

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Tuesday

April 19, 2005

One Hundredth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:19 a.m.

Roll call showed 37 members present. Representatives Gruenberg, Kelly, and Kerttula were absent and their presence was noted later.

The invocation was offered by the Chaplain, the Reverend Michael Curran of St. Brendan's Episcopal Church. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In deepest respect for the religious beliefs of all persons here, I invite you into a time of prayer and reflection. Let us pray.

Lord God Creator, our heavenly Father and Mother, send down upon those who hold office in this state of Alaska, and also our nation, the spirit of wisdom, charity, and justice, that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all people. Wrap Your loving arms around their families who may not be here with them and give them strength as they await their safe return to their homes far and near in this vast state of Alaska.

Almighty God, You have given us this good land as our heritage. May we prove ourselves a people mindful of Your generosity and glad to do Your will. Make us, who come

from many cultures with many different languages, a united people. Defend our liberties and give those whom we have entrusted with authority the ability to seek equality for all people so that each one of us may enjoy a fair portion of the abundance of this land. When times are prosperous, let our hearts be thankful; and, in troubled times, do not let our trust in You fail. We ask all of this through our Savior and our Lord God Creator who lives within us forever and ever. Amen.

The Pledge of Allegiance was led by Representative Joule.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 99th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Weyhrauch introduced Emily Johnson and Mary Gianotti, Guest Pages, from Juneau.

MESSAGES FROM THE SENATE

HCR 2

A message dated April 18, 2005, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 2
Urging Governor Murkowski to take quick action to conduct, approve, or sanction a study of in-state natural gas needs and take-off points for intrastate use of natural gas transported in a North Slope natural gas pipeline.

HCR 2 was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Dave Marquez

as Attorney General.

The report was signed by Representative McGuire, Chair; and Representatives Dahlstrom, Coghill, Gara, Anderson, and Gruenberg.

HCR 7

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 7

Urging the governor to direct the division of oil and gas, Department of Natural Resources, to undertake a comprehensive review of the subject of Cook Inlet oil and gas platform abandonment for the purpose of developing new oil and gas platform abandonment regulations and their adoption and implementation.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(RES)
(same title)

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

Do pass (8): Olson, Kapsner, Gatto, Seaton, Elkins, Crawford, Ramras, Samuels

The following fiscal note(s) apply to CSHCR 7(RES):

1. Zero, House Resources Committee

HCR 7 was referred to the Rules Committee for placement on the calendar.

HB 9

The Resources Committee has considered:

HOUSE BILL NO. 9

"An Act establishing the Hydrogen Energy Partnership in the Department of Commerce, Community, and Economic Development; requiring the commissioner of commerce, community, and economic development to seek public and private funding for the partnership; providing for the contingent repeal of an effective date; and providing for an effective date."

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

Do pass (5): Crawford, Elkins, Seaton, Kapsner, Ramras

No recommendation (1): Olson

Amend (1): Gatto

The following fiscal note(s) apply:

1. Zero, University of Alaska
2. Fiscal, Dept. of Commerce, Community, & Economic Development
3. Fiscal, Dept. of Commerce, Community, & Economic Development
4. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 9 was referred to the Finance Committee.

HB 133

The Judiciary 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(JUD)

"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 McGuire, Chair, with the following individual recommendations:

Do pass (2): Coghill, McGuire

No recommendation (3): Gruenberg, Dahlstrom, Gara

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

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

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

HB 161

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 161

"An Act relating to reemployment of and benefits for retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed

effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 161(HES)

"An Act relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

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

Do pass (3): Cissna, Kohring, Wilson

No recommendation (1): Gardner

Amend (1): Seaton

The following fiscal note(s) apply to CSHB 161(HES):

1. Zero, Dept. of Administration

HB 161 was referred to the State Affairs Committee.

HB 181

The Labor & Commerce Committee has submitted the following report to correct the report submitted on April 18, 2005 (page 1100) for:

HOUSE BILL NO. 181

"An Act establishing a waiver for active duty military service of continuing education requirements for renewal of occupational licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 181(L&C)

"An Act authorizing a waiver for active duty military service of continuing education requirements for renewal of occupational licenses."

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

Do pass (4): Guttenberg, Lynn, LeDoux, Kott

No recommendation (1): Rokeberg

The following fiscal note(s) apply to CSHB 181(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Military & Veterans' Affairs

HB 181 is in the Rules Committee.

