

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Tuesday

March 15, 2005

#### Sixty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:13 a.m.

Roll call showed 31 members present. Representatives Anderson, Holm, Joule, McGuire, and Salmon had been previously excused from a call of the House today. Representatives Crawford, Croft, Guttenberg, and Samuels were absent and their presence was noted later.

The invocation was offered by the Chaplain, David Dierdorff of the Juneau Unitarian Universalist Fellowship. Representative Gardner moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Great Unknowable Spirit of Life: You have manifested Yourself to us in many tongues, many forms, and at many times in our history. You have always taught us love, no matter the tongue; have always taught us respect, no matter the form; and have always taught us charity and tolerance, no matter the time. We have ignored or misused these messages too often.

Help the House today as it works to solve the problems of governing our great land. Help the men and women of the House to remember what is important and what is fleeting; what must be solved and what can wait another day; what is the work of government and what is the work of our civic institutions and homes.

Finally, help them to bridge the gaps that divide them. Their time in this building is finite just as our time on earth. Help them find the wisdom and courage to move past petty and partisan differences to serve the common good. So be it. Amen.

The Pledge of Allegiance was led by Representative Wilson.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 64th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HR 1**

A message dated March 14, 2005, was read stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 1  
Establishing a House Special Committee on Oil and Gas.

House Resolve No. 1

#### **HCR 1**

A message dated March 14, 2005, was read stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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

Legislative Resolve No. 1

### **MESSAGES FROM THE SENATE**

#### **HB 115**

A message dated March 14, 2005, was read stating the Senate has passed:

## CS FOR HOUSE BILL NO. 115(TRA)

"An Act relating to charges paid or collected by users or occupants of an airport facility owned or controlled by the state; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 115(FIN)  
(same title)

CSHB 115(TRA) is under Unfinished Business.

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

**REPORTS OF STANDING COMMITTEES****HCR 3**

The Resources Committee has considered:

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

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

Do pass (6): Olson, Elkins, LeDoux, Crawford, Seaton, Ramras

No recommendation (1): Samuels

The following fiscal note(s) apply:

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

HCR 3 was referred to the Rules Committee for placement on the calendar.

**HB 75**

The Resources Committee has considered:

## HOUSE BILL NO. 75

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

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 75(RES)

"An Act relating to the duties of the commissioner of fish and game, Board of Fisheries, and Board of Game in promoting and preserving fishing, hunting, and trapping in the state."

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

Do pass (5): Olson, Elkins, Crawford, Samuels, Ramras

No recommendation (2): Seaton, LeDoux

The following fiscal note(s) apply to CSHB 75(RES):

1. Zero, Dept. of Fish & Game

HB 75 was referred to the Finance Committee.

**HB 171**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 171

"An Act relating to the retrospective application and applicability of the overtime compensation exemption for flight crew members; and providing for an effective date."

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

Do pass (2): Kott, Anderson

No recommendation (3): Guttenberg, Lynn, Crawford

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Labor & Workforce Development

HB 171 was referred to the Finance Committee.

\*\*The presence of Representatives Guttenberg, Crawford, and Croft was noted.

**SJR 6**

The Finance Committee has considered:

SENATE JOINT RESOLUTION NO. 6

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.

and recommends it be replaced with:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 6(FIN)  
(same title)

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

Do pass (4): Hawker, Croft, Foster, Meyer

No recommendation (2): Stoltze, Kelly

The following fiscal note(s) apply to HCS SJR 6(FIN):

1. Zero, Health, Education & Social Services
2. Zero, Health, Education & Social Services
3. Zero, Health, Education & Social Services
4. Zero, Health, Education & Social Services

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

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

**HB 218**

HOUSE BILL NO. 218 by Representative Thomas, entitled:

"An Act relating to cost recovery fisheries for private nonprofit hatchery facilities."

