

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

April 22, 2005

One Hundred Third Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:22 a.m.

Roll call showed 38 members present. Representatives Gatto and Seaton had been previously excused from a call of the House today.

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.

Creator, it is we who thank You for today's sunrise as we bless all those lives who work here and sustain it. Creator, bless and give comfort to their families as they await their safe return to their homes and communities. Let this be a place of peace to all who enter it. Give wisdom, peace, and justice to those who administer it; guide their thoughts and actions and let their good works spread beyond the four walls and directions, honoring each other's gifts of culture, wisdom, justice, and peace.

Holy Spirit, fly high as You carry our prayers to the Creator and Savior. May we have eyes that are sharp so we may be able to see the truth, hope, and vision of this place. Guide our works and give us courage to walk the circle of our lives with honesty and dignity. Let us feel the compassion of all

mankind. Help us to walk our paths with joy and love for ourselves, for others, and all of Your creation to whom we are stewards. Show us it is right for us to make decisions with our hearts, even if at times our hearts become hurt. Help us to grow and nurture our worth in all ways. Give us wisdom to make wise choices in all things which are put in front of us, and grant through the Creator's holy spirit that we always give thanks to our Creator and Mother Earth for all they have given us. Remind us never to take more than we need and remind us to always give back more than we take.

To our Creator we pray, and may His holy spirit dwell among us and this place forever. Amen.

The Pledge of Allegiance was led by Representative Kott.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 102nd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Meyer introduced Zane Millexx, Guest Page, from Anchorage.

MESSAGES FROM THE SENATE

A message dated April 21, 2005, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 103

SENATE BILL NO. 103 by the Senate Rules Committee by request of the Governor, entitled:

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

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

SB 132

SENATE BILL NO. 132(efd fld) by the Senate Rules Committee by request of the Governor, entitled:

"An Act relating to complaints filed with, investigations, hearings, and orders of, and the interest rate on awards of the State Commission for Human Rights; and making conforming amendments."

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

SB 142

CS FOR SENATE BILL NO. 142(L&C) by the Senate Labor and Commerce Committee, entitled:

"An Act relating to ownership of land by regional school boards; and providing for an effective date."

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

SB 158

SENATE BILL NO. 158 by Senator Huggins, entitled:

"An Act prohibiting the imposition of municipal sales and use taxes on state construction contracts and certain subcontracts; and providing for an effective date."

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

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Procurement Report
A Summary of Executive Branch Activity
Fiscal Years 2003 and 2004
(as required by AS 36.30.540)

REPORTS OF STANDING COMMITTEES**HJR 12**

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 12
Proposing amendments to the Constitution of the State of Alaska
relating to the repeal of the budget reserve fund.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 12(W&M)
Proposing amendments to the Constitution of the State of Alaska
relating to the capital construction permanent fund and to the
repeal of the budget reserve fund.

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

Do pass (4): Lynn, Elkins, Ramras, Seaton

No recommendation (2): Gardner, Gruenberg

The following fiscal note(s) apply to CSHJR 12(W&M):

1. Fiscal, Dept. of Revenue

HJR 12 was referred to the Judiciary Committee.

HB 31

The Finance Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 31

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL
NO. 31(FIN)
(same title)

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

Do pass (3): Hawker, Croft, Stoltze

No recommendation (4): Weyhrauch, Joule, Kelly, Chenault

The following fiscal note(s) apply to CSSSHB 31(FIN):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Indeterminate, Dept. of Administration
3. Indeterminate, Dept. of Labor & Workforce Development

SSHB 31 was referred to the Rules Committee for placement on the calendar.

HB 103

The Rules Committee has considered:

HOUSE BILL NO. 103

"An Act requiring an actionable claim against the state to be tried without a jury."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 103(RLS)

"An Act requiring an actionable claim against the state to be tried without a jury unless a jury trial is requested by the state."

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

Do not pass (2): Kerttula, Berkowitz

No recommendation (3): Harris, Coghill, Rokeberg

Amend (1): Kohring

The following fiscal note(s) apply to CSHB 103(RLS):

1. Fiscal, Alaska Court System
2. Indeterminate, Dept. of Law

HB 103 was returned to the Rules Committee for placement on the calendar.

