

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

April 4, 2005

#### Eighty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:13 a.m.

Roll call showed 32 members present. Representatives Kerttula and Kohring had been previously excused from a call of the House today. Representatives Anderson, Berkowitz, Croft, Guttenberg, Kott, and Weyhrauch were absent and their presence was noted later.

The invocation was offered by the Chaplain, the Reverend Steve Olmstead of Chapel by the Lake Presbyterian Church. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Praying the Psalms has been an important spiritual practice of Jews and Christians for centuries. I invite you to join with me in praying portions of Psalm 139.

"O Lord, you have searched me and know me. You know when I sit down and when I rise up; you discern my thoughts from far away. You search out my path and my lying down, and are acquainted with all my ways. Even before a word is on my tongue, O Lord, you know it completely. You hem me in, behind and before, and lay your hand upon me. Such knowledge is too wonderful for me; it is so high that I cannot attain it ... For it was you who formed my inward parts; you knit me together in my mother's womb. I praise you for I am fearfully and wonderfully made. Wonderful are your works that I know very well ... Search me, O God, and know my

heart; test me and know my thoughts. See if there is any wicked way in me and lead me in the way everlasting."

O Lord, I lift up to You all who are gathered in this room and all who work with these public servants. Search them, O God, and know their hearts; test them and know their thoughts. See if there is any wicked way in them and lead them in the way of truth, the way everlasting.

In the power of the resurrection, Amen.

The Pledge of Allegiance was led by Representative Gruenberg.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 82nd, 83rd, and 84th legislative days, House Journal Supplement No. 2, and House and Senate Joint Journal Supplement No. 6 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HB 115**

A message dated April 1, 2005, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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

"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."

Chapter No. 5, SLA 2005

Effective Date: April 2, 2005

\*\*The presence of Representatives Croft and Anderson was noted.

**HB 158**

A message dated April 1, 2005, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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."

Chapter No. 4, SLA 2005

Effective Date: April 2, 2005

**MESSAGES FROM THE SENATE**

A message dated April 1, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 143**

CS FOR SENATE BILL NO. 143(STA) by the Senate State Affairs Committee, entitled:

"An Act amending the definition of the term 'state agencies' as it applies under Executive Order No. 113; relating to information systems in the legislative branch and to the Telecommunications Information Council; and providing for an effective date."

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

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

**REPORTS OF STANDING COMMITTEES**

**HJR 16**

The Resources Committee has considered:

## HOUSE JOINT RESOLUTION NO. 16

Opposing the designation of any area in the state as a world heritage site, biosphere reserve, or any other type of international designation without the consent of the Alaska State Legislature.

and recommends it be replaced with:

## CS FOR HOUSE JOINT RESOLUTION NO. 16(RES)

Opposing the designation of any area in the state as a world heritage site, biosphere reserve, or any other type of international designation without the consent of the Alaska State Legislature and affected local governments.

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

Do pass (3): Elkins, LeDoux, Crawford

No recommendation (5): Olson, Gatto, Seaton, Ramras, Samuels

The following fiscal note(s) apply to CSHJR 16(RES):

1. Zero, Legislative Agency

HJR 16 was referred to the Rules Committee for placement on the calendar.

**HB 20**

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

Do pass (3): Moses, Meyer, Chenault

No recommendation (5): Foster, Weyhrauch, Stoltze, Joule, Kelly

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

1. Zero, Dept. of Education & Early Development

SSHB 20 was referred to the Rules Committee for placement on the calendar.

**HB 53**

The Health, Education & Social Services Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 53

"An Act relating to child-in-need-of-aid proceedings; amending the construction of statutes pertaining to children in need of aid; relating to a duty and standard of care for services to children and families, to the confidentiality of investigations, court hearings, and public agency records and information in child-in-need-of-aid matters and certain child protection matters, to immunity regarding disclosure of information in child-in-need-of-aid matters and certain child protection matters, to the retention of certain privileges of a parent in a relinquishment and termination of a parent and child relationship proceeding, to eligibility for permanent fund dividends for certain children in the custody of the state, and to juvenile delinquency proceedings and placements; establishing a right to a trial by jury in termination of parental rights proceedings; reestablishing and relating to state citizens' review panels for certain child protection and custody matters;

amending the duty to disclose information pertaining to a child in need of aid; authorizing additional family members to consent to disclosure of confidential or privileged information about children and families involved with children's services within the Department of Health and Social Services to officials for review or use in official capacities; relating to reports of harm and to adoptions and foster care; mandating reporting of the medication of children in state custody; prescribing the rights of grandparents related to child-in-need-of-aid cases and establishing a grandparent priority for adoption in certain child-in-need-of-aid cases; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending treatment service requirements for parents involved in child-in-need-of-aid proceedings; amending Rules 9 and 13, Alaska Adoption Rules; amending Rules 3, 18, and 22, Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 53(HES)

