

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

January 30, 2006

Twenty-second Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:21 a.m.

Roll call showed 33 members present. Representatives Anderson, Chenault, Elkins, Joule, and McGuire had been previously excused from a call of the House today. Representative Hawker was absent.

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

The invocation was offered by the Chaplain, Major Joe Huttenlocker of The Salvation Army. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O God, Thou art the creator, preserver, and indeed the governor of all things. As we begin this new week, we give Thee thanks for this land and the great state of Alaska. We give Thee thanks for its blessings to us through You. We ask now Your guiding hand to be upon these persons, our elected representatives and servants of the people. May they serve us well with honorable conviction. May the wisdom they serve with be not their own, for it is insufficient to meet the tasks that lay before them. Grant them, O God, Your wisdom and understanding, so that all may be done according to Your will and for the people of this great state. We ask this, O God, in Your name. May it be so. Amen.

The Pledge of Allegiance was led by Representative Holm.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 19th, 20th, and 21st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated January 27, 2006, was read stating that, in accordance with AS 18.85.030, the Governor submits the following name for legislative confirmation of appointment to the position noted.

The Speaker referred the following to the State Affairs Committee:

Public Defender

Mr. Quinlan Steiner

Appointed: 10/14/2005 Term Expires: 10/14/2009

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 House Special Committee on Education and the Health, Education & Social Services Committee:

Professional Teaching Practices Commission

Mr. Craig Baker - Kodiak

Reappointed: 1/23/2006 Term Expires: 3/1/2009

Ms. Linda L. Gillam Black - Anchorage

Appointed: 3/1/2006 Term Expires: 3/1/2009

Ms. Bonnie C. Gaborik - North Pole

Reappointed: 1/23/2006 Term Expires: 3/1/2009

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

Alcoholic Beverage Control Board

Mr. Billy (William) G. Andrews - Anchorage

Reappointed: 1/23/2006 Term Expires: 3/1/2009

Ms. Gail M. Niemi - Juneau

Reappointed: 1/23/2006 Term Expires: 3/1/2009

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

Mr. Charles A. Leet - Palmer

Appointed: 1/23/2006 Term Expires: 3/1/2010

Occupational Safety and Health Review Board

Mr. Timothy O. Sharp - Fairbanks

Reappointed: 1/23/2006 Term Expires: 3/1/2007

Mr. Thomas A. Trosvig - Kodiak

Appointed: 1/23/2006 Term Expires: 3/1/2009

Board of Veterinary Examiners

Mr. Steven Torrence - Juneau

Reappointed: 1/23/2006 Term Expires: 3/1/2010

COMMUNICATIONS

The following was received:

Alaska Court System
2005 Travel and Compensation Report
January 26, 2006
(as required by AS 22.20.037)

REPORTS OF STANDING COMMITTEES**HB 273**

The State Affairs Committee has considered:

HOUSE BILL NO. 273

"An Act relating to the dividends of individuals claiming allowable absences; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 273(STA)

"An Act relating to the dividends of certain individuals claiming allowable absences; and providing for an effective date."

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

Do pass (5): Gardner, Gatto, Ramras, Elkins, Seaton

Do not pass (1): Lynn

No recommendation (1): Gruenberg

The following fiscal note(s) apply to CSHB 273(STA):

1. Zero, Dept. of Revenue

HB 273 was referred to the Finance Committee.

HB 295

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 295

"An Act adopting the Uniform Fraudulent Transfer Act and relating to fraudulent transfers of property."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 295(L&C)

(same title)

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

Do pass (2): Rokeberg, Anderson

No recommendation (4): Crawford, Lynn, LeDoux, Guttenberg

The following fiscal note(s) apply to CSHB 295(L&C):

1. Zero, Dept. of Law

HB 295 was referred to the Judiciary Committee.

HB 326

The Judiciary Committee has considered:

HOUSE BILL NO. 326

"An Act relating to harassment."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 326(JUD)

"An Act relating to the definition of the crime of harassment."

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

Do pass (4): Gruenberg, Wilson, Coghill, McGuire

Amend (1): Anderson

The following fiscal note(s) apply to CSHB 326(JUD):

1. Zero, Alaska Court System
2. Zero, Dept. of Law
3. Zero, Dept. of Public Safety

HB 326 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 328

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 328

"An Act prohibiting mixing zones in freshwater spawning waters."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 328(FSH)

(same title)

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

Do pass (3): Kapsner, Salmon, LeDoux

No recommendation (2): Elkins, Thomas

The following fiscal note(s) apply to CSHB 328(FSH):

1. Zero, Dept. of Environmental Conservation

HB 328 was referred to the Resources Committee.

