

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Sunday

May 8, 2005

One Hundred Nineteenth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 2:43 p.m.

Roll call showed 26 members present. Representatives Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kerttula, Kott, Meyer, Ramras, and Salmon were absent and their presence was noted later.

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

Fellow members, today being a day that we honor our moms and we honor our wives as moms, we'd like to ask the good Lord to walk with them all day and walk with their children - which we are - and to help us to proceed not only through today, but through the remainder of the year and on into the next year. Keep Your hand upon us, keep Your eyes upon us, and direct us in the ways that we go. In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Thomas.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 117th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE**HCR 10**

A message dated May 7, 2005, was read stating the Senate has passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 10(RES)
Supporting the development of the Kensington Gold Mine.

CSHCR 10(RES) was referred to the Chief Clerk for enrollment.

HCR 11

A message dated May 7, 2005, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 11
Proclaiming July 24, 2005, as Parents' Day.

HCR 11 was referred to the Chief Clerk for enrollment.

HB 277

A message dated May 7, 2005, was read stating the Senate has passed:

HOUSE BILL NO. 277
"An Act naming the Charles Gamble Jr. - Donald Sperl Joint Use
Facility in Juneau."

HB 277 was referred to the Chief Clerk for enrollment.

SB 67

A message dated May 7, 2005, was read stating the Senate has concurred in the House amendment to CSSB 67(JUD)(efd fld), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 67(FIN) am H
"An Act relating to claims for personal injury or wrongful death
against health care providers."

**The presence of Representative Cissna was noted.

HB 15

A message dated May 7, 2005, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 15(L&C) am

"An Act relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN)

"An Act relating to brewpub licenses; relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

(SCR 12 - title change resolution)

CSHB 15(L&C) am is under Unfinished Business.

**The presence of Representative Gardner was noted.

HB 61

A message dated May 7, 2005, was read stating the Senate has passed CSHB 61(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C)

"An Act relating to Calcutta pools and crane classics as authorized forms of charitable gaming."

CSHB 61(FIN) is under Unfinished Business.

**The presence of Representative Kerttula was noted.

HB 225

A message dated May 7, 2005, was read stating the Senate has passed HB 225 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 225(HES)

"An Act relating to medical examiners and medical death examinations."

HB 225 is under Unfinished Business.

Messages dated May 7, 2005, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 12

SENATE CONCURRENT RESOLUTION NO. 12 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 15, relating to alcoholic beverages licenses.

was read the first time and taken up later as a Special Order of Business.

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

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 100

CS FOR SENATE BILL NO. 100(RLS) by the Senate Rules Committee, entitled:

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

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism and the Community & Regional Affairs, Labor & Commerce, Resources, and Finance Committees.

**The presence of Representatives Crawford and Kott was noted.

REPORTS OF STANDING COMMITTEES

HB 37

The Finance Committee has considered:

HOUSE BILL NO. 37

"An Act relating to public access to fishing streams."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 37(FIN)

"An Act relating to voluntary land trades and purchases to enhance public access to fishing streams."

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

Do pass (3): Croft, Foster, Moses

No recommendation (6): Hawker, Holm, Stoltze, Weyhrauch, Joule, Meyer

Amend (1): Kelly

The following fiscal note(s) apply to CSHB 37(FIN):

1. Zero, Dept. of Fish & Game
3. Zero, House Finance Committee/Dept. of Natural Resources

HB 37 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Gruenberg was noted.

SB 102

The Finance Committee has considered:

CS FOR SENATE BILL NO. 102(FIN) am

"An Act repealing the Alaska coastal management program; relating to an extension for review and approval of revisions to the Alaska coastal management program; relating to reviews and modifications by the Department of Natural Resources; relating to coastal resource district policies; 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:

HOUSE CS FOR CS FOR SENATE BILL NO. 102(RES)
(same title)

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

Do pass (5): Hawker, Holm, Moses, Foster, Chenault

No recommendation (3): Stoltze, Kelly, Meyer

The following fiscal note(s) apply to HCS CSSB 102(RES):

2. Zero, Dept. of Commerce, Community, & Economic Development
3. Zero, Dept. of Fish & Game
4. Zero, Dept. of Environmental Conservation
5. Fiscal, Dept. of Natural Resources

CSSB 102(FIN) am is on today's calendar.

SB 124

The Finance Committee has considered:

CS FOR SENATE BILL NO. 124(L&C)

"An Act relating to requirements to obtain and maintain a fisheries business license; relating to security required of fish processors and primary fish buyers; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 124(FIN)
(same title)

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

Do pass (2): Kelly, Foster

No recommendation (4): Hawker, Holm, Stoltze, Meyer

The following fiscal note(s) apply to HCS CSSB 124(FIN):

2. Zero, Dept. of Commerce, Community, & Economic Development
3. Zero, Dept. of Fish & Game
4. Zero, Dept. of Labor & Workforce Development
5. Zero, Dept. of Labor & Workforce Development
6. Fiscal, Dept. of Revenue

CSSB 124(L&C) is on today's calendar.

SB 125

The Finance Committee has considered:

CS FOR SENATE BILL NO. 125(JUD)

"An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN)
(same title)

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

Do pass (3): Hawker, Joule, Meyer

No recommendation (3): Croft, Stoltze, Chenault

The following fiscal note(s) apply to HCS CSSB 125(FIN):

2. Zero, Dept. of Health & Social Services
3. Zero, Dept. of Law

CSSB 125(JUD) is on today's calendar.

REPORTS OF SPECIAL COMMITTEES

SB 141

The Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H
"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

CS FOR SENATE BILL NO. 141(FIN)
(same title)

requests limited powers of free conference on the following statutory cites:

AS 14.25.070(b)	AS 39.35.270(b)
AS 14.25.350(b)	AS 39.35.750(b)
AS 39.30.370	AS 14.25.470(a)
AS 39.35.870(a)	AS 14.25.480(i)-(j)
AS 39.35.880 (j)-(k)	AS 14.25.870(d)-(f)
AS 39.35.870(d)-(f)	AS 39.30.370
AS 39.30.380	AS 37.10.210(b)-(c)
AS 37.10.220(a)(9)	AS 39.35.385(f)
AS 14.40.661-14.40.799	AS 14.25.220(42)(D)
AS 14.25.590(27)(C)	AS 14.25.485
AS 39.35.885	AS 39.35.890
AS 39.35.892	AS 14.25.315
AS 39.35.705	

Sec. 132, Sec. 133 and Sec. 141 of HCS CSSB 141(FIN) am H.

