

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

January 11, 2006

Third Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:08 a.m.

Roll call showed 39 members present.

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

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

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

Gracious God, today we especially thank You for our families and all that they mean to us. Truly they are Your unique handiwork and treasured gifts to us. Even though we may be separated by far flung miles, keep us close in heart, mind, and love. As we commit them unto You for Your guidance, care, and keeping, help us to focus on the responsibilities we face entrusted to us as leaders of Alaska.

As we are gathered as the House of Representatives, knit us together into a beautiful tapestry of respect, collegiality, and a deep caring for one another, enabling us together to be far more than we are by ourselves. Help us to exercise that same

respect, caring, and diligence to all the special and unique people of this great state as we deliberate the many issues before us. This I ask in the name of the One who came not to be served, but to serve, Jesus the Christ. Amen.

The Pledge of Allegiance was led by Representative Kerttula.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the first and second legislative days and Senate and House Joint Journal Supplement No. 9 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Weyhrauch introduced Janelle Smith and Jessy Post, Guest Pages, from Juneau.

MESSAGES FROM THE GOVERNOR

A letter dated January 9, 2006, was read stating that, in accordance with Article III, Section 25 of the Alaska Constitution, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Community & Regional Affairs and Labor & Commerce Committees:

Commissioner - Department of Commerce, Community and Economic Development

Mr. William Noll

Appointed: 7/28/2005

The Speaker referred the following to the Health, Education & Social Services Committee:

Commissioner - Department of Health and Social Services

Ms. Karleen Jackson

Appointed: 10/1/2005

The Speaker referred the following to the Resources Committee:

Commissioner - Department of Natural Resources

Mr. Michael Menge

Appointed: 10/27/2005

The Speaker referred the following to the State Affairs Committee:

Commissioner - Department of Administration

Mr. Scott Nordstrand

Appointed: 10/3/2005

The letter further stated that, in accordance with AS 44.19.040 and Article III, Section 13 of the Alaska Constitution, the Governor submits the following name for legislative confirmation of the appointment to the position noted.

The Speaker referred the following to the State Affairs Committee:

Lieutenant Governor Designee

Mr. William A. Corbus

The letter further stated that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the boards noted:

The Speaker referred the following to the Finance Committee:

Alaska Mental Health Trust Authority Board of Trustees

Ms. Laraine L. Derr - Juneau

Appointed: 10/19/2005 Term Expires: 3/1/2010

The Speaker referred the following to the House Special Committee on Fisheries and the Resources Committee:

Alaska Commercial Fisheries Entry Commission (CFEC)

Mr. Bruce C. Twomley - Juneau

Appointed: 8/2/2005

Reappointed: 3/1/2006

Term Expires: 3/1/2010

Board of Fisheries

Mr. Jeremiah D. Campbell - Seward

Appointed: 9/13/2005

Term Expires: 6/30/2006

The Speaker referred the following to the Health, Education & Social Services Committee:

State Medical Board

Mr. Edward A. Hall - Anchorage

Appointed: 5/19/2005

Term Expires: 3/1/2009

Ms. Nancy Puckett - Anchorage

Appointed: 5/19/2005

Term Expires: 3/1/2009

Dr. Kevin M Tomera - Anchorage

Appointed: 8/3/2005

Reappointed: 3/1/2006

Term Expires: 3/1/2010

The Speaker referred the following to the Judiciary Committee:

Commission on Judicial Conduct

Mr. James J. Fayette - Anchorage

Appointed: 7/27/2005

Term Expires: 3/1/2009

Violent Crimes Compensation Board

Ms. Regina C. Chennault - Soldotna

Appointed: 10/18/2005

Reappointed: 3/1/2006

Term Expires: 3/1/2009

The Speaker referred the following to the Labor & Commerce Committee:

Alaska State Board of Public Accountancy

Mr. Johnny Floyd - Anchorage

Appointed: 12/16/2005

Term Expires: 3/1/2007

Mr. Daniel J. Rozema - Anchorage
Appointed: 10/18/2005 Term Expires: 3/1/2007

Ms. Elaine R. Williamson - Fairbanks
Appointed: 10/18/2005 Term Expires: 3/1/2009

Alcoholic Beverage Control Board

Ms. Shirley A. Gifford - Soldotna
Appointed: 10/11/2005 Term Expires: 3/1/2007

State Board of Registration for Architects, Engineers, and Land Surveyors

Mr. Terry Gorlick - Anchorage
Appointed: 12/15/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2010

Mr. Burdett B. Lent - Wasilla
Appointed: 12/15/2005 Term Expires: 6/30/2009

Mr. Daniel E. Walsh - Fairbanks
Appointed: 12/15/2005 Term Expires: 3/1/2008

Board of Chiropractic Examiners

Dr. Gregory M. Culbert - Eagle River
Reappointed: 7/25/2005 Term Expires: 3/1/2009

Dr. Rosemary E. Zimmerman - Girdwood
Appointed: 7/25/2005 Term Expires: 3/1/2009

Alaska Labor Relations Agency

Mr. Matthew R. McSorley - Anchorage
Appointed: 12/15/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2009