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

HR 13

HOUSE RESOLUTION NO. 13 by Representative Kerttula:

Relating to the recognition of January 29 as Thomas Paine Day.

was read the first time and referred to the State Affairs Committee.

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

HB 236

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 236 by Representative Kerttula, entitled:

"An Act prohibiting unfair discrimination against an acupuncturist; and amending the definition of 'provider' as it

relates to authorized collective negotiations by physicians affecting the rights of providers under health benefit plans."

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

HB 407

HOUSE BILL NO. 407 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 Examiners in Optometry; amending the licensing endorsement provisions for optometrists; and providing for an effective date."

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

HB 408

HOUSE BILL NO. 408 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the definition of 'child abuse and neglect' for child protection purposes; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services

The Governor's transmittal letter dated January 27, 2006, follows:

"Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the definition of "child abuse and neglect" for child protection purposes.

This bill would clarify that the definition "child" includes an infant who has been identified by a health care provider involved in the delivery or care of that infant as being affected by abuse of a controlled substance or from withdrawal from prenatal exposure to a controlled substance. The purpose of the bill is to ensure that health care professionals report such infants to the Department of Health and Social Services under the state's mandatory reporting laws for child abuse and neglect. This provision is necessary to be in compliance with federal law as a condition of continued federal funding for child abuse and neglect prevention and treatment.

I urge your prompt and favorable action on this measure.

Sincerely yours,
/s/
Frank H. Murkowski
Governor"

HB 409

HOUSE BILL NO. 409 by Representative Lynn, entitled:

"An Act relating to excluding qualified real estate licensees from workers' compensation coverage."

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

HB 410

HOUSE BILL NO. 410 by the House Rules Committee by request of the Legislative Council, entitled:

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

HB 411

HOUSE BILL NO. 411 by Representative Gara, entitled:

"An Act relating to school district personnel and salary enhancement for teachers who obtain master's degrees; establishing a supplemental income tax on oil revenue to support school district personnel; and creating an account titled 'Resource Revenue for Teachers' 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 412

HOUSE BILL NO. 412 by Representatives Ramras and Stoltze, entitled:

"An Act relating to the waiver of undergraduate expenses for a spouse or dependent of a deceased resident peace officer or member of the armed services or fire department."

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

UNFINISHED BUSINESS

HJR 7

Representative Weyhrauch moved and asked unanimous consent to change his recommendation on the Finance Committee report (page 2317) from "do pass" to "no recommendation" on the following:

HOUSE JOINT RESOLUTION NO. 7

Proposing amendments to the Constitution of the State of Alaska to correct obsolete references to the office of secretary of state by substituting references to the office of lieutenant governor.

There being no objection, it was so ordered.

HB 212

Representative Kohring removed his name as cosponsor to:

HOUSE BILL NO. 212

"An Act relating to exemptions from municipal property taxes for certain primary residences; and providing for an effective date."

HB 312

Representative Crawford removed his name as cosponsor to:

HOUSE BILL NO. 312

"An Act relating to pregnant women; requiring hospitals, schools, and alcohol licensees and permittees to distribute information about fetal alcohol effects and fetal alcohol syndrome; relating to the consumption of alcoholic beverages by and the sale or service of alcoholic beverages to a pregnant woman; requiring involuntary commitment of a pregnant woman who has consumed alcohol; creating a fund for the prevention and treatment of fetal alcohol syndrome and fetal alcohol effects; relating to fines and to the taking of permanent fund dividends for selling or serving alcoholic beverages to pregnant women; and increasing taxes on sales of alcoholic beverages to fund treatment and education related to fetal alcohol syndrome and fetal alcohol effects."

HB 314

Representatives Anderson and Wilson added their names as cosponsors to:

HOUSE BILL NO. 314

"An Act relating to defense of self, other persons, and property."

HB 343

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 343

"An Act relating to harassment."

HB 379

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 379

"An Act relating to controlled substances."

HB 396

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 396

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

HB 399

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 399

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

HB 400

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 400

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

ANNOUNCEMENTS

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., February 1, 2006. There being no objection, the House adjourned at 11:42 a.m.

Suzi Lowell
Chief Clerk