

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Tuesday

February 22, 2005

#### Forty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:06 a.m.

Roll call showed 31 members present. Representatives Elkins, Joule, and Moses had been previously excused from a call of the House today. Representatives Berkowitz, Crawford, Guttenberg, and Kerttula were absent and their presence was noted later. Representative Croft was absent.

Representative Coghill moved and asked unanimous consent that Representative Kott be excused from a call of the House from today to 10:00 p.m., plane time, February 27, 2005. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Dear God:

I lift up to You each representative gathered here this day. I would ask that as they serve this great state that they might do so with keen mind, clear conscience, and sweet spirit. Amen.

The Pledge of Allegiance was led by Representative Samuels.

**CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 40th, 41st, 42nd, and 43rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE****HCR 1**

A message dated February 18, 2005, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 1  
Relating to declaring March 2005 as Sobriety Awareness Month.

HCR 1 was referred to the Chief Clerk for enrollment.

A message dated February 18, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SCR 2**

SENATE CONCURRENT RESOLUTION NO. 2 by Senators Gary Stevens, Ellis, Green, Wagoner, Elton, Kookesh, Seekins, Huggins, Bunde, Therriault, Cowdery, Olson, and Stedman:

Proclaiming 2005 as Rotary International Year.

was read the first time and referred to the State Affairs Committee.

\*\*The presence of Representatives Kerttula, Berkowitz, and Guttenberg was noted.

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

**HCR 3**

HOUSE CONCURRENT RESOLUTION NO. 3 by Representative Ramras:

Relating to renewable energy resource development.

was read the first time and referred to the Labor & Commerce and Resources Committees.

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

**HB 166**

HOUSE BILL NO. 166 by the House Special Committee on Military and Veterans' Affairs, entitled:

"An Act relating to a program to honor a deceased veteran's military service."

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

**HB 167**

HOUSE BILL NO. 167 by the House Special Committee on Military and Veterans' Affairs, entitled:

"An Act relating to providing a death certificate for a deceased veteran without cost."

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

**HB 168**

HOUSE BILL NO. 168 by the House Special Committee on Military and Veterans' Affairs, entitled:

"An Act relating to receipt of income by an Alaska Pioneers' Home or Alaska Veterans' Home resident."

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

**HB 169**

HOUSE BILL NO. 169 by Representative Rokeberg, entitled:

"An Act relating to the educational requirements for certain real estate brokers, associate brokers, and salespersons with new or suspended licenses; and allowing real estate brokers to hire certain experts to review real estate transactions; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 46**

The following was read the second time:

HOUSE BILL NO. 46

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

with the:

Journal Page

L&C RPT 4DP 2NR	183
FN1: ZERO(CED)	183
FN2: (DEC)	183
FIN RPT CS(FIN) NT 5DP 4NR	283
FN1: ZERO(CED)	283
FN3: ZERO(H.FIN/DEC)	283

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. 46(FIN)

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

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 46(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 46(FIN) will advance to third reading on tomorrow's calendar.

### **HB 102**

The following was read the second time:

HOUSE BILL NO. 102

"An Act relating to the licensure of foreign medical graduates; and providing for an effective date."

with the:

Journal Page

L&C RPT 3DP 2NR	263
FN1: ZERO(CED)	263
FIN RPT 10DP	327
FN1: ZERO(CED)	327

\*\*The presence of Representative Crawford was noted.

Representative Coghill moved and asked unanimous consent that HB 102 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HB 102 will advance to third reading on tomorrow's calendar.

**SECOND READING OF SENATE RESOLUTIONS****SJR 2**

The following was read the second time:

## 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.

with the:	Journal Page
RES RPT 8DP	352
FN1: ZERO(DNR)	352

The Speaker stated that, without objection, SJR 2 would be returned to the Rules Committee.

**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 - Ronnie Stanford, North Slope Borough School District Teacher of the Year

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

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

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

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

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

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

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

Honoring - Tennys Owens, Junior Achievement Alaska Business Hall of Fame

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

Honoring - The 2005 Wasilla High School Wrestling Team

By Representatives Stoltze, Gatto, Kohring, Neuman, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kerttula, LeDoux, McGuire, Meyer, Olson, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Huggins, Green

Honoring - AWARE Women of Distinction 2005, Joy Lyon, Kimberly Metcalfe, Jeri Museth, and Laura Stats

By Senator Elton; Representatives Kerttula, Weyhrauch, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kohring, LeDoux, McGuire, Meyer, Neuman, Olson, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - Juneau-Douglas High School Girls Soccer Team, 2004 State Champions

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

In Memoriam - The Crew of the F/V Big Valley

By Representatives LeDoux, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, McGuire, Meyer, Neuman, Olson, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson; Senator Gary Stevens

In Memoriam - Betty Nelson

By Senator Wagoner; Representatives Olson, Chenault, Harris, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, LeDoux, McGuire, Meyer, Neuman, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

### RECONSIDERATION

#### HB 15

Representative Gardner brought up reconsideration of the vote on CSHB 15(L&C) (page 334).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 15(L&C)

"An Act relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

Representative Gardner moved and asked unanimous consent that CSHB 15(L&C) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.



