

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Saturday

April 30, 2005

#### One Hundred Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:13 a.m.

Roll call showed 25 members present. Representatives Cissna and Holm had been previously excused from a call of the House today. Representatives Anderson, Berkowitz, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, McGuire, Meyer, Moses, and Salmon were absent and their presence was noted later.

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

Dear Lord, we come before You asking for strength and patience as we deal with the stress and frustration we feel during these last days of the session. We have many critical issues still before us. We represent many different areas of the state and with many diverse issues and concerns. Yet we request and represent many, many different ideas in ways that our districts need to be funded and taken care of. May we always keep before us the desire to do what is best for everyone in the state. We ask, Lord, that You will fill us with Your peace and love so even during our times of differences we will treat each other with respect and understanding. We thank You for Your love and Your watchful care over each of us and for each person in this wonderful state of Alaska. In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Kapsner.

**CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 110th legislative day and Senate and House Joint Journal Supplement No. 7 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**REPORTS OF STANDING COMMITTEES**

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

Mr. Kurt Fredriksson

as Commissioner of the Department of Environmental Conservation.

The report was signed by Representative Ramras, Co-chair; and Representatives Olson, Gatto, LeDoux, and Crawford.

Mr. McKie Campbell

as Commissioner of the Department of Fish and Game.

The report was signed by Representatives Ramras and Samuels, Co-chairs; and Representatives Olson, Gatto, LeDoux, and Crawford.

Mr. Peter Froehlich, Esq.

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

The report was signed by Representative Ramras, Co-chair; and Representatives Kapsner, Gatto, Seaton, LeDoux, and Crawford.

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

as members of the Board of Fisheries.

The Honorable Carl M. Morgan, Jr.  
Mr. Ron Somerville  
Mr. Ted H. Spraker

as members of the Board of Game.

The reports were signed by Representatives Ramras and Samuels, Co-chairs; and Representatives Olson, Kapsner, Gatto, LeDoux, and Crawford.

### **HCR 6**

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

Do pass (7): Hawker, Weyhrauch, Joule, Moses, Foster, Meyer, Chenault

No recommendation (1): Kelly

The following fiscal note(s) apply:

2. Fiscal, Legislative Agency

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

### **HB 98**

The Rules Committee has considered:

## HOUSE BILL NO. 98

"An Act relating to the compensation of certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 98(RLS)

"An Act relating to the compensation of the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

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

Do pass (2): Harris, Rokeberg

No recommendation (3): McGuire, Kerttula, Coghill

The following fiscal note(s) apply to CSHB 98(RLS):

2. Fiscal, Legislative Agency
4. Fiscal, Alaska Court System
5. Fiscal, Office of the Governor/All Depts.

HB 98 is on today's calendar.

**HB 148**

The Finance Committee has considered:

## HOUSE BILL NO. 148

"An Act relating to trafficking of persons."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 148(JUD)

"An Act relating to human trafficking; and providing for an effective date."

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

Do pass (8): Hawker, Croft, Holm, Weyhrauch, Joule, Moses, Foster, Meyer

No recommendation (1): Kelly

The following fiscal note(s) apply to CSHB 148(JUD):

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

HB 148 was referred to the Rules Committee for placement on the calendar.

**HB 217**

The Finance Committee has considered:

HOUSE BILL NO. 217

"An Act relating to the determination of full and true value of taxable municipal property for purposes of calculating funding for education and certain other programs."

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

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

No recommendation (5): Holm, Joule, Weyhrauch, Kelly, Meyer

The following fiscal note(s) apply:

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

HB 217 was referred to the Rules Committee for placement on the calendar.

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

**HB 249**

The Rules Committee has considered:

HOUSE BILL NO. 249

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 249(RLS)

"An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village."

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

Do pass (2): Kerttula, Rokeberg

No recommendation (3): Harris, Coghill, McGuire

The following fiscal note(s) apply to CSHB 249(RLS):

1. Zero, Dept. of Public Safety

HB 249 is on today's calendar.

**HB 272**

The Finance Committee has considered:

HOUSE BILL NO. 272

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 272(FIN)

(same title)

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

Do pass (2): Foster, Moses

Do not pass (1): Kelly

No recommendation (4): Holm, Weyhrauch, Meyer, Chenault

The following fiscal note(s) apply to CSHB 272(FIN):

2. Indeterminate, Dept. of Revenue

HB 272 is on today's calendar.

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

### **REPORTS OF SPECIAL COMMITTEES**

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:

Mr. Daniel Seamount

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

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

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

### **INTRODUCTION OF CITATIONS**

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

Honoring - Amy Collman

By Representative Seaton; Senator Gary Stevens

Honoring - Juneau Jumpers, World Rope Skipping Championship Participants

By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Jambaars Soccer Team, Zane Cup State Champions

By Representatives Kerttula, Weyhrauch; Senator Elton

In Memoriam - Kaye Cory Baker

By Representative Coghill; Senator Therriault

In Memoriam - Hugh Gregory Gallagher

By Representatives Kerttula, Weyhrauch; Senator Elton

In Memoriam - James Albert Anderegg

By Representatives Kerttula, Weyhrauch; Senator Elton

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

**HB 294**

HOUSE BILL NO. 294 by Representative Chenault, entitled:

"An Act amending and extending the exploration and development incentive tax credit under the Alaska Net Income Tax Act for operators and working interest owners directly engaged in the exploration for and development of gas for delivery and sale from a lease or property in the state; providing for an effective date by amending the effective date for sec. 2, ch. 61, SLA 2003; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 98**

The following was read the second time:



## HOUSE BILL NO. 98

"An Act relating to the compensation of certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

with the:	Journal Page
STA RPT CS(STA) 7NR	349
FN1: (GOV/ALL DEPT)	349
FN2: (LEG)	349
FN3: (CRT\ALL DEPT)	349
FIN RPT CS(STA) 5DP 3NR	1044
FN1: (GOV/ALL DEPT)	1044
FN2: (LEG)	1044
FN4: (CRT)	1044
RLS RPT CS(RLS) NT 2DP 3NR	1397
FN2: (LEG)	1398
FN4: (CRT)	1398
FN5: (GOV/ALL DEPTS)	1398

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. 98(RLS)

"An Act relating to the compensation of the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 98(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the House rescind previous action in advancing CSHB 98(RLS) to third reading. There being no objection, it was so ordered.

