

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Friday

January 27, 2006

#### Nineteenth Day

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

Roll call showed 30 members present. Representatives Chenault, Gatto, Kerttula, Kott, and Ramras were excused from a call of the House today. Representatives Gara, Kelly, and Weyhrauch were absent and their presence was noted later. Representative Moses was absent.

Representative Coghill moved and asked unanimous consent that Representative Dahlstrom be excused from a call of the House from today to 10:00 p.m., plane time, January 29, 2006. There being no objection, it was so ordered.

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

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer. Let us pray.

Lord, I thank You for Your promises and I pray them for these elected officials today.

Psalm 20:1-2:

"May the Lord answer you in the day of trouble; may the name of the God of Jacob defend you; may He send you help from the sanctuary, and strengthen you out of Zion."

Psalm 46:1:

"God is our refuge and strength, a very present help in trouble."

Grant them guidance as they govern our state, and bring forth  
Your plan for Alaska.

In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Rokeberg.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 17th and 18th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **SB 174**

A message dated January 26, 2006, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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."

Chapter No. 1, SLA 2006

Effective Date: January 27, 2006

### **MESSAGES FROM THE SENATE**

A message dated January 25, 2006, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 2:00 p.m., February 21 to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

A message dated January 26, 2006, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., March 22 to hear an address by the Honorable Ted Stevens, U.S. Senator.

**HB 149**

A message dated January 25, 2006, was read stating the Senate has passed CS HB 149(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 149(FIN) am S  
(ct rule fld S)

"An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to listing certain anabolic steroids as controlled substances; and providing for an effective date."

CS HB 149(FIN) am is under Unfinished Business.

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

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Representative Gruenberg introduced Marè Tuck, Guest Page, from Anchorage and Nicole Moore, Guest Page, from Houston.

**COMMUNICATIONS**

The following were received:

Dept. of Commerce, Community, & Economic Development  
Division of Investments  
2005 Annual Report of Fisheries  
Enhancement Term Extensions  
(as required by AS 16.10.510)

Dept. of Commerce, Community, & Economic Development  
Division of Investments  
Annual State Loan Report FY04  
(as required by AS 37.05.035 and AS 16.10.350)

### **REPORTS OF STANDING COMMITTEES**

The Health, Education & Social Services has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Ms. Karleen Jackson

as Commissioner of the Department of Health & Social Services.

Mr. Edward A. Hall  
Ms. Nancy Puckett  
Dr. Kevin M. Tomera

as members of the State Medical Board.

The reports were signed by Representative Wilson, Chair; and Representatives Seaton, Kohring, Gardner, and Cissna.

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

Mr. Michael Menge

as Commissioner of the Department of Natural Resources.

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

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

Mr. Ralph Andersen  
Mr. Roy Ashenfelter  
Mr. Colin B. Brown  
Mr. Paul E. Johnson  
Mr. Richard A. Rohrer  
Ms. Betty Jo (BJ) Schmitz  
Mr. Ted H. Spraker

as members of the Big Game Commercial Services Board.

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

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

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

Mr. William A. Corbus

as Lieutenant Governor Designee.

Mr. Scott Nordstrand

as Commissioner of the Department of Administration.

Mr. William S. L. Walters

as a member of the Alaska Public Offices Commission (APOC).

The reports were signed by Representative Seaton, Chair; and Representatives Gardner, Lynn, Gatto, Ramras, Elkins, and Gruenberg.

**HB 266**

The Finance Committee has considered:

## HOUSE BILL NO. 266

"An Act relating to offenses and penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 266(FIN)

"An Act relating to penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

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

Do pass (2): Kerttula, Meyer

No recommendation (6): Stoltze, Joule, Hawker, Moses, Holm, Kelly

The following fiscal note(s) apply to CSHB 266(FIN):

4. Zero, Dept. of Commerce, Community, & Economic Development
5. Zero, Dept. of Transportation & Public Facilities
6. Indeterminate, Dept. of Law

HB 266 was referred to the Rules Committee for placement on the calendar.

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

**HB 278**

The State Affairs Committee has considered:

## HOUSE BILL NO. 278

"An Act relating to the Alaska Municipal Bond Bank Authority; permitting the Alaska Municipal Bond Bank Authority or a

subsidiary of the authority to assist state and municipal governmental employers by issuing bonds and other commercial paper to enable the governmental employers to prepay all or a portion of the governmental employers' shares of the unfunded accrued actuarial liabilities of retirement systems and authorizing governmental employers to contract with and to issue bonds, notes, or commercial paper to the authority or its subsidiary corporation for that purpose; and providing for an effective date."

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

Do pass (2): Gardner, Gruenberg

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

HB 278 was referred to the Finance Committee.

**HB 373**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 373

"An Act relating to the manufacture and transportation of alcoholic beverages; relating to forfeitures of property for violations of alcoholic beverage laws; and relating to violations of alcoholic beverage laws."

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

Do pass (4): Lynn, Kott, Rokeberg, Anderson

No recommendation (3): Crawford, LeDoux, Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 373 was referred to the Judiciary Committee.

### **INTRODUCTION OF CITATIONS**

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

In Memoriam - Malcolm "Mac" Brown

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

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

#### **HCR 28**

HOUSE CONCURRENT RESOLUTION NO. 28 by Representative Seaton:

Expressing the intent of the legislature that rules in place at the time a project is funded under the Village Safe Water Act not be changed unless the change is approved by the beneficiary of the funded project.

