

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

February 11, 2005

Thirty-third Day

Pursuant to adjournment the House was called to order by Speaker pro tempore Coghill at 10:07 a.m.

Roll call showed 27 members present. Representatives Croft, Elkins, Gatto, Harris, LeDoux, Olson, Rokeberg, and Seaton had been previously excused from a call of the House today. Representatives Kott and Stoltze were absent.

Acting Majority Leader Foster 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 Chenault - from today to 9:30 a.m., plane time, February 14, 2005

Representative Ramras - from today to 9:30 a.m., plane time, February 14, 2005

Representative Neuman - from today to 9:30 a.m., plane time, February 14, 2005 (amended from page 252)

The invocation was offered by the Chaplain, Pastor Patrick Brayton of the Valley Chapel. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Heavenly Father, I lift up my heart to You and give You thanks. Thank You for this beautiful state in which we are privileged to live. Thank You for the faithfulness of these,

our representatives, who labor long hours for our well-being. Please grant them Your aid as they work here and may Your hand guide them as they guide the affairs of Alaska. Let their choices be the wise ones and may righteousness and justice prevail always in this legislative session. I ask You also, Father, to bless these men and women in their personal lives. As they serve us here, please watch over their families, their health, and their personal finances. May they experience Your presence daily and come to lean heavily upon You. In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Representative Anderson.

CERTIFICATION OF THE JOURNAL

Representative Foster moved and asked unanimous consent that the journal for the 31st and 32nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

HJR 6

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 6

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.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 6(FSH)

Relating to the labeling of fish and shellfish to identify the country of origin and to distinguish between wild and farmed fish and shellfish.

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

Do pass (7): Olson, Gatto, Seaton, LeDoux, Elkins, Samuels, Ramras

The following fiscal note(s) apply to CSHJR 6(FSH):

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Fish & Game

HJR 6 was referred to the Rules Committee for placement on the calendar.

HB 46

The Finance Committee has considered:

HOUSE BILL NO. 46

"An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water supply and wastewater systems."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 46(FIN)

"An Act relating to grants to certain public utilities for water quality enhancement projects and water supply and wastewater systems."

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

Do pass (5): Weyhrauch, Holm, Kelly, Foster, Chenault

No recommendation (4): Hawker, Stoltze, Joule, Meyer

The following fiscal note(s) apply to CSHB 46(FIN):

1. Zero, Dept. of Commerce, Community, & Economic Development
3. Zero, House Finance Committee/Dept. of Environmental Conservation

HB 46 was referred to the Rules Committee for placement on the calendar.

HB 76

The Finance Committee has considered:

HOUSE BILL NO. 76

"An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 76(FIN)
(same title)

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

Do pass (3): Holm, Weyhrauch, Joule

No recommendation (5): Stoltze, Hawker, Moses, Kelly, Meyer

The following fiscal note(s) apply to CSHB 76(FIN):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Public Safety
4. Zero, Dept. of Natural Resources
5. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 76 was referred to the Rules Committee for placement on the calendar.

HB 81

The Judiciary Committee has considered:

HOUSE BILL NO. 81

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 81(L&C)

"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; modifying the exemptions from regulation under AS 08.18 for 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."

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

Do pass (3): Gruenberg, Kott, Anderson

No recommendation (3): Dahlstrom, Coghill, McGuire

The following fiscal note(s) apply to CSHB 81(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Labor & Workforce Development

HB 81 was referred to the Finance Committee.

HB 95

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 95

"An Act relating to public health and public health emergencies and disasters; relating to duties of the public defender and office of public advocacy regarding public health matters; relating to

certain claims for public health matters; making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 95(HES)

"An Act relating to public health and public health emergencies and disasters; relating to duties of the public defender and office of public advocacy regarding public health matters; relating to certain claims for public health matters; making conforming amendments; relating to the treatment and transportation of dead bodies; amending Rules 4, 7, 8, 38, 40, 65, 72, and 77, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (2): Cissna, Wilson

No recommendation (2): Gardner, Anderson

Amend (1): Kohring

The following fiscal note(s) apply to CSHB 95(HES):

1. Zero, Dept. of Health & Social Services

HB 95 was referred to the Judiciary Committee.

HB 99

The Judiciary Committee has considered:

HOUSE BILL NO. 99

"An Act relating to controlled substances regarding the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 99(JUD)
(same title)

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

Do pass (6): Anderson, Kott, Gruenberg, Dahlstrom, Coghill, McGuire

The following fiscal note(s) apply to CSHB 99(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Law
3. Zero, Dept. of Public Safety

HB 99 was referred to the Finance Committee.

HB 105

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 105
"An Act relating to coverage for adult dental services under Medicaid; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 105(HES)
(same title)

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

Do pass (4): Cissna, Gardner, Anderson, Wilson

No recommendation (1): Kohring

The following fiscal note(s) apply to CSHB 105(HES):

1. Fiscal, Dept. of Health & Social Services

HB 105 was referred to the Finance Committee.

