

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 1, 2006

Fifty-second Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:05 a.m.

Roll call showed 37 members present. Representative McGuire had been previously excused from a call of the House today.

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

Representative Coghill moved and asked unanimous consent that Representative Kohring be excused from a call of the House from today to 10:00 p.m., plane time, March 3, 2006. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Bishop Michael Warfel of the Cathedral of the Nativity. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Acknowledging the diverse religious traditions found in Alaska, I humbly offer the following prayer.

Almighty and Gracious God, as this new day unfolds before us, help us to recognize the wonder of Your presence, a presence that surrounds us always and everywhere, like the air we breathe. How brief is the span of our life compared with the time that has passed since You created the universe. How tiny we are compared with the enormity of Your creation.

Yet during every minute and every second of our lives, You are present within and around us. With the span of years, You have blessed us. Help us to use our time prudently, our opportunities wisely, and our talents expeditiously.

Almighty God, bless and watch over these women and men who have been entrusted by our state to enact laws. Guide their every effort so that the laws they enact will serve the greater good of each Alaskan. Amen.

The Pledge of Allegiance was led by Representative Coghill.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 50th and 51st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HCR 33

A message dated February 27, 2006, was read stating the Senate has passed:

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

HCR 33 was referred to the Chief Clerk for enrollment.

A message dated February 28, 2006, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 171

CS FOR SENATE BILL NO. 171(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act amending the National Petroleum Reserve - Alaska special revenue fund; and establishing the Special Legislative Oil and Gas NPR-A Development Impact Review Committee and defining its powers and duties."

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

REPORTS OF STANDING COMMITTEES

HCR 5

The Health, Education & Social Services Committee has considered:

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

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

Do pass (3): Cissna, Gardner, Wilson

Do not pass (1): Kohring

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Environmental Conservation

HCR 5 was referred to the Rules Committee for placement on the calendar.

HJR 31

The Health, Education & Social Services Committee has considered:

HOUSE JOINT RESOLUTION NO. 31
Relating to designating September 9, 2006, as Fetal Alcohol Spectrum Disorders Awareness Day.

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

Do pass (4): Cissna, Gardner, Kohring, Wilson

The following fiscal note(s) apply:

1. Zero, House Health, Education & Social Services Committee

HJR 31 was referred to the Rules Committee for placement on the calendar.

HB 93

The Judiciary Committee has considered:

HOUSE BILL NO. 93

"An Act relating to dentists and dental hygienists and the Board of Dental Examiners; establishing certain committees for the discipline and peer review of dentists; excluding the adjudicatory proceedings of the Board of Dental Examiners and its committees from the Administrative Procedure Act and from the jurisdiction of the office of administrative hearings; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 93(JUD)
(same title)

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

Do pass (2): Wilson, Anderson

No recommendation (2): Gara, McGuire

Amend (2): Coghill, Gruenberg

The following fiscal note(s) apply to CSHB 93(JUD):

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

HB 93 was referred to the Finance Committee.

HB 343

The Finance Committee has considered:

HOUSE BILL NO. 343

"An Act relating to harassment."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 343(JUD)

"An Act relating to harassment and assault."

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

Do pass (8): Hawker, Holm, Stoltze, Weyhrauch, Moses, Foster, Meyer, Chenault

No recommendation (2): Kelly, Joule

The following fiscal note(s) apply to CSHB 343(JUD):

1. Zero, Dept. of Corrections
2. Zero, Dept. of Public Safety
3. Zero, Dept. of Administration
4. Zero, Dept. of Administration
5. Zero, Alaska Court System
6. Zero, Dept. of Law

HB 343 was referred to the Rules Committee for placement on the calendar.

HB 380

The Finance Committee has considered:

HOUSE BILL NO. 380

"An Act relating to the powers and duties of the commissioner of environmental conservation; relating to animals, animal products, agricultural products, and the transportation of animals and animal

products; relating to the employment, appointment, and duties of a state veterinarian by the commissioner of environmental conservation; relating to the powers of the commissioner of natural resources regarding agricultural products; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 380(FIN)

"An Act relating to the powers and duties of the commissioner of environmental conservation; relating to animals, animal products, agricultural products, and the transportation of animals and animal products; relating to the employment, appointment, and duties of a state veterinarian by the commissioner of environmental conservation; relating to the powers of the commissioner of natural resources regarding agricultural products; relating to animal rabies prevention and control; and providing for an effective date."

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

Do pass (2): Foster, Meyer

No recommendation (7): Kerttula, Stoltze, Hawker, Kelly, Weyhrauch, Moses, Chenault

The following fiscal note(s) apply to CSHB 380(FIN):

1. Zero, Dept. of Environmental Conservation

HB 380 was referred to the Rules Committee for placement on the calendar.

HB 389

The Labor & Commerce Committee 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 Representative Kott, Vice Chair, with the following individual recommendations:

Do pass (6): Crawford, Lynn, LeDoux, Guttenberg, Rokeberg, Kott

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

HB 389 was referred to the Rules Committee for placement on the calendar.