HB 190

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 190

"An Act relating to the purchase of alcoholic beverages and to requiring identification to buy alcoholic beverages; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 190(L&C)

"An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

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

Do pass (3): Crawford, Lynn, Kott

No recommendation (2): LeDoux, Guttenberg

The following fiscal note(s) apply to CSHB 190(L&C):

1. Indeterminate, Dept. of Administration

HB 190 was referred to the Judiciary Committee.

HB 226

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 226

"An Act relating to breaches of security involving personal information; and relating to credit report security freezes."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 226(L&C)
(same title)

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

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

No recommendation (1): Rokeberg

The following fiscal note(s) apply to CSHB 226(L&C):

1. Zero, Dept. of Law

HB 226 was referred to the Judiciary Committee.

HB 272

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 272

"An Act relating to card rooms and card operations."

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

Do pass (2): Kott, Anderson

Do not pass (2): Crawford, Guttenberg

No recommendation (2): LeDoux, Rokeberg

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Revenue

HB 272 was referred to the Judiciary Committee.

SB 67

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 67(JUD)(efd fld)

"An Act relating to claims for personal injury or wrongful death against health care providers."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 67(JUD)

(same title)

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

Do pass (2): Anderson, McGuire

Do not pass (3): Dahlstrom, Gruenberg, Gara

No recommendation (1): Coghill

Amend (1): Kott

The following fiscal note(s) apply to HCS CSSB 67(JUD):

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

CSSB 67(JUD)(efd fld) was referred to the Finance Committee.

Representative Gara moved and asked unanimous consent that CSSB 67(JUD)(efd fld) be re-referred to the Judiciary Committee.

Representative Coghill objected.

Representative Dahlstrom placed a call of the House.

The call was satisfied.

The question being: "Shall CSSB 67(JUD)(efd fld) be re-referred to the Judiciary Committee?" The roll was taken with the following result:

CSSB 67(JUD)(efd fld)

Re-refer to the Judiciary Committee

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

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

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

Excused: Gatto, Seaton

And so, the motion failed.

CSSB 67(JUD)(efd fld) is in the Finance Committee.

SB 141

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 141(FIN)

"An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(STA)
(same title)

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

Do pass (1): Seaton

No recommendation (5): Lynn, Gatto, Gruenberg, Elkins, Ramras

The following fiscal note(s) apply to HCS CSSB 141(STA):

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Administration
3. Fiscal, Dept. of Revenue
4. Fiscal, Dept. of Revenue
5. Fiscal, Dept. of Revenue
6. Fiscal, Dept. of Revenue
7. Fiscal, Dept. of Revenue
8. Fiscal, Senate Finance Committee/Dept. of Administration

CSSB 141(FIN) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HCR 6

The House Special Committee on Economic Development, International Trade, & Tourism has considered:

HOUSE CONCURRENT RESOLUTION NO. 6

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.

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

Do pass (6): Crawford, Kerttula, Lynn, Neuman, Ramras, Dahlstrom

The following fiscal note(s) apply:

1. Fiscal, Legislative Agency

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

HJR 19

The House Special Committee on Ways & Means has considered:

HOUSE JOINT RESOLUTION NO. 19

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.

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

Do pass (4): Rokeberg, Samuels, Moses, Weyhrauch

No recommendation (1): Gruenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue
2. Fiscal, Office of the Governor

HJR 19 was referred to the Judiciary Committee.

HB 173

The House Special Committee on Education has considered:

HOUSE BILL NO. 173

"An Act relating to school funding and adjusting the district cost factors; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 173(EDU)
(same title)

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

No recommendation (4): Salmon, Thomas, Lynn, Neuman

Amend (2): Gara, Wilson

The following fiscal note(s) apply to CSHB 173(EDU):

1. Fiscal, Dept. of Education & Early Development

HB 173 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Dawn Brettrager, Colony High School Swim Coach
By Senator Green; Representative Stoltze

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

HCR 11

HOUSE CONCURRENT RESOLUTION NO. 11 by Representatives Cissna, McGuire, Gruenberg, Dahlstrom, Anderson, Neuman, and Lynn:

Proclaiming July 24, 2005, as Parents' Day.

