

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

April 10, 2006

Ninety-second Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:09 a.m.

Roll call showed 30 members present. Representative Samuels had been previously excused from a call of the House today. Representatives Berkowitz, Cissna, Crawford, Croft, Gara, Guttenberg, Kerttula, and Meyer were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Salmon 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 Weyhrauch be excused from a call of the House today from noon to 1:00 p.m. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Evangelist Bill Williams of the Valley Church of Christ, Wasilla. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I am humbled by the opportunity to offer a prayer on behalf of the Alaskan government. With the deepest respect for the religious beliefs of all Alaskans, I offer this prayer.

Dear God, I praise You as the wise and just guide for our lives. I ask You to bless the leaders of this state, especially this gathering of representatives. May they make decisions

good for the people of Alaska and beneficial to the nation as a whole. I pray You give them wisdom as they guide the land in which we live.

Please bless Alaska and all who dwell within her. May we be just and right in the way we conduct ourselves among the nations. I pray You will be with our troops overseas as they do the job set before them. Please protect them and bring them home safely.

May all which is done here today and all the days hereafter be to Your glory. Forever and ever, Amen.

The Pledge of Allegiance was led by Representative Ramras.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 88th, 89th, 90th, and 91st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated April 6, 2006, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the boards and commissions noted.

The Speaker referred the following to the Finance Committee:

Alaska Mental Health Trust Authority Board of Trustees

Ms. Paula Easley - Anchorage

Appointed: 3/28/2006 Term Expires: 3/1/2008

Mr. Roy Huhndorf - Anchorage

Appointed: 3/28/2006 Term Expires: 3/1/2011

The Speaker referred the following to the Labor & Commerce Committee:

Board of Barbers and Hairdressers

Ms. Carol Hernley - Cordova

Appointed: 4/4/2006 Term Expires: 3/1/2008

Board of Chiropractic Examiners

Mr. David Mulholland - Anchorage

Reappointed: 2/24/2006 Term Expires: 3/1/2010

Board of Examiners in Optometry

Dr. James C. Graves - Fairbanks

Appointed: 4/3/2006 Term Expires: 3/1/2010

Dr. Timothy Sullivan, Jr. - Anchorage

Appointed: 4/3/2006 Term Expires: 3/1/2010

State Physical Therapy and Occupational Therapy Board

Ms. Cheryl Abitz - Palmer

Appointed: 4/4/2006 Term Expires: 3/1/2008

Ms. Joanne Boehme - Juneau

Reappointed: 4/3/2006 Term Expires: 3/1/2010

Ms. Mary Ann Paul - Eagle River

Reappointed: 4/3/2006 Term Expires: 3/1/2010

Board of Professional Counselors

Ms. Jennifer Burkholder - Anchorage

Appointed: 4/4/2006 Term Expires: 3/1/2010

Ms. Emily Zimbrich - Haines

Appointed: 4/4/2006 Term Expires: 3/1/2010

Board of Social Work Examiners

Mr. Jason Floyd - Valdez

Appointed: 4/4/2006 Term Expires: 3/1/2010

Ms. Sammye Pokryfki - Wasilla
Reappointed: 3/31/2006 Term Expires: 3/1/2010

Workers' Compensation Appeals Commission

Mr. Jim Robison - Eagle River
Reappointed: 4/3/2006 Term Expires: 3/1/2011

Alaska Workers' Compensation Board

Mr. John Abshire - Wasilla
Reappointed: 3/10/2006 Term Expires: 3/1/2009

Mr. Richard Behrends - Juneau
Reappointed: 3/10/2006 Term Expires: 3/1/2009

Mr. Andrew (Bear) Piekarski - Eagle River
Reappointed: 3/10/2006 Term Expires: 3/1/2009

Ms. Patricia Vollendorf - Anchorage
Reappointed: 3/10/2006 Term Expires: 3/1/2009

Ms. Lori Wing - Anchorage
Appointed: 3/10/2006 Term Expires: 3/1/2007

The Speaker referred the following to the Resources Committee:

Board of Game

Mr. Paul C. Johnson - Unalakleet
Appointed: 4/4/2006 Term Expires: 3/1/2008

The Speaker referred the following to the State Affairs Committee:

Alaska Public Offices Commission (APOC)

Ms. Claire Hall - Fairbanks
Appointed: 3/9/2006 Term Expires: 3/1/2011

Resumes for the appointments are on file in the Chief Clerk's office.

