

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

April 29, 2005

One Hundred Tenth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:34 a.m.

Roll call showed 32 members present. Representative Stoltze had been previously excused from a call of the House today. Representatives Crawford, Croft, Gara, Guttenberg, Kerttula, and Kott were absent and their presence was noted later.

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

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

When we pray standing before the Almighty, how can we do it unless we do it with gratitude? So, heavenly Father, we thank You for the beautiful day. Thank You for the privilege of serving the people of Alaska. We are grateful for the friendships that we make here. We are also grateful for the privilege of being able to put our minds and our hearts and our wills to work for the betterment of Alaska.

We are thankful for our health and remember those who have suffered loss even this week and that are struggling in life-and-death circumstances. We are grateful for them because of the strength that You will give them. We pray for them that You

would give them Your grace in enduring the trials that they have to go through. But we thank You for them.

We thank You for the institution that we have been privileged to be members of. Thank You for this beautiful land that You allow us to be a part of. Thank You for the freedom to express ourselves openly. We are just grateful. When we go to work today we want You, O God, our Father, to fill our hearts with that gratitude as we look into each other's eyes, look at the beauty of the world, and enjoy the work that we have to do. Though tension might rise, our gratitude would help us to do it gracefully.

We pray this in the name of my Savior, Jesus. Amen.

The Pledge of Allegiance was led by Representative Kelly.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 109th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 66

A message dated April 28, 2005, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

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)

The Speaker had previously granted the limited powers of free conference as requested (page 1327).

HB 67

A message dated April 28, 2005, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

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)

The Speaker had previously granted the limited powers of free conference as requested (page 1328).

HB 219

A message dated April 28, 2005, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 219(FIN)

"An Act relating to the definition of 'dangerous instrument' as applied within the criminal code."

CSHB 219(FIN) was referred to the Chief Clerk for enrollment.

SB 93

A message dated April 28, 2005, was read stating the Senate has concurred in the House amendment to CSSB 93(FIN), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 93(FIN)

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

#

A message dated April 28, 2005, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 110

CS FOR SENATE BILL NO. 110(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System."

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

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**The presence of Representative Guttenberg was noted.

SB 133

SENATE BILL NO. 133 by the Senate Rules Committee by request of the Governor, entitled:

"An Act establishing the Aviation Advisory Board; and providing for an effective date."

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

#

**The presence of Representative Kott was noted.

SB 174

SENATE BILL NO. 174 by Senators Huggins and Wagoner, entitled:

"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."

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

#

**The presence of Representative Crawford was noted.

REPORTS OF STANDING COMMITTEES

HCR 12

The Community & Regional Affairs Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 12
Relating to the Joint Rural Assessment Task Force.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 12(CRA)
(same title)

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

Do pass (4): Neuman, LeDoux, Salmon, Thomas

No recommendation (1): Olson

The following fiscal note(s) apply to CSHCR 12(CRA):

1. Fiscal, Legislative Agency

HCR 12 was referred to the Rules Committee for placement on the calendar.

HB 22

The State Affairs Committee has considered:

HOUSE BILL NO. 22
"An Act relating to the terms of legislators, to a 90-day regular session of the legislature, to the date of convening a regular session, and to procedures of legislative committees during the interim; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 22(STA)

"An Act relating to a 90-day regular session of the legislature."

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

Do not pass (1): Seaton

No recommendation (4): Gardner, Lynn, Gruenberg, Elkins

The following fiscal note(s) apply to CSHB 22(STA):

1. Fiscal, Legislative Agency

HB 22 was referred to the Finance Committee.

HB 53

The Finance 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(FIN)

"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, court records, 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; reestablishing and relating to a state citizens' review panel; amending the obligation of a public agency to disclose agency 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; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending Rules 9 and 13, Alaska Adoption Rules, Rules 3, 17.2,

18, and 22, Alaska Child in Need of Aid Rules of Procedure, and Rules 14 and 15, Alaska Rules of Probate Procedure; and providing for an effective date."

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

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

No recommendation (6): Joule, Moses, Weyhrauch, Holm, Kelly, Meyer

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

12. Fiscal, Dept. of Administration
13. Fiscal, Dept. of Administration
14. Fiscal, Alaska Court System
15. Fiscal, Dept. of Health & Social Services
16. Fiscal, Dept. of Health & Social Services
17. Fiscal, Dept. of Law

SSHB 53 is on today's calendar.

