

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 8, 2006

#### Fifty-ninth Day

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

Roll call showed 28 members present. Representatives Anderson, Coghill, Croft, Elkins, Gatto, Holm, Kapsner, McGuire, Neuman, and Rokeberg had been previously excused from a call of the House today. Representative Weyhrauch was absent and his presence was noted later.

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that Representative Olson be excused from a call of the House today (amended from page 2717). There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Jesse Perry of Northern Light United 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 thanksgiving for the varieties of ways the people of Alaska express their faith, let us pray.

God of creation, Your wisdom carves each snowflake that falls and Your compassion gives each snowflake a meaning and a reason to be, however brief. Help us, O God, as we endure through the brief spans of our lives to fulfill our meanings and our reasons for being.

May we seek to bring justice to the world and leave to You the sacred task of bringing the world to justice. May we seek to guarantee the poor access to Your bountiful creation and leave to You the sacred task of deciding who deserves what. May we learn the power of forgiveness and leave to You the sacred task of dividing the wheat from the tares.

God of all who seek the truth, grant this body abundant grace, discerning hearts, and a clear vision of our common good, lest personal dreams become public nightmares and the good we all possess becomes lost in a maze of privilege and power.

Confident in Your faithfulness, O God, we offer this prayer.  
Amen.

The Pledge of Allegiance was led by Representative Salmon.

### **CERTIFICATION OF THE JOURNAL**

Representative Foster moved and asked unanimous consent that the journal for the 57th and 58th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **SB 36**

A message dated March 6, 2006, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**FREE CONFERENCE CS FOR SENATE BILL NO. 36**  
"An Act relating to absentee ballots."

Chapter No. 4, SLA 2006  
Effective Date: June 4, 2006

**MESSAGES FROM THE SENATE**

A message dated March 7, 2006, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 207**

CS FOR SENATE BILL NO. 207(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the membership on the board of directors of the Alaska Aerospace Development Corporation."

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

**REPORTS OF STANDING COMMITTEES**

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

Mr. Alfred L. Tamagni, Sr.

as a member of the Personnel Board.

The report was signed by Representative Seaton, Chair; and Representatives Gardner, Lynn, and Gatto.

**HB 324**

The Finance Committee has considered:

HOUSE BILL NO. 324

"An Act banning the importation, transfer, and cultivation of orange hawkweed and purple loosestrife."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 324(RES)  
(same title)

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

Do pass (1): Kerttula

Do not pass (3): Hawker, Holm, Kelly

No recommendation (4): Joule, Stoltze, Meyer, Chenault

The following fiscal note(s) apply to CSHB 324(RES):

1. Zero, Dept. of Natural Resources

HB 324 was referred to the Rules Committee for placement on the calendar.

**HB 392**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 392  
"An Act authorizing the establishment of regional solid waste management authorities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 392(L&C)  
(same title)

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

Do pass (1): Kott

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

Amend (1): Rokeberg

The following fiscal note(s) apply to CSHB 392(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Commerce, Community, & Economic Development
3. Zero, Dept. of Environmental Conservation

HB 392 was referred to the Rules Committee for placement on the calendar.

**HB 408**

The Finance 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(FIN)

"An Act relating to the standard of proof required to terminate parental rights in child-in-need-of-aid proceedings; relating to the definition of 'child abuse or neglect'; relating to disclosure of confidential or privileged information about certain children by the Departments of Health and Social Services and Administration; relating to permanent fund dividends paid to foster children and adopted children; amending Rule 18, Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date."

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

Do pass (3): Kelly, Meyer, Chenault

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

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

1. Zero, Dept. of Health & Social Services
2. Zero, House Finance Committee/Dept. of Health & Social Services

HB 408 was referred to the Rules Committee for placement on the calendar.

**HB 424**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 424

"An Act relating to mortgage lenders and persons who engage in activities relating to mortgage lending; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 424(L&amp;C)

"An Act relating to mortgage lenders, mortgage brokers, state agents who collect program administration fees, and other persons who engage in activities relating to mortgage lending; and providing for an effective date."

