

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

March 16, 2005

#### Sixty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:41 a.m.

Roll call showed 34 members present. Representative Salmon had been previously excused from a call of the House today. Representative Joule had been previously excused today until 9:00 p.m., plane time, and his presence was noted later. Representatives Gara, Gruenberg, Hawker, and Kott were absent and their presence was noted later.

The invocation was offered by the Chaplain, Representative Coghill. Representative Weyhrauch moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let the words of my mouth and the meditation of my heart be acceptable in thy sight, O Lord, my strength and my redeemer. (Psalms 19:14)

Father, both our words and our hearts are on display today. Help us to remember that we are here at somebody else's behest. We are representatives--people from all over Alaska with competing interests. As we come to our words, and our actions today are brought to the table, help us to do that with respect, always remembering that they would be in Your sight. So let the words of our mouths and the meditation of our hearts be acceptable in Thy sight, O Lord. Please be our strength today. In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Representative Ramras.

**CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 65th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**REPORTS OF STANDING COMMITTEES****HCR 4**

The State Affairs Committee has considered:

**HOUSE CONCURRENT RESOLUTION NO. 4**

Encouraging the establishment of a methamphetamine watch program.

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

Do pass (7): Gardner, Lynn, Gatto, Gruenberg, Ramras, Elkins, Seaton

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee

HCR 4 was referred to the Judiciary Committee.

**HB 107**

The Finance 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(FIN)

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

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

Do pass (2): Hawker, Stoltze

No recommendation (6): Weyhrauch, Croft, Moses, Kelly, Meyer, Chenault

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

1. Zero, Dept. of Fish & Game
3. Zero, Dept. of Law

HB 107 was referred to the Rules Committee for placement on the calendar.

\*\*The presence of Representatives Kott, Hawker, and Gruenberg was noted.

**HB 155**

The Finance 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 Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

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

No recommendation (4): Stoltze, Kelly, Meyer, Chenault

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

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

HB 155 was referred to the Rules Committee for placement on the calendar.

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

**SB 98**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 98(FIN) am  
"An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 98(FIN)  
(same title)

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

Do pass (5): Hawker, Weyhrauch, Foster, Meyer, Chenault

No recommendation (1): Moses

Amend (2): Stoltze, Kelly

CSSB 98(FIN) am is on today's calendar.

### REPORTS OF SPECIAL COMMITTEES

#### **HB 142**

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 142

"An Act relating to regulation of underground injection under the federal Safe Drinking Water Act; and providing for an effective date."

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

Do pass (3): Gardner, Rokeberg, Kohring

No recommendation (3): Samuels, Kerttula, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources
2. Fiscal, Dept. of Administration

HB 142 was referred to the Resources Committee.

#### **HB 197**

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 197

"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."

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

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

No recommendation (1): Kerttula

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

HB 197 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 - Thomas Boedeker  
By Representative Olson; Senator Wagoner

Honoring - Kenai Firefighters Association  
By Representatives Olson, Chenault; Senator Wagoner

Honoring - Ruby Dunlap, 100th Birthday Celebration  
By Senator Davis

In Memoriam - Arthur "Art" Jackson  
By Senator Davis

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - Matt Emmons, Olympic Champion  
By Senator Seekins

Honoring - Dan Jordan, 2004 Paralympic Games Silver Medal Winner  
By Senator Seekins

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

**HB 220**

HOUSE BILL NO. 220 by Representatives Gara, Berkowitz, Gruenberg, and Croft, entitled:

"An Act relating to mental health patient rights and to a hospital's duty to provide choice of the sex of staff providing intimate care to a mental health patient."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 81**

The following was read the second time:

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."

with the:

Journal Page

L&C RPT CS(L&C) NT 5DP 1NR	214
FN1: ZERO(CED)	214
FN2: ZERO(LWF)	214
JUD RPT CS(L&C) NT 3DP 3NR	284
FN1: ZERO(CED)	285
FN2: ZERO(LWF)	285

FIN RPT CS(L&C) NT 3DP 6NR	559
FN1: ZERO(CED)	560
FN2: ZERO(LWF)	560

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. 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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 81(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 81(L&C) was read the third time.

The question being: "Shall CSHB 81(L&C) pass the House?" The roll was taken with the following result:

CSHB 81(L&C)

Third Reading

Final Passage

**YEAS: 36 NAYS: 2 EXCUSED: 2 ABSENT: 0**

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



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Nays: Kohring, Moses

Excused: Joule, Salmon

And so, CSHB 81(L&C) passed the House and was referred to the Chief Clerk for engrossment.