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

**HB 219**

HOUSE BILL NO. 219 by Representative Hawker, entitled:

"An Act relating to crimes and dangerous instruments."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 85**

The following was read the second time:

HOUSE BILL NO. 85

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

with the:	Journal Page
HES RPT CS(HES) 6DP	347
FN1: INDETERMINATE(EED)	347
JUD RPT CS(JUD) 5DP	561
FN2: ZERO(EED)	561
FIN REFERRAL WAIVED	571

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. 85(JUD)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 85(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 85(JUD) was read the third time.

The question being: "Shall CSHB 85(JUD) pass the House?" The roll was taken with the following result:

CSHB 85(JUD)  
Third Reading  
Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 5 ABSENT: 1**

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

Excused: Anderson, Holm, Joule, McGuire, Salmon

Absent: Moses

And so, CSHB 85(JUD) passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF SENATE RESOLUTIONS

### SCR 2

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 2  
Proclaiming 2005 as Rotary International Year.

with the: Journal Page

FN1: ZERO(LEG)  
STA REFERRAL WAIVED 546

The question being: "Shall SCR 2 pass the House?" The roll was taken with the following result:

SCR 2  
Second Reading  
Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 5 ABSENT: 1**

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

Excused: Anderson, Holm, Joule, McGuire, Salmon

Absent: Moses

And so, SCR 2 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

#### 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 - The Mat-Su Miners, 2004 Alaska Baseball League Champions

By Representatives Stoltze, Gatto, Kohring, Neuman, Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, LeDoux, Lynn, McGuire, Meyer, Olson, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Green, Huggins



Honoring - Carol Barril

By Senator Wagoner; Representatives Olson, Chenault, Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, LeDoux, McGuire, Meyer, Neuman, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Honoring - Linda Landvik

By Senator Wagoner; Representatives Olson, Chenault, Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, LeDoux, McGuire, Meyer, Neuman, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Honoring - Jason Hamlin and Sears, Greater Wasilla Chamber of Commerce Corporate Business of the Year

By Senator Green; Representatives Stoltze, Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, Kohring, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Honoring - Kevin Priestley of Palmer, 2005 Prudential Spirit of Community Award

By Senator Green; Representatives Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, Kohring, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Honoring - Brittany Heck of Wasilla, 2005 Prudential Spirit of Community Award

By Senator Green; Representatives Harris, Anderson, Cissna, Crawford, Dahlstrom, Elkins, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, Kohring, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, 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 Kott - from noon, March 15 to 9:30 a.m., plane time, March 16, 2005

**HB 171**

The Speaker added a Judiciary Committee referral and removed the Finance Committee referral for the following:

HOUSE BILL NO. 171

"An Act relating to the retrospective application and applicability of the overtime compensation exemption for flight crew members; and providing for an effective date."

HB 171 was removed from the Finance Committee and referred to the Judiciary Committee.

**HB 85**

Representatives Gardner, Dahlstrom, and Lynn added their names as cosponsors to:

CS FOR HOUSE BILL NO. 85(JUD)

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

**HB 196**

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 196

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

**HB 215**

Representative Hawker added his name as cosponsor to:

HOUSE BILL NO. 215

"An Act relating to the investment responsibilities of the Alaska Permanent Fund Corporation; relating to regulations proposed and adopted by the Board of Trustees of the Alaska Permanent Fund Corporation and providing procedures for the adoption of regulations by the board; and providing for an effective date."

**SCR 2**

Representatives Kelly, Rokeberg, Seaton, Stoltze, and LeDoux added their names as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 2  
Proclaiming 2005 as Rotary International Year.

**ENROLLMENT****HB 158**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:05 a.m., March 15, 2005:

HOUSE BILL NO. 158

"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."

The following memorandum, dated March 14, 2005, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in HB 158, which has been corrected in enrolling:

Page 2, lines 5 - 6:

Delete "[SCHOOL ACCOUNT] for purposes of this chapter"  
Insert "for purposes of this chapter [SCHOOL ACCOUNT]"

**ENGROSSMENT****HB 85**

CSHB 85(JUD) 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 16, 2005. There being no objection, the House adjourned at 10:41 a.m.

Suzi Lowell  
Chief Clerk