The report is on file in the Chief Clerk's office.

The request was signed by Representatives Seaton, Weyhrauch, Crawford; and Senators Green (Chair), Seekins, Olson.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

**The presence of Representatives Guttenberg, Joule, and Salmon was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Lieutenant General Carrol H. Chandler
By Representative Dahlstrom

Honoring - John T. Kelsey
By Representative Harris

Honoring - Stephen E. Branchflower
By Representatives Samuels, Dahlstrom, Stoltze

Honoring - The Coast Guard Helicopter Crew Responding to the
Selendang Ayu
By Representative LeDoux; Senator Gary Stevens

Honoring - The North Pole Patriots, 2004 Alaska Football Champions
By Representative Coghill

Honoring - National Correctional Officers' Week, May 1 - 7, 2005
By Representative Harris

Honoring - Gordon Jackson
By Senator Elton; Representatives Kerttula, Weyhrauch

Honoring - Karl Schoeppe
By Senator Elton; Representatives Kerttula, Weyhrauch

Honoring - Lisa B. Nelson
By Senator Davis

Honoring - Mark Chapman
By Senator Therriault

Honoring - Dorcas Lutz, 35 Years of Public Service
By Senator Davis

Honoring - St. Nicholas Russian Orthodox Church on its 110th Anniversary

By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Twyla "Colleen" Bowers

By Representative Kelly

In Memoriam - Arthur "Art" S. Buswell

By Representative Kelly

In Memoriam - Raymond Leonard Callaway, Sr.

By Representative Samuels

In Memoriam - Lance Corporal Jeremiah Colt Kinchen

By Representative Harris

In Memoriam - Edgar J. "Bud" Best

By Representatives Stoltze, Kohring, Gatto, Neuman; Senators Green, Huggins

In Memoriam - Amos Wallace

By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Barbara "Bobbie" Evelyn Rice

By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Jesse Ward Robinson

By Senator Wagoner; Representatives Olson, Chenault

In Memoriam - Fowler "Red" K. Starr

By Senator Green; Representative Stoltze

In Memoriam - Paul Robert Emerson

By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Jerry Harlan Harper

By Senator Ellis; Representative Gara

In Memoriam - Simeon Nick Askoak

By Senator Kookesh; Representative Salmon

In Memoriam - Gertrude "Helen" Brown
By Senator Davis

In Memoriam - Roberta Fraser Johnson
By Senator Elton; Representatives Kerttula, Weyhrauch

**The presence of Representative Ramras was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 308

HOUSE BILL NO. 308 by Representatives Lynn, Dahlstrom, Wilson, Gatto, Neuman, Kerttula, Chenault, Anderson, Gardner, LeDoux, Olson, Croft, Elkins, and McGuire, entitled:

"An Act relating to false caller identification."

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

HB 309

HOUSE BILL NO. 309 by Representatives Berkowitz and Kerttula, entitled:

"An Act relating to the adoption and use of a unified application, review, decision, and appeal process for certain project permits; 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.

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

CONSIDERATION OF THE DAILY CALENDAR

The Speaker stated that, without objection, the House would advance to:

SENATE BILLS IN THIRD READING**SB 130**

The following, which was held in third reading from the May 7, 2005, calendar (page 1716), was again before the House:

HOUSE CS FOR CS FOR SENATE BILL NO. 130(JUD)

"An Act relating to workers' compensation and to assigned risk pools; relating to the Alaska Insurance Guaranty Association; establishing the Task Force on Workers' Compensation; amending Rule 45, Alaska Rules of Civil Procedure; and providing for an effective date."

Representative Rokeberg moved and asked unanimous consent that HCS CSSB 130(JUD) be returned to second reading for the specific purpose of considering Amendment No. 3.

Representative Croft objected and withdrew the objection. There being no further objection, HCS CSSB 130(JUD) was returned to second reading.

Amendment No. 3 was offered by Representative Rokeberg:

Page 30, line 28 through Page 32, line 2:

Delete all material and insert:

**** Sec. 65.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TASK FORCE ON WORKERS' COMPENSATION. (a) There is established in the legislative branch the Task Force on Workers' Compensation to address the improvement of the Alaska workers' compensation system, including

(1) a review of workers' compensation and insurance reform measures throughout the United States and an assessment of the effects of those reforms;

(2) an analysis and assessment of proposals for workers' compensation and workers' compensation liability insurance reform in Alaska;

(3) a review of current Alaskan workers' compensation benefits and costs and an assessment of needed changes;

(4) a review of compliance with current Alaska workers'

compensation laws;

(5) a consideration of other issues determined to be relevant by members of the task force.

(b) The task force established under (a) of the section shall consist of 11 voting members. One member shall be a state senator appointed by the president of the senate, one member shall be a state representative appointed by the speaker of the house of representatives, and one member shall be a member of the minority in either house jointly selected by the president of the senate and the speaker of the house of representatives. Eight members shall be appointed jointly by the president of the senate and speaker of the house of representatives as follows:

- (1) a representative of the Alaska State Medical Association;
- (2) an attorney who represents employees in workers' compensation cases;
- (3) an attorney who represents employers in workers' compensation cases;
- (4) a representative of the insurance industry that provides workers' compensation insurance;
- (5) a representative from organized labor;
- (6) a person representing employees not represented by organized labor;
- (7) a person representing small businesses; and
- (8) a person representing larger businesses.
- (9) a representative of the Alaska State Hospital and Nursing Home Association; and
- (10) a representative of self-insured employers."

Representative Rokeberg moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative LeDoux objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 130(JUD)

Second Reading

Amendment No. 3

YEAS: 20 NAYS: 20 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Holm, Kelly, Kott, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kerttula, Kohring, LeDoux, Lynn, Moses, Salmon

Coghill changed from "Nay" to "Yea".

And so, Amendment No. 3 was not adopted.