### SECOND READING OF SENATE BILLS

#### SB 98

The following was read the second time:

CS FOR SENATE BILL NO. 98(FIN) am  
 "An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

with the: Journal Page

FIN RPT HCS(FIN) 5DP 1NR 2AM 616

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

HOUSE CS FOR CS FOR SENATE BILL NO. 98(FIN)  
 (same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Croft:

Page 10, line 11:  
 Delete "900,000"  
 Insert "1,200,000"

Page 10, lines 12 - 13:  
 Delete all material.

Page 10, line 20:

Delete "6,750,000"

Insert "9,000,000"

Page 10, lines 21 - 22:

Delete all material.

Page 11, line 1:

Delete "3,375,000"

Insert "4,500,000"

Page 11, lines 2 - 3:

Delete all material.

Page 11, line 13:

Delete "4,575,000"

Insert "6,100,000"

Page 11, lines 14 - 15:

Delete all material.

Page 11, line 21:

Delete "3,975,000"

Insert "5,300,000"

Page 11, lines 22 - 23:

Delete all material.

Page 11, line 29:

Delete "1,627,500"

Insert "2,170,000"

Page 11, lines 30 - 31:

Delete all material.

Page 12, line 7:

Delete "375,000"

Insert "500,000"

Page 12, lines 8 - 9:

Delete all material.

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

Representative Meyer objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN)

Second Reading

Amendment No. 1

**YEAS: 15 NAYS: 23 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kapsner, Kelly, Kerttula, Kohring, Moses, Stoltze

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Excused: Joule, Salmon

Kohring changed from "Nay" to "Yea".

And so, Amendment No. 1 was not adopted.

The Speaker stated that, without objection, the House would recess to 5:00 p.m.; and so, the House recessed at 12:05 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 5:10 p.m.

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

**SECOND READING OF SENATE BILLS**  
(continued)

**SB 98**

HCS CSSB 98(FIN) was again before the House in second reading.

Amendment No. 2 was offered by Representative Croft:

Page 9, following line 16:

Insert a new subsection to read:

"(h) The appropriations made to the public education fund by Section 4(d) of this Act are contingent upon the passage by the Twenty-Fourth Alaska State Legislature and enactment into law before July 1, 2005, of a bill that increases the base student allocation under AS 14.17.470 to at least \$5,120 for the fiscal year ending June 30, 2006."

Reletter the following subsection accordingly.

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

Representative Chenault objected.

Representative Croft placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN)  
Second Reading  
Amendment No. 2

**YEAS: 13 NAYS: 26 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Salmon

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Berkowitz:

Page 12, line 1:

Delete "(a)"

Page 12, lines 10 - 12:

Delete all material.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Chenault objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN)

Second Reading

Amendment No. 3

**YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kelly, Kerttula, Moses

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gara, Gatto, Harris, Hawker, Holm, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Salmon

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Kapsner and Moses:

Page 6, following line 29:

Insert a new subsection to read:

"(b) The sum of \$301,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development, division of community advocacy, for grants from the small city energy assistance program, for the fiscal year ending June 30, 2005, to the following unincorporated communities in the amounts stated:

Akiachak IRA Council	\$3,500
Alatna Tribal Council	\$3,500
Anchor Point	\$3,500
Arctic Village Traditional Council	\$3,500
Atmautluak Village Council	\$3,500
Beaver Village Council	\$3,500
Cantwell	\$3,500
Chalkyitsik Village Council	\$3,500
Cheesh-Na Tribal Council	\$3,500
Chenega Bay	\$3,500
Chilkat Indian Village Council	\$3,500
Chitina Traditional Village Council	\$3,500
Circle Civic Community Association, Inc.	\$3,500
Circle District Historical Society	\$3,500
Community of Elfin Cove	\$3,500
Cooper Landing	\$3,500
Copper Valley Community Library Association	\$3,500
Crooked Creek Traditional Council	\$3,500
Deltana Community Corporation	\$3,500
Denduu Gwich'in Tribal Council	\$3,500
Dot Lake Services Incorporated	\$3,500
Dot Lake Village Council	\$3,500
Dry Creek Community, Inc.	\$3,500
Eagle Village Council	\$3,500