**The presence of Representatives Berkowitz, Guttenberg, Crawford, and Cissna was noted.

MESSAGES FROM THE SENATE**HCR 40**

A message dated April 7, 2006, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 40
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 218, sex offenses and child kidnapping, crimes, and sentencing.

HCR 40 was referred to the Chief Clerk for enrollment.

HB 274

A message dated April 7, 2006, was read stating the Senate has passed:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
274(FIN)
"An Act relating to the practice of accounting; and providing for an effective date."

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

SB 218

A message dated April 7, 2006, was read stating the Senate has concurred in the House amendment 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."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 218(FIN)

"An Act relating to 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."

(HCR 40 - title change resolution)

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

COMMUNICATIONS

The following audit reports were received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

Dept. of Administration
State Travel Procurement Process
January 3, 2006

University of Alaska
Unit Cost Analysis and Other Selected Issues, Part 2
November 15, 2005

REPORTS OF STANDING COMMITTEES**HCR 30**

The Finance Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 30
Creating an Alaska Climate Impact Assessment Commission.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 30(FIN)
(same title)

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

Do pass (4): Weyhrauch, Moses, Kerttula, Meyer

No recommendation (4): Hawker, Holm, Kelly, Stoltze

The following fiscal note(s) apply to CSHCR 30(FIN):

1. Indeterminate, Dept. of Natural Resources
2. Fiscal, Legislative Agency

HCR 30 was referred to the Rules Committee for placement on the calendar.

HB 51

The Finance Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 51

"An Act relating to modifying the qualifications required for workers' compensation self-insurance and permitting employers in the same trade or industry to form an employer association for self-insured workers' compensation coverage; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 51(FIN)

"An Act relating to associations of self-insured employers for purposes of providing workers' compensation coverage and allowing employers who are members of the same trade to form associations for providing self-insurance for workers' compensation coverage; and providing for an effective date."

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

Do pass (3): Foster, Kelly, Meyer

No recommendation (6): Hawker, Weyhrauch, Joule, Stoltze, Kerttula, Moses

The following fiscal note(s) apply to CSSSHB 51(FIN):

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

SSHB 51 was referred to the Rules Committee for placement on the calendar.

HB 105

The Finance Committee has considered:

HOUSE BILL NO. 105

"An Act relating to coverage for adult dental services under Medicaid; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 105(FIN)
(same title)

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

Do pass (4): Hawker, Weyhrauch, Kerttula, Joule

No recommendation (3): Kelly, Stoltze, Meyer

A House Finance Committee letter of intent for CSHB 105(FIN), signed by Representatives Meyer and Chenault, Co-chairs, follows:

"By adopting this bill, it is the intent of the House Finance Committee to increase adult dental care services for an eligible recipient of Medicaid under AS 47.07 to ensure that services critical to a recipient are implemented first, while controlling the overall growth of the costs of the increase in services.

It is the intent of the House Finance Committee that the Department of Health and Social Services implement the increase in adult dental care services authorized by HB 105 by adopting regulations consistent with the department's obligation to contain the costs of increased services in order to provide these services within appropriation limits.

It is also the intent of the House Finance Committee that the department implement measures to contain costs, which may include, but are not limited to, establishing the scope of services that are eligible for payment of preventative and restorative dental care for eligible recipients."

The following fiscal note(s) apply to CSHB 105(FIN):

2. Fiscal, Dept. of Health & Social Services

HB 105 was referred to the Rules Committee for placement on the calendar.