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**The presence of Representative Kerttula was noted.

HB 189

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 189

"An Act relating to an extension for review and approval of revisions to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 189(CRA)

"An Act relating to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

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

No recommendation (4): Salmon, LeDoux, Olson, Thomas

Amend (1): Neuman

The following fiscal note(s) apply to CSHB 189(CRA):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources

HB 189 was referred to the State Affairs Committee.

SB 36

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 36(JUD)
"An Act relating to absentee ballots."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 36(JUD)
(same title)

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

Do pass (4): Dahlstrom, Gruenberg, Anderson, McGuire

No recommendation (1): Kott

Amend (1): Gara

The following fiscal note(s) apply to HCS CSSB 36(JUD):

1. Zero, Office of the Governor

CSSB 36(JUD) was referred to the Rules Committee for placement on the calendar.

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**The presence of Representatives Gara and Croft was noted.

REPORTS OF SPECIAL COMMITTEES

The House Special Committee on Fisheries has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. Peter Froehlich, Esq.

as a member of the Alaska Commercial Fisheries Entry Commission (CFEC).

Mr. Rupert E. Andrews
Mr. John E. Jensen
Mr. Melvan E. Morris, Jr.

as members of the Board of Fisheries.

The reports were signed by Representatives Thomas and LeDoux, Co-chairs; and Representatives Elkins and Wilson.

The House Special Committee on Oil & Gas has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Ms. Cathy P. Foerster

as a member of the Alaska Oil and Gas Conservation Commission.

The report was signed by Representative Kohring, Chair; and Representatives Kerttula, Gardner, Samuels, Dahlstrom, McGuire, and Rokeberg.

HB 254

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 254

"An Act directing the Alaska Natural Gas Development Authority to use money appropriated from the Railbelt energy fund and from

other sources for preliminary engineering and related work for the construction of pipeline facilities to transport Alaska North Slope natural gas to the Southcentral Alaska gas distribution grid, and amending the definition of 'project' as applied to the work of the Alaska Natural Gas Development Authority; and providing for an effective date."

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

Do pass (2): McGuire, Rokeberg

No recommendation (5): Kerttula, Gardner, Samuels, Dahlstrom, Kohring

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 254 was referred to the Resources Committee.

HB 286

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 286

"An Act amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska; and providing for an effective date."

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

Do pass (5): Kerttula, Samuels, McGuire, Rokeberg, Kohring

The following fiscal note(s) apply:

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

HB 286 was referred to the Labor & Commerce Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Kelly Eagleton
By Representative Crawford

Honoring - Jennifer Kueter
By Representative Crawford

Honoring - Tom Yerbich
By Representative Anderson

Honoring - Harold and Betty Ward, 54th Wedding Anniversary
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green, Huggins

Honoring - 2005 Southeast Alaska Science Fair Participants and Winners
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Kayhi Kings Boys Varsity Basketball Team, Class 4A Southeast Champions
By Representative Elkins

Honoring - Gwen Sykes, Outstanding Achievement
By Senator Davis

Honoring - Wasilla Police Chief Don Savage, Greater Wasilla Chamber of Commerce Citizen of the Year
By Senator Green

Honoring - Filipino Community of Anchorage, Alaska, Inc., 40th Anniversary
By Senator Davis

Honoring - Kodiak Senior League All-Stars, 2004 State Champs
By Senator Gary Stevens; Representative LeDoux

In Memoriam - Holly Hollis
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green, Huggins

In Memoriam - Tom D. Katzeek
By Representative Thomas; Senator Kookesh

In Memoriam - Loren Marshall
By Representative Gara; Senator Ellis

In Memoriam - Violeta Doctolero
By Senator Gary Stevens; Representative LeDoux

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 293

HOUSE BILL NO. 293 by the House Community and Regional Affairs Committee, entitled:

"An Act relating to a borough sales tax exemption for a source that is taxed by a city in that borough."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 53

The following was read the second time:

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."

with the:

Journal Page

HES RPT CS(HES) NT 5DP	829
FN1: (ADM)	831
FN2: (HSS)	831
FN3: (HSS)	831
FN4: (HSS)	831

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FN5: (LAW)	831
JUD RPT CS(JUD) NT 5DP 2NR	1069
FN6: (ADM)	1071
FN7: (HSS)	1071
FN8: (HSS)	1071
FN9: (HSS)	1071
FN10: (HSS)	1071
FN11: (HSS)	1071
FIN RPT CS(FIN) NT 4DP 6NR	1366
FN12: (ADM)	1368
FN13: (ADM)	1368
FN14: (CRT)	1368
FN15: (HSS)	1368
FN16: (HSS)	1368
FN17: (LAW)	1368