"An Act relating to child-in-need-of-aid proceedings; amending the construction of statutes pertaining to children in need of aid; relating to guardianships; relating to the confidentiality of investigations, court hearings, and public agency records and information in child-in-need-of-aid matters and certain child protection matters, to immunity regarding disclosure of information in child-in-need-of-aid matters and certain child protection matters, to proceedings regarding voluntary relinquishment and termination of a parent and child relationship, to eligibility for permanent fund dividends for certain children in the custody of the state, and to juvenile delinquency proceedings and placements; establishing a right to a trial by jury in termination of parental rights proceedings; reestablishing and relating to a state citizens' review panel; amending the duty to disclose information pertaining to a child in need of aid; relating to disclosure of confidential or privileged information about children and families involved with children's services within the Department of Health and Social Services to officials for review or use in official capacities; relating to reports of harm and to

adoptions and foster care; relating to consent for the medication of children in state custody; prescribing the rights of family members related to child-in-need-of-aid cases and establishing a familial priority for adoption in certain child-in-need-of-aid cases; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending Rules 9 and 13, Alaska Adoption Rules; amending Rules 3, 17.2, 18, and 22, Alaska Child in Need of Aid Rules of Procedure; amending Rules 14 and 15, Rules of Probate Procedure; and providing for an effective date."

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

Do pass (5): Anderson, Kohring, McGuire, Seaton, Wilson

The following fiscal note(s) apply to CSSSHB 53(HES):

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Health & Social Services
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services
5. Fiscal, Dept. of Law

SSHB 53 was referred to the Judiciary Committee.

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

### **HB 66**

The Finance Committee has considered:

#### HOUSE BILL NO. 66

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 66(FIN)  
(same title)

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

Do pass (7): Hawker, Holm, Foster, Stoltze, Weyhrauch, Meyer, Chenault

No recommendation (3): Joule, Moses, Kelly

HB 66 was referred to the Rules Committee for placement on the calendar.

**HB 67**

The Finance Committee has considered:

## HOUSE BILL NO. 67

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and 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:

CS FOR HOUSE BILL NO. 67(FIN)  
(same title)

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

Do pass (6): Hawker, Holm, Foster, Stoltze, Meyer, Chenault

No recommendation (3): Weyhrauch, Moses, Kelly

Amend (1): Joule

HB 67 was referred to the Rules Committee for placement on the calendar.



**HB 101**

The Judiciary Committee has considered:

HOUSE BILL NO. 101

"An Act relating to sex trafficking and tourism."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 101(JUD)

"An Act relating to sex tourism."

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

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

The following fiscal note(s) apply to CSHB 101(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Corrections
3. Zero, Alaska Court System
4. Zero, Dept. of Law
5. Zero, Dept. of Public Safety

HB 101 was referred to the Finance Committee.

**HB 111**

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 111

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 111(HES)  
(same title)

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

Do pass (1): Seaton

No recommendation (2): Anderson, McGuire

Amend (2): Kohring, Wilson

The following fiscal note(s) apply to CSHB 111(HES):

1. Zero, Dept. of Health & Social Services

HB 111 was referred to the Finance Committee.

**HB 133**

The State Affairs Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133

"An Act relating to incorporation of boroughs and to regulations of the Local Boundary Commission to provide standards and procedures for municipal incorporation, reclassification, dissolution, and certain municipal boundary changes; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133(STA)

"An Act relating to incorporation of boroughs, to annexation by local action, and to regulations of the Local Boundary Commission to provide standards and procedures for municipal incorporation, reclassification, dissolution, and certain municipal boundary changes; and providing for an effective date."

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

Do pass (3): Lynn, Elkins, Seaton

No recommendation (2): Gardner, Gruenberg

The following fiscal note(s) apply to CSSSHB 133(STA):

1. Zero, Dept. of Commerce, Community, & Economic Development

SSH B 133 was referred to the Rules Committee for placement on the calendar.