Edna Bay Community Association	\$3,500
Evansville Tribal Council	\$3,500
Eyak	\$3,500
Four Mile Road Community Council	\$3,500
Gakona Volunteer Fire Department	\$3,500
Goldstream Community Association	\$3,500
Gulkana Village Council	\$3,500
Gustavus Community Association	\$3,500
Hollis Community Council	\$3,500
Hyder Community Association, Inc.	\$3,500
Kachemak Selo	\$3,500
Kasigluk Traditional Council	\$3,500
Kenny Lake Community League	\$3,500
Kipnuk Village Council	\$3,500
Koliganek Village Council	\$3,500
Kongiganak Traditional Council	\$3,500
Kwigillingok IRA Council	\$3,500
Lime Village Traditional Council	\$3,500
Manley Hot Springs Community Association	\$3,500
McCarthy Area Council	\$3,500
Mentasta Lake Village Council	\$3,500
Metlakatla Indian Village	\$3,500
Minto IRA Council	\$3,500
Moose Pass	\$3,500
Nanwalek	\$3,500
Native Village of Kluti-Kaah	\$3,500
Naukati West Inc.	\$3,500
Nelchina/Mendeltna Corporation	\$3,500
Newtok Traditional Council	\$3,500
Nikolski IRA Council	\$3,500
Northway Village Council	\$3,500
Oscarville Village Council	\$3,500
Paxson Community Affairs	\$3,500
Pitka's Point Village Council	\$3,500
Point Baker Community Association	\$3,500
Port Graham	\$3,500
Port Protection Community Association	\$3,500
Port Protection	\$3,500
Razdolna	\$3,500
Red Devil People and Community, Inc.	\$3,500

Silver Springs Area Resident Association	\$3,500
Slana Community Corporation	\$3,500
Sleetmute Traditional Council	\$3,500
Stevens Village IRA Council	\$3,500
Stony River Traditional Village Council	\$3,500
Takotna Community Association, Inc.	\$3,500
Talkeetna	\$3,500
Tanacross Village Council	\$3,500
Tatitlek Village IRA Council	\$3,500
Tetlin Village Council	\$3,500
The Association of Tazlina Residents	\$3,500
Tok Community Umbrella Corporation	\$3,500
Tolsona Community Corporation	\$3,500
Tuluksak Native Community	\$3,500
Tuntutuliak Village Council	\$3,500
Tununak Traditional Council	\$3,500
Twin Hills Village Council	\$3,500
Venetie Village Council	\$3,500
Vosnesenka	\$3,500
Whale Pass Homeowner's Association	\$3,500
Whitestone Community Association	\$3,500
Wiseman Community Association	\$3,500"

Reletter the following subsections accordingly.

Note: The total appropriation of \$6,450,000 is not changed so the allocations to municipalities under Section 2 (page 2, line 19 through page 6, line 29) would need to be prorated.

Representative Kapsner moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Chenault objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN)  
 Second Reading  
 Amendment No. 4

**YEAS: 19 NAYS: 20 EXCUSED: 1 ABSENT: 0**



Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, Moses, Neuman, Wilson

Nays: Anderson, Chenault, Coghill, Elkins, Gatto, Harris, Hawker, Holm, Kelly, Kohring, McGuire, Meyer, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch

Excused: Salmon

Dahlstrom changed from "Nay" to "Yea".

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representative Kapsner:

Page 2, line 13, following "borough":

Delete "only"

Page 2, line 13, following "fuel":

Insert ", utilities or insurance"

Representative Kapsner moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Chenault objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN)

Second Reading

Amendment No. 5

**YEAS: 21 NAYS: 18 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, Moses, Neuman, Samuels, Seaton, Weyhrauch, Wilson

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, McGuire, Meyer, Olson, Ramras, Rokeberg, Stoltze, Thomas

Excused: Salmon

LeDoux changed from "Nay" to "Yea".

And so, Amendment No. 5 was adopted.

Amendment No. 6 was offered by Representative Kapsner:

Page 7, following line 16:

Insert a new subsection to read:

"(g) The sum of \$1,000,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development, Alaska Energy Authority, for the power cost equalization program for the fiscal year ending June 30, 2005."

Page 12, line 1, following "GOVERNOR." through line 10, "(b)":

Delete all material.

Representative Kapsner moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Chenault objected.

Representative Croft moved and asked unanimous consent that the question be divided.

The Speaker ruled that the question was divisible.

There being no objection, Amendment No. 6 was divided.

Amendment No. 6, Part A:

Page 12, line 1, following "GOVERNOR." through line 10, "(b)":

Delete all material.

The question being: "Shall Amendment No. 6, Part A be adopted?"

