

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Friday

February 24, 2006

Forty-seventh Day

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

Roll call showed 32 members present. Representatives Dahlstrom, Gatto, Harris, and Kott had been previously excused from a call of the House today. Representatives Anderson, Berkowitz, and Kerttula were absent and their presence was noted later.

Representative Rokeberg, Acting Majority Leader, moved and asked unanimous consent that Representative Foster be excused from a call of the House today. There being no objection, it was so ordered.

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

Representative Lynn invited his colleagues to join with him in saying the Lord's Prayer and also offered the following:

Father, help us as we deliberate today. Help us to cast votes that are worthy to Thine name. And God, help us as we do our daily duties - to our colleagues, to our constituents, and to our families. Amen.

The Pledge of Allegiance was led by Representative Weyhrauch.

CERTIFICATION OF THE JOURNAL

Representative Rokeberg moved and asked unanimous consent that the journal for the 45th and 46th legislative days and House Journal Supplement No. 4 and Senate and House Joint Journal Supplement No. 13 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE**HB 81**

A message dated February 22, 2006, was read stating the Senate has passed CSHB 81(L&C) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 81(JUD) am S

"An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; modifying the exemptions from regulation under AS 08.18 for contractors; and exempting the administrative hearings for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration."

CSHB 81(L&C) is under Unfinished Business.

HB 217

A message dated February 22, 2006, was read stating the Senate has passed HB 217(title am) with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 217(FIN)

"An Act relating to the determination of full and true value of taxable municipal property for purposes of providing planning assistance to the Department of Education and Early Development and the legislature, calculating funding for education, calculating school district participating shares for school construction grants,

and calculating tax resource equalization payments and excluding from that determination the value of property in certain areas detached from a municipality and the value of certain property involved with oil and gas that is not taxed by a municipality."

HB 217(title am) is under Unfinished Business.

A message dated February 22, 2006, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 177

CS FOR SENATE BILL NO. 177(HES) by the Senate Health, Education and Social Services Committee, entitled:

"An Act eliminating the prohibition on the use by certain licensed professionals of titles or descriptions of services that incorporate the terms 'psychoanalysis,' 'psychoanalyst,' 'psychotherapy,' 'psychotherapeutic,' or 'psychotherapist.'"

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

SB 210

SENATE BILL NO. 210 by Senators Therriault and Hoffman, entitled:

"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."

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

REPORTS OF STANDING COMMITTEES

The Judiciary Committee submitted the following reports to correct the reports submitted on February 15, 2006 (page 2533).

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to the House for ratification:

Dennis "Skip" Cook

as a member of the Select Committee on Legislative Ethics.

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

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to the House for ratification:

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 Gruenberg, Coghill, and Anderson.

**The presence of Representatives Kerttula and Anderson was noted.

HB 312

The Health, Education & Social Services Committee has considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 312(HES)

"An Act relating to pregnant women; relating to training in fetal alcohol spectrum disorders for and to requiring certain documentation by licensed physicians, physician assistants, and nurses; requiring the Department of Health and Social Services to prepare information for distribution by hospitals, schools, service providers, and alcohol licensees and permittees about fetal alcohol spectrum disorders; clarifying that fetal alcohol spectrum disorders is a condition of public health importance; and establishing a diagnosis and treatment program, including contraceptives, for persons with a fetal alcohol spectrum disorder or alcohol dependency."

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

Do pass (4): Gardner, Gatto, Seaton, Wilson

The following fiscal note(s) apply to CSHB 312(HES):

1. Indeterminate, Dept. of Public Safety
2. Fiscal, Dept. of Law

HB 312 was referred to the Judiciary Committee.

HB 394

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 394

"An Act relating to allowing insurance policies to be filed, approved, and delivered in languages other than English if an official English language version is also provided."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 394(L&C)

"An Act relating to allowing insurance policy forms to be filed and approved in languages other than English if an official English language version is also filed, and authorizing use of insurance policy forms and associated materials in languages other than English."

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

Do pass (5): Crawford, Lynn, LeDoux, Guttenberg, Anderson

No recommendation (1): Rokeberg

The following fiscal note(s) apply to CSHB 394(L&C):

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

HB 394 was referred to the Finance Committee.

HB 403

The State Affairs Committee has considered:

HOUSE BILL NO. 403

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 403(STA)

"An Act relating to registration and operation of low-speed vehicles."

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

Do pass (4): Lynn, Gruenberg, Ramras, Seaton

No recommendation (1): Gardner

Amend (1): Gatto

The following fiscal note(s) apply to CSHB 403(STA):

1. Zero, Dept. of Public Safety
2. Fiscal, Dept. of Administration

HB 403 was referred to the Transportation Committee.

