

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

February 18, 2005

Fortieth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:09 a.m.

Roll call showed 31 members present. Representatives Elkins, Hawker, Lynn, Moses, Neuman, Ramras, Salmon, and Thomas had been previously excused from a call of the House today.

Representative Coghill moved and asked unanimous consent that Representative Gatto be excused from a call of the House from today to 9:00 p.m., plane time, February 21, 2005. 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 Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Almighty good and giving gracious God, we give You thanks for the beauty of another day and the opportunity to bend our wills and all our gifts toward the betterment of this world and all its people. We give thanks for all those who support the work of this house and the good governance of this land. Pour an abundance of Your blessing, I pray, upon all those who work in quiet places away from the lights and cameras and public eye. May their work give satisfaction and may their work find appreciation by those who depend upon it for their own success.

We give thanks for the priceless gift of freedom and opportunity and choice which we enjoy, and ask a blessing upon those who have and those who still do serve in uniform to preserve this peace. May they be always led and act with honor and wisdom.

And I pray for all those who travel on behalf of the business and governance of this state and especially for all those who make such travel possible. May we remember their tireless work in the most difficult conditions and offer thanksgiving for their skill and care of us. Amen.

The Pledge of Allegiance was led by Representative Holm.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 38th and 39th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 16, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 60

SENATE BILL NO. 60 by Senators Ben Stevens, Therriault, Ellis, Dyson, Kookesh, Elton, Gary Stevens, Olson, Stedman, Wilken, Seekins, Wagoner, Green, and Bunde, 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 Finance Committee.

REPORTS OF STANDING COMMITTEES**HB 85**

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 85

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 85(HES)
(same title)

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

Do pass (6): Cissna, Gardner, Anderson, McGuire, Seaton, Wilson

The following fiscal note(s) apply to CSHB 85(HES):

1. Indeterminate, Dept. of Education & Early Development

HB 85 was referred to the Judiciary Committee.

HB 88

The Judiciary Committee has considered:

HOUSE BILL NO. 88

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 88(JUD)
"An Act relating to certain weapons offenses involving minors; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event,

or in administrative offices of a school district; and providing for an effective date."

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

Do pass (1): Gruenberg

No recommendation (6): Anderson, Kott, Coghill, Dahlstrom, Gara, McGuire

The following fiscal note(s) apply to CSHB 88(JUD):

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

HB 88 was referred to the Finance Committee.

HB 97

The Judiciary Committee has considered:

HOUSE BILL NO. 97

"An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 97(JUD)
(same title)

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

Do pass (5): Gruenberg, Dahlstrom, Coghill, Gara, McGuire

The following fiscal note(s) apply to CSHB 97(JUD):

1. Fiscal, Office of the Governor

HB 97 was referred to the Finance Committee.

HB 98

The State Affairs Committee has considered:

HOUSE BILL NO. 98

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 98(STA)
(same title)

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

No recommendation (7): Gardner, Lynn, Ramras, Gatto, Gruenberg, Elkins, Seaton

The following fiscal note(s) apply to CSHB 98(STA):

1. Fiscal, Office of the Governor/All Depts.
2. Fiscal, Legislative Agency
3. Fiscal, Alaska Court System/All Depts.

HB 98 was referred to the Finance Committee.

HB 107

The Resources Committee has considered:

HOUSE BILL NO. 107

"An Act providing for the award of full actual attorney fees and costs to a person aggrieved by unlawful obstruction or hindrance of hunting, fishing, or viewing of fish or game; amending Rules

79 and 82, Alaska Rules of Civil Procedure; and amending Rule 508, Alaska Rules of Appellate Procedure."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 107(RES)

"An Act relating to unlawful obstruction or hindrance of hunting, fishing, trapping, or viewing of fish or game; amending Rules 79 and 82, Alaska Rules of Civil Procedure; and amending Rule 508, Alaska Rules of Appellate Procedure."

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

Do pass (3): Olson, Elkins, Ramras

Do not pass (1): Seaton

No recommendation (4): Gatto, LeDoux, Crawford, Kapsner

The following fiscal note(s) apply to CSHB 107(RES):

1. Zero, Dept. of Fish & Game
2. Indeterminate, Dept. of Law

HB 107 was referred to the Judiciary Committee.

HB 108

The Labor & Commerce 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 Anderson, Chair, with the following individual recommendations:

Do pass (1): Anderson

No recommendation (3): Crawford, Lynn, LeDoux

Amend (3): Kott, Guttenberg, Rokeberg

The following fiscal note(s) apply:

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

HB 108 was referred to the Finance Committee.