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

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

HB 284

HOUSE BILL NO. 284 by Representatives Harris and Ramras, entitled:

"An Act making an appropriation to the statutory budget reserve fund; making an appropriation under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

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

HB 285

HOUSE BILL NO. 285 by Representative Salmon, entitled:

"An Act authorizing an advisory vote on whether income of the Alaska permanent fund in the earnings reserve account should be used to move the state capital."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 121**

The following was read the second time:

HOUSE BILL NO. 121

"An Act relating to consolidating or abolishing certain service areas in second class boroughs."

with the:

Journal Page

CRA RPT CS(CRA) NT 1DP 5NR	408
FN1: ZERO(CED)	409
STA RPT CS(CRA) NT 4DP 1NR	540
FN1: ZERO(CED)	540
RLS RPT CS(RLS) NT 4NR 2AM	644
FN1: ZERO(CED)	644
RLS RPT CS(2D RLS) NT 1DP 5NR	1184
FN1: ZERO(CED)	1184

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. 121(2d RLS)

"An Act relating to consolidating or abolishing certain road service areas in certain second class boroughs; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 121(2d RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 121(2d RLS) was read the third time.

The question being: "Shall CSHB 121(2d RLS) pass the House?" The roll was taken with the following result:

CSHB 121(2d RLS)

Third Reading

Final Passage

YEAS: 35 NAYS: 2 EXCUSED: 2 ABSENT: 1

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

Nays: Dahlstrom, Stoltze

Excused: Gatto, Seaton

Absent: Hawker

And so, CSHB 121(2d 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.

CSHB 121(2d RLS) was referred to the Chief Clerk for engrossment.

HB 123

The following was read the second time:

HOUSE BILL NO. 123

"An Act relating to occupational licensing fees and receipts; extending the termination dates of the Boards of Barbers and

Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) 6DP	266
FN1: (CED)	266
FIN RPT CS(FIN) NT 2DP 5NR 1AM	979
FN1: (CED)	980
RLS RPT CS(RLS) NT 2DP 1NR 3AM	1184
FN1: (CED)	1185

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. 123(RLS)

"An Act relating to occupational licensing fees, fines, and penalties and to regulatory board fines; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to psychologist licensing by credentials; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

Representative Berkowitz objected.

The question being: "Shall CSHB 123(RLS) be adopted in lieu of the original bill? The roll was taken with the following result:

HB 123

Second Reading

Adopt Rules CS

YEAS: 21 NAYS: 13 EXCUSED: 2 ABSENT: 4

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Harris, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Stoltze, Wilson

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

Excused: Gatto, Seaton

Absent: Hawker, Holm, Samuels, Weyhrauch

And so, CSHB 123(RLS) was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 123(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 123(RLS) was read the third time.

Representative Croft placed a call of the House on the calendar.

The Speaker stated that the call was satisfied.

Representative Croft moved and asked unanimous consent that CSHB 123(RLS) be returned to second reading for the specific purpose of considering Amendment No. 1.

Representative Rokeberg objected.

The question being: "Shall CSHB 123(RLS) be returned to second reading for the specific purpose of considering Amendment No. 1?"
The roll was taken with the following result:

CSHB 123(RLS)

Third Reading

Return to Second for Amendment No. 1

YEAS: 25 NAYS: 13 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, Lynn, Meyer, Moses, Salmon, Thomas, Weyhrauch

Nays: Chenault, Elkins, Foster, Kohring, LeDoux, McGuire, Neuman, Olson, Ramras, Rokeberg, Samuels, Stoltze, Wilson

Excused: Gatto, Seaton

And so, CSHB 123(RLS) was returned to second reading.

Amendment No. 1 was offered by Representative Croft:

Page 1, line 8 through Page 4, line 2:
Delete all material.

Renumber the following bill sections accordingly.

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

Representative Wilson objected.

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

CSHB 123(RLS)
Second Reading
Amendment No. 1

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

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, Meyer, Moses, Salmon, Samuels, Thomas

Nays: Chenault, Coghill, Foster, Harris, Kohring, LeDoux, Lynn, McGuire, Neuman, Olson, Ramras, Rokeberg, Stoltze, Weyhrauch, Wilson

Excused: Gatto, Seaton

And so, Amendment No. 1 was adopted.

The question being: "Shall CSHB 123(RLS) am pass the House?"
The roll was taken with the following result:

CSHB 123(RLS) am
Third Reading
Final Passage

YEAS: 34 NAYS: 4 EXCUSED: 2 ABSENT: 0

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

Nays: Chenault, Foster, Rokeberg, Stoltze

Excused: Gatto, Seaton

And so, CSHB 123(RLS) 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 Gruenberg gave notice of reconsideration of the vote on CSHB 123(RLS) am.