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

Do pass (2): Lynn, Rokeberg

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

The following fiscal note(s) apply to CSHB 424(L&C):

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

HB 424 was referred to the Judiciary Committee.

**HB 445**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 445

"An Act relating to the alternative energy grant fund and to alternative energy grants."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 445(L&C)  
(same title)

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

Do pass (4): Crawford, LeDoux, Guttenberg, Kott

No recommendation (1): Lynn

The following fiscal note(s) apply to CSHB 445(L&C):

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

HB 445 was referred to the Finance Committee.

### INTRODUCTION OF CITATIONS

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

Honoring - Poldine Carlo  
By Representative Guttenberg

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

Honoring - AWARE Women of Distinction: Nora Marks Dauenhauer, Lynnette Dihle, Sally Rue, and Tamara Collins  
By Representatives Kerttula, Weyhrauch; Senator Elton

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

#### **HB 489**

HOUSE BILL NO. 489 by the House Finance Committee, entitled:

"An Act relating to the exemption of charity events from regulation by the Alaska Public Offices Commission and to the treatment of charity events under the law governing legislative ethics; and providing for an effective date."

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

**HB 490**

HOUSE BILL NO. 490 by the House Finance Committee, entitled:

"An Act relating to commemorative license plates celebrating Alaska's 50th anniversary as a state; and providing for an effective date."

was read the first time and referred to the State Affairs and Finance Committees.

**HB 491**

HOUSE BILL NO. 491 by the House Transportation Committee, entitled:

"An Act authorizing the Alaska Railroad Corporation to issue revenue bonds to finance rail transportation projects that qualify for federal financial participation; and providing for an effective date."

was read the first time and referred to the Transportation and Finance Committees.

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 394**

The following was read the second time:



## 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."

| with the:                  | Journal Page |
|----------------------------|--------------|
| L&C RPT CS(L&C) NT 5DP 1NR | 2623         |
| FN1: ZERO(CED)             | 2624         |
| FIN RPT CS(L&C) NT 3DP 5NR | 2685         |
| FN1: ZERO(CED)             | 2686         |

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

## CS FOR HOUSE BILL NO. 394(L&amp;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."

There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that CSHB 394(L&C) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 394(L&C) will advance to third reading on the March 13, 2006, calendar.

### SECOND READING OF SENATE BILLS

#### SB 224

The following was read the second time:

## SENATE BILL NO. 224

"An Act establishing Older Alaskans' Day."

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| with the:                | Journal Page |
|--------------------------|--------------|
| STA RPT 6DP              | 2589         |
| FN1: ZERO(GOV/ALL DEPTS) | 2590         |

Representative Foster moved and asked unanimous consent that SB 224 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

SB 224 will advance to third reading on the March 13, 2006, calendar.

**UNFINISHED BUSINESS**

Representative Foster 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 Salmon - from 11:00 a.m., March 8 to 9:30 p.m., plane time, March 19, 2006

Representative Weyhrauch - from 7:00 p.m., March 8 to 9:30 a.m., plane time, March 15, 2006

Representative Berkowitz - from 7:00 p.m., March 8 to 9:30 a.m., plane time, March 13, 2006

Representative Crawford - from 7:00 p.m., March 8 to 9:30 a.m., plane time, March 13, 2006

Representative Gara - from 7:00 p.m., March 8 to 9:30 a.m., plane time, March 13, 2006

Representative Ramras - from 7:00 p.m., March 8 to 9:30 a.m., plane time, March 13, 2006

Representative Cissna - from 1:00 p.m., March 9 to noon, plane time, March 12, 2006

Representative Meyer - from 7:00 p.m., March 9 to 9:30 a.m., plane time, March 12, 2006

Representative Anderson - from 7:00 a.m., March 13 to 9:30 a.m., plane time, March 15, 2006 (amended from page 2716)

**HB 424**

The Speaker added a Finance Committee referral to follow the Judiciary Committee referral for the following:

## HOUSE BILL NO. 424

"An Act relating to mortgage lenders and persons who engage in activities relating to mortgage lending; and providing for an effective date."