The roll was taken with the following result:

HCS CSSB 98(FIN) am H  
 Second Reading  
 Amendment No. 6, Part A

**YEAS: 3 NAYS: 36 EXCUSED: 1 ABSENT: 0**

Yeas: Cissna, Kapsner, Kerttula

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

Excused: Salmon

And so, Amendment No. 6, Part A was not adopted.

Amendment No. 6, Part B:

Page 7, following line 16:

Insert a new subsection to read:

"(g) The sum of \$1,000,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development, Alaska Energy Authority, for the power cost equalization program for the fiscal year ending June 30, 2005."

The question being: "Shall Amendment No. 6, Part B be adopted?"  
 The roll was taken with the following result:

HCS CSSB 98(FIN) am H  
 Second Reading  
 Amendment No. 6, Part B

**YEAS: 17 NAYS: 22 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, LeDoux, Moses, Thomas, Weyhrauch, Wilson

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze

Excused: Salmon

And so, Amendment No. 6, Part B was not adopted.

Representative Coghill moved and asked unanimous consent that Representative LeDoux be excused from a call of the House from 6:40 p.m., March 16 to 9:30 p.m., plane time, March 20, 2005. There being no objection, it was so ordered.

Amendment No. 7 was offered by Representative Berkowitz:

Page 24, lines 31 through Page 25, line 5:

Delete all material and insert:

**\*\*Sec. 17. ALASKA PERMANENT FUND.** The sum of \$150,000 is appropriated from the general fund to the principal of the Alaska Permanent Fund."

Representative Berkowitz moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Rokeberg objected.

\*\*Representative LeDoux, who had been previously excused, left the Chamber.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN) am H

Second Reading

Amendment No. 7

**YEAS: 9 NAYS: 29 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Guttenberg, Kerttula

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: LeDoux, Salmon

And so, Amendment No. 7 was not adopted.

Amendment No. 8 was offered by Representative Berkowitz:

Page 9, following line 16:

Insert a new subsection to read:

"(h) The appropriations made to the public education fund by Section 4(d) of this Act are contingent upon the passage by the Twenty-Fourth Alaska State Legislature and enactment into law before July 1, 2005, of a bill that increases the base student allocation under AS 14.17.470 to at least \$4,919 for the fiscal year ending June 30, 2006."

Reletter the following subsection accordingly.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 8 be adopted.

Representative Chenault objected.

The question being: "Shall Amendment No. 8 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN) am H

Second Reading

Amendment No. 8

**YEAS: 12 NAYS: 26 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: LeDoux, Salmon

And so, Amendment No. 8 was not adopted.

Amendment No. 9 was offered by Representatives Guttenberg and Berkowitz:

Page 13, following line 6:

Insert a new subsection to read:

"(d) The amount of \$38,344,167 is appropriated from the general fund to the Department of Health and Social Services for the purpose of paying the FY06 costs of the Longevity Bonus program (AS 47.45.101 - AS 47.45.160)."

Page 25, line 16, following "(d)":

Insert "and Section 9(d)"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 9 be adopted.

Representative Chenault objected.

The question being: "Shall Amendment No. 9 be adopted?" The roll was taken with the following result:

HCS CSSB 98(FIN) am H

Second Reading

Amendment No. 9

**YEAS: 14 NAYS: 24 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Lynn, Moses, Weyhrauch

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: LeDoux, Salmon

And so, Amendment No. 9 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 98(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS CSSB 98(FIN) am H will advance to third reading on tomorrow's calendar.

### **SPECIAL ORDER OF BUSINESS**

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citations Honoring - Matt Emmons, Olympic Champion and Honoring - Dan Jordan, 2004 Paralympic Games Silver Medal Winner be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the House approve the citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Matt Emmons, Olympic Champion

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

Honoring - Dan Jordan, 2004 Paralympic Games Silver Medal Winner

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

**UNFINISHED BUSINESS****HB 81**

Representative Crawford added his name as cosponsor to:

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."

**HB 128**

Representative Berkowitz added his name as cosponsor to:

HOUSE BILL NO. 128

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

**HB 155**

Representative Gara 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 42**

Representative Guttenberg added his name as cross sponsor to:

SENATE BILL NO. 42

"An Act extending the reporting date for and the termination date of the Task Force on Naturopathic Scope of Practice; and providing for an effective date."



**ENGROSSMENT**

**HB 81**

CSHB 81(L&C) 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 17, 2005. There being no objection, the House adjourned at 7:56 p.m.

Suzi Lowell  
Chief Clerk