

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

March 30, 2006

Eighty-first Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:08 a.m.

Roll call showed 35 members present. Representatives Gara and McGuire were absent and their presence was noted later. Representative Weyhrauch was absent.

Representative Coghill moved and asked unanimous consent that Representatives Wilson and Gruenberg 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 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.

With deepest respect for the religious traditions of all Alaskans, I offer this prayer.

I ask blessings for Representative Gruenberg and his family.

Blessed be God who makes all things new. God of all blessings, source of all life, giver of all grace, I thank You for the gift of life: for the breath that sustains life; for the love of family and friends without which there would be no life.

I thank You for the mystery of creation: for the beauty that the eye can see; for the joy the heart may know; for the mysteries that fill our minds with wonder.

I thank You for setting us in communities: for families who nurture our becoming; for friends who love us by choice; for companions at work who share our burdens and daily tasks; for strangers who welcome us into their midst; for people from other lands and cultures than our own who call us to grow in wisdom and understanding; for children who lighten our days with delight; for children about to be born who offer us hope.

I thank You for this day: for life and one more day to love; for every opportunity and challenge; and one more day to learn forgiveness and mercy.

With every beauty and grace, bless this House, O Lord.
Amen.

The Pledge of Allegiance was led by Representative Gatto.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 80th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

HJR 27

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 27

Urging the United States Congress to pass legislation amending the Alaska Native Vietnam Veterans Allotment Act to allow deserving veterans to obtain allotments of vacant land within the State of Alaska; and to reopen and legislatively approve allotments in the Tongass National Forest.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 27(MLV)
(same title)

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

Do pass (4): Lynn, Gatto, Elkins, Ramras

No recommendation (1): Gardner

Amend (1): Seaton

The following fiscal note(s) apply to CSHJR 27(MLV):

1. Zero, House Special Committee on Military & Veterans' Affairs

HJR 27 was referred to the Rules Committee for placement on the calendar.

HB 308

The Judiciary Committee has considered:

HOUSE BILL NO. 308

"An Act relating to false caller identification."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 308(JUD)

(same title)

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

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

No recommendation (1): Gara

The following fiscal note(s) apply to CSHB 308(JUD):

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

HB 308 was referred to the Finance Committee.

SB 249

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

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

Do pass (5): Gardner, Lynn, Gatto, Elkins, Seaton

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Alaska Court System

CSSB 249(JUD) was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

Honoring - National Correctional Officers' Week, May 7 - 13, 2006
By Representative Harris

Honoring - Volunteers in Service to America
By Representative Elkins; Senator Stedman

Honoring - The United States Coast Guard in Alaska
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Clifford "Jack" Johnson
By Representative Harris

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Katherine Singer
By Senator Huggins; Representatives Stoltze, Dahlstrom

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 31

The following was read the second time:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 31

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations."

with the:	Journal Page
L&C RPT 4DP 3NR	538
FN1: ZERO(CED)	539
FN2: INDETERMINATE(ADM)	539
HES RPT 2DP 1DNP 1NR	791
FN1: ZERO(CED)	791
FN2: INDETERMINATE(ADM)	791
FIN RPT CS(FIN) 3DP 4NR	1213
FN1: ZERO(CED)	1213
FN2: INDETERMINATE(ADM)	1213
FN3: INDETERMINATE(LWF)	1213

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

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
31(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSSSHB 31(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSSHB 31(FIN) was read the third time.

The question being: "Shall CSSSHB 31(FIN) pass the House?" The roll was taken with the following result:

CSSSHB 31(FIN)

Third Reading

Final Passage

YEAS: 34 NAYS: 3 EXCUSED: 2 ABSENT: 1

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

Nays: Coghill, Kelly, Kohring

Excused: Gruenberg, Wilson

Absent: Weyhrauch

And so, CSSSHB 31(FIN) passed the House and was referred to the Chief Clerk for engrossment.

HB 441

The following was read the second time:

HOUSE BILL NO. 441

"An Act relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence; relating to mitigating factors in sentencing; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date."

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with the:	Journal Page
JUD RPT 3DP 2NR	2644
FN1: ZERO(ADM)	2645
FN2: ZERO(CRT)	2645
FN3: ZERO(LAW)	2645
FIN RPT CS(FIN) NT 9DP 1NR	2790
FN1: ZERO(ADM)	2790
FN2: ZERO(CRT)	2790
FN3: ZERO(LAW)	2790
FN4: ZERO(ADM)	2790
FN5: ZERO(COR)	2790
FN6: ZERO(HSS)	2790
FN7: ZERO(DPS)	2790

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. 441(FIN)

"An Act relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence; relating to court-ordered treatment programs for certain offenders and offenses; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 441(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 441(FIN) was read the third time.