Representative Anderson moved and asked unanimous consent that HCS CSSB 130(JUD) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 (page 1714) was again offered by Representative Anderson:

Page 14, line 19, following "committee":

Insert "**and an independent organization expert in matters involving the appropriateness, necessity, and cost of medical and related services provided under this chapter**"

Page 14, line 30, following "**AS 09.55.560,**":

Insert "**one of whom is a representative of the Alaska State Medical Association and one of whom is a representative of the Alaska State Hospital and Nursing Home Association,**"

Page 31, line 16:

Delete "13"

Insert "15"

Page 31, line 20;

Delete "Ten"

Insert "Twelve"

Page 31, line 31:

Delete "and"

Page 32, line 2:

Delete "."

Insert ";

Page 32, following line 2:

Insert new paragraphs to read:

"(9) a representative of the Alaska State Hospital and Nursing Home Association; and

(10) a representative of self-insured employers."

Page 33, line 20, following "AS 23.30.095(j)":

Insert "as amended by this Act"

Page 33, line 22;

Delete "September 30, 2005"

Insert "August 1, 2006"

Page 33, line 24, following "AS 23.30.095(j)":

Insert "as amended by this Act"

Page 33, line 27:

Delete "December 1, 2005"

Insert "August 1, 2006"

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

There was objection.

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

Delete

"Page 33, line 27:

Delete "December 1, 2005"

Insert "August 1, 2006"

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

Amendment No. 2 to Amendment No. 1 as amended was offered by Representative Anderson:

Delete

"Page 14, line 19, following "committee":

Insert "**and an independent organization expert in matters involving the appropriateness, necessity, and cost of medical and related services provided under this chapter**"

Representative Anderson moved and asked unanimous consent that Amendment No. 2 to Amendment No. 1 as amended be adopted. There being no objection, it was so ordered.

There being no further objection, Amendment No. 1 as amended was adopted.

Representative Anderson moved and asked unanimous consent that HCS CSSB 130(JUD) am H be returned to second reading for the specific purpose of considering Amendment No. 4. There being no objection, it was so ordered.

Amendment No. 4 was offered by Representative Anderson:

Page 33, line 21, following "benefits":

Insert "."

Page 33, line 21, following "benefits.", through line 23:

Delete all material.

Representative Anderson moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Gruenberg objected and withdrew the objection. There being no further objection, Amendment No. 4 was adopted.

Representative Kott moved and asked unanimous consent that HCS CSSB 130(JUD) am H be returned to second reading for the specific purpose of considering Amendment No. 5 (technical). There being no objection, it was so ordered.

Amendment No. 5 (technical) was offered by Representative Kott:

Page 21, line 4:

Delete "is had"

Insert "[IS HAD]"

Representative Kott moved and asked unanimous consent that Amendment No. 5 (technical) be adopted. There being no objection, it was so ordered.

Representative Kohring moved and asked unanimous consent that HCS CSSB 130(JUD) am H be returned to second reading for the specific purpose of rescinding action in failing to adopt Amendment No. 3 (page 1768). There being no objection, it was so ordered.

Representative Kohring moved and asked unanimous consent that the House rescind previous action in failing to adopt Amendment No. 3.

There was objection.

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

Representative Kott moved and asked unanimous consent that HCS CSSB 130(JUD) am H be returned to second reading for the specific purpose of considering Amendment No. 6. There being no objection, it was so ordered.

Amendment No. 6 was offered by Representative Kott:

Page 31, line 24:

Delete all material and insert:

"(2) a representative of the public;"

Representative Kott moved and asked unanimous consent that Amendment No. 6 be adopted. There being no objection, it was so ordered.

HCS CSSB 130(JUD) am H was automatically in third reading.

The question being: "Shall HCS CSSB 130(JUD) am H pass the House?" The roll was taken with the following result:

HCS CSSB 130(JUD) am H

Third Reading

Final Passage

YEAS: 36 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Anderson, Kelly, Kohring, Rokeberg

And so, HCS CSSB 130(JUD) am H 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 change. There being no objection, it was so ordered.

Representative Kott gave notice of reconsideration of the vote on HCS CSSB 130(JUD) am H.

RECONSIDERATION

SB 130

Representative Kott moved and asked unanimous consent that reconsideration of HCS CSSB 130(JUD) am H be taken up on the same day. There being no objection, it was so ordered.

HCS CSSB 130(JUD) am H was again before the House in third reading.

The question to be reconsidered: "Shall HCS CSSB 130(JUD) am H pass the House?" The roll was taken with the following result:

HCS CSSB 130(JUD) am H--RECONSIDERATION
Third Reading
Final Passage

YEAS: 35 NAYS: 4 EXCUSED: 0 ABSENT: 1

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

Nays: Anderson, Kelly, Kohring, Rokeberg

Absent: Gruenberg

And so, HCS CSSB 130(JUD) am H 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. 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 change. There being no objection, it was so ordered.

HCS CSSB 130(JUD) am H was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 19

Representative Coghill moved and asked unanimous consent that the following be taken up as a Special Order of Business:

HOUSE CONCURRENT RESOLUTION NO. 19
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 130, relating to workers compensation.

There being no objection, it was so ordered.

The question being: "Shall HCR 19 pass the House?" The roll was taken with the following result:

HCR 19
Special Order of Business

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

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

And, so HCR 19 passed the House.

Representative Coghill gave notice of reconsideration of the vote on HCR 19.

RECONSIDERATION

HCR 19

Representative Coghill moved and asked unanimous consent that reconsideration of HCR 19 be taken up on the same day. There being no objection, it was so ordered.

HCR 19 was again before the House in second reading.

The question to be reconsidered: "Shall HCR 19 pass the House?"
The roll was taken with the following result:

HCR 19--RECONSIDERATION
Special Order of Business

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

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

And so, HCR 19 passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

The Speaker stated that the House would stand at ease until 5:30 p.m.; and so, the House stood at ease at 5:03 p.m.

AFTER AT EASE

The Speaker called the House back to order at 6:52 p.m.