HB 109

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 109

"An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening tests; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 109(L&C)

"An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date."

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

Do pass (5): Cissna, Anderson, McGuire, Seaton, Wilson

No recommendation (2): Gardner, Kohring

The following fiscal note(s) apply to CSHB 109(L&C):

1. Indeterminate, Dept. of Education & Early Development

HB 109 was referred to the Finance Committee.

SJR 2

The Resources Committee has considered:

SENATE JOINT RESOLUTION NO. 2

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

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

Do pass (8): Olson, Kapsner, Gatto, LeDoux, Seaton, Elkins, Samuels, Ramras

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

SJR 2 was referred to the Rules Committee for placement on the calendar.

SB 56

The Finance Committee has considered:

CS FOR SENATE BILL NO. 56(JUD)

"An Act relating to criminal law and procedure, criminal sentences, and probation and parole; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 56(FIN)
(same title)

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

Do pass (7): Hawker, Croft, Moses, Stoltze, Foster, Meyer, Chenault

No recommendation (1): Weyhrauch

The following fiscal note(s) apply to HCS CSSB 56(FIN):

1. Zero, Dept. of Law
4. Zero, Dept. of Public Safety
6. Zero, Dept. of Corrections
7. Zero, Dept. of Corrections
8. Indeterminate, Dept. of Administration
9. Indeterminate, Dept. of Administration
10. Indeterminate, Alaska Court System

CSSB 56(JUD) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HJR 8

The House Special Committee on Military & Veterans' Affairs has considered:

HOUSE JOINT RESOLUTION NO. 8

Expressing support of Alaska Army National Guard soldiers deployed worldwide.

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

Do pass (5): Gruenberg, Elkins, Thomas, Dahlstrom, Lynn

The following fiscal note(s) apply:

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

HJR 8 was referred to the State Affairs Committee.

SJR 5

The House Special Committee on Oil & Gas has considered:

SENATE JOINT RESOLUTION NO. 5

Urging the United States Congress to reauthorize the Methane Hydrate Research and Development Act.

and recommends it be replaced with:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 5(O&G)
(same title)

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

Do pass (5): Samuels, Gardner, Rokeberg, Dahlstrom, Kohring

The following fiscal note(s) apply to HCS SJR 5(O&G):

1. Zero, Dept. of Natural Resources

SJR 5 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Ronnie Stanford, North Slope Borough School District
Teacher of the Year
By Representative Joule

Honoring - The Miller Family, Junior Achievement Alaska Business
Hall of Fame
By Representative McGuire

Honoring - Richard Lowell, Junior Achievement Alaska Business Hall
of Fame
By Representative McGuire

Honoring - Alvin H. Fleetwood, Junior Achievement Alaska Business Hall of Fame
By Representative McGuire

Honoring - Tennys Owens, Junior Achievement Alaska Business Hall of Fame
By Representative McGuire; Senator French

Honoring - The 2005 Wasilla High School Wrestling Team
By Representatives Stoltze, Gatto, Kohring, Neuman, Harris; Senators Huggins, Green

Honoring - AWARE Women of Distinction 2005, Joy Lyon, Kimberly Metcalfe, Jeri Museth, and Laura Stats
By Senator Elton; Representatives Kerttula, Weyhrauch

Honoring - Juneau-Douglas High School Girls Soccer Team, 2004 State Champions
By Senator Elton; Representatives Weyhrauch, Kerttula

In Memoriam - The Crew of the F/V Big Valley
By Representative LeDoux; Senator Gary Stevens

In Memoriam - Betty Nelson
By Senator Wagoner; Representatives Olson, Chenault

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 2

HOUSE CONCURRENT RESOLUTION NO. 2 by Representatives Samuels, Olson, McGuire, Gara, Crawford, and Gardner:

Urging Governor Murkowski to take quick action to conduct, approve, or sanction a study of in-state natural gas needs and take-off points for intrastate use of natural gas transported in a North Slope natural gas pipeline.

was read the first time and referred to the Resources Committee.

HJR 12

HOUSE JOINT RESOLUTION NO. 12 by Representative Harris:

Proposing amendments to the Constitution of the State of Alaska relating to the repeal of the budget reserve fund.

was read the first time and referred to the House Special Committee on Ways & Means and the State Affairs, Judiciary, and Finance Committees.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 156**

HOUSE BILL NO. 156 by Representative Holm, entitled:

"An Act relating to the membership of the Alaska Commission on Aging; and providing for an effective date."

