

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

March 30, 2005

#### Eightieth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:11 a.m.

Roll call showed 25 members present. Representatives Cissna, Gardner, and Neuman had been previously excused from a call of the House today. Representatives Anderson, Berkowitz, Chenault, Crawford, Croft, Gara, Gruenberg, Guttenberg, Hawker, Kerttula, and Moses were absent and their presence was noted later. Representative Kott was absent and later excused (page 777).

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

Dear Lord:

I thank You for this day You have given to us. As one nation under God, I thank You that we can openly and freely say thank You for Your leading as we reach out in service to one another.

The opportunities that are ours are tremendous and we recognize the responsibility that comes with our tasks. Help us this day to focus on the major issues and not be overwhelmed and bogged down in the minor ones.

In Jesus' name. Amen.

The Pledge of Allegiance was led by Representative Kapsner.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 79th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 23, 2005, was read stating that, in accordance with AS 39.05.080, the Governor submits the following name for legislative confirmation of appointment to the position noted. The Speaker referred the following to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee:

#### **Alaska Air National Guard - Brigadier General**

Colonel Tony A. Hart - Kulis ANG Base

### **MESSAGES FROM THE SENATE**

#### **HB 42**

A message dated March 29, 2005, was read stating the Senate has passed:

HOUSE BILL NO. 42

"An Act naming the Joe Williams, Sr., Coastal Trail."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 42(CRA)

"An Act naming the Joseph C. Williams, Sr., Coastal Trail."

(SCR 5 - title change resolution)

HB 42 is under Unfinished Business.

A message dated March 29, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SCR 5**

SENATE CONCURRENT RESOLUTION NO. 5 by the Senate Community and Regional Affairs Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 42, relating to the Joe Williams, Sr., Coastal Trail.

was read the first time and taken up later as a Special Order of Business.

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

**REPORTS OF STANDING COMMITTEES****HB 183**

The State Affairs Committee has considered:

HOUSE BILL NO. 183

"An Act relating to the use of campaign contributions for shared campaign activity expenses and to reimbursement of those expenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 183(STA)  
(same title)

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

Do pass (2): Elkins, Seaton

No recommendation (2): Gardner, Ramras

The following fiscal note(s) apply to CSHB 183(STA):

1. Zero, Dept. of Administration

HB 183 was referred to the Judiciary Committee.

**HB 186**

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 186

"An Act relating to quarterly payments of a permanent fund dividend, and to a permanent fund dividend and eligibility for public assistance; and providing for an effective date."

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

Do pass (4): Anderson, McGuire, Kohring, Wilson

The following fiscal note(s) apply:

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

HB 186 was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - Michael Dunlevy  
By Representative Joule

Honoring - Kotzebue High School's Battle of the Books Team  
By Representative Joule

In Memoriam - Lila Rozak  
By Senator Wagoner; Representatives Olson, Chenault

\*\*The presence of Representatives Gara, Moses and Hawker was noted.

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

**HB 238**

HOUSE BILL NO. 238 by the House State Affairs Committee, entitled:

"An Act relating to contribution rates for employers and members in the defined benefit plans of the teachers' retirement system and the public employees' retirement system and to the ad-hoc post-retirement pension adjustment in the teachers' retirement system; requiring insurance plans provided to members of the teachers' retirement system, the judicial retirement system, the public employees' retirement system, and the former elected public officials retirement system to provide a list of preferred drugs; relating to defined contribution plans for members of the teachers' retirement system and the public employees' retirement system; and providing for an effective date."

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

**HB 239**

HOUSE BILL NO. 239 by the House Transportation Committee by request, entitled:

"An Act relating to the powers and duties of the Department of Transportation and Public Facilities; repealing the requirement for a long-range program for highway construction and maintenance; and repealing a requirement that public facilities comply with energy standards adopted by the Department of Transportation and Public Facilities."

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

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

**HB 240**

HOUSE BILL NO. 240 by the House Judiciary Committee, entitled:

"An Act relating to brewery and brew pub licensing."

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

\*\*The presence of Representatives Berkowitz, Anderson, Gruenberg, Crawford, and Chenault was noted.