HB 410

The Judiciary Committee has considered:

HOUSE BILL NO. 410

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 410(JUD)
(same title)

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

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

The following fiscal note(s) apply to CSHB 410(JUD):

1. Zero, Alaska Court System
2. Zero, Office of the Governor/All Depts.

HB 410 was referred to the Rules Committee for placement on the calendar.

SB 186

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 186(JUD)

"An Act relating to the Alaska Executive Branch Ethics Act; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 186(JUD)
"An Act relating to the Alaska Executive Branch Ethics Act."

(technical title change)

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

Do pass (3): Wilson, Anderson, McGuire

No recommendation (2): Coghill, Gruenberg

Amend (1): Gara

The following fiscal note(s) apply to HCS CSSB 186(JUD):

3. Zero, Dept. of Administration
4. Zero, Dept. of Law

CSSB 186(JUD) was referred to the Rules Committee for placement on the calendar.

SB 260

The Labor & Commerce Committee has considered:

SENATE BILL NO. 260
"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."

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

Do pass (2): Lynn, Anderson

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

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

SB 260 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Berkowitz was noted.

INTRODUCTION OF CITATIONS

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

Honoring - James (Jim) C. Lund, 2006 University of Alaska
School of Management Business Leader of the Year
By Representative Kelly

In Memoriam - Charles Ellis Jackson
By Senator Ellis

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 449

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 449 by
Representatives Croft, Guttenberg, Kerttula, and Crawford, entitled:

"An Act relating to requiring certain employers to provide health insurance or contribute to the fair share health care account for the purpose of supporting state medical assistance programs; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 379**

The following was read the second time:

HOUSE BILL NO. 379

"An Act relating to controlled substances."

with the:	Journal Page
JUD RPT CS(JUD) NT 3DP 1NR	2456
FN1: ZERO(HSS)	2457
FIN RPT CS(JUD) NT 9DP 1NR	2534
FN1: ZERO(HSS)	2535

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

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."

There being no objection, it was so ordered.

Representative Rokeberg moved and asked unanimous consent that CSHB 379(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 379(JUD) was read the third time.

The question being: "Shall CSHB 379(JUD) pass the House?" The roll was taken with the following result:

CSHB 379(JUD)

Third Reading

Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 5 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Kapsner, Kelly, Kohring, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Dahlstrom, Foster, Gatto, Harris, Kott

Absent: Joule, Kerttula

And so, CSHB 379(JUD) passed the House and was referred to the Chief Clerk for engrossment.

HB 382

The following was read the second time:

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."

with the: Journal Page

EDT RPT 5DP	2462
FN1: ZERO(DPS)	2462
L&C RPT 3DP 3AM	2535
FN1: ZERO(DPS)	2535

Representative Rokeberg moved and asked unanimous consent that HB 382 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 382 will advance to third reading on the February 27, 2006, calendar.

SECOND READING OF HOUSE RESOLUTIONS

HCR 33

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 33
Relating to declaring March 2006 as Sobriety Awareness Month.

The Rules Committee submitted the following fiscal note:

1. Zero, House Rules Committee

The question being: "Shall HCR 33 pass the House?" The roll was taken with the following result:

HCR 33
Second Reading
Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 5 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Dahlstrom, Foster, Gatto, Harris, Kott

Absent: Moses, Weyhrauch

And so, HCR 33 passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

Representative Rokeberg 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 Guttenberg - from 12:30 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Chenault - from 12:30 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Thomas - from 12:30 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

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Representative Cissna - from 12:30 p.m., February 24 to 10:00 p.m., plane time, February 27, 2006

Representative Gara - from 12:30 p.m., February 24 to 10:00 p.m., plane time, February 27, 2006

Representative Berkowitz - from 7:00 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Crawford - from 7:00 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Holm - from 7:00 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Wilson - from 7:00 p.m., February 24 to 10:00 a.m., plane time, February 27, 2006

Representative Croft - from 7:00 pm., February 24 to 10:00 a.m., plane time, February 28, 2006

HB 379

Representatives Lynn, Neuman, and Croft added their names as cosponsors to:

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."

HB 400

Representative Thomas added his name as cosponsor to:

HOUSE BILL NO. 400

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

ENGROSSMENT**HCR 33**

HCR 33 was engrossed, signed by the Speaker pro tempore and Chief Clerk and transmitted to the Senate for consideration.

HB 379

CSHB 379(JUD) was engrossed, signed by the Speaker pro tempore and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Rokeberg moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 27, 2006. There being no objection, the House adjourned at 10:50 a.m.

Suzi Lowell
Chief Clerk