HB 276

The Judiciary Committee has considered:

HOUSE BILL NO. 276

"An Act relating to business license endorsements for tobacco products, to holders of business license endorsements for tobacco products, and to the employees and agents of holders of business license endorsements for tobacco products."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 276(JUD)
(same title)

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

Do pass (1): Kott

No recommendation (3): Gara, Gruenberg, McGuire

Amend (2): Wilson, Anderson

The following fiscal note(s) apply to CSHB 276(JUD):

1. Indeterminate, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Health & Social Services
3. Indeterminate, Dept. of Law

HB 276 was referred to the Finance Committee.

**The presence of Representative Meyer was noted.

HB 307

The Finance Committee has considered:

HOUSE BILL NO. 307

"An Act creating the Knik River Public Use Area."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 307(RES)

(same title)

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

Do pass (4): Weyhrauch, Foster, Stoltze, Meyer

No recommendation (6): Hawker, Holm, Joule, Kerttula, Kelly, Chenault

The following fiscal note(s) apply to CSHB 307(RES):

1. Fiscal, Dept. of Natural Resources

HB 307 was referred to the Rules Committee for placement on the calendar.

HB 347

The Judiciary Committee has considered:

HOUSE BILL NO. 347

"An Act relating to mandatory motor vehicle insurance, license suspensions, and notices relating to motor vehicles and driver's licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 347(JUD)

"An Act relating to mandatory motor vehicle insurance, license suspensions, mandatory impoundments of vehicles used in certain offenses, and notices relating to motor vehicles and driver's licenses."

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

Do pass (5): Gara, Wilson, Kott, Gruenberg, McGuire

Amend (1): Anderson

The following fiscal note(s) apply to CSHB 347(JUD):

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

HB 347 was referred to the Rules Committee for placement on the calendar.

HB 386

The Resources Committee has considered:

HOUSE BILL NO. 386

"An Act making uniform throughout the state the deadline for certain exploration expenditures used as credits against the production tax on oil and gas produced from a lease or property in the state by extending to July 1, 2010, the deadline for those

expenditures on leases or properties located north of 68 degrees, 15 minutes, North latitude."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 386(O&G)

"An Act making uniform throughout the state the deadline for certain exploration expenditures used as credits against the production tax on oil and gas produced from a lease or property in the state by extending to July 1, 2010, the deadline for those expenditures on leases or properties located north of 68 degrees, 15 minutes, North latitude, and expanding the purposes for which use of that credit is allowed; and delaying to June 30, 2010, the last date by which hydrocarbon exploration geophysical work must be performed or drilling of a stratigraphic test well or exploratory well must be completed in order for a person to qualify for an exploration incentive credit under the oil and gas exploration incentive credit that is not authorized by the Alaska Land Act."

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

Do pass (4): Seaton, Crawford, Samuels, Ramras

No recommendation (2): Gatto, LeDoux

The following fiscal note(s) apply to CSHB 386(O&G):

1. Zero, Dept. of Natural Resources
2. Indeterminate, Dept. of Revenue

HB 386 was referred to the Finance Committee.

HB 397

The Transportation Committee has considered:

HOUSE BILL NO. 397

"An Act making an appropriation for an upgrade of signal system emergency devices in Anchorage, contingent upon matching funds

from the Municipality of Anchorage; and providing for an effective date."

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

Do pass (4): Kohring, Salmon, Gatto, Elkins

HB 397 was referred to the Community & Regional Affairs Committee.

HB 403

The Finance 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(FIN)

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

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

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

No recommendation (4): Kelly, Stoltze, Weyhrauch, Chenault

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

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

HB 403 was referred to the Rules Committee for placement on the calendar.

HB 484

The Finance Committee has considered:

HOUSE BILL NO. 484

"An Act allowing for revenue received from issuance of additional entry permits to be appropriated for reimbursement to salmon fishery associations."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 484(FSH)
(same title)

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

Do pass (3): Kerttula, Foster, Chenault

No recommendation (7): Hawker, Holm, Kelly, Stoltze, Weyhrauch, Moses, Meyer

The following fiscal note(s) apply to CSHB 484(FSH):

2. Zero, Dept. of Fish & Game

HB 484 was referred to the Rules Committee for placement on the calendar.