Representative Croft lifted the call.

The Speaker stated that the House would stand at ease until 1:10 p.m.; and so, the House stood at ease at 12:38 p.m.

AFTER AT EASE

The Speaker called the House back to order at 1:26 p.m.

SECOND READING OF HOUSE BILLS

(continued)

HB 133

The following was read the second time:

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."

with the:	Journal Page
CRA RPT CS(CRA) 5DP 2NR	517
FN1: ZERO(CED)	518
STA RPT CS(STA) NT 3DP 2NR	834
FN1: ZERO(CED)	835
JUD RPT CS(JUD) NT 2DP 3NR	1124
FN1: ZERO(CED)	1125

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

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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSSSHB 133(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSSSHB 133(JUD) will advance to third reading on the April 25, 2005, calendar.

SECOND READING OF SENATE BILLS**SB 90**

The following was read the second time:

CS FOR SENATE BILL NO. 90(STA)
 "An Act relating to Alaska Territorial Guard Day."

with the:	Journal Page
MLV RPT 4DP	670
FN1: ZERO(GOV/ALL DEPTS)	670
STA RPT 5DP	1102
FN1: ZERO(GOV/ALL DEPTS)	1102

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Croft - from 2:00 p.m. to 3:00 p.m., today

Representative Weyhrauch - from 1:40 p.m. to 2:00 p.m., today

Representative Coghill moved and asked unanimous consent that CSSB 90(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 90(STA) was read the third time.

The question being: "Shall CSSB 90(STA) pass the House?" The roll was taken with the following result:

CSSB 90(STA)
 Third Reading
 Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 2 ABSENT: 4

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

Excused: Gatto, Seaton

Absent: Anderson, Croft, McGuire, Ramras

And so, CSSB 90(STA) passed the House.

Representative Lynn moved and asked unanimous consent that all members of the House be shown as cross sponsors to CSSB 90(STA). There being no objection, it was so ordered.

CSSB 90(STA) was signed by the Speaker and Chief Clerk and returned to the Senate.

THIRD READING OF HOUSE BILLS

HB 33

The following, which was advanced to third reading from the April 21, 2005, calendar (page 1190), was read the third time:

CS FOR HOUSE BILL NO. 33(FIN)

"An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date."

The question being: "Shall CSHB 33(FIN) pass the House?" The roll was taken with the following result:

CSHB 33(FIN)
Third Reading
Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 2 ABSENT: 5

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

Excused: Gatto, Seaton

Absent: Anderson, Berkowitz, Croft, Joule, Ramras

And so, CSHB 33(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 effective date clause. There being no objection, it was so ordered.

CSHB 33(FIN) was referred to the Chief Clerk for engrossment.

HB 71

The following, which was advanced to third reading from the April 21, 2005, calendar (page 1191), was read the third time:

CS FOR HOUSE BILL NO. 71(FIN)

"An Act extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from leases or properties in the state; and providing for an effective date."

**Representative Weyhrauch, who was excused (page 1229), left the Chamber.

The question being: "Shall CSHB 71(FIN) pass the House?" The roll was taken with the following result:

CSHB 71(FIN)
 Third Reading
 Final Passage

YEAS: 35 NAYS: 2 EXCUSED: 3 ABSENT: 0

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

Nays: Cissna, Kerttula

Excused: Gatto, Seaton, Weyhrauch

And so, CSHB 71(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 effective date clause. There being no objection, it was so ordered.

Representative Berkowitz gave notice of reconsideration of the vote on CSHB 71(FIN).

SECOND READING OF HOUSE RESOLUTIONS

HCR 7

The following was read the second time:

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.

with the:

Journal Page

RES RPT CS(RES) 8DP

1123

FN1: ZERO(H.RES)

1123

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

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

There being no objection, it was so ordered.

The question being: "Shall CSHCR 7(RES) pass the House?" The roll was taken with the following result:

CSHCR 7(RES)
Second Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Gatto, Seaton, Weyhrauch

And so, CSHCR 7(RES) 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 - Adele Morgan

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

Honoring - Juneau-Douglas High School Girls Basketball Team 2005 State Champions

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

In Memoriam - Carla Timpone

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

RECONSIDERATION

HB 130

Representative Stoltze brought up reconsideration of the vote on CSHB 130(FIN) am (page 1197).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 130(FIN) am

"An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; establishing the university research forest; and providing for an effective date."

