

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Tuesday

March 28, 2006

Seventy-ninth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:11 a.m.

Roll call showed 32 members present. Representatives Anderson, Berkowitz, Croft, Gara, Kott, and McGuire were absent and their presence was noted later.

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

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

Our Dear Heavenly Father,

We come before You today as a body gathered to work for the people of our great state.

We express thanks for the freedom we are blessed with - the freedom that many are defending at this very moment. Bless them and the families who are waiting for their return. We thank Thee for the health and strength that we do enjoy, and we ask a special blessing on those who are dealing with health challenges and struggles.

We are grateful for friends and family who are supportive of us as we are away from home. We ask for increased strength for those who bear our burdens at home so that we may serve.

Bless us as a body, that we will be mentally sharp, that we will be thoughtful, that we will express our differences with civility, and that we will conduct ourselves in an exemplary way. Bless us with the gift of flexibility without forsaking our core values!

In humility we ask for these blessings in Thy name, Heavenly Father. Amen.

The Pledge of Allegiance was led by Representative Kapsner.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 78th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 410

A message dated March 27, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 410(JUD)

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

CSHB 410(JUD) was referred to the Chief Clerk for enrollment.

**The presence of Representatives Anderson and Gara was noted.

A message dated March 27, 2006, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 200**

CS FOR SENATE BILL NO. 200(JUD) am by the Senate Judiciary Committee, entitled:

"An Act relating to defense of self, other persons, property, or services."

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

**The presence of Representative Kott was noted.

SB 250

SENATE BILL NO. 250 by the Senate Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and eliminating statutory references to the network on domestic violence and sexual assault."

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

REPORTS OF STANDING COMMITTEES**HB 414**

The Judiciary Committee has considered:

HOUSE BILL NO. 414

"An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent to an order authorizing law enforcement to intercept the private communications of the minor."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 414(JUD)
(same title)

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

Do pass (3): Kott, Anderson, McGuire

No recommendation (2): Gara, Coghill

Amend (2): Wilson, Gruenberg

The following fiscal note(s) apply to CSHB 414(JUD):

2. Zero, Dept. of Administration
3. Zero, Dept. of Administration
4. Zero, Alaska Court System
5. Zero, Dept. of Public Safety

HB 414 was referred to the Rules Committee for placement on the calendar.

HB 439

The Judiciary Committee has considered:

HOUSE BILL NO. 439

"An Act relating to authorizing the state to join with other states entering into the Interstate Insurance Product Regulation Compact and authorizing the compact to supersede existing statutes by approving standards, rules, or other action under the terms of the compact."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 439(L&C)

"An Act relating to authorizing the state to join with other states in entering into the Interstate Insurance Product Regulation Compact."

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

Do pass (4): Coghill, Anderson, Kott, McGuire

Amend (2): Gara, Gruenberg

The following fiscal note(s) apply to CSHB 439(L&C):

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

HB 439 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Berkowitz was noted.

SB 255

The Labor & Commerce Committee has considered:

CS FOR SENATE BILL NO. 255(FIN)

"An Act extending the termination date and duties for the Board of Examiners in Optometry; amending the licensing, endorsement, and renewal provisions for optometrists; and providing for an effective date."

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

Do pass (2): Kott, Anderson

No recommendation (5): Crawford, Lynn, LeDoux, Guttenberg, Rokeberg

The following fiscal note(s) apply:

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

CSSB 255(FIN) was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Creighton Boyd, 2006 Alaska Youth of the Year Award
By Representative Thomas; Senator Kookesh

In Memoriam - Gwendolyn (Flores) Hoffman
By Senator Hoffman; Representative Kapsner

In Memoriam - Margaret Irene (Kameroff) Sirilo
By Senator Hoffman; Representative Kapsner

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - Alaska Committee for Employer Support of the Guard and Reserve (ESGR)
By Senator Stedman; Representative Dahlstrom

In Memoriam - Charles 'Chuck' Dart
By Senator Kookesh; Representative Salmon

**The presence of Representative Croft was noted.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 496**

HOUSE BILL NO. 496 by the House State Affairs Committee,
entitled:

"An Act relating to contributions from permanent fund dividends to certain educational organizations and to certain charitable organizations that provide a positive youth development program, workforce development, aid to the arts, or aid and services to the elderly, low-income individuals, individuals in emergency situations, disabled individuals, or individuals with mental illness; and providing for an effective date."

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

**The presence of Representative McGuire was noted.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 365

The following was read the second time:

HOUSE BILL NO. 365

"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."

with the:

Journal Page

FIN RPT CS(FIN) NT 7DP 2AM

2857

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. 365(FIN)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations for state aid to public schools, centralized correspondence study, and transportation of pupils; 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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 365(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 365(FIN) will advance to third reading on tomorrow's calendar.

HB 366

The following was read the second time:

HOUSE BILL NO. 366

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

with the:

Journal Page

FIN RPT CS(FIN) 7DP 2AM

2858

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. 366(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 366(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 366(FIN) will advance to third reading on tomorrow's calendar.

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 - 20th Anniversary for the Z.J. Loussac Library

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

Honoring - Anchorage Community Concert Band

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

In Memoriam - Specialist Michael Ignatius Edwards, Alaska National Guard, Company B, 1st Battalion, 207th Aviation

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

CONCUR IN SENATE AMENDMENTS**HB 251**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 2853) on the following:

CS FOR HOUSE BILL NO. 251(RES)

"An Act authorizing the Board of Fisheries to adopt regulations regarding fishing by a person who holds two entry permits for a salmon fishery."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 251(RES)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 251(RES), thus adopting SCS CSHB 251(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 251(RES)?" The roll was taken with the following result:

SCS CSHB 251(RES)

Concur

YEAS: 35 NAYS: 0 EXCUSED: 2 ABSENT: 3

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, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas

Excused: Kerttula, Wilson

Absent: Kapsner, Meyer, Weyhrauch

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 251(RES).

The Chief Clerk notified the Senate.

SCS CSHB 251(RES) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

SB 298

The Speaker removed the Finance Committee referral and added a Labor & Commerce Committee referral to precede the Judiciary Committee referral for the following:

CS FOR SENATE BILL NO. 298(JUD)

"An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees,

beneficiaries, and creditors of trusts and of trusts and estates; relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date."

CSSB 298(JUD) was removed from the Judiciary Committee and referred to the Labor & Commerce Committee.

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring - Alaska Committee for Employer Support of the Guard and Reserve (ESGR) and In Memoriam - Charles 'Chuck' Dart, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

Honoring - Alaska Committee for Employer Support of the Guard and Reserve (ESGR)

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

In Memoriam - Charles 'Chuck' Dart

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

UNFINISHED BUSINESS

HCR 30

Representative Ramras added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 30
Creating an Alaska Climate Impact Assessment Commission.

HB 400

Representative Crawford added his name as cosponsor to:

CS FOR HOUSE BILL NO. 400(FIN)
"An Act relating to confiscation of firearms during disaster emergencies."

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 29, 2006. There being no objection, the House adjourned at 10:43 a.m.

Suzi Lowell
Chief Clerk