HB 493

The Finance Committee has considered:

HOUSE BILL NO. 493

"An Act relating to reimbursement of municipal bonds for school construction."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 493(FIN)
(same title)

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

Do pass (5): Hawker, Weyhrauch, Foster, Stoltze, Meyer

No recommendation (5): Kelly, Joule, Kerttula, Moses, Chenault

The following fiscal note(s) apply to CSHB 493(FIN):

1. Indeterminate, Dept. of Education & Early Development

HB 493 was referred to the Rules Committee for placement on the calendar.

SB 54

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 54(FIN)

"An Act amending protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse, to provide for other relief ordered by a court, to add the protective orders to a centralized registry, to prevent denial solely for a lapse of time, and to require notification of the court of known civil or criminal actions involving the petitioner or respondent; relating to notifications to victims of sexual assault and to mandatory arrest for crimes involving violation of protective orders and violation of conditions of release; and amending Rule 65, Alaska Rules of Civil Procedure."

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

Do pass (6): Gara, Wilson, Anderson, Kott, Gruenberg, McGuire

The following fiscal note(s) apply:

5. Zero, Dept. of Corrections
6. Zero, Dept. of Administration
7. Zero, Dept. of Administration
8. Fiscal, Dept. of Public Safety

9. Fiscal, Dept. of Public Safety
10. Zero, Dept. of Law

CSSB 54(FIN) was referred to the Finance Committee.

SB 298

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 298(JUD)

"An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees, beneficiaries, and creditors of trusts and of trusts and estates; relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 298(JUD)
(same title)

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

Do pass (5): Wilson, Anderson, Kott, Gruenberg, McGuire

Amend (1): Gara

The following fiscal note(s) apply to HCS CSSB 298(JUD):

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

CSSB 298(JUD) was referred to the Rules Committee for placement on the calendar.

SB 304

The Transportation Committee has considered:

SENATE BILL NO. 304

"An Act relating to the privileges of airport parking shuttles and to fees or charges imposed on a person who is not a lessee or holder of a privilege to use the property or a facility of an airport."

and recommends it be replaced with:

HOUSE CS FOR SENATE BILL NO. 304(TRA)

"An Act relating to the privileges of airport parking shuttles and to fees or charges imposed on a person who is not a lessee or concessionaire of an airport."

(HCR 41 - title change resolution)

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

Do pass (3): Kohring, Gatto, Elkins

No recommendation (1): Salmon

The following fiscal note(s) apply to HCS SB 304(TRA):

1. Zero, Dept. of Transportation & Public Facilities

SB 304 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**SCR 21**

The House Special Committee on Military & Veterans' Affairs has considered:

CS FOR SENATE CONCURRENT RESOLUTION NO. 21(STA)

Relating to the Vietnam War, to veterans and their families, and to the Vietnam War memorial entitled "The Moving Wall."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE CONCURRENT
RESOLUTION NO. 21(MLV)
(same title)

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

Do pass (6): Gruenberg, McGuire, Cissna, Elkins, Dahlstrom, Lynn

The following fiscal note(s) apply to HCS CSSCR 21(MLV):

1. Zero, Senate State Affairs Committee

CSSCR 21(STA) was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Commemorating - Law Enforcement Memorial Day, May 12, 2006
By Representative Harris

In Memoriam - Glen E. Jackson
By Senator Davis

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 41

HOUSE CONCURRENT RESOLUTION NO. 41 by the House Transportation Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 304, relating to airport parking shuttles and to airport charges, rentals, or fees.

was read the first time and referred to the Rules Committee for placement on the calendar.