Amendment No. 1 was offered by Representatives Gardner and Meyer:

Page 1, line 10, following "of the lodge":

Insert "for consumption on the licensed premises or in conjunction with guided outdoor recreation activities"

Representative Gardner moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Kelly objected.

Amendment No. 1 to Amendment No. 1 was offered by Representative Kelly:

Delete "guided"

Insert "guest"

Representative Kelly moved and asked unanimous consent that Amendment No. 1 to Amendment No. 1 be adopted.

Representative Gardner objected.

Representative Kelly moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

Amendment No. 2 to Amendment No. 1 was offered by Representative Gardner:

Delete "guided"

Insert "purchased"

Following "activities":

Insert "provided by the licensee"

Representative Gardner moved and asked unanimous consent that Amendment No. 2 to Amendment No. 1 be adopted. There being no objection, it was so ordered.

There being no further objection, Amendment No. 1 as amended was adopted.

Representative Kerttula moved and asked unanimous consent that CSHB 15(L&C) am be returned to second reading for the specific purpose of considering Amendment No. 2.

Representative Rokeberg objected and withdrew the objection. There being no further objection, it was so ordered.

Amendment No. 2 was offered by Representative Kerttula:

Page 2, line 31, following "**AS 04.11.400(j)**":

Insert "**if the transfer does not involve a change in location**"

Representative Kerttula moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 2 was adopted.

The question to be reconsidered: "Shall CSHB 15(L&C) am pass the House?" The roll was taken with the following result:

CSHB 15(L&C) am--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 4 ABSENT: 3**

Yeas: Berkowitz, Chenault, Cissna, Coghil, Crawford, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kelly, Kerttula, Kohring, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Elkins, Joule, Kott, Moses

Absent: Anderson, Croft, Ramras

And so, CSHB 15(L&C) am passed the House on reconsideration.

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.

CSHB 15(L&C) am was referred to the Chief Clerk for engrossment.

### 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 Kapsner - from 8:00 a.m., February 24 to 1:00 p.m., plane time, February 25, 2005

Representative Dahlstrom - from 8:00 a.m., February 24 to 10:00 p.m., plane time, February 25, 2005

Representative Lynn - from 7:00 a.m., February 24 to 10:00 a.m., plane time, March 4, 2005

Representative Guttenberg - from 7:00 a.m., February 24 to 2:00 p.m., plane time, March 5, 2005

Representative Cissna - from 5:00 p.m., February 24 to 2:30 p.m., plane time, March 1, 2005

Representative Chenault - from 7:30 p.m., February 24 to 9:30 a.m., plane time, February 28, 2005

### HB 48

Representative Lynn added his name as cosponsor to:

#### HOUSE BILL NO. 48

"An Act relating to a determination of costs attributable to relocating the legislature or the state capital or of constructing a new capitol building in the present capital city, and to a determination of all costs of retaining the existing capitol building and keeping the state capital and legislature in the present capital city; relating to voter approval of certain bondable costs; and providing for an effective date."

**HB 109**

Representative Kerttula added her name as cosponsor to:

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."

**HB 111**

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 111

"An Act adding birthing centers to the list of health facilities eligible for payment of medical assistance for needy persons."

**HB 140**

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 140

"An Act establishing a tuition waiver and voucher program for eligible students who were placed in foster care by the state; and providing for an effective date."

**HB 146**

Representative LeDoux added her name as cosponsor to:

HOUSE BILL NO. 146

"An Act relating to an extension for review and approval of revisions to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

**HB 155**

Representatives LeDoux, Hawker, and Harris added their names as cosponsors 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."

**HB 160**

Representative Neuman added his name as cosponsor to:

**HOUSE BILL NO. 160**

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

**SCR 2**

Representatives Olson and McGuire added their names as cross sponsors to:

**SENATE CONCURRENT RESOLUTION NO. 2**

Proclaiming 2005 as Rotary International Year.

**ENGROSSMENT**

**HB 15**

C SHB 15(L&C) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

Joint Session

Chief Justice Bryner's address

11:00 a.m., 2/23

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 23, 2005. There being no objection, the House adjourned at 12:02 p.m.

Suzi Lowell  
Chief Clerk