HB 424 is in the Judiciary Committee.

**SB 132**

The Speaker added a Finance Committee referral for the following:

## SENATE BILL NO. 132(efd fld)

"An Act relating to complaints filed with, investigations, hearings, and orders of, and the interest rate on awards of the State Commission for Human Rights; and making conforming amendments."

SB 132(efd fld) was removed from the Rules Committee and referred to the Finance Committee.

**HB 387**

The Speaker waived the Health, Education & Social Services Committee referral for the following at the request of Representative Wilson, Chair:

## 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 387 was removed from the Health, Education & Social Services Committee and referred to the Finance Committee.

### **SPECIAL ORDER OF BUSINESS**

Representative Foster moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - AWARE Women of Distinction: Nora Marks Dauenhauer, Lynnette Dihle, Sally Rue, and Tamara Collins, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - AWARE Women of Distinction: Nora Marks Dauenhauer, Lynnette Dihle, Sally Rue, and Tamara Collins  
By Representatives Kerttula, Weyhrauch, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Salmon, Samuels, Seaton, Thomas, Wilson; Senator Elton

### **HJR 27**

Representative Dahlstrom added her name as cosponsor to:

#### **HOUSE JOINT RESOLUTION NO. 27**

Urging the United States Congress to pass legislation amending the Alaska Native Vietnam Veterans Allotment Act to allow deserving veterans to obtain allotments of vacant land within the State of Alaska; and to reopen and legislatively approve allotments in the Tongass National Forest.

### **HB 271**

Representatives Lynn, Stoltze, and Gardner added their names as cosponsors to:

**HOUSE BILL NO. 271**

"An Act relating to limitations on overtime for registered nurses in health care facilities; and providing for an effective date."

**HB 383**

Representatives Lynn and Gardner added their names as cosponsors to:

**HOUSE BILL NO. 383**

"An Act limiting motor vehicle dealer charges for fees and costs; relating to the disclosures required for certain motor vehicle transactions; and requiring consumers to be informed of finance charges paid to a motor vehicle dealer by a financing institution on the sale of a used motor vehicle."

**HB 387**

Representatives Dahlstrom and Wilson added their names as cosponsors 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 400**

Representatives Foster and Kelly added their names as cosponsors to:

**HOUSE BILL NO. 400**

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

**HB 416**

Representative Dahlstrom added her name as cosponsor to:

**HOUSE BILL NO. 416**

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

**HB 445**

Representative LeDoux added her name as cosponsor to:

## HOUSE BILL NO. 445

"An Act relating to the alternative energy grant fund and to alternative energy grants."

**SB 209**

Representative Chenault added his name as cross sponsor to:

## 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."

**SB 224**

Representatives LeDoux and Dahlstrom added their names as cross sponsors to:

## SENATE BILL NO. 224

"An Act establishing Older Alaskans' Day."

**ENROLLMENT****HB 81**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:41 a.m., March 7, 2006:

## 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."

The following memorandum, dated March 6, 2006, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS CSHB 81(JUD) am S, which have been corrected in enrolling:

Page 3, line 11, following "contractor,":

Insert "a"

Page 3, line 20, following "contractor,":

Insert "a"

Page 5, line 6:

Delete the second occurrence of "one"

Insert "[ONE]"

#### ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meeting today has been changed as indicated:

Resources Committee

CANCELED

12:30 p.m.

#### ADJOURNMENT

Representative Foster moved and asked unanimous consent that the House adjourn until 8:30 a.m., March 9, 2006, for a technical session. There being no objection, the House adjourned at 10:56 a.m.

Suzi Lowell  
Chief Clerk