The House reverted to:

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SECOND READING OF SENATE BILLS

SB 102

The following was read the second time:

CS FOR SENATE BILL NO. 102(FIN) am

"An Act repealing the Alaska coastal management program; relating to an extension for review and approval of revisions to the Alaska coastal management program; relating to reviews and modifications by the Department of Natural Resources; relating to coastal resource district policies; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

with the:

Journal Page

RES RPT HCS(RES) 2DP 5NR 2AM

1700

FN1: (DNR)

1701

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FN2: ZERO(CED)	1701
FN3: ZERO(DFG)	1701
FN4: ZERO(DEC)	1701
FN5: (DNR)	1701
FIN RPT HCS(RES) 5DP 3NR	1759
FN2: ZERO(CED)	1760
FN3: ZERO(DFG)	1760
FN4: ZERO(DEC)	1760
FN5: (DNR)	1760

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

HOUSE CS FOR CS FOR SENATE BILL NO. 102(RES)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representative Kerttula:

Page 13, line 18, following "2011":
Insert "."

Page 13, line 18, following "2011.", through line 28:
Delete all material.

Representative Kerttula moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Samuels objected.

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

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 102(RES)
Second Reading
Amendment No. 2

YEAS: 16 NAYS: 23 EXCUSED: 0 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon, Seaton, Weyhrauch

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

Absent: Ramras

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Kerttula:

Page 13, line 18:
Delete "2011"
Insert "2020"

Representative Kerttula moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Samuels objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 102(RES)
Second Reading
Amendment No. 3

YEAS: 16 NAYS: 24 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon, Seaton, Weyhrauch, Wilson

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

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Kerttula:

Page 12, lines 28 - 29:

Delete "or address any matter regulated by the Department of Environmental Conservation"

Representative Kerttula moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Samuels objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSB 102(RES)

Second Reading

Amendment No. 4

YEAS: 15 NAYS: 25 EXCUSED: 0 ABSENT: 0

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

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

And so, Amendment No. 4 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 102(RES) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HCS CSSB 102(RES) will advance to third reading on tomorrow's calendar.

SB 124

The following was read the second time:

CS FOR SENATE BILL NO. 124(L&C)

"An Act relating to requirements to obtain and maintain a fisheries business license; relating to security required of fish processors and primary fish buyers; and providing for an effective date."

with the:	Journal Page
FIN RPT HCS(FIN) 2DP 4NR	1760
FN2: ZERO(CED)	1761
FN3: ZERO(DFG)	1761
FN4: ZERO(LWF)	1761
FN5: ZERO(LWF)	1761
FN6: (REV)	1761

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

HOUSE CS FOR CS FOR SENATE BILL NO. 124(FIN)
(same title)

There being no objection, it was so ordered.

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

Page 1, following line 4:

Insert a new bill section to read:

**** Section 1.** AS 43.75.011 is amended by adding a new subsection to read:

(c) Proceedings to suspend or revoke a license under AS 43.75.020(b)(3)(B) are governed by AS 44.62."

Page 1, line 5:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

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

Representative Coghill moved and asked unanimous consent that HCS CSSB 124(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 124(FIN) am H was read the third time.

The question being: "Shall HCS CSSB 124(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 124(FIN) am H

Third Reading

Final Passage

YEAS: 38 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

Nays: Kohring

Absent: Chenault

And so, HCS CSSB 124(FIN) am H 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.

HCS CSSB 124(FIN) am H was referred to the Chief Clerk for engrossment.

SB 125

The following was read the second time:

CS FOR SENATE BILL NO. 125(JUD)

"An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date."

with the:

Journal Page

FIN RPT HCS(FIN) 3DP 3NR

1761

FN2: ZERO(HSS)

1762

FN3: ZERO(LAW)

1762

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

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN)
(same title)

Representative Kerttula objected and withdrew the objection. There being no further objection, it was so ordered.

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

Page 1, line 10, following "Services;" (title amendment):

Insert "**relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or community-based services to pay for those services;**"

Page 15, following line 29:

Insert new bill sections to read:

*** Sec. 20.** AS 47.07.070(a) is amended to read:

(a) **Except as provided under (d) or (e) of this section, the** [THE] department shall, by regulation, set rates of payments for health facilities under this chapter and AS 47.25.120 – 47.25.300 in accordance with 42 U.S.C. 1396 (Title XIX, Social Security Act, Medical Assistance) and this section. A rate established under this section takes effect under AS 44.62 (Administrative Procedure Act) but not until approved in writing by the commissioner. The commissioner may delegate the performance of these functions.

*** Sec. 21.** AS 47.07.070 is amended by adding new subsections to read:

(d) For residential support living services provided to an eligible recipient of medical assistance living in an assisted living home licensed under AS 47.33, the minimum daily reimbursement rate to the assisted living home for room and board expenses is \$28.

(e) A calculation of the rate for administrative and general costs for a provider, including an assisted living home, shall be determined in the same way as a calculation for administrative and general cost rate for a Pioneers' Home. In this subsection, "administrative and general costs" means those expenses that are common to the overall operation of a provider providing home and community-based waiver services and that are not directly assignable to or borne by a specific program or recipient of a home and community-based service."

Renumber the following bill sections accordingly.

Page 40, following line 10:

Insert a new bill section to read:

*** Sec. 49.** AS 47.07.070(c) is repealed."

Renumber the following bill sections accordingly.

Page 40, following line 19:

Insert a new bill section to read:

"* **Sec. 52.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REGULATIONS ANNULLED. 7 AAC 43.1058(j) and 7 AAC 43.1058(k)(1)(B) are annulled."

Renumber the following bill sections accordingly.

Page 45, line 18, following "Sections":

Insert "20, 21, 49, 52,"

Renumber all internal references to bill sections in accordance with this amendment.

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

There was objection.

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

Delete "Page 1, line 10, following "Services;" (title amendment):

Insert "**relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or community-based services to pay for those services;**"

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

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

HCS CSSB 125(FIN)

Second Reading

Amendment No. 1 as amended

YEAS: 36 NAYS: 0 EXCUSED: 0 ABSENT: 4

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

Absent: Crawford, Rokeberg, Seaton, Weyhrauch

And so, Amendment No. 1 as amended was adopted.

