the House back to order at 5:12 p.m.

CONCUR IN SENATE AMENDMENTS**HB 85**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1453) on the following:

CS FOR HOUSE BILL NO. 85(JUD)

"An Act relating to self-administration and documentation of certain types of medication prescribed to a child attending school."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 85(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 85(JUD), thus adopting SCS CSHB 85(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 85(JUD)?" The roll was taken with the following result:

SCS CSHB 85(JUD)

Concur

YEAS: 33 NAYS: 1 EXCUSED: 0 ABSENT: 6

Yeas: Berkowitz, Cissna, Coghill, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Crawford

Absent: Anderson, Chenault, Kelly, Kohring, Ramras, Salmon

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 85(JUD).

The Chief Clerk notified the Senate.

SCS CSHB 85(JUD) was referred to the Chief Clerk for enrollment.

HB 116

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1453) on the following:

CS FOR HOUSE BILL NO. 116(JUD)

"An Act relating to the liability of certain persons for certain violations of alcoholic beverages laws."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 116(JUD) am S
"An Act relating to the liability of certain persons for certain violations of alcoholic beverages laws; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 116(JUD), thus adopting SCS CSHB 116(JUD) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 116(JUD)?" The roll was taken with the following result:

SCS CSHB 116(JUD) am S

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Kohring

Elkins changed from "Nay" to "Yea".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 116(JUD) am S.

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.

The Chief Clerk notified the Senate.

SCS CSHB 116(JUD) am S was referred to the Chief Clerk for enrollment.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

(continued)

SB 141

The following, which was moved to the bottom of the calendar (page 1469), was again before the House:

CS FOR SENATE BILL NO. 141(FIN)

"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

with the:

Journal Page

STA RPT HCS(STA) 1DP 5NR

1218

FN1: (ADM)

1218

HOUSE JOURNAL

May 3, 2005

1477

FN2: (ADM)	1218
FN3: (REV)	1218
FN4: (REV)	1218
FN5: (REV)	1218
FN6: (REV)	1218
FN7: (REV)	1218
FN8: (S.FIN/ADM)	1218
FIN RPT HCS(FIN) 2DP 5NR 2AM (FORTHCOMING HCS)	1420
FN1: (ADM)	1421
FN3: (REV)	1421
FN4: (REV)	1421
FN5: (REV)	1421
FN6: (REV)	1421
FN7: (REV)	1421
FN9: ZERO(H.FIN/ADM)	1421
FN10: (ADM)	1421
FIN RPT HCS(FIN) 3DP 4NR 1AM (FORTHCOMING HCS)	1434
FN1: (ADM)	1435
FN3: (REV)	1435
FN4: (REV)	1435
FN5: (REV)	1435
FN6: (REV)	1435
FN7: (REV)	1435
FN9: ZERO(H.FIN/ADM)	1435
FN11: (ADM)	1435
HCS(FIN) NT RECEIVED	1460

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

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN)

"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; allowing members in the defined contribution

plan of the public employees' retirement system who are not employees of participating employers to make wage reductions to purchase supplemental death or disability benefits in the Alaska Supplemental Annuity Plan; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

(pending title change resolution)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Kelly:

Page 1, lines 7 - 10 through "**Plan**;" (title amendment):

Delete all material.

Page 58, lines 19 - 25:

Delete all material.

Page 59, lines 6 - 23:

Delete all material.

Renumber the following bill sections accordingly.

Representative Kelly moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Kerttula objected.

Representative Kelly moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

New Amendment No. 1 was offered by Representative Kelly:

Page 1, lines 7 - 10 through "**Plan;**" (title amendment):

Delete all material.

Page 58, lines 19 - 25:

Delete all material.

Renumber the following bill sections accordingly.

Page 59, line 10:

Delete "**or (d)**"

Page 59, line 21:

Delete ":",

Insert ":",

Page 59, lines 22 - 23:

Delete all material.

Representative Kelly moved and asked unanimous consent that New Amendment No. 1 be adopted.

Representative Croft objected and withdrew the objection. There being no further objection, New Amendment No. 1 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H
"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement

system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

Amendment No. 2 was offered by Representative Weyhrauch:

Page 115, following line 2:

Insert a new bill section to read:

"* **Sec. 136.** (a) AS 14.25.310 - 14.25.590; AS 39.30.300 - 39.30.495; and AS 39.35.700 - 39.35.990 are repealed June 1, 2006.

(b) The revisor of statutes shall submit to the Alaska Legislative Council at its first meeting of the Second Regular Session of the Twenty-Fourth Alaska State Legislature a bill amending the Alaska Statutes to conform to (a) of this section.