Representative Dahlstrom placed a call of the House.

\*\*The presence of Representatives Berkowitz, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Moses, and Salmon was noted.

Representative Dahlstrom lifted the call.

The Speaker stated that, without objection, CSHB 98(RLS) would be returned to the Rules Committee and held in second reading.

### **HB 249**

The following was read the second time:

HOUSE BILL NO. 249

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

with the:	Journal Page
CRA RPT CS(CRA) 3DP 2NR 1AM	981
FN1: ZERO(DPS)	982
L&C RPT CS(L&C) NT 2DP 4NR	1278
FN1: ZERO(DPS)	1278
RLS RPT CS(RLS) NT 2DP 3NR	1400
FN1: ZERO(DPS)	1400

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. 249(RLS)

"An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 249(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 249(RLS) was read the third time.

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

Representative Kapsner rose to a point of order.

The Speaker cautioned members to refrain from referring to the other body.

The question being: "Shall CSHB 249(RLS) pass the House?" The roll was taken with the following result:

CSHB 249(RLS)  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 4 EXCUSED: 2 ABSENT: 3**

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

Nays: Kohring, Neuman, Ramras, Stoltze

Excused: Cissna, Holm

Absent: Kott, McGuire, Rokeberg

And so, CSHB 249(RLS) passed the House and was referred to the Chief Clerk for engrossment.

### **HB 269**

The following was read the second time:

HOUSE BILL NO. 269

"An Act relating to contribution actions relating to the release of a hazardous substance; and providing for an effective date."

HOUSE JOURNAL

1406

April 30, 2005

with the:	Journal Page
RES RPT 4DP 2NR	1279
FN1: ZERO(DEC)	1279
FN2: ZERO(LAW)	1279
JUD RPT 6DP	1321
FN1: ZERO(DEC)	1321
FN2: ZERO(LAW)	1321

Representative Coghill moved and asked unanimous consent that HB 269 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 269 was read the third time.

The question being: "Shall HB 269 pass the House?" The roll was taken with the following result:

HB 269  
Third Reading  
Final Passage

**YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0**

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

Excused: Cissna, Holm

And so, HB 269 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.

HB 269 was referred to the Chief Clerk for engrossment.

**HB 272**

The following was read the second time:

HOUSE BILL NO. 272

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

with the:	Journal Page
L&C RPT 2DP 2DNP 2NR	1216
FN1: INDETERMINATE(REV)	1216
JUD RPT CS(JUD) NT 2DP 1DNP 3NR	1297
FN1: INDETERMINATE(REV)	1297
FIN RPT CS(FIN) 2DP 1DNP 4NR	1400
FN2: INDETERMINATE(REV)	1401

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. 272(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 272(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 272(FIN) will advance to third reading on the May 2, 2005, calendar.

**LEGISLATIVE CITATIONS**

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

Honoring - Kelly Eagleton

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

## Honoring - Jennifer Kueter

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

## Honoring - Tom Yerbich

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

## Honoring - Harold and Betty Ward, 54th Wedding Anniversary

By Representatives Kohring, Gatto, Neuman, Stoltze, Harris, Anderson, Berkowitz, 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 - 2005 Southeast Alaska Science Fair Participants and Winners

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

## Honoring - Kayhi Kings Boys Varsity Basketball Team, Class 4A Southeast Champions

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

## Honoring - Gwen Sykes, Outstanding Achievement

By Senator Davis; Representatives Harris, Anderson, Berkowitz, Cissna, 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, Stoltze, Thomas, Weyhrauch, Wilson

## Honoring - Wasilla Police Chief Don Savage, Greater Wasilla Chamber of Commerce Citizen of the Year

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

## Honoring - Filipino Community of Anchorage, Alaska, Inc., 40th Anniversary

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

## Honoring - Kodiak Senior League All-Stars, 2004 State Champs

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

## In Memoriam - Holly Hollis

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

In Memoriam - Tom D. Katzeek

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

In Memoriam - Loren Marshall

By Representatives Gara, Harris, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, 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 Ellis

In Memoriam - Violeta Doctolero

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

### UNFINISHED BUSINESS

#### **HB 277**

Representative Lynn, Chair, requested that the House Special Committee on Military & Veterans' Affairs referral be waived for the following:

HOUSE BILL NO. 277

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

The Speaker denied the request stating the committee waiver was not signed by all members of the House Special Committee on Military & Veterans' Affairs.



**HB 249**

Representative Gara added his name as cosponsor to:

CS FOR HOUSE BILL NO. 249(RLS)

"An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village."

**ENGROSSMENT****HB 249**

CSHB 249(RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 269**

HB 269 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:

Labor & Commerce Committee

CHANGED TO:

2:00 p.m.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., May 2, 2005. There being no objection, the House adjourned at 11:19 a.m.

Suzi Lowell

Chief Clerk