Amendment No. 2 was offered by Representative Cissna:

Page 41, following line 28:

Insert a new bill section to read:

*** Sec. 54.** The uncodified law of the State of Alaska is amended by adding a new section to read:

MEDICAL ASSISTANCE WAIVER APPROVAL; LEGISLATIVE INTENT. (a) The Department of Health and Social Services shall proceed immediately to seek federal approval to amend the home and community based waiver program for the state under Medicaid to add adult companion services for older Alaskans and for adults with physical disabilities as a reimbursable service either as a separate service or as a service that may be combined with other waivers, including respite or chore services or personal attendant services. The services may be combined only if the combination results in greater efficiency in administering the program and is more beneficial to the recipient of waiver services.

(b) It is the intent of the legislature to restore nonmedical care, supervision, and socialization provided through companion services to functionally impaired adults who are eligible for home and community based waivers for older Alaskans and for adults with physical disabilities. Companion services were formerly provided as part of respite service before the amendments to 7 AAC 43.1040. Effective May 15, 2004, the Department of Health and Social Services was prohibited from paying for respite services that allow a primary

caregiver of an eligible recipient to work under 7 AAC 43.049(d)(4)(A) or that are provided during sleeping or nighttime hours. Adult companion services shall be available under this Act, subject to other federal and state limits, as part of the recipient's approved plan of care to allow a primary caregiver to work, to allow a primary caregiver to sleep during normal nighttime hours when the recipient of care cannot be safely left unsupervised during the caregiver's sleep hours, and to allow supervision or monitoring of the recipient who is not otherwise safe while sleeping. The department shall enact regulations that are necessary to implement the legislative intent under this section.

(c) In this section, "adult companion services" means nonmedical care, supervision, or socialization, provided to a functionally impaired adult in accordance with a therapeutic goal in the recipient's plan of care under the home and community based waiver program; for purposes of this subsection, "therapeutic goal" means a goal that has the effect of delaying or avoiding placement of the recipient in a more restrictive environment, including an assisted living home or a nursing home, and that supports the vital needs for the primary caregiver of the recipient.

Renumber the following bill sections accordingly.

Representative Cissna moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Wilson objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 125(FIN) am H
Second Reading
Amendment No. 2

YEAS: 17 NAYS: 15 EXCUSED: 0 ABSENT: 8

Yeas: Anderson, Berkowitz, Cissna, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kohring, LeDoux, Lynn, Moses, Salmon, Thomas

Nays: Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Kelly, Kott, Meyer, Neuman, Olson, Ramras, Stoltze, Wilson

Absent: Chenault, Crawford, Holm, McGuire, Rokeberg, Samuels, Seaton, Weyhrauch

And so, Amendment No. 2 was adopted.

Amendment No. 3 (title amendment) was offered by Representative Croft:

Page 1, line 10, following "Services;" (title amendment):

Insert **"relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or community-based services to pay for those services;"**

Representative Croft moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Stoltze objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 125(FIN) am H

Second Reading

Amendment No. 3

YEAS: 26 NAYS: 6 EXCUSED: 0 ABSENT: 8

Yeas: Anderson, Berkowitz, Cissna, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, Moses, Neuman, Olson, Ramras, Salmon, Thomas, Wilson

Nays: Coghill, Dahlstrom, Foster, Gatto, Meyer, Stoltze

Absent: Chenault, Crawford, Holm, McGuire, Rokeberg, Samuels, Seaton, Weyhrauch

And so, Amendment No. 3 was adopted and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) am H

"An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home-based services to pay for those services; making conforming amendments; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that Representatives Weyhrauch, Seaton, and Crawford be excused to 9:00 p.m., today. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 125(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 125(FIN) am H was read the third time.

The question being: "Shall HCS CSSB 125(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 125(FIN) am H

Third Reading

Final Passage

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

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

Excused: Crawford, Seaton, Weyhrauch

Absent: Chenault, McGuire, Rokeberg

And so, HCS CSSB 125(FIN) am H 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 Kerttula later gave notice of reconsideration of the vote on HCS CSSB 125(FIN) am H and it was taken up then.

SB 128

The following was read the second time:

SENATE BILL NO. 128 am

"An Act relating to consideration by the Local Boundary Commission of a requested borough incorporation."

with the:	Journal Page
CRA RPT 4DP 1NR	1701
FN1: ZERO(CED)	1701

Representative Coghill moved and asked unanimous consent that SB 128 am be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

SB 128 am will advance to third reading on tomorrow's calendar.

CONCUR IN SENATE AMENDMENTS**HB 15**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1757) on the following:

CS FOR HOUSE BILL NO. 15(L&C) am

"An Act relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN)

"An Act relating to brewpub licenses; relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

(SCR 12 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 15(L&C) am, thus adopting SCS CSHB 15(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 15(L&C) am?" The roll was taken with the following result:

SCS CSHB 15(FIN)

Concur

YEAS: 31 NAYS: 0 EXCUSED: 3 ABSENT: 6

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

Excused: Crawford, Seaton, Weyhrauch

Absent: Chenault, Croft, Gara, Kott, Moses, Ramras

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 15(FIN).

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.

The Chief Clerk notified the Senate.

SCS CSHB 15(FIN) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 12

Representative Coghill moved and asked unanimous consent that the following be taken up as a Special Order of Business:

SENATE CONCURRENT RESOLUTION NO. 12

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 15, relating to alcoholic beverages licenses.

There being no objection, it was so ordered.

The question being: "Shall SCR 12 pass the House?" The roll was taken with the following result:

SCR 12

Special Order of Business

YEAS: 30 NAYS: 2 EXCUSED: 3 ABSENT: 5

Yeas: Anderson, Berkowitz, Cissna, Coghill, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Rokeberg, Salmon, Samuels, Stoltze, Thomas, Wilson

Nays: Dahlstrom, Kohring

Excused: Crawford, Seaton, Weyhrauch

Absent: Chenault, Croft, Kott, Moses, Ramras

And so, SCR 12 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 61

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1757) on the following:

CS FOR HOUSE BILL NO. 61(FIN)

"An Act relating to Calcutta pools and crane classics as authorized forms of charitable gaming."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 61(FIN), thus adopting SCS CSHB 61(L&C), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 61(FIN)?" The roll was taken with the following result:

SCS CSHB 61(L&C)

Concur

YEAS: 32 NAYS: 1 EXCUSED: 3 ABSENT: 4

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

Nays: Elkins

Excused: Crawford, Seaton, Weyhrauch

Absent: Chenault, Croft, Moses, Ramras

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 61(L&C).