**HB 142**

The Resources Committee 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 Representatives Ramras and Samuels, Co-chairs, with the following individual recommendations:

Do pass (2): Elkins, Samuels

No recommendation (6): Olson, Kapsner, Gatto, LeDoux, Crawford, Ramras

The following fiscal note(s) apply:

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

HB 142 was referred to the Finance Committee.

**HB 174**

The Resources Committee has considered:

HOUSE BILL NO. 174

"An Act relating to commercial fishing permit and vessel license fees; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 174(RES)  
(same title)

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

Do pass (2): Elkins, Samuels

No recommendation (4): Olson, Gatto, Crawford, Ramras

Amend (2): Seaton, LeDoux

The following fiscal note(s) apply to CSHB 174(RES):

1. Fiscal, Dept. of Fish & Game

HB 174 was referred to the Finance Committee.

**HB 178**

The Finance Committee has considered:

HOUSE BILL NO. 178

"An Act relating to special motor vehicle registration plates; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 178(FIN)  
(same title)

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

Do pass (5): Foster, Stoltze, Holm, Meyer, Chenault

No recommendation (1): Kelly

The following fiscal note(s) apply to CSHB 178(FIN):

2. Fiscal, Dept. of Administration

HB 178 was referred to the Rules Committee for placement on the calendar.

**HB 185**

The Finance Committee has considered:

HOUSE BILL NO. 185

"An Act relating to immunization of postsecondary students for meningitis; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 185(FIN)  
(same title)

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

Do pass (4): Holm, Foster, Meyer, Chenault

No recommendation (5): Hawker, Croft, Stoltze, Moses, Kelly

The following fiscal note(s) apply to CSHB 185(FIN):

1. Zero, Dept. of Education & Early Development

HB 185 was referred to the Rules Committee for placement on the calendar.

**HB 211**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 211

"An Act extending the termination date of the Board of Dental Examiners; and relating to dentists and dental hygienists."

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

Do pass (4): Crawford, Lynn, Rokeberg, Anderson

No recommendation (2): LeDoux, Guttenberg

The following fiscal note(s) apply:

1. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 211 was referred to the Finance Committee.

**HB 216**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 216

"An Act relating to insurance rate-making and form filing."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 216(L&C)

(same title)

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

Do pass (3): Crawford, Rokeberg, Anderson

No recommendation (3): Lynn, LeDoux, Guttenberg

The following fiscal note(s) apply to CSHB 216(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development

HB 216 was referred to the Finance Committee.

**HB 220**

The Health, Education & Social Services Committee has considered:

## HOUSE BILL NO. 220

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 220(HES)  
(same title)

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

Do pass (2): McGuire, Wilson

Do not pass (1): Anderson

No recommendation (1): Seaton

The following fiscal note(s) apply to CSHB 220(HES):

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

HB 220 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 - Frank Dahl  
By Representative Anderson

Honoring - Noorvik Aqqaluk School  
By Representative Joule

Honoring - YWCA 2004 Women of Achievement Award Winner  
Carol Gore  
By Senator Ellis

Honoring - Michael Binkie  
By Senator Stedman; Representative Wilson

Honoring - Kristen Forrester  
By Senator Green

Honoring - Region I Elections Supervisor, Pamela J. Crowe  
By Senators Elton, Stedman

In Memoriam - Ron Zobel  
By Representative Croft

In Memoriam - LB Mauldin  
By Representatives Stoltze, Dahlstrom, Hawker, Kott; Senators  
Bunde, Dyson

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

#### **HCR 6**

HOUSE CONCURRENT RESOLUTION NO. 6 by Representatives  
Kott, Harris, Rokeberg, Chenault, Berkowitz, McGuire, and  
Dahlstrom:

Relating to the continuation of the Alaska Information  
Infrastructure Policy Task Force until the first day of the First  
Regular Session of the Twenty-Fifth Alaska State Legislature in  
January 2007.

was read the first time and referred to the House Special Committee on  
Economic Development, International Trade, & Tourism.

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

#### **HB 247**

HOUSE BILL NO. 247 by Representatives Croft and Crawford,  
entitled:

"An Act establishing a grant program to support voluntary class  
size reduction."



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

**HB 248**

HOUSE BILL NO. 248 by Representative Hawker, entitled:

"An Act relating to the exemption from public inspection of certain records and information of public agencies that are compiled in connection with peace or correctional officers."

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

**HB 249**

HOUSE BILL NO. 249 by Representatives Hawker, Holm, and Olson, entitled:

"An Act relating to enhanced 911 surcharges imposed by a municipality."