HB 409

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 409

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 409(L&C)
(same title)

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

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

Do not pass (1): Crawford

Amend (1): Guttenberg

The following fiscal note(s) apply to CSHB 409(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Labor & Workforce Development

HB 409 was referred to the Finance Committee.

SB 209

The Finance Committee has considered:

CS FOR SENATE BILL NO. 209(JUD)

"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 Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (8): Hawker, Weyhrauch, Moses, Holm, Kelly, Foster, Meyer, Chenault

The following fiscal note(s) apply:

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

CSSB 209(JUD) was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - 70th Wedding Anniversary, Barbara and Wilson Jerue
By Representative Joule

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

Commemorating - Women's History Month
 Women: Builders of Communities and Dreams
 By Senator Davis

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

HCR 34

HOUSE CONCURRENT RESOLUTION NO. 34 by the House Rules Committee by request of the House Special Committee on Economic Development, Trade, and Tourism:

Relating to promoting Alaska grown produce and food products to the visitor industry through the Arctic Fresh program.

was read the first time and referred to the House Special Committee on Economic Development, Trade, & Tourism.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 410

The following was read the second time:

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."

with the:

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JUD RPT CS(JUD) 4DP

2625

FN1: ZERO(CRT)

2625

FN2: ZERO(GOV/ALL)

2625

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. 410(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 410(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 410(JUD) was read the third time.

The question being: "Shall CSHB 410(JUD) pass the House?" The roll was taken with the following result:

CSHB 410(JUD)
Third Reading
Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 3 ABSENT: 1

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

Excused: Anderson, Kohring, McGuire

Absent: Samuels

And so, CSHB 410(JUD) 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 410(JUD) was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS**SB 260**

The following was read the second time:

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."

with the:

Journal Page

L&C RPT 2DP 4NR

2626

FN1: ZERO(LWF)

2627

Representative Coghill moved and asked unanimous consent that SB 260 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 260 was read the third time.

The question being: "Shall SB 260 pass the House?" The roll was taken with the following result:

SB 260

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Anderson, Kohring, McGuire

And so, SB 260 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.

SB 260 was signed by the Speaker and Chief Clerk and returned to the Senate.

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 - Senator Scott Ogan

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

Honoring - Palmer High School Varsity Football Team, State Champion Runner-up

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

In Memoriam - Gary Henry Broderick

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

CONCUR IN SENATE AMENDMENTS**HB 81**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 2620) on the following:

CS FOR HOUSE BILL NO. 81(L&C)

"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."

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 81(L&C), thus adopting SCS CSHB 81(JUD) am S.

The question being: "Shall the House concur in the Senate amendment to CSHB 81(L&C)?" The roll was taken with the following result:

SCS CSHB 81(JUD) am S

Concur

YEAS: 34 NAYS: 3 EXCUSED: 3 ABSENT: 0

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

Nays: Coghill, Croft, Gara

Excused: Anderson, Kohring, McGuire

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 81(JUD) am S.

The Chief Clerk notified the Senate.

SCS CSHB 81(JUD) am S was referred to the Chief Clerk for enrollment.

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 Cissna - from 7:00 p.m., March 1 to 10:00 p.m., plane time, March 5, 2006

Representative Moses - from 7:00 p.m., March 1 to 10:00 p.m., plane time, March 5, 2006

Representative Gardner - from 7:00 a.m., March 3 to 10:00 p.m., plane time, March 4, 2006

Representative Dahlstrom - from 7:00 a.m., March 3 to 10:00 a.m., plane time, March 6, 2006

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Commemorating - Women's History Month, Women: Builders of Communities and Dreams, 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:

Commemorating - Women's History Month

Women: Builders of Communities and Dreams

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

UNFINISHED BUSINESS

HB 380

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 380

"An Act relating to the powers and duties of the commissioner of environmental conservation; relating to animals, animal products, agricultural products, and the transportation of animals and animal products; relating to the employment, appointment, and duties of a state veterinarian by the commissioner of environmental conservation; relating to the powers of the commissioner of natural resources regarding agricultural products; and providing for an effective date."

SB 218

Representative Lynn added his name as cross sponsor to:

CS FOR SENATE BILL NO. 218(FIN)

"An Act relating to sex offenders and child kidnappers; relating to reporting of sex offenders and child kidnappers; relating to periodic polygraph examinations for sex offenders released on probation or parole; relating to sexual abuse of a minor; relating to the definitions of 'aggravated sex offense' and 'child kidnapping'; relating to penalties for failure to report child abuse or neglect; relating to sentencing for sex offenders and habitual criminals; and providing for an effective date."

SB 236

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

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."

ENGROSSMENT**HB 410**

CSHB 410(JUD) 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.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 3, 2006. There being no objection, the House adjourned at 11:00 a.m.

Suzi Lowell
Chief Clerk