The Chief Clerk notified the Senate.

SCS CSHB 61(L&C) was referred to the Chief Clerk for enrollment.

HB 225

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1757) on the following:

HOUSE BILL NO. 225

"An Act relating to medical examiners and medical death examinations."

and

SENATE CS FOR HOUSE BILL NO. 225(HES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 225, thus adopting SCS HB 225(HES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 225?" The roll was taken with the following result:

SCS HB 225(HES)

Concur

YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4

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

Excused: Crawford, Seaton, Weyhrauch

Absent: Chenault, Croft, Moses, Ramras

And so, the House concurred in the Senate amendment, thus adopting SCS HB 225(HES).

The Chief Clerk notified the Senate.

SCS HB 225(HES) was referred to the Chief Clerk for enrollment.

HB 75

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1650) on the following:

CS FOR HOUSE BILL NO. 75(FIN)

"An Act relating to the powers and duties of the commissioner of fish and game, Board of Fisheries, and Board of Game in promoting and preserving fishing, hunting, and trapping in the state."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 75(FIN)
(same title)

**The presence of Representatives Weyhrauch, Crawford, and Seaton, who were excused (page 1788), was noted.

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

RECONSIDERATION**SB 125**

Representative Kerttula gave notice of reconsideration of the vote on HCS CSSB 125(FIN) am H (page 1788).

Representative Kerttula moved and asked unanimous consent that reconsideration of HCS CSSB 125(FIN) am H be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) am H
"An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home-based services to pay for those services; making conforming amendments; and providing for an effective date."

Representative Wilson moved and asked unanimous consent that HCS CSSB 125(FIN) am H be returned to second reading for the specific purpose of rescinding action in adopting Amendment No. 3 (page 1787).

There was objection.

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

The question to be reconsidered: "Shall HCS CSSB 125(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 125(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

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

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

Absent: Kelly

And so, HCS CSSB 125(FIN) am H 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. There being no objection, it was so ordered.

HCS CSSB 125(FIN) am H was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to 9:45 p.m.; and so, the House recessed at 8:55 p.m.

AFTER RECESS

The Speaker called the House back to order at 10:17 p.m.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE**HB 286**

A message dated May 8, 2005, was read stating the Senate has passed:

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."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 286(RES)

"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; 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."

(SCR 16 - title change resolution)

HB 286 is under Unfinished Business.

SB 141

A message dated May 8, 2005, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H

"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

CS FOR SENATE BILL NO. 141(FIN)
(same title)

The Speaker had previously granted the limited powers of free conference as requested (page 1762).

Messages dated May 7 and May 8, 2005, were read stating the Senate has passed the following and they are transmitted for consideration:

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

SCR 16

SENATE CONCURRENT RESOLUTION NO. 16 by the Senate Resources Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 286, 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.

was read the first time and taken up later as a Special Order of Business.

FIRST READING AND REFERENCE OF SENATE BILLS

SB 153

SENATE BILL NO. 153 by the Senate Rules Committee by request of the Governor, entitled:

"An Act relating to international airports revenue bonds; and providing for an effective date."

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

REPORTS OF SPECIAL COMMITTEES

The Joint House and Senate Rules Committee has considered amendments to the 1988 Joint Rules Committee Employment Policy and recommends the amended policy be adopted.

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

Do pass (2): Coghill, Rokeberg

No recommendation (3): Harris, McGuire, Kerttula

The report was signed by Senator Cowdery, Chair, with the following individual recommendations:

Do pass (5): Ben Stevens, Kookesh, Gary Stevens, Ellis, Cowdery

The amended 1988 Joint House and Senate Rules Committee Employment Policy will be published in a Journal Supplement.

The report is under Unfinished Business.

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

HJR 23

HOUSE JOINT RESOLUTION NO. 23 by Representatives Joule and Samuels:

Relating to the plans of the United States Postal Service to discontinue air shipment of bypass mail between Fairbanks, Alaska, and Barrow, Alaska.

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

SPECIAL ORDER OF BUSINESS

HCR 21

Representative Coghill moved and asked unanimous consent that HCR 21 be taken up as a Special Order of Business. There being no objection, it was so ordered.

The question being: "Shall HCR 21 pass the House?" The roll was taken with the following result:

HCR 21

Special Order of Business

YEAS: 35 NAYS: 0 EXCUSED: 0 ABSENT: 5

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

Absent: Elkins, Joule, Meyer, Rokeberg, Salmon

And so, HCR 21 passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS
(continued)

SB 132

The following, which is on today's calendar, is in the Judiciary Committee:

SENATE BILL NO. 132(efd fld)

"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."

SB 133

The following was read the second time:

SENATE BILL NO. 133

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

with the:	Journal Page
FIN RPT 7DP 1NR	1503
FN3: ZERO(H.FIN/DOT)	1504

Representative Coghill moved and asked unanimous consent that SB 133 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 133 was read the third time.

The question being: "Shall SB 133 pass the House?" The roll was taken with the following result:

SB 133
Third Reading
Final Passage

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

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

Absent: Salmon

And so, SB 133 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.

SB 133 was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 135

The following, which is on today's calendar, is in the Finance Committee:

CS FOR SENATE BILL NO. 135(JUD)(efd am)
"An Act relating to the crimes of assault and custodial interference; and providing for an effective date."

SB 137

The following, which is on today's calendar, is in the Judiciary Committee:

SENATE BILL NO. 137
"An Act providing that an institution providing accommodations exempt from the provisions of the Uniform Residential Landlord and Tenant Act may evict tenants without resorting to court proceedings under AS 09.45.060 - 09.45.160."

SB 144

The following was read the second time:

CS FOR SENATE BILL NO. 144(RES)

"An Act relating to regulations, definitions, and permits under the emission control permit program; and providing for an effective date."

with the:	Journal Page
RES RPT 2DP 5NR	1326
FN1: ZERO(DEC)	1326
FIN RPT 2DP 6NR	1686
FN1: ZERO(DEC)	1686

Representative Coghill moved and asked unanimous consent that CSSB 144(RES) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSSB 144(RES) will advance to third reading on tomorrow's calendar.

