

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

February 22, 2006

#### Forty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:07 a.m.

Roll call showed 35 members present. Representatives Elkins and Kelly had been previously excused from a call of the House today. Representatives Gara, Kerttula, and Samuels were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Berkowitz be excused from a call of the House from 11:40 a.m., today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor John Stevens of Resurrection Lutheran Church. Representative LeDoux 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 and honor for the religious beliefs of all Alaskans, I offer the following prayer.

Gracious and Loving God,

Be present here today. Move Your people - in action, in boldness, in love. Be with Your people - with grace, with kindness, with compassion. As we gather and make decisions, remind us of Your love. 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 44th legislative day and Senate and House Joint Journal Supplement No. 12 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**COMMUNICATIONS**

Letters of disclosure, as required by AS 24.60, were published in House Journal Supplement No. 4 and Senate and House Joint Journal Supplement No. 13.

**REPORTS OF STANDING COMMITTEES****HB 334**

The Finance Committee has considered:

**HOUSE BILL NO. 334**

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

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 334(FIN)**

(same title)

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

Do pass (2): Weyhrauch, Foster

No recommendation (5): Hawker, Joule, Kerttula, Holm, Stoltze

The following fiscal note(s) apply to CSHB 334(FIN):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Office of the Governor/All Depts.

HB 334 was referred to the Rules Committee for placement on the calendar.

**SB 236**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 236(FIN)

"An Act relating to subsidiary corporations of the Alaska Housing Finance Corporation and to the dividend paid to the state by the Alaska Housing Finance Corporation; and providing for an effective date."

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

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

No recommendation (3): Holm, Stoltze, Kerttula

Amend (1): Weyhrauch

The following fiscal note(s) apply:

2. Fiscal, Dept. of Revenue

CSSB 236(FIN) was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES****HJR 29**

The House Special Committee on Fisheries has considered:

HOUSE JOINT RESOLUTION NO. 29

Urging the United States Department of Justice and the Alaska Department of Law to identify all natural resource damages from the Exxon Valdez oil spill that were unanticipated at the time of the 1991 settlement, to develop plans to remedy the damages, and to present the ExxonMobil Corporation with a request for the full \$100,000,000 that is available through the "Reopener for

Unknown Injury" clause of the 1991 civil settlement to carry out these plans.

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

Do pass (4): Harris, Wilson, LeDoux, Thomas

The following fiscal note(s) apply:

1. Zero, House Special Committee on Fisheries

HJR 29 was referred to the Resources Committee.

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

## CONSIDERATION OF THE DAILY CALENDAR

### SECOND READING OF HOUSE BILLS

#### **HB 274**

The following was read the second time:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 274

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

with the:	Journal Page
L&C RPT CS(L&C) 7DP	2416
FN1: ZERO(CED)	2416
FIN RPT CS(FIN) 9DP 1NR	2484
FN1: ZERO(CED)	2484

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

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

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
274(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSSSHB 274(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSSHB 274(FIN) was read the third time.

The question being: "Shall CSSSHB 274(FIN) pass the House?" The roll was taken with the following result:

CSSSHB 274(FIN)  
Third Reading  
Final Passage

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

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

Excused: Elkins, Kelly

Absent: Samuels

And so, CSSSHB 274(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.

CSSSHB 274(FIN) was referred to the Chief Clerk for engrossment.

**HB 357**

The following was read the second time:

## HOUSE BILL NO. 357

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

with the:	Journal Page
HES RPT CS(HES) 4DP 1NR	2394
FN1: ZERO(HSS)	2395
FN2: ZERO(LWF)	2395
FIN RPT CS(FIN) 5DP 2NR 1AM	2557
LETTER OF INTENT WITH FIN REPORT	2558
FN1: ZERO(HSS)	2558
FN2: ZERO(LWF)	2558

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

CS FOR HOUSE BILL NO. 357(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 357(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 357(FIN) was read the third time.