HJR 36

HOUSE JOINT RESOLUTION NO. 36 by the House Health, Education and Social Services Committee:

Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2006.

was read the first time and referred to the Health, Education & Social Services Committee.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 389**

The following was read the second time:

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."

with the:

Journal Page

EDT RPT 4DP 1NR	2537
FN1: ZERO(DEC)	2537
L&C RPT 6DP	2666
FN1: ZERO(DEC)	2667

Representative Coghill moved and asked unanimous consent that HB 389 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 389 was read the third time.

The question being: "Shall HB 389 pass the House?" The roll was taken with the following result:

HB 389

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2

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

Excused: Salmon, Samuels

Absent: Croft, Kohring

And so, HB 389 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.

HB 389 was referred to the Chief Clerk for engrossment.

HB 442

The following was read the second time:

HOUSE BILL NO. 442

"An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability of health care providers and institutions; relating to an individual's capacity for making health care decisions; and providing for an effective date."

with the:	Journal Page
HES RPT CS(HES) NT 4DP 1NR	2688
FN1: ZERO(HSS)	2689
JUD RPT CS(JUD) NT 5DP	2932
FN1: ZERO(HSS)	2933

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. 442(JUD)

"An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability and discipline of health care providers, institutions, and facilities; relating to an individual's capacity for making health care decisions; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gruenberg and Weyhrauch:

Page 1, line 4, following "**facilities**;" (title amendment):

Insert "**relating to proceedings for judicial relief**;"

Page 5, following line 18:

Insert a new bill section to read:

"* **Sec. 10.** AS 13.52.140 is amended to read:

Sec. 13.52.140. Judicial relief. On petition of a patient, the patient's agent, guardian, or surrogate, or a health care provider or institution involved with the patient's care, the superior court may enjoin or direct a health care decision or order other equitable relief. A proceeding under this section is governed by **AS 13.26.090 - 13.26.320** [AS 13.26.165 - 13.26.320]."

Renumber the following bill sections accordingly.

Page 6, line 22:

Delete "Sections 1 - 12"

Insert "Sections 1 - 13"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 1 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted, and the new title follows:

CS FOR HOUSE BILL NO. 442(JUD) am

"An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability and discipline of health care providers, institutions, and facilities; relating to proceedings for judicial relief; relating to an individual's capacity for making health care decisions; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that CSHB 442(JUD) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 442(JUD) am was read the third time.

The question being: "Shall CSHB 442(JUD) am pass the House?"
The roll was taken with the following result:

CSHB 442(JUD) am

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2

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

Excused: Salmon, Samuels

Absent: Croft, Kelly

And so, CSHB 442(JUD) am 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 442(JUD) am was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 210

The following, which was on the April 3, 2006, calendar and returned to the Rules Committee (page 2993), was read the second time:

SENATE BILL NO. 210

"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."

with the:

Journal Page

FIN RPT 4DP 4NR	2740
FN1: ZERO(DPS)	2740
RLS RPT HCS(RLS) NT 4DP 2NR	2986
TITLE CHANGE: HCR 39	2986
FN1: ZERO(DPS)	2987

**Representative Weyhrauch, who was excused (page 3053), left the Chamber.

Amendment No. 1 was offered by Representative Berkowitz:

Page 3, line 5, following "AS 04.11.491":

Delete "."

Insert ";

(7) a deadly weapon used in furtherance of a violation of this title; in this paragraph, "deadly weapon" has the meaning given in AS 11.81.900.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Meyer objected.

**The presence of Representative Croft was noted.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

SB 210

Second Reading

Amendment No. 1

YEAS: 18 NAYS: 18 EXCUSED: 3 ABSENT: 1

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, LeDoux, Moses, Ramras, Seaton, Wilson

Nays: Anderson, Dahlstrom, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Rokeberg, Stoltze, Thomas

Excused: Salmon, Samuels, Weyhrauch

Absent: Chenault

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Berkowitz:

Page 3, line 5, following "AS 04.11.491":

Delete "."

Insert ":

(7) a firearm used in furtherance of a violation of this title."

Representative Berkowitz moved and asked unanimous consent that Amendment No. 2 be adopted. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that SB 210 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 210 am H was read the third time.