CONCUR IN SENATE AMENDMENTS

HB 286

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1797) on the following:

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."

and

SENATE CS FOR HOUSE BILL NO. 286(RES)

"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; 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."

(SCR 16 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 286, thus adopting SCS HB 286(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 286?" The roll was taken with the following result:

SCS HB 286(RES)

Concur

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

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

Nays: Berkowitz, Cissna, Kerttula

And so, the House concurred in the Senate amendment, thus adopting SCS HB 286(RES).

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.

The Chief Clerk notified the Senate.

SCS HB 286(RES) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS**SCR 16**

Representative Coghill moved and asked unanimous consent that SCR 16 be taken up as a Special Order of Business. There being no objection, it was so ordered.

SENATE CONCURRENT RESOLUTION NO. 16

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 286, 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.

There being no objection, it was so ordered.

The question being: "Shall SCR 16 pass the House?" The roll was taken with the following result:

SCR 16

Special Order of Business

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

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

Nays: Guttenberg

And so, SCR 16 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

SECOND READING OF SENATE BILLS

(continued)

SB 150

The following was read the second time:

CS FOR SENATE BILL NO. 150(HES)
 "An Act relating to the Alaska children's trust grant awards."

with the:	Journal Page
HES RPT 4DP	1506
FN1: ZERO(HSS)	1506
FIN RPT 4DP 5NR	1687
FN1: ZERO(HSS)	1687

Representative Coghill moved and asked unanimous consent that CSSB 150(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 150(HES) was read the third time.

The question being: "Shall CSSB 150(HES) pass the House?" The roll was taken with the following result:

CSSB 150(HES)
 Third Reading
 Final Passage

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

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

Nays: Kohring

Absent: Chenault, Kapsner, Kelly

And so, CSSB 150(HES) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

THIRD READING OF SENATE BILLS

SB 87

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1705), was moved to the bottom of the calendar:

HOUSE CS FOR SENATE BILL NO. 87(JUD)
"An Act relating to motor vehicle safety belt violations."

SB 110

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1709), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 110(FIN)
"An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System."

Representative Weyhrauch moved and asked unanimous consent that HCS CSSB 110(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Weyhrauch:

Page 5, line 25, following "Agency.":

Insert "The workgroup will provide public notification of its meetings and will make available to the public minutes of its meetings."

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

There was objection.

There being no further objection, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that Representative Moses be excused from a call of the House for the remainder of this legislative day. There being no objection, it was so ordered.

The question being: "Shall HCS CSSB 110(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 110(FIN) am H
Third Reading
Final Passage

YEAS: 34 NAYS: 3 EXCUSED: 1 ABSENT: 2

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

Nays: Gara, Seaton, Weyhrauch

Excused: Moses

Absent: Chenault, Joule

And so, HCS CSSB 110(FIN) am H passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on HCS CSSB 110(FIN) am H.

SB 139

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1719), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 139(FIN)

"An Act relating to termination and oversight of boards, commissions, and agency programs; extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

The question being: "Shall HCS CSSB 139(FIN) pass the House?"

The roll was taken with the following result:

HCS CSSB 139(FIN)

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Moses

Absent: Joule

And so, HCS CSSB 139(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.

HCS CSSB 139(FIN) was referred to the Chief Clerk for engrossment.

SB 142

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1720), was read the third time:

CS FOR SENATE BILL NO. 142(L&C)

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

The question being: "Shall CSSB 142(L&C) pass the House?" The roll was taken with the following result:

CSSB 142(L&C)

Third Reading

Final Passage

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

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

Excused: Moses

And so, CSSB 142(L&C) 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.

CSSB 142(L&C) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 147

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1722), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 147(RLS)

"An Act providing for a sport fishing facility surcharge on sport fishing licenses; providing for the construction and renovation of state sport fishing facilities and for other projects beneficial to the sport fish resources of the state as a public enterprise; and authorizing the issuance of revenue bonds to finance those projects."

The question being: "Shall HCS CSSB 147(RLS) pass the House?"
The roll was taken with the following result:

HCS CSSB 147(RLS)

Third Reading

Final Passage

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

Yeas: Anderson, Chenault, Coghill, Elkins, Guttenberg, Harris, Hawker, Holm, Kelly, Kerttula, Kott, LeDoux, McGuire, Olson, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Joule, Kapsner, Kohring, Lynn, Meyer, Neuman, Ramras, Salmon, Stoltze

Excused: Moses

Kott changed from "Nay" to "Yea".

And so, HCS CSSB 147(RLS) failed to pass the House.

Representative Weyhrauch gave notice of reconsideration of the vote on HCS CSSB 147(RLS)(fld H).

SB 154

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1723), was read the third time:

HOUSE CS FOR 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."

The question being: "Shall HCS CSSB 154(JUD) pass the House?"
The roll was taken with the following result:

HCS CSSB 154(JUD)

Third Reading

Final Passage

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

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

Excused: Moses

And so, HCS CSSB 154(JUD) 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.

HCS CSSB 154(JUD) was referred to the Chief Clerk for engrossment.

SB 174

The following, which was advanced to third reading from the May 7, 2005, calendar (page 1730), was read the third time and moved to the bottom of the calendar:

HOUSE CS FOR SENATE BILL NO. 174(FIN) am H

"An Act excluding certain trucks and vehicles provided by automobile dealers as replacement transportation during warranty, recall, or service contract repairs from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date."

HOUSE RESOLUTIONS IN SECOND READING

HCR 18

The following, which was held over from the May 7, 2005, calendar (page 1734), was moved to the bottom of the calendar:

HOUSE CONCURRENT RESOLUTION NO. 18

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 174, excluding certain trucks from the definition of "passenger vehicle" for purposes of the passenger vehicle rental tax.

SECOND READING OF SENATE RESOLUTIONS

SCR 14

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 14

Relating to the Advisory Commission on Local Government.

Amendment No. 1 was offered by Representative Thomas:

Page 2, line 22, following "formation;":

Insert "and"

Page 2, line 24, following "and"

Insert "be it"

Page 2, lines 25 - 26:

Delete all material.