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

**HB 250**

HOUSE BILL NO. 250 by Representative Gatto, entitled:

"An Act relating to child-in-need-of-aid proceedings."

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

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 95**

The following was read the second time:

## HOUSE BILL NO. 95

"An Act relating to public health and public health emergencies and disasters; relating to duties of the public defender and office of public advocacy regarding public health matters; relating to certain claims for public health matters; making conforming amendments; and providing for an effective date."

with the:	Journal Page
HES RPT CS(HES) NT 2DP 2NR 1AM	285
FN1: ZERO(HSS)	286
JUD RPT CS(JUD) NT 1DP 6NR	561
FN1: ZERO(HSS)	562
RLS RPT CS(RLS) NT 3DP 2NR 1AM	793
FN1: ZERO(HSS)	794

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. 95(RLS)

"An Act relating to the duties of the Department of Health and Social Services as those duties pertain to public health and public health emergencies and disasters; relating to medical treatment, information, isolation and quarantine for the prevention and management of conditions of public health importance; relating to duties of the public defender and office of public advocacy regarding public health emergencies and disasters; relating to liability for actions arising from public health procedures; making conforming amendments; relating to the treatment and transportation of dead bodies; amending Rules 4, 7, 8, 38, 40, 65, 72, and 77, Alaska Rules of Civil Procedure; and providing for an effective date."

There being no objection, it was so ordered.

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

Amendment No. 1 was offered by Representative Gara:

Page 3, line 5, following "state employee":

Insert "or if the employee releases medical records or quarantines or isolates in knowing violation of AS 18.15.362, AS 18.15.365 or AS 18.15.385"

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

Representative McGuire objected.

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

Delete "AS 18.15.362,"

Representative Gara moved and asked unanimous consent that Amendment to Amendment No. 1 be adopted. There being no objection, Amendment to Amendment No. 1 was adopted.

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

CSHB 95(RLS)

Second Reading

Amendment No. 1 as amended

**YEAS: 15 NAYS: 21 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Cissna, Crawford, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kott, LeDoux, Salmon, Weyhrauch

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

Excused: Kerttula, Kohring

Absent: Moses, Ramras

And so, Amendment No. 1 as amended was not adopted.

Representative Coghill moved and asked unanimous consent that CSHB 95(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 95(RLS) was read the third time.

The question being: "Shall CSHB 95(RLS) pass the House?" The roll was taken with the following result:

CSHB 95(RLS)  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 5 EXCUSED: 2 ABSENT: 2**

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

Nays: Berkowitz, Crawford, Croft, Gara, Guttenberg

Excused: Kerttula, Kohring

Absent: Joule, Moses

And so, CSHB 95(RLS) passed the House.

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.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes.

Representative Berkowitz objected.

Representative Coghill placed a call of the House and lifted the call.

The question being: "Shall the court rule changes be adopted?" The roll was taken with the following result:

CSHB 95(RLS)  
Third Reading  
Court Rules

**YEAS: 33 NAYS: 1 EXCUSED: 2 ABSENT: 4**

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

Nays: Crawford

Excused: Kerttula, Kohring

Absent: Croft, Gara, Joule, Kelly

And so, the court rule changes were adopted.

Representative Gruenberg gave notice of reconsideration of the vote on CSHB 95(RLS).

The Speaker stated that, without objection, the House would recess; and so, the House recessed at 1:19 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 2:02 p.m.

#### **SECOND READING OF HOUSE BILLS** (continued)

##### **HB 128**

The following was read the second time:

HOUSE BILL NO. 128

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

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with the:

Journal Page

EDU RPT CS(EDU) 7DP	566
FN1: ZERO(EED)	566
HES RPT CS(HES) 5DP 2NR	795
FN1: ZERO(EED)	796
FN2: ZERO(LEG)	796
FIN REFERRAL WAIVED	817

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. 128(HES)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 128(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 128(HES) was read the third time.

The question being: "Shall CSHB 128(HES) pass the House?" The roll was taken with the following result:

CSHB 128(HES)  
Third Reading  
Final Passage

**YEAS: 37 NAYS: 1 EXCUSED: 2 ABSENT: 0**

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

Nays: Coghill

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Excused: Kerttula, Kohring

And so, CSHB 128(HES) passed the House and was referred to the Chief Clerk for engrossment.