The question being: "Shall CSHB 441(FIN) pass the House?" The roll was taken with the following result:

CSHB 441(FIN)
Third Reading
Final Passage

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

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

Excused: Gruenberg, Wilson

Absent: Hawker, Holm, Weyhrauch

And so, CSHB 441(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.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

CSHB 441(FIN) was referred to the Chief Clerk for engrossment.

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 - Life Achievements of Merle "Mudhole" Smith

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

Honoring - Max Treinen

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

In Memoriam - Wanda Holmes

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

In Memoriam - Frederick W. Pete Sr.

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

In Memoriam - Reverend Samuel K. Fields Jr.

By Senator Dyson; Representatives Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, 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

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:

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Representative Samuels - from 12:00 p.m., March 30 to 10:00 a.m., plane time, April 1, 2006

Representative McGuire - from 1:00 p.m., March 30 to 10:00 p.m., plane time, April 2, 2006

Representative Cissna - from 7:00 a.m., March 31 to 5:00 p.m., plane time, April 2, 2006

Representative LeDoux - from 12:00 p.m., March 31 to 10:00 a.m., plane time, April 3, 2006

Representative Moses - from 12:00 p.m., March 31 to 10:00 a.m., plane time, April 3, 2006

Representative Holm - from 6:00 p.m., March 31 to 10:00 a.m., plane time, April 3, 2006

Representative Kott - from 7:00 a.m., April 1 to 10:00 p.m., plane time, April 2, 2006

Representative Ramras - from 7:00 a.m., April 1 to 2:00 p.m., plane time, April 3, 2006

Representative Elkins - from 1:00 p.m., April 2 to 2:00 p.m., plane time, April 5, 2006

SB 232

In the event the Senate fails to concur and the House fails to recede from the following:

HOUSE CS FOR CS FOR SENATE BILL NO. 232(FIN) am H
"An Act making appropriations, supplemental appropriations, and capital appropriations; amending appropriations and funding sources; making appropriations to capitalize funds; and providing for an effective date."

The Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider HCS CSSB 232(FIN) am H and CSSB 232(FIN):

Representative Chenault, Chair
Representative Meyer
Representative Joule

The Chief Clerk notified the Senate.

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Katherine Singer, 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 citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Katherine Singer

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

UNFINISHED BUSINESS

HB 31

Representatives Crawford, Gara, Neuman, Berkowitz, LeDoux, McGuire, Meyer, Gardner, Kerttula, Guttenberg, Rokeberg, and Cissna added their names as cosponsors to:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
31(FIN)

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations."

HB 308

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 308

"An Act relating to false caller identification."

HB 390

Representative Neuman added his name as cosponsor to:

HOUSE BILL NO. 390

"An Act limiting the amount that a municipality may charge for an appeal of a residential real property tax assessment to the municipality's board of equalization."

HB 441

Representatives Kelly, Gardner, LeDoux, and Crawford added their names as cosponsors to:

CS FOR HOUSE BILL NO. 441(FIN)

"An Act relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence; relating to court-ordered treatment programs for certain offenders and offenses; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date."

SB 218

Representatives Gatto and Dahlstrom added their names as cross sponsors to:

CS FOR SENATE BILL NO. 218(FIN)

"An Act relating to sex offenders and child kidnappers; relating to reporting of sex offenders and child kidnappers; relating to periodic polygraph examinations for sex offenders released on probation or parole; relating to sexual abuse of a minor; relating to

the definitions of 'aggravated sex offense' and 'child kidnapping'; relating to penalties for failure to report child abuse or neglect; relating to sentencing for sex offenders and habitual criminals; and providing for an effective date."

ENGROSSMENT

HB 31

CSSSHB 31(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 441

CSHB 441(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT

HB 410

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 9:00 a.m., March 30, 2006:

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."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Transportation Committee
CANCELED

1:30 p.m.

Legislative Council
CANCELED

5:00 p.m.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 3, 2006. There being no objection, the House adjourned at 11:39 a.m.

Suzi Lowell
Chief Clerk