

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

February 15, 2006

Thirty-eighth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:25 a.m.

Roll call showed 36 members present. Representative Olson had been previously excused from a call of the House today. Representative Kapsner was absent.

Representative Coghill moved and asked unanimous consent that Representatives Chenault and Holm 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 Bob Stevens of St. Brendan's Episcopal Church. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In the deepest respect for the religious beliefs of all Alaskans,
I invite you into a time of prayer and reflection.

Let us pray.

Creator, You have given us this beautiful place to live. On this gorgeous day I ask You to remember those that have given this body authority to represent them - to make wise decisions that take into account their needs. Bless this land and its people.

Bless the Representatives today and the decisions they are about to make. Help them to represent all people in the best

way that they can. Bless their families that they have left behind to do this important work. As they come to the middle of this week give them the energy to carry on the work we have asked them to do.

We ask all these things in Your name. Amen.

The Pledge of Allegiance was led by Representative Seaton.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 36th and 37th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Seaton introduced Diana Hill, Guest Page, from Seward.

MESSAGES FROM THE SENATE

A message dated February 14, 2006, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 260

SENATE BILL NO. 260 by Senator Seekins, entitled:

"An Act extending the date by which the Task Force on Workers' Compensation shall report its findings and the termination date of that task force; and providing for an effective date."

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

COMMUNICATIONS

The following were received:

Alaska State Legislature
Joint Armed Services Committee
Activities Report
February 2004 - January 2006
(as required by AS 24.20.675)

Dept. of Education & Early Development
Office of the Commissioner
Annual Report on progress toward
high academic performance by all students
(as required by AS 14.03.078 and 14.03.120)

REPORTS OF STANDING COMMITTEES

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

Dennis "Skip" Cook

as a member of the Select Committee on Legislative Ethics.

The report was signed by Representative McGuire, Chair; and Representatives Gara, Coghill, and Gruenberg.

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

Lindsey Holmes
Herman G. Walker, Jr.

as members of the Select Committee on Legislative Ethics.

The reports were signed by Representative McGuire, Chair; and Representatives Coghill, Gruenberg, and Anderson.

HB 331

The Finance Committee has considered:

HOUSE BILL NO. 331

"An Act relating to access by persons under 21 years of age to premises licensed to sell alcoholic beverages as clubs."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 331(L&C)

"An Act relating to access by persons under 21 years of age to premises licensed to sell alcoholic beverages as clubs when alcoholic beverages are not present and, when alcoholic beverages are present, to premises of a patriotic organization licensed as a club if the person possesses a valid active duty military or armed forces identification card issued by the United States government."

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

Do pass (8): Stoltze, Kerttula, Hawker, Foster, Weyhrauch, Kelly, Holm, Meyer

No recommendation (1): Joule

The following fiscal note(s) apply to CSHB 331(L&C):

1. Zero, Dept. of Military & Veterans' Affairs
3. Zero, House Finance Committee/Dept. of Public Safety

HB 331 was referred to the Rules Committee for placement on the calendar.

HB 379

The Finance Committee has considered:

HOUSE BILL NO. 379

"An Act relating to controlled substances."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 379(JUD)

"An Act relating to scheduling as a Schedule IA controlled substance gamma-hydroxybutyric acid and certain similar substances."

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

Do pass (9): Stoltze, Kerttula, Joule, Hawker, Weyhrauch, Moses, Holm, Foster, Meyer

No recommendation (1): Kelly

The following fiscal note(s) apply to CSHB 379(JUD):

1. Zero, Dept. of Health & Social Services

HB 379 was referred to the Rules Committee for placement on the calendar.

HB 382

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 382

"An Act relating to recorking, sealing, or packaging of wine served with a meal and removal of recorked, sealed, or packaged wine from licensed premises."

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

Do pass (3): Crawford, Lynn, Anderson

Amend (3): Kott, LeDoux, Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Public Safety

HB 382 was referred to the Rules Committee for placement on the calendar.

HB 408

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 408

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 408(HES)

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

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

Do pass (3): Gardner, Gatto, Wilson

No recommendation (2): Anderson, Cissna

The following fiscal note(s) apply to CSHB 408(HES):

1. Zero, Dept. of Health & Social Services

HB 408 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

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

Mr. Craig Baker
Ms. Linda L. Gillam Black
Ms. Bonnie C. Gaborik

as members of the Professional Teaching Practices Commission.

The reports were signed by Representative Neuman, Chair; and Representatives Lynn, Gatto, Wilson, Gara, and Thomas.

HB 389

The House Special Committee on Economic Development, Trade, & Tourism has considered:

HOUSE BILL NO. 389

"An Act relating to tourist accommodations permits and to penalties for failing to comply with permitting requirements; removing a requirement that persons operating tourist accommodations post certain laws and regulations on the premises; and providing for an effective date."