**HB 198**

The following was read the second time:

HOUSE BILL NO. 198

"An Act relating to aquatic farming; and providing for an effective date."

with the:	Journal Page
FSH RPT CS(FSH) 3DP 2NR	689
FN1: ZERO(DFG)	689
RES RPT CS(RES) 4DP 3NR 1AM	797
FN1: ZERO(DFG)	797

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. 198(RES)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 (title amendment) was offered by Representatives Berkowitz, Elkins, and Thomas:

Page 1, line 1, following "**aquatic**":  
Insert "**plant and shellfish**"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, Amendment No. 1 was adopted and the new title follows:

CS FOR HOUSE BILL NO. 198(RES)(title am)  
"An Act relating to aquatic plant and shellfish farming; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that CSHB 198(RES)(title am) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 198(RES)(title am) was read the third time.

Representative Weyhrauch moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Weyhrauch was required to vote.

The question being: "Shall CSHB 198(RES)(title am) pass the House?" The roll was taken with the following result:

CSHB 198(RES)(title am)  
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, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Kerttula, Kohring

And so, CSHB 198(RES)(title am) passed the House.

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 198(RES)(title am) was referred to the Chief Clerk for engrossment.



**THIRD READING OF SENATE RESOLUTIONS****SJR 6**

The following, which was advanced to third reading from the April 1, 2005, calendar (page 815), was read the third time:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 6(FIN)  
am H

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.

The question being: "Shall HCS SJR 6(FIN) am H pass the House?"  
The roll was taken with the following result:

HCS SJR 6(FIN) am H  
Third Reading  
Final Passage

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

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

Excused: Kerttula, Kohring

Absent: Hawker, Kott

And so, HCS SJR 6(FIN) am H 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 - Bill Stockwell

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

## Honoring - Dr. Peter Wilkniss, Polar Scientist

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

## Honoring - Alaskan Athletes of the 2005 Special Olympics World Winter Games

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

## Honoring - The Borealis Bullseyes Junior Olympic Rifle Team

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

## In Memoriam - Lydia L. Mack

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

## In Memoriam - W.I. "Bob" Palmer

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

## In Memoriam - Harold Oluf Fossum

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

## In Memoriam - Elva R. Scott

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

## In Memoriam - Sally Woods Evans Hudson

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

## In Memoriam - George Alan Pikus

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

**UNFINISHED BUSINESS****HB 133**

The Speaker added a Judiciary Committee referral for the following:

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133**

"An Act relating to incorporation of boroughs and to regulations of the Local Boundary Commission to provide standards and procedures for municipal incorporation, reclassification, dissolution, and certain municipal boundary changes; and providing for an effective date."

SSHB 133 was removed from the Rules Committee and referred to the Judiciary Committee.

**HB 41**

Representatives Foster and Holm added their names as cosponsors to:

**HOUSE BILL NO. 41**

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed against an employee of an elementary, junior high, or secondary school who was engaged in the performance of school duties at the time of the assault."

**HB 128**

Representatives Kapsner, Neuman, and Samuels added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 128(HES)**

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

**HB 131**

Representatives Kelly, Meyer, and Foster added their names as cosponsors to:

**HOUSE BILL NO. 131**

"An Act increasing the criminal classification of theft of an access device and of obtaining an access device or identification

documents by fraudulent means; increasing the criminal classification for certain cases of fraudulent use of an access device; and providing for an effective date."

**HB 132**

Representatives Kelly, Meyer, Foster, and Holm added their names as cosponsors to:

HOUSE BILL NO. 132

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

**HB 178**

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 178

"An Act relating to special motor vehicle registration plates; and providing for an effective date."

**HB 198**

Representatives Dahlstrom and McGuire added their names as cosponsors to:

CS FOR HOUSE BILL NO. 198(RES)(title am)

"An Act relating to aquatic plant and shellfish farming; and providing for an effective date."

**HB 201**

Representative Elkins added his name as cosponsor to:

HOUSE BILL NO. 201

"An Act relating to an application for a permanent fund dividend for a member of the armed forces of the United States serving on active duty outside of the state; and providing for an effective date."

**HB 210**

Representative Gara added his 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."

**ENGROSSMENT**

**HB 128**

CSHB 128(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 198**

CSHB 198(RES)(title am) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SJR 6**

HCS SJR 6(FIN) am H 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.

The following meetings today have been changed as indicated:

Finance Committee

CHANGED: upon adjournment

Resources Committee

CHANGED: upon adjournment

Judiciary Committee

CANCELED

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 5, 2005. There being no objection, the House adjourned at 2:40 p.m.

Suzi Lowell  
Chief Clerk