SB 51

The Finance Committee has considered:

CS FOR SENATE BILL NO. 51(FIN)

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

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

Do pass (5): Hawker, Croft, Moses, Foster, Meyer

Do not pass (1): Kelly

No recommendation (3): Holm, Weyhrauch, Chenault

The following fiscal note(s) apply:

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

CSSB 51(FIN) was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Gruenberg was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Carole Edwards
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - James & Shaharriet Houchins Alaska 2004 Parents of the Year
By Representative Meyer

Honoring - Alaska National Guard Family Program
By Representatives Lynn, Dahlstrom

Honoring - Fort Yukon Eagles Basketball Team
By Senator Kookesh

Honoring - Nikiski Bulldogs Girls Basketball Team 2004-2005 Southcentral Conference Championship
By Senator Wagoner; Representatives Olson, Chenault

In Memoriam - Gordon Ralph James, Sr.
By Senator Kookesh

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 10**

HOUSE CONCURRENT RESOLUTION NO. 10 by the House Resources Committee:

Supporting the development of the Kensington Gold Mine.

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

HJR 19

HOUSE JOINT RESOLUTION NO. 19 by the House Special Committee on Ways and Means:

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value.

was read the first time and referred to the House Special Committee on Ways & Means and the Judiciary and Finance Committees.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 276**

HOUSE BILL NO. 276 by Representative Kott, entitled:

"An Act relating to business license endorsements for tobacco products, to holders of business license endorsements for tobacco products, and to the employees and agents of holders of business license endorsements for tobacco products."

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

HB 277

HOUSE BILL NO. 277 by Representatives Kerttula and Weyhrauch, entitled:

"An Act naming the Charles Gamble Jr. - Donald Sperl Joint Use Facility in Juneau."

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee.

HB 278

HOUSE BILL NO. 278 by Representative Hawker, entitled:

"An Act relating to the Alaska Municipal Bond Bank Authority; permitting the Alaska Municipal Bond Bank Authority or a subsidiary of the authority to assist state and municipal governmental employers by issuing bonds and other commercial paper to enable the governmental employers to prepay all or a portion of the governmental employers' shares of the unfunded accrued actuarial liabilities of retirement systems and authorizing governmental employers to contract with and to issue bonds, notes, or commercial paper to the authority or its subsidiary corporation for that purpose; and providing for an effective date."

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

HB 279

HOUSE BILL NO. 279 by the House Transportation Committee, entitled:

"An Act relating to encroachments in the right-of-way of a highway."

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

HB 280

HOUSE BILL NO. 280 by the House Resources Committee, entitled:

"An Act relating to the taxation of mining property; relating to contracts approved by municipalities for payments in lieu of taxes; and providing for an effective date."

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

**The presence of Representative Kerttula was noted.

CONCUR IN SENATE AMENDMENTS

HB 66

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1096) on the following:

CS FOR HOUSE BILL NO. 66(FIN)

"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

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 66(FIN), thus adopting SCS CSHB 66(FIN), and recommended that the members vote no.

**The presence of Representative Kelly was noted.

The question being: "Shall the House concur in the Senate amendment to CSHB 66(FIN)?" The roll was taken with the following result:

SCS CSHB 66(FIN)

Concur

YEAS: 0 NAYS: 39 EXCUSED: 0 ABSENT: 1

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

Absent: Weyhrauch

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 66(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 Chenault, Chair
Representative Meyer
Representative Croft

HB 67

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1096) on the following:

CS FOR HOUSE BILL NO. 67(FIN)(brf sup maj fld)
"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 67(FIN)
"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."

(technical title change)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 67(FIN)(brf sup maj fld), thus adopting SCS CSHB 67(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 67(FIN)(brf sup maj fld)?" The roll was taken with the following result:

SCS CSHB 67(FIN)

Concur

YEAS: 0 NAYS: 40 EXCUSED: 0 ABSENT: 0

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

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 67(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 Chenault, Chair
Representative Meyer
Representative Croft

The Speaker stated that Uniform Rule 23(d) is now in effect.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 32

The following was read the second time:

HOUSE BILL NO. 32

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

with the:	Journal Page
O&G RPT 2DP 3NR	216
FN1: ZERO(DNR)	216
FIN RPT CS(FIN) 4DP 2NR 1AM	1042
FN1: ZERO(DNR)	1043

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. 32(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Salmon:

Page 1, line 12:

Delete "2009"

Insert "2007"

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

Representative Kohring objected.