The question being: "Shall SB 210 am H pass the House?" The roll was taken with the following result:

SB 210 am H

Third Reading

Final Passage

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

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

Excused: Salmon, Samuels, Weyhrauch

And so, SB 210 am H passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 150

The following, which was advanced to third reading from the April 6, 2006, calendar (page 3036), was read the third time:

CS FOR HOUSE BILL NO. 150(FIN)

"An Act requiring licensure of occupations relating to radiologic technology, radiation therapy, and nuclear medicine technology; and providing for an effective date."

Representative Gara moved and asked unanimous consent that CSHB 150(FIN) 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 Gara and Anderson:

Page 2, line 7, following "under the":

Insert "direct"

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

Representative Gara moved and asked unanimous consent that CSHB 150(FIN) am be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Gara and Anderson:

Page 2, line 5, following "practitioner":

Insert ", if the practitioner certifies to the department on a form prepared by the department that the practitioner has obtained education or training to ensure the exam or test is performed safely"

Representative Gara moved and asked unanimous consent that Amendment No. 2 be adopted. There being no objection, it was so ordered.

The question being: "Shall CSHB 150(FIN) am pass the House?" The roll was taken with the following result:

CSHB 150(FIN) am
Third Reading
Final Passage

YEAS: 27 NAYS: 9 EXCUSED: 3 ABSENT: 1

Yeas: Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Hawker, Holm, Kapsner, Kelly, Kerttula, Kott, Lynn, McGuire, Meyer, Moses, Olson, Seaton, Thomas

Nays: Coghill, Guttenberg, Joule, Kohring, LeDoux, Neuman, Ramras, Stoltze, Wilson

Excused: Salmon, Samuels, Weyhrauch

Absent: Rokeberg

And so, CSHB 150(FIN) am 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 150(FIN) am was referred to the Chief Clerk for engrossment.

HB 415

The following, which was advanced to third reading from the April 6, 2006, calendar (page 3037), was read the third time:

CS FOR HOUSE BILL NO. 415(JUD)

"An Act relating to landowners' immunity for allowing use of land without charge for a recreational activity; relating to landowners' liability where landowner conduct involves gross negligence or reckless or intentional misconduct; relating to claims of adverse possession and prescriptive easements, or similar claims; and providing for an effective date."

The question being: "Shall CSHB 415(JUD) pass the House?" The roll was taken with the following result:

CSHB 415(JUD)

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 3 ABSENT: 2

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

Excused: Salmon, Samuels, Weyhrauch

Absent: Kapsner, Rokeberg

And so, CSHB 415(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 415(JUD) was referred to the Chief Clerk for engrossment.

HB 446

The following, which was advanced to third reading from the April 6, 2006, calendar (page 3038), was read the third time:

CS FOR HOUSE BILL NO. 446(JUD)

"An Act relating to the amount of a civil penalty for an unlawful act or practice in the conduct of trade or commerce; and eliminating mandatory continuances in these matters after issuance of an injunction."

The question being: "Shall CSHB 446(JUD) pass the House?" The roll was taken with the following result:

CSHB 446(JUD)

Third Reading

Final Passage

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

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

Excused: Salmon, Samuels, Weyhrauch

Absent: Kapsner, Moses, Rokeberg

And so, CSHB 446(JUD) passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS

SB 157

The following, which was advanced to third reading from the April 6, 2006, calendar (page 3039), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 157(FIN)

"An Act relating to the maximum annual regulatory cost charge collected from certain regulated public utilities and pipeline carriers and to public utility liability associated with operating certain transmission lines under a Regulatory Commission of Alaska order for joint use and interconnection; and providing for an effective date."

The question being: "Shall HCS CSSB 157(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 157(FIN)

Third Reading

Final Passage

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

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

Excused: Salmon, Samuels, Weyhrauch

Absent: Kohring, Moses, Rokeberg

And so, HCS CSSB 157(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 Gruenberg gave notice of reconsideration of the vote on HCS CSSB 157(FIN).