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

The question being: "Shall CSHB 357(FIN) pass the House?" The roll was taken with the following result:

CSHB 357(FIN)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 1 EXCUSED: 2 ABSENT: 1**

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

Nays: Holm

Excused: Elkins, Kelly

Absent: Croft

And so, CSHB 357(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.

Representative Coghill moved and asked unanimous consent that the House adopt the House Finance Committee letter of intent (page 2558). There being no objection, it was so ordered.

CSHB 357(FIN) was referred to the Chief Clerk for engrossment.

### **THIRD READING OF HOUSE BILLS**

#### **HB 326**

The following, which was advanced to third reading from the February 21, 2006, calendar (page 2591), was read the third time:

CS FOR HOUSE BILL NO. 326(JUD)

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

Representative Crawford moved and asked unanimous consent that CSHB 326(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 was offered by Representatives Crawford and Meyer:

Page 1, line 15:

Delete "posts,"

Page 2, line 1:

Delete "depictions,"

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

The question being: "Shall CSHB 326(JUD) am pass the House?"  
The roll was taken with the following result:

CSHB 326(JUD) am

Third Reading

Final Passage

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

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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

Excused: Elkins, Kelly

Absent: Croft

And so, CSHB 326(JUD) am passed the House and was referred to the Chief Clerk for engrossment.

### **HB 393**

The following, which was advanced to third reading from the February 21, 2006, calendar (page 2592), was read the third time:

CS FOR HOUSE BILL NO. 393(HES)

"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."



The question being: "Shall CSHB 393(HES) pass the House?" The roll was taken with the following result:

CSHB 393(HES)

Third Reading

Final Passage

**YEAS: 35 NAYS: 1 EXCUSED: 2 ABSENT: 2**

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

Nays: Coghill

Excused: Elkins, Kelly

Absent: Croft, Kohring

And so, CSHB 393(HES) 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.

CSHB 393(HES) was referred to the Chief Clerk for engrossment.

\*\*Representative Berkowitz, who was excused (page 2603), left the Chamber.

#### 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 - Elijah Hutchison, Michaela Hutchison

By Representatives Chenault, Harris, Anderson, Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch; Senator Wagoner

In Memoriam - Patricia Mae Booie

By Senator French; Representatives Berkowitz, Harris, Anderson, Chenault, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch

In Memoriam - Bill Bryson

By Senator French; Representatives Croft, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch

### 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 Kott - from 12:30 p.m., February 22 to 10:00 p.m., plane time, February 26, 2006

Representative Harris - from 7:00 p.m., February 22 to 10:00 p.m., plane time, February 26, 2006

Representative Gatto - from 7:00 p.m., February 22 to 10:00 p.m., plane time, February 26, 2006

Representative Dahlstrom - from 7:00 a.m., February 23 to 10:00 a.m., plane time, February 27, 2006

### HCR 5

Representative Kapsner added her name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 5  
Relating to support of community water fluoridation.

**HJR 29**

Representative Gardner added her name as cosponsor to:

**HOUSE JOINT RESOLUTION NO. 29**

Urging the United States Department of Justice and the Alaska Department of Law to identify all natural resource damages from the Exxon Valdez oil spill that were unanticipated at the time of the 1991 settlement, to develop plans to remedy the damages, and to present the ExxonMobil Corporation with a request for the full \$100,000,000 that is available through the "Reopener for Unknown Injury" clause of the 1991 civil settlement to carry out these plans.

**HB 312**

Representative Gardner added her 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 357**

Representatives Seaton, Croft, and McGuire added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 357(FIN)**

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

**ENGROSSMENT****HB 274**

CSSSHB 274(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 326**

CSHB 326(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 357**

CSHB 357(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted with a House letter of intent to the Senate for consideration.

**HB 393**

CSHB 393(HES) 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.

The following meetings today have been changed as indicated:

Judiciary Committee

CHANGED TO: 2:30 p.m.

Labor & Commerce Committee

CHANGED TO: 4:00 p.m.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 24, 2006. There being no objection, the House adjourned at 12:00 p.m.

Suzi Lowell  
Chief Clerk