Board of Marital and Family Therapy

Ms. Vivian C. Finlay - Wasilla
Reappointed: 8/22/2005 Term Expires: 3/1/2007

Mr. Curtis C. Schlosser - Homer
Appointed: 8/22/2005 Term Expires: 3/1/2009

Ms. Dorothy (Dottie) Vanmeter Stanton - Anchorage
Appointed: 8/22/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2009

Ms. Patricia A. White - Juneau
Appointed: 8/22/2005 Term Expires: 3/1/2009

Board of Certified Direct-Entry Midwives

Ms. Barbara Norton - Anchorage
Appointed: 6/3/2005 Term Expires: 3/1/2009

Ms. Holly M. Steiner - Wasilla
Appointed: 6/3/2005 Term Expires: 3/1/2008

Board of Nursing

Ms. JoAnne Bell-Graves - Juneau
Appointed: 6/3/2005 Term Expires: 3/1/2006

Board of Examiners in Optometry

Dr. Dennis A. Swarner - Kenai
Appointed: 10/18/2005 Term Expires: 3/1/2009

State Physical Therapy and Occupational Therapy Board

Mr. Julius S. Brecht - Anchorage
Appointed: 10/18/2005 Term Expires: 3/1/2008

Board of Certified Real Estate Appraisers

Mr. Steve MacSwain - Anchorage
Reappointed: 12/15/2005 Term Expires: 3/10/2010

Mr. Richard (Butch) D. Olmstead - Ketchikan
Appointed: 12/15/2005 Term Expires: 3/1/2009

Real Estate Commission

Mr. Timothy J. Worthen - Anchorage
Appointed: 8/22/2005 Term Expires: 3/1/2008

Workers' Compensation Appeals Commission

Mr. John Giuchici - Fairbanks
Appointed: 11/18/2005 Term Expires: 3/1/2008

Ms. Kristin S. Knudsen - Anchorage
Appointed: 11/18/2005 Term Expires: 3/1/2010

Mr. Jim E. Robison - Eagle River
Appointed: 11/18/2005 Term Expires: 3/1/2006

Mr. Marc D. Stemp - Bethel
Appointed: 11/18/2005 Term Expires: 3/1/2007

Mr. Philip E. Ulmer - Eagle River
Appointed: 11/18/2005 Term Expires: 3/1/2009

Alaska Workers' Compensation Board

Mr. Raymond (Scott) S. Bridges - Eagle River
Appointed: 9/27/2005 Term Expires: 3/1/2008

Mr. Stephen T. Hagedorn - Anchorage
Reappointed: 10/1/2005 Term Expires: 3/1/2008

Ms. Linda F. Hutchings - Soldotna
Appointed: 9/27/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2009

Mr. David (Dave) B. Robinson - Wasilla
Appointed: 10/1/2005 Term Expires: 3/1/2008

The Speaker referred the following to the Resources Committee:

Big Game Commercial Services Board

Mr. Ralph Andersen - Dillingham
Appointed: 7/24/2005 Term Expires: 3/1/2008

Mr. Roy Ashenfelter - Nome
Appointed: 7/24/2005 Term Expires: 3/1/2006

Mr. Colin B. Brown - Galena
Appointed: 7/24/2005 Term Expires: 3/1/2009

Mr. Paul E. Johnson - Elfin Cove
Appointed: 7/24/2005 Term Expires: 3/1/2009

Mr. Richard A. Rohrer - Kodiak

Appointed: 7/24/2005 Term Expires: 3/1/2007

Ms. Betty Jo (BJ) Schmitz - North Pole

Appointed: 7/24/2005 Term Expires: 3/1/2009

Mr. Ted H. Spraker - Soldotna

Appointed: 6/8/2005 Term Expires: 3/1/2008

The Speaker referred the following to the State Affairs Committee:

Alaska Public Offices Commission (APOC)

Mr. William S. L. Walters - Fairbanks

Appointed: 5/19/2005 Term Expires: 3/1/2010

Resumes for the appointments are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

A message dated January 9, 2006, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 7:00 p.m., January 12 to hear the Governor's State of the Budget address.

A message dated May 10, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 157

CS FOR SENATE BILL NO. 157(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the maximum annual regulatory cost charge collected from certain regulated public utilities and pipeline carriers and to public utility liability associated with operating certain transmission lines under a Regulatory Commission of

Alaska order for joint use and interconnection; and providing for an effective date."

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

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the
State and the Alaska Vocational Technical Center
Teachers Association
January 9, 2006
(as required by AS 23.40.215)

The Speaker referred the monetary terms of agreement to the Finance Committee.