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

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

#### **HB 332**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 332 by Representatives Gara and Guttenberg, entitled:

"An Act supporting parental involvement in schools through employment of parental involvement coordinators; establishing a supplemental income tax on oil revenue to support parental involvement in schools; and creating an account titled 'Resource Revenue for Kids' in the general fund."



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

**HB 398**

HOUSE BILL NO. 398 by Representative Moses, entitled:

"An Act relating to disposition of revenue from certain charges collected on valuable mineral deposits on land belonging to the state and subject to location or lease for the extraction of natural resources under the Alaska Land Act, and to aid to municipalities to offset the anticipated effect of lessees' exploration or location activities on land made subject to extraction of valuable mineral deposits; and providing for an effective date."

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

**HB 399**

HOUSE BILL NO. 399 by Representatives Chenault and Lynn, entitled:

"An Act establishing the office of elder fraud and assistance; and relating to fraud involving older Alaskans."

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

**HB 400**

HOUSE BILL NO. 400 by Representatives Coghill and Lynn, entitled:

"An Act relating to disasters and confiscation of firearms."

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

**HB 401**

HOUSE BILL NO. 401 by Representative Berkowitz, entitled:

"An Act relating to the revenue sharing endowment fund; and providing for an effective date."

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

**HB 402**

HOUSE BILL NO. 402 by Representative Kerttula, entitled:

"An Act relating to marriage brokers and advertisers and to dating and social referral services."

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

**HB 403**

HOUSE BILL NO. 403 by Representative Thomas, entitled:

"An Act relating to registration and operation of neighborhood electric vehicles."

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

**HB 404**

HOUSE BILL NO. 404 by the House Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and eliminating statutory references to the network on domestic violence and sexual assault."

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

**HB 405**

HOUSE BILL NO. 405 by the House Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act extending the termination date for the State Physical Therapy and Occupational Therapy Board; and providing for an effective date."

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

**HB 406**

HOUSE BILL NO. 406 by the House Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act extending the termination date for the Board of Chiropractic Examiners; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR****LEGISLATIVE CITATIONS**

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

Honoring - Katie Pearson

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

Honoring - The Teachers and Staff of Schoenbar Middle School

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

In Memoriam - Lois Elinor Cosgrove

By Representatives Harris, Anderson, Berkowitz, Cissna, Chenault, Coghill, 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, Seaton, Stoltze, Thomas, Wilson

In Memoriam - First Lieutenant Jamie Campbell

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

In Memoriam - Fiatau Saena, Jr.

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

### 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 Joule - from noon, January 27 to 10:00 p.m., plane time, January 31, 2006

Representative Crawford - from 6:00 p.m., January 27 to 10:00 a.m., plane time, January 30, 2006

Representative Holm - from 6:00 p.m., January 27 to 10:00 a.m., plane time, January 30, 2006

Representative Anderson - from 7:00 p.m., January 27 to 10:00 p.m., plane time, January 30, 2006

Representative McGuire - from 7:00 p.m., January 27 to 10:00 p.m., plane time, January 30, 2006

Representative Elkins - from 7:00 a.m., January 29 to 10:00 p.m., plane time, January 30, 2006

**SPECIAL ORDER OF BUSINESS**

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - Malcolm "Mac" Brown, 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:

In Memoriam - Malcolm "Mac" Brown

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

**UNFINISHED BUSINESS****HR 12**

Representative Neuman added his name as cosponsor to:

**HOUSE RESOLUTION NO. 12**

Requesting that the Alaska Department of Transportation and Public Facilities terminate the State of Washington's involvement in the Alaska marine highway system.

**HB 51**

Representative Wilson added her name as cosponsor to:

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 51**

"An Act relating to modifying the qualifications required for workers' compensation self-insurance and permitting employers in the same trade or industry to form an employer association for self-insured workers' compensation coverage; and providing for an effective date."

**HB 278**

Representative Foster added his name as cosponsor to:

## HOUSE BILL NO. 278

"An Act relating to the Alaska Municipal Bond Bank Authority; permitting the Alaska Municipal Bond Bank Authority or a subsidiary of the authority to assist state and municipal governmental employers by issuing bonds and other commercial paper to enable the governmental employers to prepay all or a portion of the governmental employers' shares of the unfunded accrued actuarial liabilities of retirement systems and authorizing governmental employers to contract with and to issue bonds, notes, or commercial paper to the authority or its subsidiary corporation for that purpose; and providing for an effective date."

**HB 357**

Representative Hawker added his name as cosponsor to:

## HOUSE BILL NO. 357

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

**HB 391**

Representative Gardner added her name as cosponsor to:

## HOUSE BILL NO. 391

"An Act relating to a limit on the amount by which the assessed value of property may be increased for purposes of municipal property taxation."

**HB 393**

Representatives LeDoux, Kapsner, Guttenberg, and Crawford added their names as cosponsors to:

## HOUSE BILL NO. 393

"An Act requiring that certain health care insurance plans provide coverage for the costs of colorectal cancer screening examinations and laboratory tests; and providing for an effective date."

**HB 396**

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 396

"An Act establishing the Alaska Commission on Health Care; and providing for an effective date."

**HB 397**

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 397

"An Act making an appropriation for an upgrade of signal system emergency devices in Anchorage, contingent upon matching funds from the Municipality of Anchorage; and providing for an effective date."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., January 30, 2006. There being no objection, the House adjourned at 10:39 a.m.

Suzi Lowell  
Chief Clerk