HB 106

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 106

"An Act establishing the senior care program and relating to that program; creating a fund for the provision of the senior care program; repealing ch. 3, SLA 2004; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 106(HES)
(same title)

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

Do pass (3): Cissna, Anderson, Wilson

No recommendation (2): Gardner, Kohring

The following fiscal note(s) apply to CSHB 106(HES):

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services

HB 106 was referred to the Finance Committee.

HB 108

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 108

"An Act relating to the regulation of water and sewer utilities of political subdivisions that are not in competition with other water and sewer utilities."

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

Do pass (2): Cissna, Thomas

No recommendation (3): LeDoux, Salmon, Neuman

Amend (1): Kott

The following fiscal note(s) apply:

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

HB 108 was referred to the Labor & Commerce Committee.

SB 14

The Community & Regional Affairs Committee has considered:

SENATE BILL NO. 14

"An Act relating to municipal initiative and referendum elections."

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

Do pass (4): LeDoux, Kott, Neuman, Thomas

No recommendation (1): Salmon

The following fiscal note(s) apply:

1. Zero, Office of the Governor
2. Zero, Dept. of Commerce, Community, & Economic Development

SB 14 was referred to the State Affairs Committee.

REPORTS OF SPECIAL COMMITTEES**HB 30**

The House Special Committee on Education has considered:

HOUSE BILL NO. 30

"An Act making appropriations for K-12 education operating and school debt expenses; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 30(EDU)

(same title)

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

Do pass (2): Gatto, Neuman

No recommendation (5): Gara, Salmon, Wilson, Lynn, Thomas

HB 30 was referred to the Health, Education & Social Services Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Elizabeth Wanamaker Peratrovich
By Senator Davis

Honoring - Women's History Month
By Senator Davis

In Memoriam - Mark Jacobs, Jr., Gusteiheen
By Representatives Wilson, Kerttula, Thomas; Senator Stedman

In Memoriam - Joseph O'Connell
By Representatives Gruenberg, Kott; Senator French

In Memoriam - Vincent R. "Bob" Mulcahy
By Senator Gary Stevens; Representative LeDoux

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

Honoring - Lynne Collins
By Senators Ben Stevens, Cowdery

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

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

Honoring - The 11th Air Force, the 3rd Wing, and the 19th Fighter Squadron at Elmendorf Air Force Base
By Senator Ben Stevens; Representatives Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Honoring - Cooperative Extension Service 75th Anniversary
By Senator Seekins; Representatives Holm, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Joule, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Commemorating - Black History Month

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

In Memoriam - Tribute to the Hunter

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

In Memoriam - Rita Marie Kelly

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

In Memoriam - Ella Watt

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

In Memoriam - Richard "Dickie" Watts

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

In Memoriam - Roy Walker

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

UNFINISHED BUSINESS

Representative Foster 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 Berkowitz - from noon, February 11 to 9:30 a.m., plane time, February 14, 2005

Representative Joule - from 9:00 p.m., February 11 to 3:00 p.m., plane time, February 13, 2005

Representative Kott - from 7:00 p.m., February 11 to 10:00 p.m., plane time, February 14, 2005

Representative Crawford - from 7:00 a.m., February 12 to 9:30 a.m., plane time, February 14, 2005

SPECIAL ORDER OF BUSINESS

Representative Foster moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Lynne Collins, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Foster 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 - Lynne Collins

By Senators Ben Stevens, Cowdery; Representatives Harris, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Olson, Samuels, Thomas, Weyhrauch, Wilson

UNFINISHED BUSINESS**HB 16**

Representative Salmon 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 20

Representative Neuman added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 20

"An Act relating to a separate appropriation bill for operating expenses for primary and secondary public education and establishing a date by which the bill must be transmitted to the governor each year; relating to notice of nonretention for tenured teachers; and providing for an effective date."

HB 31

Representative Gatto added his name as cosponsor to:

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."

HB 53

Representative Kelly added his name as cosponsor to:

HOUSE BILL NO. 53

"An Act relating to child-in-need-of-aid proceedings; amending the construction of statutes pertaining to children in need of aid; relating to a duty and standard of care for services to children and families; amending court hearing procedures to allow public attendance at child-in-need-of-aid proceedings; establishing a right to a trial by jury in termination of parental rights proceedings; reestablishing and relating to state and local citizens'

review panels for certain child custody matters; amending the duty to disclose information pertaining to a child in need of aid; establishing a distribution age for permanent fund dividends held in trust for a child committed to the custody of the Department of Health and Social Services; mandating reporting of the medication of children in state custody; prescribing the rights of grandparents related to child-in-need-of-aid cases and establishing a grandparent priority for adoption in certain child-in-need-of-aid cases; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending treatment service requirements for parents involved in child-in-need-of-aid proceedings; amending Rules 3 and 18, Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date."

HB 118

Representative Dahlstrom removed her name as cosponsor to:

HOUSE BILL NO. 118

"An Act relating to an address confidentiality program for victims of stalking, domestic violence, or sexual assault."

HB 128

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 128

"An Act establishing the Alaska Schools Physical Activity Task Force."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Foster moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 14, 2005. There being no objection, the House adjourned at 10:31 a.m.

Suzi Lowell
Chief Clerk