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. 53(FIN)

"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, court records, 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; reestablishing and relating to a state citizens' review panel; amending the obligation of a public agency to disclose agency 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; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending Rules 9 and 13, Alaska Adoption Rules, Rules 3, 17.2, 18, and 22, Alaska Child in Need of Aid Rules of Procedure, and Rules 14 and 15, Alaska Rules of Probate Procedure; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSSSHB 53(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSSHB 53(FIN) was read the third time.

The question being: "Shall CSSSHB 53(FIN) pass the House?" The roll was taken with the following result:

#AKH00282 04-29-2005 11:31:43

CSSSHB 53(FIN)

Third Reading

Final Passage

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

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

Excused: Chenault, Stoltze

Absent: Hawker, Holm

#AKH00282 END

And so, CSSSHB 53(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 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.

CSSSHB 53(FIN) was referred to the Chief Clerk for engrossment.

HB 218

The following was read the second time:

HOUSE BILL NO. 218

"An Act relating to cost recovery fisheries for private nonprofit hatchery facilities."

with the:	Journal Page
FSH RPT CS(FSH) 3DP 3NR	1105
FN1: ZERO(CED)	1105
FN2: ZERO(DFG)	1105
FN3: ZERO(DPS)	1105
RES RPT CS(RES) 2DP 3NR	1256
FN1: ZERO(CED)	1256
FN2: ZERO(DFG)	1256
FN3: ZERO(DPS)	1256
FN4: INDETERMINATE(REV)	1256
FIN RPT CS(FIN) 3DP 4NR	1319
FN1: ZERO(CED)	1319
FN2: ZERO(DFG)	1319
FN3: ZERO(DPS)	1319
FN4: INDETERMINATE(REV)	1319

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. 218(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 218(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 218(FIN) was read the third time.

The question being: "Shall CSHB 218(FIN) pass the House?" The roll was taken with the following result:

#AKH00283 04-29-2005 11:39:41

CSHB 218(FIN)

Third Reading

Final Passage

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

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

Excused: Chenault, Stoltze

Absent: Berkowitz, Cissna, Croft, Hawker, Kapsner, Meyer, Weyhrauch

#AKH00283 END

And so, CSHB 218(FIN) passed the House and was referred to the Chief Clerk for engrossment.

HB 251

The following was read the second time:

HOUSE BILL NO. 251

"An Act authorizing the Board of Fisheries to adopt regulations regarding fishing by a person who holds two entry permits for a salmon fishery."

with the:

Journal Page

FSH RPT 3DP 1NR

964

FN1: ZERO(DFG)

964

RES RPT CS(RES) 4DP 2NR

1256

FN1: ZERO(DFG)

1257

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. 251(RES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 251(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 251(RES) was read the third time.

The question being: "Shall CSHB 251(RES) pass the House?" The roll was taken with the following result:

#AKH00284 04-29-2005 11:47:50

CSHB 251(RES)

Third Reading

Final Passage

YEAS: 32 NAYS: 1 EXCUSED: 2 ABSENT: 5

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

Nays: Moses

Excused: Chenault, Stoltze

Absent: Cissna, Croft, Hawker, Kapsner, Kelly

#AKH00284 END

And so, CSHB 251(RES) passed the House and was referred to the Chief Clerk for engrossment.

HB 268

The following was read the second time:

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HOUSE BILL NO. 268

"An Act relating to overtaking and passing certain stationary vehicles."

with the:	Journal Page
TRA RPT 1DP 3NR	1186
FN1: ZERO(DPS)	1186
JUD RPT CS(JUD) 3DP 4NR	1320
FN1: ZERO(DPS)	1321

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. 268(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 268(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 268(JUD) was read the third time.

The question being: "Shall CSHB 268(JUD) pass the House?" The roll was taken with the following result:

#AKH00285 04-29-2005 11:52:05

CSHB 268(JUD)

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 2 ABSENT: 6

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

Excused: Chenault, Stoltze

Absent: Cissna, Croft, Hawker, Kelly, Samuels, Seaton
#AKH00285 END

And so, CSHB 268(JUD) passed the House and was referred to the Chief Clerk for engrossment.

