

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

January 19, 2005

Tenth Day

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

Roll call showed 35 members present. Representative Crawford and Representative-elect Moses had been previously excused from a call of the House today. Representatives Seaton and Croft were absent and their presence was noted later.

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

The invocation was offered by the Chaplain, Dr. Sam Mathews of Family of Faith Church, Shawnee, Oklahoma. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Father, today I thank You for life, freedom, and health. I thank You for each person involved in the government of Alaska. You have instructed us to pray for those in authority so that the nations and cities may be blessed and live in peace and prosperity. Today I invoke Your name, and I ask for Your blessings, strength, wisdom, and purpose to be established in this state.

We stand before You today as stewards. We have inherited a life and a history that demands decisions and actions because of what others before us have done or not done. We stand today looking toward a future. This future is still undefined

and demands that we handle decisions today that will mold and emerge into experiences that will either bless or harm others around us. Touch our hearts and minds so that we will live for the good of all mankind and make decisions that have the maturity that takes what has been given to us and allows it, as well as causes it, to become greater and better than when we received it.

We live in a great nation, and we ask that You would help us make it an even greater nation. The stewardship of the future is in each of our hands, and we ask that wisdom would be given to us so that the future would hold blessing, peace, and prosperity for all. I ask these things in the name of Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative Coghill.

CERTIFICATION OF THE JOURNAL

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

INTRODUCTION OF CITATIONS

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

Honoring - Kodiak High School Boys Baseball Team
By Senator Gary Stevens; Representative LeDoux

In Memoriam - Christine J. "Chris" Blackburn
By Senator Gary Stevens; Representative LeDoux

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

Honoring - The American Red Cross of Alaska
By Representative Coghill

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 6**

HOUSE JOINT RESOLUTION NO. 6 by Representatives Kerttula and Gara:

Relating to the labeling of fish products and processed food items containing fish to identify the country of origin and to distinguish between wild and farmed fish and fish products.

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 80**

HOUSE BILL NO. 80 by Representative Berkowitz, entitled:

"An Act relating to listing certain anabolic steroids as controlled substances."

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

HB 81

HOUSE BILL NO. 81 by Representative Anderson, entitled:

"An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; and exempting the administrative hearings for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration."

was read the first time and referred to the Labor & Commerce, Judiciary, and Finance Committees.

HB 82

HOUSE BILL NO. 82 by Representatives Dahlstrom, Wilson, and Gara, entitled:

"An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

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

HB 83

HOUSE BILL NO. 83 by Representatives LeDoux and Guttenberg, entitled:

"An Act relating to the Alaska Seismic Hazards Safety Commission."

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

HB 84

HOUSE BILL NO. 84 by Representatives LeDoux and Guttenberg, entitled:

"An Act extending the termination date for the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

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

HB 85

HOUSE BILL NO. 85 by Representative Meyer, entitled:

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

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

HB 86

HOUSE BILL NO. 86 by Representatives Meyer and Kerttula, entitled:

"An Act establishing in the office of the ombudsman a state executive branch employee fraud, waste, and abuse report hotline program."

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

HB 87

HOUSE BILL NO. 87 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to absentee voting by mail or electronic transmission; relating to unlawful interference with an election; relating to election recounts; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Office of the Governor
2. Zero, Dept. of Law

The Governor's transmittal letter dated January 18, 2005, follows:

"Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to absentee voting by mail or electronic transmission, to unlawful interference with an election, and to election recounts.

Sections 2, 3, and 5 of the bill are designated as the Absentee Voter Protection Act of 2005. Section 2 of the bill would amend AS 15.20.081(a) to make it clear that a voter applying by mail or by electronic transmission for an absentee ballot must submit the application directly to the Division of Elections. This would eliminate the possibility of interest groups soliciting applications for absentee ballots and selectively submitting applications to the division. Section 3 of the bill would amend AS 15.20.081(b) to require that the Division of Elections receive the application not less than ten days before the election for which the absentee ballot is sought. Presently, the statute requires that applications be received not less than seven days before the election. The earlier deadline should provide more time for the absentee ballot to reach the voter.