(c) The legislature shall consider repealing (a) of this section if a long-term solution has addressed the unfunded liability of the teachers' retirement system and public employees' retirement system. The unfunded liability endangers the security of current and retired employees in those systems and the long-term viability of the systems themselves. A long-term solution to the unfunded liability issue must include implementing employer contributions, bonding, refined actuarial analyses, and contributions from other state sources."

ReNUMBER the following bill sections accordingly.

Page 119, line 20:

Delete "SECTIONS 144 AND 145"

Insert "SECTIONS 145 AND 146"

Page 119, line 21:

Delete "secs. 144 and 145"

Insert "secs. 145 and 146"

Page 119, lines 22 - 23:

Delete "secs. 144 and 145"

Insert "secs. 145 and 146"

Page 120, line 3:

Delete "Section 146"

Insert "Section 147"

Page 120, line 4:

Delete "secs. 148, 149, and 150 "

Insert "secs. 149, 150, and 151"

Representative Weyhrauch moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Kelly objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H

Second Reading

Amendment No. 2

YEAS: 27 NAYS: 12 EXCUSED: 0 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kerttula, Kott, LeDoux, Lynn, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Weyhrauch

Nays: Anderson, Chenault, Coghill, Foster, Holm, Kelly, Kohring, McGuire, Meyer, Moses, Thomas, Wilson

Absent: Kapsner

And so, Amendment No. 2 was adopted.

Amendment No. 3 was offered by Representative Croft:

Page 1, line 1 through page 120, line 5 (title amendment):

Delete all material.

Insert ""**An Act relating to establishing the Alaska Retirement Review Task Force; and providing for an effective date.**"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

THE RETIREMENT REVIEW TASK FORCE: It is the intent of the Legislature to create a temporary task force to review the Alaska state retirement systems. The task force sunsets 30 days after the first day of the second regular legislative session following the effective date of this section.

(a) The panel shall be composed of

- (1) a member of the Teachers' Retirement System Board;
- (2) a member of the Public Employees' Retirement System Board;
- (3) a member of the Alaska State Pension Investment Board;
- (4) one senator selected by the minority in the senate;
- (5) one senator selected by the majority in the senate;
- (6) one representative selected by the minority in the house of representatives;
- (7) one representative selected by the majority in the house of representatives;
- (8) two people selected by the governor; and
- (9) two people selected by the governor from a list of union nominations.

(b) Each union representing at least 300 public employees who have as members employees who are beneficiaries of the Teachers' Retirement System (AS 14.25) or the Public Employees' Retirement System (AS 39.35) may submit the name of a person for consideration by the governor under (a) (9) of this section.

(c) The panel shall select a chair who shall conduct the meetings of the panel. Not later than the first day of the second regular session of the Twenty-Fourth Alaska State Legislature, the chair shall notify the revisor of statutes of the findings of the panel.

(d) The panel shall present a report to the legislature containing the task force's assessments and recommendations as provided in this section. The panel shall report to the legislature 120 days after all members are appointed to the board, or 15 days after the first day of

the first regular legislative session following the effective date of this section, whichever is first. The report must include the panel's

- (1) preliminary assessment of the financial health of all public employees' retirement plans and all teachers' retirement plans;
- (2) assessment of the actuarial services purchased by board;
- (3) recommendations for additional legislative or administrative policy to improve the financial health of the retirement plans;
- (4) short-term and long-term recommendations for addressing the unfunded liability of the retirement plans; and
- (5) recommendations for legislative procedures regarding fiscal notes for new legislation affecting the retirement plans."

(e) Members of the panel are entitled to transportation and per diem expenses for any meeting as provided in AS 39.20.180.

***Sec. 2.** This Act takes effect immediately under AS 01.10.070(c)."

Representative Croft moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Kelly objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H
Second Reading
Amendment No. 3

YEAS: 20 NAYS: 19 EXCUSED: 0 ABSENT: 1

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kerttula, LeDoux, Lynn, Olson, Salmon, Weyhrauch

Nays: Chenault, Coghill, Foster, Gatto, Hawker, Holm, Kelly, Kohring, McGuire, Meyer, Moses, Neuman, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Wilson

Absent: Kott

And so, Amendment No. 3 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H
"An Act relating to establishing the Alaska Retirement Review
Task Force; and providing for an effective date."

Representative Croft moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 3.

Representative Berkowitz objected.

Representative Rokeberg placed a call of the House.

The call was satisfied.