HB 275

The following was read the second time:

HOUSE BILL NO. 275

"An Act authorizing financing for certain public transportation projects; giving notice of and approving the entry into, and the issuance of revenue obligations that provide participation in, lease-financing agreements for those transportation projects; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) 3DP 4NR

1322

FN1: (REV)

1322

The Speaker stated that, without objection, HB 275 would be returned to the Rules Committee.

THIRD READING OF HOUSE BILLS

HB 167

The following, which was advanced to third reading from the April 28, 2005, calendar (page 1339), was read the third time:

CS FOR HOUSE BILL NO. 167(STA)

"An Act relating to providing a death certificate for a deceased veteran without cost; and relating to a program to honor the memory of a deceased veteran."

Representative Kott moved and asked unanimous consent that CSHB 167(STA) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that Representative Cissna be excused from a call of the House from today to 10:00 p.m., plane time, May 1, 2005. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Kott, Lynn, Gruenberg, and Guttenberg:

Page 2, lines 24 - 25:

Delete **"the surviving spouse, next of kin, or other relative of the deceased veteran"**

Insert **"an eligible individual"**

Page 2, line 25, following "**paragraph**,":

Insert **"eligible individual" has the meaning given in AS 26.10.085, and"**

Page 3, line 10:

Following "the":

Insert "veteran's"

Following "spouse,"

Delete "or"

Page 3, line 11, following "veteran":

Insert ", the deceased veteran's heir or devisee, and the administrator, executor, personal representative, foreign personal representative, beneficiary, conservator, fiduciary, special administrator, successor personal administrator, or trustee of the deceased veteran's estate"

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

The question being: "Shall CSHB 167(STA) am pass the House?"

The roll was taken with the following result:

#AKH00286 04-29-2005 12:03:23

CSHB 167(STA) am

Third Reading

Final Passage

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

Yeas: Anderson, Berkowitz, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, Lynn, Meyer, Neuman, Olson, Thomas, Weyhrauch, Wilson

Excused: Chenault, Cissna, Stoltze

Absent: Hawker, Kohring, LeDoux, McGuire, Moses, Ramras, Rokeberg, Salmon, Samuels, Seaton

#AKH00286 END

And so, CSHB 167(STA) am passed the House and was referred to the Chief Clerk for engrossment.

HB 213

The following, which was advanced to third reading from the April 28, 2005, calendar (page 1340), was read the third time:

HOUSE BILL NO. 213

"An Act relating to alcohol server education."

The question being: "Shall HB 213 pass the House?" The roll was taken with the following result:

#AKH00287 04-29-2005 12:14:10

HB 213

Third Reading

Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 3 ABSENT: 3

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

Excused: Chenault, Cissna, Stoltze

Absent: Croft, Hawker, Samuels

#AKH00287 END

And so, HB 213 passed the House and was referred to the Chief Clerk for engrossment.

RECONSIDERATION**HB 187**

Representative Berkowitz brought up reconsideration of the vote on CSHB 187(FIN) (page 1352).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 187(FIN)

"An Act relating to money deposited into the Alaska permanent fund as a result of the settlement of State v. Amerada Hess; relating to the Alaska capital income fund and to deposits of income from State v. Amerada Hess settlement money into the Alaska capital income fund; and providing for an effective date."

Representative Meyer placed a call of the House.

The call was satisfied.

The question to be reconsidered: "Shall CSHB 187(FIN) pass the House?" The roll was taken with the following result:

#AKH00288 04-29-2005 12:48:51

CSHB 187(FIN)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 22 NAYS: 15 EXCUSED: 3 ABSENT: 0

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

Nays: Berkowitz, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kelly, Kerttula, Kohring, Neuman, Salmon

Excused: Chenault, Cissna, Stoltze

#AKH00288 END

And so, CSHB 187(FIN) passed the House on reconsideration.

Representative Coghill moved the effective date clause.

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

#AKH00289 04-29-2005 12:51:47

CSHB 187(FIN)--RECONSIDERATION

Third Reading

Effective Date

YEAS: 24 NAYS: 13 EXCUSED: 3 ABSENT: 0

Yeas: Anderson, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kelly, Kerttula, Kohring, Neuman, Salmon

Excused: Chenault, Cissna, Stoltze

#AKH00289 END

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

CS FOR HOUSE BILL NO. 187(FIN)(efd fld)

"An Act relating to money deposited into the Alaska permanent fund as a result of the settlement of State v. Amerada Hess; relating to the Alaska capital income fund and to deposits of income from State v. Amerada Hess settlement money into the Alaska capital income fund."