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

HB 157

HOUSE BILL NO. 157 by Representatives Anderson and Thomas, entitled:

"An Act relating to the powers of electric or telephone cooperatives."

was read the first time and referred to the Community & Regional Affairs and Labor & Commerce Committees.

HB 158

HOUSE BILL NO. 158 by the House Finance Committee, entitled:

"An Act relating to the public school account and renaming the public school account as the public education fund; and providing for an effective date."

was read the first time and referred to the Finance Committee.

HB 159

HOUSE BILL NO. 159 by Representative Crawford, entitled:

"An Act relating to dangerous reptiles."

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

HB 160

HOUSE BILL NO. 160 by Representative Stoltze, entitled:

"An Act limiting the use of money of the state and its political subdivisions to affect an election."

was read the first time and referred to the Community & Regional Affairs and State Affairs Committees.

HB 161

HOUSE BILL NO. 161 by Representative Elkins, entitled:

"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."

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

HB 162

HOUSE BILL NO. 162 by Representative Kerttula, entitled:

"An Act relating to child care services; and providing for an effective date."

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

HB 163

HOUSE BILL NO. 163 by Representative Kelly, entitled:

"An Act directing the sale of certain power projects acquired or constructed by the Alaska Industrial Development and Export Authority and the Alaska Energy Authority by the State of Alaska to a joint action agency composed of three or more Railbelt electric utilities; and providing for an effective date."

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism and the Labor & Commerce and Finance Committees.

HB 164

HOUSE BILL NO. 164 by Representative Crawford, entitled:

"An Act making a special appropriation for a grant to Chugach Electric Association to construct a wind farm on Fire Island and transmission lines to connect the wind farm to existing electrical infrastructure in Anchorage; and providing for an effective date."

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism and the Labor & Commerce and Finance Committees.

HB 165

HOUSE BILL NO. 165 by Representative Kerttula, entitled:

"An Act relating to birth certificates for foreign-born adopted persons."

was read the first time and referred to the Health, Education & Social Services and Judiciary 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 - Greater Wasilla Chamber of Commerce, Small Business of the Year

By Senator Green; Representatives Stoltze, Neuman, 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, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

In Memoriam - Jaxon Kent Logan

By Senator Green; Representatives Stoltze, Neuman, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, 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 Berkowitz - from 1:00 p.m., February 18 to 9:00 p.m., plane time, February 21, 2005

Representative Harris - from 3:00 p.m., February 18 to 10:00 p.m., plane time, February 21, 2005

Representative Gardner - from 3:00 p.m., February 18 to 10:00 p.m., plane time, February 21, 2005 (amended from page 338)

Representative Crawford - from 7:30 p.m., February 18 to 10:00 a.m., plane time, February 22, 2005

Representative LeDoux - from 7:00 a.m., February 20 to 10:00 p.m., plane time, February 21, 2005

HB 85

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 85

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

HB 85 is in the Judiciary Committee.

HB 107

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 107

"An Act providing for the award of full actual attorney fees and costs to a person aggrieved by unlawful obstruction or hindrance of hunting, fishing, or viewing of fish or game; amending Rules 79 and 82, Alaska Rules of Civil Procedure; and amending Rule 508, Alaska Rules of Appellate Procedure."

HB 107 is in the Judiciary Committee.

HJR 9

Representative Thomas added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 9

Urging the United States Congress to honor the process and judgment of the federal courts in the case of the Exxon Valdez disaster and to refrain from enacting legislation that would affect the outcome of the courts' resolution of the case.

HB 52

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 52

"An Act relating to adoption and revision of a comprehensive long-range fiscal plan for the State of Alaska."

HB 72

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 72

"An Act relating to legislative open meetings guidelines."

HB 122

Representative Thomas added his name as cosponsor to:

HOUSE BILL NO. 122

"An Act relating to payment of premiums for Servicemembers' Group Life Insurance on behalf of members of the Alaska National Guard deployed to a combat zone; and providing for an effective date."

HB 129

Representatives Croft and Gardner added their names as cosponsors to:

HOUSE BILL NO. 129

"An Act relating to eligibility of nurses for the teachers' and nurses' housing loan program of the Alaska Housing Finance Corporation."

HB 141

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 141

"An Act relating to sale, possession, and delivery of certain substances and precursors used in the unlawful manufacture of methamphetamine."

HB 154

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 154

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

HB 155

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 155

"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."

SB 60

Representatives Guttenberg, McGuire, and Wilson added their names as cross sponsors to:

SENATE BILL NO. 60

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

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 22, 2005. There being no objection, the House adjourned at 10:53 a.m.

Suzi Lowell
Chief Clerk