The question to be reconsidered: "Shall CSHB 130(FIN) am pass the House?" The roll was taken with the following result:

CSHB 130(FIN) am--RECONSIDERATION

Third Reading

Final Passage

YEAS: 27 NAYS: 10 EXCUSED: 3 ABSENT: 0

Yeas: Anderson, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Samuels, Thomas

Nays: Berkowitz, Elkins, Joule, Kapsner, Kerttula, Moses, Neuman, Salmon, Stoltze, Wilson

Excused: Gatto, Seaton, Weyhrauch

Cissna changed from "Nay" to "Yea".

And so, CSHB 130(FIN) am passed the House on reconsideration.

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.

Representative Berkowitz objected.

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

CSHB 130(FIN) am--RECONSIDERATION

Third Reading

Effective Date

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Gatto, Seaton, Weyhrauch

And so, the effective date clause was adopted.

Representative Coghill moved and asked unanimous consent that the House adopt the House Finance Committee letter of intent (page 1015).

Representative Kerttula objected.

**The presence of Representative Weyhrauch, who was excused (page 1229), was noted.

The question being: "Shall the House adopt the House Finance Committee letter of intent?" The roll was taken with the following result:

CSHB 130(FIN) am--RECONSIDERATION

Third Reading

Adopt Finance Committee Letter of Intent

YEAS: 31 NAYS: 7 EXCUSED: 2 ABSENT: 0

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

Nays: Berkowitz, Cissna, Gara, Gruenberg, Guttenberg, Kerttula, Salmon

Excused: Gatto, Seaton

And so, the House Finance Committee letter of intent was adopted.

CSHB 130(FIN) am was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Dahlstrom - from 6:00 p.m., April 22 to 9:30 a.m., plane time, April 25, 2005

Representative Croft - from 6:00 p.m., April 22 to 9:30 a.m., plane time, April 26, 2005

HB 190

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 190

"An Act relating to the purchase of alcoholic beverages and to requiring identification to buy alcoholic beverages; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

HB 190 is in the Judiciary Committee.

HB 33

Representatives Rokeberg and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 33(FIN)

"An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date."

HB 133

Representative Elkins added his name as cosponsor to:

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."

SB 63

Representative Rokeberg added his name as cross sponsor to:

SENATE BILL NO. 63

"An Act relating to road signs encouraging the use of safety belts."

SB 90

Representatives Lynn, Stoltze, Rokeberg, Chenault, Thomas, Joule, Samuels, and Neuman added their names as cross sponsors to:

CS FOR SENATE BILL NO. 90(STA)

"An Act relating to Alaska Territorial Guard Day."

The following were added as cross sponsors (page 1230):

Representatives Harris, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, McGuire, Meyer, Moses, Olson, Ramras, Salmon, Seaton, Weyhrauch, and Wilson

SB 154

Representative Kelly added his name as cross sponsor to:

CS FOR SENATE BILL NO. 154(JUD)

"An Act relating to the jurisdiction for proceedings relating to delinquent minors and to telephonic and televised participation in those proceedings; amending Rules 2, 3, 4, 8, 12, 13, 14, 15, 16, 21, 22, 23, 24.1, and 25, Alaska Delinquency Rules; and providing for an effective date."

SB 155

Representative McGuire added her name as cross sponsor to:

CS FOR SENATE BILL NO. 155(FIN)

"An Act making appropriations from the earnings reserve account for construction of an integrated science complex at the University of Alaska in Anchorage, for replacement of the virology laboratory in Fairbanks, for expansion of the Anchorage Museum of History and Art, for the major maintenance grant fund, and for other capital projects related to education; and providing for an effective date."

ENGROSSMENT**HCR 7**

CSHCR 7(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 33

CSHB 33(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 121

CSHB 121(2d RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 130

CSHB 130(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted with a House letter of intent to the Senate for consideration.

ANNOUNCEMENTS

With the appointment of a Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 19, 2005. Submit written notice of a meeting 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:

Finance Committee

CHANGED TO: upon adjournment

Judiciary Committee

CHANGED TO: upon adjournment

Resources Committee

CHANGED TO: upon adjournment

HOUSE JOURNAL

1240

April 22, 2005

Labor & Commerce Committee
CHANGED TO:

3:45 p.m.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 25, 2005. There being no objection, the House adjourned at 2:20 p.m.

Suzi Lowell
Chief Clerk