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

The question being: "Shall SCR 14 am H pass the House?" The roll was taken with the following result:

SCR 14 am H
Second Reading
Final Passage

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

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

Excused: Moses

Absent: McGuire, Salmon

And so, SCR 14 am H passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS

(continued)

SB 87

The following, which was moved to the bottom of the calendar (page 1806), was again moved to the bottom of the calendar:

HOUSE CS FOR SENATE BILL NO. 87(JUD)
"An Act relating to motor vehicle safety belt violations."

SB 174

The following, which was moved to the bottom of the calendar (page 1811), was again moved to the bottom of the calendar:

HOUSE CS FOR SENATE BILL NO. 174(FIN) am H

"An Act excluding certain trucks and vehicles provided by automobile dealers as replacement transportation during warranty, recall, or service contract repairs from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date."

CONCUR IN SENATE AMENDMENTS

HB 75

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1650) on the following:

CS FOR HOUSE BILL NO. 75(FIN)

"An Act relating to the powers and duties of the commissioner of fish and game, Board of Fisheries, and Board of Game in promoting and preserving fishing, hunting, and trapping in the state."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 75(FIN)
(same title)

There being no objection, it was so ordered.

Representative Kelly moved and asked unanimous consent that the House adopt the following letter of intent:

"It is the intent of the Legislature to leave the commissioner of fish and game with the discretion and authority, but not the obligation, to assist the United States Fish and Wildlife Service in the enforcement of federal laws pertaining to fish and game. The commissioner shall not be required to assist the federal government in the enforcement of such laws and regulations."

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 75(FIN), thus adopting SCS CSHB 75(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 75(FIN)?" The roll was taken with the following result:

SCS CSHB 75(FIN)

Concur

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

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

Nays: Gruenberg, Joule, Kapsner, LeDoux, Salmon

Excused: Moses

Absent: Berkowitz, McGuire

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 75(FIN).

The Chief Clerk notified the Senate.

SCS CSHB 75(FIN) was referred to the Chief Clerk for enrollment.

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 - Sarah Carlson

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

Honoring - Hazel E. Smith

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

Honoring - Jim and Mary Lou King

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

Honoring - Richard DeLorenzo, Retiring Superintendent - Chugach School District

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

In Memoriam - Pamela Handrich

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

In Memoriam - Harrison Crites

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

In Memoriam - Douglas "Sy" Neeley, The Life and Memory of a Great Alaskan

By Representatives Harris, Coghill, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Elkins, Foster, 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; Senator Therriault

In Memoriam - Elizabeth Ellen "Betty" Harris

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

THIRD READING OF SENATE BILLS

(continued)

SB 87

Representative Coghill moved and asked unanimous consent that the following, which was moved to the bottom of the calendar (page 1813), be held to tomorrow's calendar:

HOUSE CS FOR SENATE BILL NO. 87(JUD)

"An Act relating to motor vehicle safety belt violations."

SB 174

Representative Coghill moved and asked unanimous consent that that the following, which was moved to the bottom of the calendar (page 1814), be held to tomorrow's calendar:

HOUSE CS FOR SENATE BILL NO. 174(FIN) am H

"An Act excluding certain trucks and vehicles provided by automobile dealers as replacement transportation during warranty, recall, or service contract repairs from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date."

HOUSE RESOLUTIONS IN SECOND READING

(continued)

HCR 18

Representative Coghill moved and asked unanimous consent that the following, which was moved to the bottom of the calendar (page 1812), be held to tomorrow's calendar:

HOUSE CONCURRENT RESOLUTION NO. 18

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 174, excluding certain trucks from the definition of "passenger vehicle" for purposes of the passenger vehicle rental tax.

UNFINISHED BUSINESS

SB 158

The Speaker stated that, without objection, reconsideration of the following, (page 1725), be held to May 9, 2005:

SENATE BILL NO. 158(efd fld H)

"An Act prohibiting the imposition of municipal sales and use taxes on state construction contracts and certain subcontracts."

Representative Coghill moved and asked unanimous consent that the House adopt the Joint House and Senate Rules Committee report amending the 1988 Joint Rules Committee Employment Policy (page 1799). There being no objection, it was so ordered.

HCR 16

Reconsideration of the following was not taken up on this legislative day:

HOUSE CONCURRENT RESOLUTION NO. 16

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 141, 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.

HB 37

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 37

"An Act relating to public access to fishing streams."

HB 53

Representative Cissna added her name as cosponsor 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 75

Representative Samuels added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 75(FIN)

"An Act relating to the powers and duties of the commissioner of fish and game, Board of Fisheries, and Board of Game in promoting and preserving fishing, hunting, and trapping in the state."

HB 82

Representative Cissna added her name as cosponsor to:

HOUSE BILL NO. 82

"An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

HB 120

Representative Cissna added her name as cosponsor to:

HOUSE BILL NO. 120

"An Act relating to safety devices and sharp instruments for the prevention of the spread of bloodborne pathogens in health care employees; and providing for an effective date."

HB 184

Representative Samuels added his name as cosponsor to:

SENATE CS FOR HOUSE BILL NO. 184(JUD) am S

"An Act relating to firearms."

HB 226

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 226

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

HB 249

Representative Gardner added her 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."

HB 286

Representative Chenault added his name as cosponsor to:

SENATE CS FOR HOUSE BILL NO. 286(RES)

"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; 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."

SB 16

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 16(TRA)

"An Act relating to the powers and duties of the Department of Transportation and Public Facilities; repealing the requirement for a long-range program for highway construction and maintenance; and repealing a requirement that public facilities comply with energy standards adopted by the Department of Transportation and Public Facilities; and providing for an effective date."

ENGROSSMENT**HCR 19**

HCR 19 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HCR 21

HCR 21 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 107

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 107(FIN)

"An Act relating to unlawful obstruction or hindrance of hunting, fishing, trapping, or viewing of fish or game; and amending Rule

82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure."

SCR 14

SCR 14 am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 124

HCS CSSB 124(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 125

HCS CSSB 125(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 130

HCS CSSB 130(JUD) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 139

HCS CSSB 139(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 154

HCS CSSB 154(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.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 9, 2005. There being no objection, the House adjourned at 11:27 p.m.

Suzi Lowell
Chief Clerk