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

CSHB 32(FIN)
Second Reading
Amendment No. 1

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, LeDoux, Lynn, Salmon, Seaton, Thomas, Weyhrauch, Wilson

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

Absent: Moses

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 32(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 32(FIN) am was read the third time.

The question being: "Shall CSHB 32(FIN) am pass the House?" The roll was taken with the following result:

CSHB 32(FIN) am
Third Reading
Final Passage

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

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

Nays: Cissna, Gara, Gatto, Kerttula, Salmon

Absent: Moses

Weyhrauch changed from "Nay" to "Yea".

And so, CSHB 32(FIN) 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.

Representative Gatto gave notice of reconsideration of the vote on CSHB 32(FIN) am.

HB 54

The following was read the second time:

HOUSE BILL NO. 54
 "An Act relating to bail review."

with the:	Journal Page
JUD RPT CS(JUD) NT 4DP	859
FN1: ZERO(COR)	859
FN2: ZERO(CRT)	859
FN3: ZERO(LAW)	859
FIN RPT CS(FIN) NT 6DP 3NR	1043
FN1: ZERO(COR)	1043
FN2: ZERO(CRT)	1043
FN3: ZERO(LAW)	1043

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. 54(FIN)
 "An Act relating to bail review; relating to petitions for review by crime victims where the defendant has received a sentence below the sentencing range for the crime; relating to the qualifications of certain members of the Violent Crimes Compensation Board;

relating to the introduction of the victim and the defendant or minor to the jury; amending Rule 27, Alaska Rules of Criminal Procedures, and Rule 21, Alaska Delinquency Rules; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 54(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 54(FIN) was read the third time.

The question being: "Shall CSHB 54(FIN) pass the House?" The roll was taken with the following result:

CSHB 54(FIN)
Third Reading
Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Chenault

And so, CSHB 54(FIN) 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 court rule changes. 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 effective date clause. There being no objection, it was so ordered.

CSHB 54(FIN) was referred to the Chief Clerk for engrossment.

HB 183

The following was read the second time:

HOUSE BILL NO. 183

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

with the:	Journal Page
STA RPT CS(STA) 2DP 2NR	773
FN1: ZERO(ADM)	774
JUD RPT CS(JUD) 6DP 1AM	1047
FN1: ZERO(ADM)	1048

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. 183(JUD)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gara and Hawker:

Page 1, line 2, following the second occurrence of "**expenses**" (title amendment):

Insert "; and amending the definition of 'contribution' in regard to sharing fundraising lists between candidates and political parties without compensation"

Page 2, following line 21:

Insert a new bill section to read:

**** Sec. 2.** AS 15.13.400(4) is amended to read:

(4) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made

and that is made for the purpose of influencing the nomination or election of a candidate, and in AS 15.13.010(b) for the purpose of influencing a ballot proposition or question, including the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that are rendered to the candidate or political party;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question;

(ii) ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing the party's slate of candidates for election, which may include photographs, biographies, and information about the party's candidates;

(iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate; [OR]

(v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee; or

(vi) a fundraising list provided without compensation by one candidate or political party to another candidate or political party;"

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

Representative Coghill objected.

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

Under **(vi)**:
Delete "**another**"
Insert "**a**"

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

Representative Stoltze objected and withdrew the objection. There being no further 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 183(JUD)
Second Reading
Amendment No. 1 as amended

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

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

Nays: Coghill, Kelly, Lynn, Ramras, Stoltze

Absent: Kapsner

And so, Amendment No. 1 as amended was adopted and the new title follows:

CS FOR HOUSE BILL NO. 183(JUD) am
"An Act relating to the use of campaign contributions for shared campaign activity expenses and to reimbursement of those expenses; and amending the definition of 'contribution' in regard to sharing fundraising lists between candidates and political parties without compensation."

Representative Coghill moved and asked unanimous consent that CSHB 183(JUD) am be considered engrossed, advanced to third

reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 183(JUD) am was read the third time.

The question being: "Shall CSHB 183(JUD) am pass the House?"
The roll was taken with the following result:

CSHB 183(JUD) am
Third Reading
Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, CSHB 183(JUD) am passed the House and was referred to the Chief Clerk for engrossment.