The following audit report was received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

2005 Annual Report, Unabridged
2005 Annual Report, Condensed

INTRODUCTION OF CITATIONS

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

Honoring - Juneau-Douglas High School Football Team, 2005 Alaska State Champions
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - The Juneau Gun Club
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Glacier Swim Club
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Leanne Tomson-Flickinger
By Senator Bunde

Honoring - Orin Seybert, Alaska Business Junior Achievement Hall of
Fame Laureate
By Senator Ben Stevens

In Memoriam - Kris Fanning
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Governor Jay Hammond
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Reilly Richey
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Jonathon Wynn Scribner
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Fern Angela Kubley
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Nicholas Kokotovich
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - William Harley "Bill" Stalnaker
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Elisabeth Sheldon Hakkinen
By Representative Thomas; Senator Kookesh

In Memoriam - Genevieve "Gen" F. Harmon
By Representatives Weyhrauch, Kerttula; Senator Elton

The following citation was introduced and taken up later as a Special
Order of Business:

Honoring - Willette Janes
By Representatives Kerttula, Weyhrauch; Senator Elton

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

HR 11

HOUSE RESOLUTION NO. 11 by Representative Anderson by request:

Relating to amending House Resolution 8 pertaining to the House Task Force on Alaska Gaming Policy.

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

HCR 25

HOUSE CONCURRENT RESOLUTION NO. 25 by Representatives Neuman and Harris:

Supporting consistent regulation of district and statewide correspondence programs; and encouraging the Department of Education and Early Development to remove student allotment restrictions on all correspondence students.

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

HJR 25

HOUSE JOINT RESOLUTION NO. 25 by Representatives Kerttula, Gruenberg, and Gara:

Urging the United States Congress to enact the American Veterans Homeownership Act of 2005.

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

HJR 26

HOUSE JOINT RESOLUTION NO. 26 by Representative Kerttula:

Requesting the United States Senate to ratify Annex VI of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978.

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

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

HB 274

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 274 by Representative Hawker, entitled:

"An Act relating to the practice of accounting; and providing for an effective date."

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

HB 355

HOUSE BILL NO. 355 by Representatives Meyer and Lynn, entitled:

"An Act relating to establishing a pilot program relating to continuous alcohol monitoring of offenders."

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

HB 356

HOUSE BILL NO. 356 by Representative Gatto, entitled:

"An Act relating to consent for medical and dental services, including bone marrow donation, for a minor."

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

HB 357

HOUSE BILL NO. 357 by Representative Wilson, entitled:

"An Act updating the terminology in statutes for persons with disabilities; and providing for an effective date."

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

HB 358

HOUSE BILL NO. 358 by Representative Kohring, entitled:

"An Act relating to use by municipalities of money received under certain state aid programs; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SENATE BILLS IN THIRD READING****SB 87**

The following, which had been held in third reading under reconsideration to today's calendar (page 2231), was again before the House:

HOUSE CS FOR SENATE BILL NO. 87(JUD)

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

Representative Anderson placed a call of the House.

The call was satisfied.

The question being: "Shall HCS SB 87(JUD) pass the House?" The roll was taken with the following result:

HCS SB 87(JUD)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 21 NAYS: 18 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Berkowitz, Cissna, Elkins, Foster, Gara, Gruenberg, Harris, Hawker, Kapsner, Kerttula, Lynn, McGuire, Meyer, Moses, Olson, Rokeberg, Samuels, Seaton, Weyhrauch, Wilson

Nays: Chenault, Coghill, Crawford, Croft, Dahlstrom, Gardner, Gatto, Guttenberg, Holm, Joule, Kelly, Kott, LeDoux, Neuman, Ramras, Salmon, Stoltze, Thomas

Excused: Kohring

And so, HCS SB 87(JUD) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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

Representative Gatto - from 1:00 p.m., January 11 to 9:30 p.m., plane time, January 15, 2006

Representative LeDoux - from 7:30 a.m., January 12 to 9:30 a.m., plane time, January 18, 2006

Representative Rokeberg - from 7:00 a.m., January 13 to 9:30 a.m., plane time, January 17, 2006

Representative Kapsner - from 2:00 p.m., January 12 to 9:30 p.m., plane time, January 16, 2006

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Willette Janes, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

Honoring - Willette Janes

By 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, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Elton

UNFINISHED BUSINESS

HB 335

Representatives Ramras and Kerttula added their names as cosponsors to:

HOUSE BILL NO. 335

"An Act creating the Alaska energy research and development program in the Alaska Energy Authority and providing for a Committee on Alaska Energy Research and Development to assist in the development of that program; and providing for an effective date."

HB 340

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 340

"An Act establishing the 'two percent for tuition grant fund'; levying a supplemental income tax on oil revenue and providing that the legislature may appropriate the proceeds to support postsecondary and vocational education; and creating grant programs for postsecondary and vocational education students, including children who were in the custody of the Department of Health and Social Services."

HB 345

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 345

"An Act raising the compulsory school attendance age; relating to the crime of contributing to the delinquency of a minor; relating to truancy; and relating to employment of a minor."

ENGROSSMENT

SB 87

HCS SB 87(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 6:45 p.m., January 12, 2006, for a joint session. There being no objection, the House adjourned at 11:55 a.m.

Suzi Lowell
Chief Clerk