**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 - General Gene Ramsay

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

Honoring - Delta Chamber of Commerce, Alaska State Chamber of the Year Award

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

## Honoring - Sergeant Alfonso Grubbs

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

## Honoring - Haines Borough Public Library

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

## In Memoriam - Frances G. Thompson

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

**UNFINISHED BUSINESS**

Representative Coghill moved and asked unanimous consent that Representative Kott be excused from a call of the House today. There being no objection, it was so ordered.

**CONCUR IN SENATE AMENDMENTS****HB 42**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 772) on the following:

HOUSE BILL NO. 42

"An Act naming the Joe Williams, Sr., Coastal Trail."

and

SENATE CS FOR HOUSE BILL NO. 42(CRA)  
"An Act naming the Joseph C. Williams, Sr., Coastal Trail."

(SCR 5 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 42, thus adopting SCS HB 42(CRA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 42?" The roll was taken with the following result:

SCS HB 42(CRA)  
Concur

**YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1**

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

Excused: Cissna, Gardner, Kott, Neuman

Absent: Weyhrauch

And so, the House concurred in the Senate amendment, thus adopting SCS HB 42(CRA).

The Chief Clerk notified the Senate.

SCS HB 42(CRA) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 5**

Representative Coghill moved and asked unanimous consent that the following be taken up as a Special Order of Business:



## SENATE CONCURRENT RESOLUTION NO. 5

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 42, relating to the Joe Williams, Sr., Coastal Trail.

There being no objection, it was so ordered.

The question being: "Shall SCR 5 pass the House?" The roll was taken with the following result:

SCR 5

Special Order of Business

**YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1**

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

Excused: Cissna, Gardner, Kott, Neuman

Absent: Weyhrauch

And so, SCR 5 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

**CONCUR IN SENATE AMENDMENTS**

**HB 1**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 727) on the following:

CS FOR HOUSE BILL NO. 1(HES)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 1(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 1(HES), thus adopting SCS CSHB 1(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 1(HES)?" The roll was taken with the following result:

SCS CSHB 1(FIN)

Concur

**YEAS: 0 NAYS: 35 EXCUSED: 4 ABSENT: 1**

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

Excused: Cissna, Gardner, Kott, Neuman

Absent: Weyhrauch

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 1(FIN).

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Meyer, Chair  
Representative Chenault  
Representative Gara

The Speaker stated that, without objection, the House would recess to allow members of the Senate to enter the Chamber; and so, the House recessed at 10:47 a.m.

**AFTER RECESS**

The Speaker called the House back to order at 11:09 a.m.

**JOINT SESSION IN THE HOUSE**

In accordance with Uniform Rule 51, Speaker Harris turned the gavel over to President Ben Stevens who called the joint session to order at 11:10 a.m.

The purpose of the joint session was to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

Senator Gary Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Ben Stevens appointed Representative LeDoux and Senator Davis to escort the Honorable Lisa Murkowski to the joint session.

The Senate Sergeant-at-Arms announced the Senator's entrance into the House Chamber.

Senator Murkowski was escorted to the rostrum and welcomed by President Ben Stevens.

Senator Murkowski delivered her address and it is published in Senate and House Joint Journal Supplement No. 5.

Senator Murkowski introduced her staff: Tom Daffron, chief of staff, Elliot Bundy, press secretary, and Connie McKenzie, special assistant in Juneau. She also introduced Alaska's Governor Frank H. Murkowski, her father.

A question and answer period followed the conclusion of the Senator's speech.

Senator Murkowski received a standing ovation and was escorted from the Chamber by Representative LeDoux and Senator Davis.

Senator Gary Stevens moved and asked unanimous consent that the joint session adjourn. There being no objection, President Ben Stevens adjourned the joint session at 12:05 p.m.

### UNFINISHED BUSINESS

#### **HB 54**

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 54

"An Act relating to bail review."

#### **HB 208**

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 208

"An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain an Alaskan veterans' cemetery; and establishing the Alaska veterans' cemetery fund in the general fund."

#### **HB 210**

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 210

"An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."

#### **HB 219**

Representative Samuels added his name as cosponsor to:

HOUSE BILL NO. 219

"An Act relating to crimes and dangerous instruments."

**HB 230**

Representative Elkins added his name as cosponsor to:

HOUSE BILL NO. 230

"An Act authorizing the making of loans for upgrade of commercial fishing tender vessels and gear."

**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., April 1, 2005. There being no objection, the House adjourned at 12:05 p.m.

Suzi Lowell  
Chief Clerk