HB 215

The following was read the second time:

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."

with the:	Journal Page
STA RPT 5DP 1NR	1017
FN1: ZERO(REV)	1017
FIN RPT CS(FIN) 4DP 5NR	1074
FN1: ZERO(REV)	1075

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. 215(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 215(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 215(FIN) was read the third time.

**Representative Harris, who had been previously excused (page 1113), left the Chamber.

Representative Coghill assumed the Chair as Speaker pro tempore.

Representative Rokeberg placed a call of the House.

Representative Rokeberg lifted the call.

The Speaker pro tempore stated that, without objection, the House would recess until 5:00 p.m.; and so, the House recessed at 12:26 p.m.

AFTER RECESS

The Speaker pro tempore called the House back to order at 5:17 p.m.

SECOND READING OF HOUSE BILLS

(continued)

HB 215

CSHB 215(FIN) was again before the House in third reading.

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

The question being: "Shall CSHB 215(FIN) pass the House?" The roll was taken with the following result:

CSHB 215(FIN)
Third Reading
Final Passage

YEAS: 30 NAYS: 8 EXCUSED: 1 ABSENT: 1

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

Nays: Crawford, Croft, Dahlstrom, Gara, Guttenberg, Kerttula, Lynn, Stoltze

Excused: Harris

Absent: Wilson

And so, CSHB 215(FIN) passed the House.

Acting Majority Leader Foster 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 Weyhrauch gave notice of reconsideration of the vote on CSHB 215(FIN).

Representative Weyhrauch moved and asked unanimous consent that reconsideration of CSHB 215(FIN) be taken up on the same day.

Representative Berkowitz objected.

Representative Weyhrauch moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

Representative Weyhrauch withdrew the notice of reconsideration.

Representative Gara gave notice of reconsideration of the vote on CSHB 215(FIN).

THIRD READING OF HOUSE BILLS**HB 182**

The following, which was advanced to third reading from the April 18, 2005, calendar (page 1112), was read the third time:

CS FOR HOUSE BILL NO. 182(FIN)

"An Act amending the Alaska Wage and Hour Act as it relates to the employment of a person acting in a supervisory capacity or in an administrative, executive, or professional capacity; relating to definitions under the Alaska Wage and Hour Act and providing definitions for persons employed in administrative, executive, and professional capacities, for persons working in the capacity of an outside salesman, for persons working in the capacity of a salesman employed on a straight commission basis, and for persons that perform computer-related occupations; directing retrospective application of the provisions of this Act to work performed before the effective date of this Act for purposes of claims filed on or after the effective date of this Act, and disallowing retrospective application for purposes of claims for that work that are filed before the effective date of this Act; and providing for an effective date."

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

Representative Gardner moved and asked unanimous consent that CSHB 182(FIN) be returned to second reading for the specific purpose of considering Amendment No. 2.

Representative Rokeberg objected.

Representative Gardner moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

Representative Rokeberg placed a call of the House.

The call was satisfied.

The question being: "Shall CSHB 182(FIN) pass the House?" The roll was taken with the following result:

CSHB 182(FIN)
Third Reading
Final Passage

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

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Gardner, Gatto, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon

Excused: Harris

And so, CSHB 182(FIN) passed the House.

Representative Foster 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.

Representative Berkowitz objected.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 182(FIN)
Third Reading
Effective Date

YEAS: 25 NAYS: 13 EXCUSED: 1 ABSENT: 1

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon

Excused: Harris

Absent: Seaton

And so, lacking the necessary 27 votes, the effective date clause was not adopted and the new title follows:

CS FOR HOUSE BILL NO. 182(FIN)(efd fld)

"An Act amending the Alaska Wage and Hour Act as it relates to the employment of a person acting in a supervisory capacity or in an administrative, executive, or professional capacity; relating to definitions under the Alaska Wage and Hour Act and providing definitions for persons employed in administrative, executive, and professional capacities, for persons working in the capacity of an outside salesman, for persons working in the capacity of a salesman employed on a straight commission basis, and for persons that perform computer-related occupations; directing retrospective application of the provisions of this Act to work performed before the effective date of this Act for purposes of claims filed on or after the effective date of this Act, and disallowing retrospective application for purposes of claims for that work that are filed before the effective date of this Act."

CSHB 182(FIN)(efd fld) was referred to the Chief Clerk for engrossment.