SECOND READING OF HOUSE RESOLUTIONS

HCR 39

The following, which was on the April 3, 2006, calendar and returned to the Rules Committee (page 2994), was again returned to the Rules Committee:

HOUSE CONCURRENT RESOLUTION NO. 39

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 210, relating to alcoholic beverages.

LEGISLATIVE CITATIONS

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

Honoring - Ed O'Neill

By Senator Ellis; Representatives Gardner, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

UNFINISHED BUSINESS**HCR 30**

Representative Foster added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 30
Creating an Alaska Climate Impact Assessment Commission.

HB 51

Representative Kelly added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 51
"An Act relating to modifying the qualifications required for workers' compensation self-insurance and permitting employers in the same trade or industry to form an employer association for self-insured workers' compensation coverage; and providing for an effective date."

HB 190

Representative Gatto added his name as cosponsor to:

HOUSE BILL NO. 190
"An Act relating to the purchase of alcoholic beverages and to requiring identification to buy alcoholic beverages; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

HB 308

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 308
"An Act relating to false caller identification."

HB 346

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 346
"An Act relating to child abuse investigations and training."

HB 413

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 413

"An Act relating to the burning capability of cigarettes being sold, offered for sale, or possessed for sale; and providing for an effective date."

HB 415

Representative Kelly added his name as cosponsor to:

CS FOR HOUSE BILL NO. 415(JUD)

"An Act relating to landowners' immunity for allowing use of land without charge for a recreational activity; relating to landowners' liability where landowner conduct involves gross negligence or reckless or intentional misconduct; relating to claims of adverse possession and prescriptive easements, or similar claims; and providing for an effective date."

HB 442

Representative Dahlstrom added her name as cosponsor to:

CS FOR HOUSE BILL NO. 442(JUD) am

"An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability and discipline of health care providers, institutions, and facilities; relating to proceedings for judicial relief; relating to an individual's capacity for making health care decisions; and providing for an effective date."

HB 446

Representatives Gara, Dahlstrom, Gruenberg, and Neuman added their names as cosponsors to:

CS FOR HOUSE BILL NO. 446(JUD)

"An Act relating to the amount of a civil penalty for an unlawful act or practice in the conduct of trade or commerce; and

eliminating mandatory continuances in these matters after issuance of an injunction."

HB 482

Representatives Kott and McGuire added their names as cosponsors to:

HOUSE BILL NO. 482

"An Act relating to harassment, intimidation, and bullying in schools."

SCR 21

Representative Lynn added his name as cross sponsor to:

CS FOR SENATE CONCURRENT RESOLUTION NO.
21(STA)

Relating to the Vietnam War, to veterans and their families, and to the Vietnam War memorial entitled "The Moving Wall."

SB 54

Representatives Gara and McGuire added their names as cross sponsors to:

CS FOR SENATE BILL NO. 54(FIN)

"An Act amending protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse, to provide for other relief ordered by a court, to add the protective orders to a centralized registry, to prevent denial solely for a lapse of time, and to require notification of the court of known civil or criminal actions involving the petitioner or respondent; relating to notifications to victims of sexual assault and to mandatory arrest for crimes involving violation of protective orders and violation of conditions of release; and amending Rule 65, Alaska Rules of Civil Procedure."

SB 210

Representative Lynn added his name as cross sponsor to:

SENATE BILL NO. 210 am H

"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."

SB 298

Representative McGuire added her name as cross sponsor to:

CS FOR SENATE BILL NO. 298(JUD)

"An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees, beneficiaries, and creditors of trusts and of trusts and estates; relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date."

ENGROSSMENT**HB 150**

CSHB 150(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 389

HB 389 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 415

CSHB 415(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 442

CSHB 442(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 446

CSHB 446(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 210

SB 210 am H 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:

Resources Committee

CHANGED TO:

1:30 p.m.

Judiciary Committee

CHANGED TO:

2:00 p.m.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 11, 2006. There being no objection, the House adjourned at 12:43 p.m.

Suzi Lowell
Chief Clerk