

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Thursday

March 3, 2005

Fifty-third Day

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

Roll call showed 34 members present. Representatives Guttenberg and Lynn had been previously excused from a call of the House today. Representatives Crawford, Croft, Gara, and Kott were absent and their presence was noted later.

The invocation was offered by the Chaplain, Pastor Robert Sherwood of the Church of the Nazarene. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let us pray. Hear this quote by Ann Ulanov:

"Grace begins and ends prayer. Grace is what we call what is left over after the scouring of the self, the dying into self. Grace is what was there before we ever looked at ourselves in prayer. Grace gives us our initial impulse to pray. Further, grace sustains that beginning of our attentiveness, of our assiduousness, or even our mere muddling along, and does so when our prayers are blocked by self-judgment, met with no apparent answers, seem to lead nowhere. Some impulse, some effort, some intuition, some hope keeps us praying, despite failures, despite early successes that do not repeat themselves. That is grace, which we almost never recognize, at first anyway, as itself. But that is because grace comes to us in the flesh, through the spaces and forms and contents of our human life."

Now grant, Father, these men and women grace and wisdom for this day, for this session, throughout their lives, in permanence and power. May this not simply be the great land but might it be a great state through these Your servants. With respect to other faiths and in the power of the resurrected Christ. 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 52nd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Foster introduced Katie Kremer, Guest Page, from Nome.

MESSAGES FROM THE SENATE

SB 56

A message dated March 2, 2005, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 56(FIN) am H
"An Act relating to criminal law and procedure, criminal sentences, and probation and parole; and providing for an effective date."

and

CS FOR SENATE BILL NO. 56(JUD)
(same title)

The Speaker had previously granted the limited powers of free conference as requested (page 480).

A message dated March 2, 2005, was read stating the Senate has adopted the Conference Committee with limited powers of free conference report on HCS CSSB 56(FIN) am H and CSSB 56(JUD), thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 56

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

The House has adopted CCS SB 56 (page 481).

**The presence of Representatives Kott, Gara, and Croft was noted.

A message dated March 2, 2005, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SJR 6

SENATE JOINT RESOLUTION NO. 6 by the Senate Finance Committee:

Relating to a reduction in the Federal Medical Assistance Percentage for Alaskans, and urging the United States Congress to take action to prevent the reduction.

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

**The presence of Representative Crawford was noted.

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 36

CS FOR SENATE BILL NO. 36(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to absentee ballots."

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

REPORTS OF STANDING COMMITTEES

HCR 3

The Labor & Commerce Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 3
Relating to renewable energy resource development.

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

Do pass (3): Crawford, LeDoux, Anderson

No recommendation (1): Rokeberg

The following fiscal note(s) apply:

1. Zero, House Labor & Commerce Committee/Dept. of Commerce, Community, & Economic Development

HCR 3 was referred to the Resources Committee.

HB 132

The Judiciary Committee has considered:

HOUSE BILL NO. 132
"An Act relating to sentencing for certain crimes committed against the elderly; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 132(JUD)
"An Act relating to certain crimes committed against the elderly; and providing for an effective date."

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

Do pass (4): Gruenberg, Dahlstrom, Gara, McGuire

No recommendation (1): Coghill

The following fiscal note(s) apply to CSHB 132(JUD):

1. Zero, Dept. of Law
2. Zero, Dept. of Public Safety
3. Indeterminate, Dept. of Corrections
4. Fiscal, Dept. of Administration

HB 132 was referred to the Finance Committee.

HB 155

The Judiciary Committee has considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 155(JUD)

"An Act relating to funding for youth courts; and relating to separately accounting for fines imposed on and collected from defendants."

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

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

The following fiscal note(s) apply to CSHB 155(JUD):

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

HB 155 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 16

The House Special Committee on Education has considered:

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."

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

Do pass (3): Salmon, Wilson, Neuman

No recommendation (2): Gatto, Thomas

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

HB 16 was referred to the Health, Education & Social Services Committee.

HB 20

The House Special Committee on Education has considered:

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."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
20(EDU)

"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; and providing for an effective date."

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

Do pass (2): Wilson, Neuman

No recommendation (3): Salmon, Gatto, Thomas

The following fiscal note(s) apply to CSSSHB 20(EDU):

1. Zero, Dept. of Education & Early Development

SSHB 20 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 - Major General John M. Brown III
By Representative Dahlstrom

In Memoriam - Edwin G. Church
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green, Huggins

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 194

HOUSE BILL NO. 194 by Representatives Gara and Berkowitz,
entitled:

"An Act prohibiting a public officer from taking official action regarding a matter in which the public officer has a significant

financial interest; and defining 'official action' for purposes of the chapter generally referred to as the Executive Branch Ethics Act."

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

HB 195

HOUSE BILL NO. 195 by Representative Elkins, entitled:

"An Act appropriating funds to reimburse municipalities for real property tax revenue lost due to the mandatory senior citizen and disabled veterans exemption."

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

HB 196

HOUSE BILL NO. 196 by Representatives Ramras and Kapsner, entitled:

"An Act relating to the alternative energy project loan program of the Alaska Industrial Development and Export Authority."

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

HB 197

HOUSE BILL NO. 197 by the House Special Committee on Oil and Gas, entitled:

"An Act exempting certain natural gas exploration and production facilities from oil discharge prevention and contingency plans and proof of financial responsibility, and amending the powers and duties of the Alaska Oil and Gas Conservation Commission with respect to those plans; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE BILLS****SB 14**

The following was read the second time:

SENATE BILL NO. 14

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

with the:

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CRA RPT 4DP 1NR	289
FN1: ZERO(GOV)	289
FN2: ZERO(CED)	289
STA RPT HCS(STA) 5DP	388
FN1: ZERO(GOV)	388
FN2: ZERO(CED)	388

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

HOUSE CS FOR SENATE BILL NO. 14(STA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS SB 14(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS SB 14(STA) was read the third time.

The question being: "Shall HCS SB 14(STA) pass the House?" The roll was taken with the following result:

HCS SB 14(STA)
Third Reading
Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Guttenberg, Lynn

And so, HCS SB 14(STA) passed the House and 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 - Lynda Adams, Alaskan for Drug-Free Youth

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

In Memoriam - Grace Alice Johnson

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

UNFINISHED BUSINESS

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

Representative Olson - from 7:00 p.m., March 3 to 10:00 p.m., plane time, March 8, 2005

HB 26

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 26

"An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date."

HB 103

Representatives Elkins and McGuire added their names as cosponsors to:

HOUSE BILL NO. 103

"An Act requiring an actionable claim against the state to be tried without a jury."

HB 132

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 132

"An Act relating to sentencing for certain crimes committed against the elderly; and providing for an effective date."

HB 162

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 162

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

ENGROSSMENT

SB 14

HCS SB 14(STA) 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.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 4, 2005. There being no objection, the House adjourned at 10:41 a.m.

Suzi Lowell
Chief Clerk