The question being: "Shall the House rescind previous action in adopting Amendment No. 3?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H
Second Reading
Rescind Previous Action/Amendment No. 3

YEAS: 26 NAYS: 14 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, Kott, LeDoux, Lynn, Salmon

And so, the motion passed, and the title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H
"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees'

Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

Representative Croft moved and asked unanimous consent that Amendment No. 3 (page 1481) be adopted.

Representative Kelly objected.

Representative Berkowitz moved and asked unanimous consent that the question be divided.

The Speaker ruled that the question was not divisible.

Amendment to Amendment No. 3 was offered by Representative Croft:

Delete "Page 1, line 1 through Page 120, line 5 (title amendment):

Delete all material."

Insert Section 1 as a new bill section to HCS CSSB 141(FIN) am H.

Representative Croft moved and asked unanimous consent that Amendment to Amendment No. 3 be adopted.

Representative Kelly objected.

Representative Kelly placed a call of the House.

The call was satisfied.

Representative Croft moved and asked unanimous consent to withdraw Amendment to Amendment No. 3. There being no objection, it was so ordered.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H
Second Reading
Amendment No. 3

YEAS: 17 NAYS: 23 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kerttula, Kott, LeDoux, Lynn, Olson, Salmon, Weyhrauch

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kapsner, Kelly, Kohring, McGuire, Meyer, Moses, Neuman, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Wilson

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Croft:

Page 1, line 1 through page 2, line 6 (title amendment):

Delete all material and insert:

"An Act relating to establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; creating a temporary retirement task force; and providing for an effective date."

Page 2, line 8 through page 120, line 5:

Delete all material and insert:

****Section 1.** AS 37.10.210 is repealed and reenacted to read:

Sec. 37.10.210. Alaska Retirement Management Board.

(a) The Alaska Retirement Management Board is established in the Department of Revenue. The board's primary mission is to serve as the trustee of the assets of the state's retirement systems, the State of Alaska Supplemental Annuity Plan, and the deferred

compensation program for state employees. Consistent with standards of prudence, the board has the fiduciary obligation to manage and invest these assets in a manner that is sufficient to meet the liabilities and pension obligations of the systems, plan, and program. The board may, with the approval of the commissioner of revenue and upon agreement with the responsible fiduciary, manage and invest other state funds so long as the activity does not interfere with the board's primary mission. In making investments, the board shall exercise the powers and duties of a fiduciary of a state fund under AS 37.10.071.

(b) The Alaska Retirement Management Board consists of nine trustees, as follows:

(1) two members, consisting of the commissioner of administration and the commissioner of revenue;

(2) seven trustees appointed by the governor who meet the eligibility requirements for an Alaska permanent fund dividend and who are professionally credentialed or have recognized competence in investment management, finance, banking, economics, accounting, pension administration, or actuarial analysis as follows:

(A) one trustee who is a member of the general public; the trustee appointed under this subparagraph may not hold another state office, position, or employment and may not be a member or beneficiary of a retirement system managed by the board;

(B) one trustee who is employed as a finance officer for a political subdivision participating in the public employees' retirement system;

(C) one trustee who is employed as a finance officer for a political subdivision participating in the teachers' retirement system;

(D) two of whom are members of the public employees' retirement system selected from a list of nominees submitted by public employees' retirement system bargaining units; and

(E) two of whom are members of the teachers' retirement system selected from a list of nominees submitted by the teachers' retirement system bargaining units; and

(c) The trustees, other than the two commissioners, shall serve for staggered terms of six years and may be reappointed or

elected to the board for a total of two consecutive terms. A person who has served two consecutive terms may not be reappointed to the board for at least one year.

(d) The governor may, by written notice to the trustee, remove an appointed trustee for cause. After an appointed trustee receives written notice of removal, the trustee may not participate in board business and may not be counted for purposes of establishing a quorum.

(e) A vacancy on the board of trustees shall be promptly filled. A person filling a vacancy holds office for the balance of the unexpired term of the person's predecessor, and the balance of the unexpired term served is not included in the three-term limitation under (c) of this section. A vacancy on the board does not impair the authority of a quorum of the board to exercise all the powers and perform all the duties of the board.

(f) Five trustees constitute a quorum for the transaction of business and the exercise of the powers and duties of the board.

(g) A trustee may not designate another person to serve on the board in the absence of the trustee.

(h) The board shall provide annual training to its members on the duties and powers of a fiduciary of a state fund and other training as necessary to keep the members of the board educated about pension management and investment.

(i) The board shall elect a trustee to serve as chair and a trustee to serve as vice-chair for one-year terms. A trustee may be reelected to serve additional terms as chair or vice-chair.