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

Do pass (4): Coghill, Lynn, Crawford, Ramras

No recommendation (1): Neuman

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

HB 389 was referred to the Labor & Commerce Committee.

HB 412

The House Special Committee on Education has considered:

HOUSE BILL NO. 412

"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."

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

Do pass (6): Gatto, Gara, Wilson, Thomas, Lynn, Neuman

The following fiscal note(s) apply:

1. Zero, Dept. of Military & Veterans' Affairs
2. Fiscal, University of Alaska

HB 412 was referred to the Health, Education & Social Services Committee.

HB 416

The House Special Committee on Economic Development, Trade, & Tourism has considered:

HOUSE BILL NO. 416

"An Act relating to the amount of the state business license fee."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 416(EDT)

"An Act relating to the amount of the state business license fee and to a penalty for not having a current business license."

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

Do pass (3): Lynn, Crawford, Ramras

No recommendation (2): Coghill, Neuman

The following fiscal note(s) apply to CSHB 416(EDT):

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

HB 416 was referred to the Labor & Commerce Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - The PITAAS Program at the University of Alaska Southeast
By Senator Kookesh

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 485**

HOUSE BILL NO. 485 by the House Rules Committee by request, entitled:

"An Act amending the State Personnel Act to place in the exempt service pharmacists and physicians employed in the Department of Health and Social Services or in the Department of Corrections and corporate income tax forensic auditors employed by the division of the Department of Revenue principally responsible for the collection and enforcement of state taxes who specialize in apportionment analysis and tax shelters of multistate corporate taxpayers; and providing for an effective date."

was read the first time and referred to the State Affairs 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 - The Habitat Youth Wellness Group

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

Honoring - Bethel High School Army JROTC, Master Sergeant Barbara A. Wright, National High School Drill Team Championship

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

In Memoriam - David Keener

By Representatives Coghill, Harris, Anderson, Berkowitz, 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

In Memoriam - David Lorin Fischer

By Representatives Coghill, Harris, Anderson, Berkowitz, 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

UNFINISHED BUSINESS**HB 242**

The Speaker waived the Judiciary Committee referral for the following at the request of Representative McGuire, Chair:

HOUSE BILL NO. 242

"An Act relating to the deposit of certain penalties collected under the unemployment insurance program; requiring an employing unit with a change in ownership, management, or control to notify the Department of Labor and Workforce Development of the ownership change; regarding the unemployment contribution rate of an employing unit; and defining 'business' for purposes of statutes setting unemployment contribution rates; establishing the crime of obtaining an unemployment rate by deception; and providing for an effective date."

HB 242 was removed from the Judiciary Committee and referred to the Finance Committee.

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 Neuman - from 6:00 p.m., February 15 to 10:00 a.m., plane time, February 21, 2006

Representative Gatto - from 1:00 p.m., February 16 to 10:00 p.m., plane time, February 19, 2006

Representative Rokeberg - from 6:00 p.m., February 16 to 10:00 a.m., plane time, February 21, 2006

Representative Elkins - from 6:00 a.m., February 17 to 2:00 p.m., plane time, February 23, 2006

Representative Salmon - from 7:00 a.m., February 17 to 10:00 a.m., plane time, February 21, 2006

HJR 32

Representative Kelly added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 32

Proposing an amendment to the section of the Constitution of the State of Alaska relating to marriage.

HB 41

Representative Gatto added his name as cosponsor to:

CS FOR HOUSE BILL NO. 41(FIN)

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed against an employee of an elementary, junior high, or secondary school or certain contractors of school districts who were engaged in the performance of school duties at the time of the assault."

HB 326

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 326

"An Act relating to harassment."

HB 333

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 333

"An Act relating to the regulation and funding of pre-elementary schools; and establishing a supplemental income tax on oil to support pre-elementary schools."

HB 334

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 334

"An Act relating to an exemption from and deferral of municipal property taxes for certain types of deteriorated property."

HB 357

Representatives Kerttula and Rokeberg added their names as cosponsors to:

HOUSE BILL NO. 357

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

HB 379

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 379

"An Act relating to controlled substances."

HB 387

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 387

"An Act providing for a partial tuition waiver for families of members of the Alaska National Guard; and directing the executive director of the Alaska Commission on Postsecondary Education to seek additional funding to support tuition waivers."

HB 395

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 395

"An Act extending the period of the fire season."

HB 399

Representative LeDoux 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 Anderson added his name as cosponsor to:

HOUSE BILL NO. 400

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

HB 412

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 412

"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."

HB 478

Representatives Wilson and LeDoux added their names as cosponsors to:

HOUSE BILL NO. 478

"An Act relating to the municipal harbor facility grant program; 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 10:00 a.m., February 17, 2006. There being no objection, the House adjourned at 10:57 a.m.

Suzi Lowell
Chief Clerk