Section 5 of the bill would amend AS 15.56.060 to include among the activities constituting unlawful interference with an election (a class C felony) intentionally changing, attempting to change, or causing to be changed, an absentee ballot application prepared by another person without authorization by the person.

This bill also would increase the amount of the deposit to be posted for certain election recounts and would require certain recount applicants to bear the entire cost of the recount. See section 4 of the bill.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 88

HOUSE BILL NO. 88 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to certain weapons offenses involving minors; to aggravating factors in sentencing for certain offenses committed against a school employee; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Law

The Governor's transmittal letter dated January 18, 2005, follows:

"Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill, the School Violence Prevention Act of 2005, that addresses certain weapons violations by children and assault and other crimes by adults in schools. Violence by students and adults in schools is simply unacceptable.

This bill would provide that minors who are 16 or 17 years old and commit certain felony misconduct involving weapons are automatically waived to adult court. This will deter such potentially lethal activity with a weapon by holding these minors accountable to the same legal consequences adults face for this conduct. When minors engage in a dispute and weapons are brought into the situation, the negative effects are magnified for all involved.

This bill also addresses violence by adults at school. It would adopt an aggravating factor in sentencing for those convicted of a crime against a person, such as assault, on a school employee on school grounds or at a school-sponsored event.

The enactment of this legislation will send the message that Alaskans will not tolerate violence in our schools, either by minors or adults. All children and teachers in this state should have a safe environment in which to work and learn.

I urge your prompt and favorable action on this measure.

Sincerely yours,
/s/
Frank H. Murkowski
Governor"

HB 89

HOUSE BILL NO. 89 by Representative Kerttula, entitled:

"An Act relating to labeling and identification of genetically modified fish and fish products."

was read the first time and referred to the House Special Committee on Fisheries and the Resources and Labor & Commerce Committees.

CONSIDERATION OF THE DAILY 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 - Monique Barteaux, Mothers Against Drunk Driving Youth Activist of the Year

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

In Memoriam - Madeleine Calkins Mirow Spears

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

UNFINISHED BUSINESS

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Weyhrauch - from 7:00 a.m., January 20 to 9:30 a.m., plane time, January 24, 2005

Representative Olson - from 11:00 a.m., January 20 to 9:30 p.m., plane time, January 23, 2005

Representative Rokeberg - from 7:30 p.m., January 20 to 9:30 a.m., plane time, January 25, 2005

Representative Croft - from noon, January 21 to 9:30 a.m., January 24, 2005

Representative Hawker - from 11:00 a.m., January 21 to 9:30 a.m., plane time, January 24, 2005

Representative Holm - from 6:00 p.m., January 21 to 9:30 a.m., plane time, January 24, 2005

Representative Samuels - from 7:00 p.m., January 21 to 10:00 p.m., plane time, January 25, 2005

**The presence of Representatives Seaton and Croft was noted.

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - The American Red Cross of Alaska, be taken up as a Special Order of Business.

Representative Stoltze objected and withdrew the objection. There being no further 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 - The American Red Cross of Alaska

By Representatives Coghill, Harris, Anderson, Berkowitz, Chenault, Cissna, 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, Seaton, Thomas, Weyhrauch, Wilson

UNFINISHED BUSINESS

HB 16

Representative Neuman added his name as cosponsor to:

HOUSE BILL NO. 16

"An Act relating to funding for school districts operating secondary school boarding programs and to funding for school districts from which boarding students come; and providing for an effective date."

HB 75

Representative Ramras added his name as cosponsor to:

HOUSE BILL NO. 75

"An Act relating to promoting and preserving sport hunting in the state."

ANNOUNCEMENTS

Representative Samuels announced the following meeting:

Legislative Budget & Audit Committee 8:00 a.m., January 21

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., January 21, 2005. There being no objection, the House adjourned at 10:25 a.m.

Suzi Lowell
Chief Clerk