*Sec. 2. AS 37 10.390 is amended to read:

Sec. 37.10.390. Definitions. In AS 37.10.210 – 37.10.390, unless the context otherwise requires,

(1) "board" means the board of trustees of the Alaska **Retirement Management** [STATE PENSION INVESTMENT] Board;

(2) "**fund**" means the fund or funds composed of the assets of each of the retirement systems administered and managed by the board;

(3) "**recognized competence**" means a minimum of 10 years' professional experience working or teaching in the field of investment management, finance, banking, economics, accounting, pension administration, or actuarial analysis;

(4) "retirement systems" **or** "**systems**" means the teachers' retirement system, the judicial retirement system, the Alaska National Guard and Alaska Naval Militia retirement system, [AND] the public employees' retirement system, **and the elected public officers' retirement system under former AS 39.37.**

***Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

EFFECTIVE DATE. This Act takes effect immediately under AS 01.10.070(c)."

Representative Croft moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Kelly objected.

Representative Coghill placed a call of the House on the bill.

The call was satisfied.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H
Second Reading
Amendment No. 4

YEAS: 16 NAYS: 24 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kerttula, LeDoux, Lynn, Salmon, Wilson

Nays: Anderson, Chenault, Coghill, Foster, Gatto, Harris, Hawker, Holm, Kapsner, Kelly, Kohring, Kott, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch

And so, Amendment No. 4 was not adopted.

Representative Coghill lifted the call.

The Speaker stated that the House would stand at ease; and so, the House stood at ease at 7:33 p.m.

AFTER AT EASE

The Speaker called the House back to order at 8:09 p.m.

SECOND READING OF SENATE BILLS

(continued)

SB 141

HCS CSSB 141(FIN) am H was again before the House.

The House adjourned.

HCS CSSB 141(FIN) am H will be on tomorrow's calendar in second reading with amendments pending.

HOUSE BILLS IN THIRD READING

HB 272

The following, which was moved to the bottom of the calendar (page 1471), will be on tomorrow's calendar in third reading:

CS FOR HOUSE BILL NO. 272(FIN)

"An Act relating to card rooms and card operations."

UNFINISHED BUSINESS

SB 104

The Judiciary Committee has submitted the forthcoming fiscal note to accompany their report (page 1434):

3. Zero, Dept. of Revenue

for the following:

HOUSE CS FOR CS FOR SENATE BILL NO. 104(JUD)

"An Act relating to the crimes of unsworn falsification in the first degree involving an application for a permanent fund dividend and

false information or report involving eligibility for a permanent fund dividend; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; relating to service in the peace corps and as a member of the United States Olympic Team as allowable absences from the state for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date."

CSSB 104(JUD) is in the Rules Committee.

HB 85

Representative Cissna added her name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 85(JUD)

"An Act relating to self-administration and documentation of certain types of medication prescribed to a child attending school."

HB 101

Representatives Neuman, Guttenberg, Gardner, and LeDoux added their names as cosponsors to:

CS FOR HOUSE BILL NO. 101(JUD) am

"An Act relating to sex tourism."

SB 104

Representatives Elkins and Kerttula added their names as cross sponsors to:

CS FOR SENATE BILL NO. 104(JUD)

"An Act relating to the crimes of unsworn falsification in the first and second degrees and false information or report; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; and providing for an effective date."

SB 129

Representative Neuman added his name as cross sponsor to:

CS FOR SENATE BILL NO. 129(JUD)

"An Act relating to the wrongful recording of a notice of pendency of an action relating to title to or right to possession of real property."

SB 164

Representative Kohring added his name as cross sponsor to:

CS FOR SENATE BILL NO. 164(FIN)

"An Act relating to the salmon product development tax credit; providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003; and providing for an effective date."

ENGROSSMENT**HB 98**

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 98(RLS)

"An Act relating to the compensation of the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

HB 101

CSHB 101(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 257

CSHB 257(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HB 185**

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 4:37 p.m., May 3, 2005:

CS FOR HOUSE BILL NO. 185(FIN)

"An Act relating to immunization of postsecondary students for meningitis; and providing for an effective date."

HB 219

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 4:37 p.m., May 3, 2005:

CS FOR HOUSE BILL NO. 219(FIN)

"An Act relating to the definition of 'dangerous instrument' as applied within the criminal code."

ANNOUNCEMENTS

With the appointment of a Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 19, 2005. Submit written notice of a meeting by 4:00 p.m. to the Chief Clerk's office for publication in the next day's committee schedule.

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn (page 1489) until 10:00 a.m., May 4, 2005. There being no objection, the House adjourned at 8:24 p.m.

Suzi Lowell
Chief Clerk