CSHB 187(FIN)(efd fld) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SECOND READING OF HOUSE RESOLUTIONS

HCR 10

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 10

Supporting the development of the Kensington Gold Mine.

HOUSE JOURNAL

1386

April 29, 2005

with the:

Journal Page

RES RPT CS(RES) 4DP 4NR
FN1: ZERO(LEG)

1318
1319

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. 10(RES)
(same title)

There being no objection, it was so ordered.

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

The question being: "Shall CSHCR 10(RES) pass the House?" The roll was taken with the following result:

#AKH00290 04-29-2005 12:59:02

CSHCR 10(RES)

Second Reading

Final Passage

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

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

Excused: Chenault, Cissna, Stoltze

Absent: Moses

#AKH00290 END

And so, CSHCR 10(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 - Don and Bonnie Dinkel, 50th Wedding Anniversary
By Representatives Kohring, Gatto, Neuman, Stoltze, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, LeDoux, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senators Green, Huggins

Honoring - The Legal Staff of the Immigration and Refugee Services Program
By Representatives Berkowitz, Harris, Anderson, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senator Guess

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

Honoring - Mountain View Community Council
By Representatives Gruenberg, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senator Guess

In Memoriam - Davin Brawley

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

In Memoriam - Truby Shaw

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

In Memoriam - Clifford "Junior" Buswell, Jr.

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

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 Gardner - from 11:00 a.m. to 6:30 p.m., April 30, 2005

Representative Salmon - from 11:00 a.m. to 6:30 p.m., April 30, 2005

Representative Holm - from 7:00 p.m., April 29 to 9:30 a.m., plane time, May 2, 2005

HCR 12

The Speaker added a Finance Committee referral for the following:

HOUSE CONCURRENT RESOLUTION NO. 12
Relating to the Joint Rural Assessment Task Force.

HCR 12 was removed from the Rules Committee and referred to the Finance Committee.

HB 189

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 189
"An Act relating to an extension for review and approval of revisions to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

HB 189 is in the State Affairs Committee with further referrals to the Resources and Finance Committees.

HCR 6

Representative Foster added his name as cosponsor to:

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.

HB 53

Representatives Holm, Neuman, and LeDoux added their names as cosponsors to:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 53(FIN)
"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, court records, 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; reestablishing and relating to a state citizens' review panel; amending the obligation of a public agency to disclose agency 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; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending Rules 9 and 13, Alaska Adoption Rules, Rules 3, 17.2, 18, and 22, Alaska Child in Need of Aid Rules of Procedure, and Rules 14 and 15, Alaska Rules of Probate Procedure; and providing for an effective date."

HB 251

Representative LeDoux added her name as cosponsor to:

CS FOR HOUSE BILL NO. 251(RES)

"An Act authorizing the Board of Fisheries to adopt regulations regarding fishing by a person who holds two entry permits for a salmon fishery."

HB 254

Representative McGuire added her name as cosponsor to:

HOUSE BILL NO. 254

"An Act directing the Alaska Natural Gas Development Authority to use money appropriated from the Railbelt energy fund and from other sources for preliminary engineering and related work for the construction of pipeline facilities to transport Alaska North Slope

natural gas to the Southcentral Alaska gas distribution grid, and amending the definition of 'project' as applied to the work of the Alaska Natural Gas Development Authority; and providing for an effective date."

HB 268

Representative Gruenberg added his name as cosponsor to:

CS FOR HOUSE BILL NO. 268(JUD)

"An Act relating to overtaking and passing certain stationary vehicles."

HB 286

Representatives Dahlstrom and McGuire added their names as cosponsors to:

HOUSE BILL NO. 286

"An Act amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska; and providing for an effective date."

ENGROSSMENT**HCR 10**

CSHCR 10(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 53

CSSSHB 53(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 167

CSHB 167(STA) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 187

CSHB 187(FIN)(efd fld) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 213

HB 213 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 218

CSHB 218(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 251

CSHB 251(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 268

CSHB 268(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted 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 meeting today has been changed as indicated:

Resources Committee
CHANGED TO:

1:30 p.m.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 30, 2005. There being no objection, the House adjourned at 1:03 p.m.

Suzi Lowell
Chief Clerk