HB 211

The following, which was advanced to third reading from the April 18, 2005, calendar (page 1113), was read the third time:

CS FOR HOUSE BILL NO. 211(FIN)

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

The question being: "Shall CSHB 211(FIN) pass the House?" The roll was taken with the following result:

CSHB 211(FIN)

Third Reading

Final Passage

YEAS: 37 NAYS: 1 EXCUSED: 1 ABSENT: 1

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

Nays: Joule

Excused: Harris

Absent: Seaton

And so, CSHB 211(FIN) passed the House.

Representative Joule gave notice of reconsideration of the vote on CSHB 211(FIN).

SECOND READING OF HOUSE RESOLUTIONS

HJR 9

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 9

Urging the United States Congress to honor the process and judgment of the federal courts in the case of the Exxon Valdez disaster and to refrain from enacting legislation that would affect the outcome of the courts' resolution of the case.

with the:	Journal Page
RES RPT 6DP	790
FN1: ZERO(LEG)	791
JUD RPT 4DP 3NR	977
FN1: ZERO(LEG)	977

Amendment No. 1 was offered by Representatives LeDoux and Weyhrauch:

Page 2, line 4:

Delete "paid"

Insert "to pay"

Page 2, line 7:

Delete "alter"

Insert "reduce or delay payment of"

Representative LeDoux moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that HJR 9 am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 9 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 HJR 9 am pass the House?" The roll was taken with the following result:

HJR 9 am

Third Reading

Final Passage

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

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

Excused: Harris

Absent: Gatto, Seaton

And so, HJR 9 am passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Foster moved and asked unanimous consent that the House approve the citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Ed Strabel

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

UNFINISHED BUSINESS**HJR 9**

Representatives Kerttula and Elkins added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 9 am

Urging the United States Congress to honor the process and judgment of the federal courts in the case of the Exxon Valdez disaster and to refrain from enacting legislation that would affect the outcome of the courts' resolution of the case.

HB 32

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE BILL NO. 32(FIN) am

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

HB 33

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 33

"An Act relating to the effect of regulations on small businesses; and providing for an effective date."

HB 54

Representatives McGuire, Neuman, and Olson added their names as cosponsors to:

CS FOR HOUSE BILL NO. 54(FIN)

"An Act relating to bail review; relating to petitions for review by crime victims where the defendant has received a sentence below the sentencing range for the crime; relating to the qualifications of certain members of the Violent Crimes Compensation Board; relating to the introduction of the victim and the defendant or minor to the jury; amending Rule 27, Alaska Rules of Criminal Procedures, and Rule 21, Alaska Delinquency Rules; and providing for an effective date."

HB 148

Representative LeDoux added her name as cosponsor to:

HOUSE BILL NO. 148

"An Act relating to trafficking of persons."

HB 199

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 199

"An Act excluding certain trucks from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date."

ENGROSSMENT

HJR 9

HJR 9 am was engrossed, signed by the Speaker pro tempore and Chief Clerk and transmitted to the Senate for consideration.

HB 54

CSHB 54(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 182

CSHB 182(FIN)(efd fld) was engrossed, signed by the Speaker pro tempore and Chief Clerk and transmitted to the Senate for consideration.

HB 183

CSHB 183(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HJR 8**

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 9:48 a.m., April 19, 2005:

HOUSE JOINT RESOLUTION NO. 8

Expressing support of Alaska Army National Guard soldiers deployed worldwide.

HJR 15

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 9:48 a.m., April 19, 2005:

CS FOR HOUSE JOINT RESOLUTION NO. 15(RES)

Relating to open ocean aquaculture in the federal exclusive economic zone.

HB 198

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 9:48 a.m., April 19, 2005:

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

The following memorandum, dated April 18, 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 CSHB 198(RES)(title am), which has been corrected in enrolling:

Page 4, line 1:

Delete "AS 16.40.105"

Insert "AS 16.40.105(5)""

ANNOUNCEMENTS

The Speaker pro tempore ruled that with appointment of a Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 19, 2005. Written notice of a meeting should be submitted by 4:00 p.m. to the Chief Clerk's office for publication in the next day's committee schedule.

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

House Special Committee on Education

POSTPONED TO: 5:30 p.m., 4/21

House Special Committee on Economic Development, International Trade, & Tourism

POSTPONED TO: 8:30 a.m., 4/22

ADJOURNMENT

Representative Foster moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 20, 2005. There being no objection, the House adjourned at 6:32 p.m.

Suzi Lowell
Chief Clerk