

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

April 24, 2006

#### One Hundred Sixth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:18 a.m.

Roll call showed 38 members present. Representatives Croft and Elkins had been previously excused from a call of the House today.

The invocation was offered by the Chaplain, Jesse Kiehl of the Congregation Sukkot Shalom. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With deep respect for the beliefs of all Alaskans, we pray.

*Baruch atah Adonai, eloheinu ruach ha-olam, pokayach ivrim.*

Blessed are You, Eternal God, who guides all the world and who opens the eyes of the blind.

*Baruch atah Adonai, eloheinu melekh ha-olam, zokaif kefufim.*

Blessed is the Eternal God, maker of the universe, who lifts up the fallen.

*Baruch atah Adonai, eloheinu ruach ha-olam, hanosayn layo-ayf koach.*

Blessed are You, O Eternal God, who gives breath to the world and gives strength to the weary.

We pray for sanctification in our lives and our work, O God - for eyes opened to what is right and just, for hearts prepared to serve in truth. Our pursuit of justice and mercy, our acts of study and service and loving kindness are by their very nature a blessing - on our families, our communities, and ourselves.

Lead our work this day, and every day, that our work may be  
a testament to Your will.

*Cain y'hi ratzon.*

So may it be God's will.

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 103rd, 104th, and 105th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **SCR 21**

A message dated April 21, 2006, was read stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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

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

Legislative Resolve No. 34

### **MESSAGES FROM THE SENATE**

#### **HB 365**

A message dated April 21, 2006, received at 12:21 p.m. and distributed to all members, was read stating the Senate has passed CSHB 365(FIN) am (brf sup maj fld) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 365(FIN)(brf sup  
maj fld S)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations for state aid to public

schools, centralized correspondence study, and transportation of pupils; and providing for an effective date."

In the event the House fails to concur, the President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the above bills:

Senator Wilken, Chair  
Senator Green  
Senator Hoffman

### CONCUR IN SENATE AMENDMENTS

#### HB 365

Representative Coghill moved that the House concur in the Senate amendment to CSHB 365(FIN) am (brf sup maj fld), thus adopting SCS CSHB 365(FIN)(brf sup maj fld S), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 365(FIN) am (brf sup maj fld)?" The roll was taken with the following result:

SCS CSHB 365(FIN)(brf sup maj fld S)

Concur

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

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

Excused: Croft, Elkins

Absent: Chenault, Gara, Joule

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 365(FIN)(brf sup maj fld S).

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Chenault, Chair  
Representative Meyer  
Representative Joule

**HB 366**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3218) on the following:

CS FOR HOUSE BILL NO. 366(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 366(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 366(FIN), thus adopting SCS CSHB 366(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 366(FIN)?" The roll was taken with the following result:

SCS CSHB 366(FIN)

Concur

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

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

Excused: Croft, Elkins

Absent: Weyhrauch

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 366(FIN).

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Chenault, Chair

Representative Meyer

Representative Joule

#### **MESSAGES FROM THE SENATE**

A message dated April 21, 2006, was read stating the Senate has passed the following and it is transmitted for consideration:

#### **FIRST READING AND REFERENCE OF SENATE BILLS**

##### **SB 235**

CS FOR SENATE BILL NO. 235(FIN) by the Senate Finance Committee, entitled:

"An Act relating to a public school performance incentive program; and providing for an effective date."

was read the first time and referred to the House Special Committee on Education and the Health, Education & Social Services and Finance Committees.

**REPORTS OF STANDING COMMITTEES**

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

Mr. Paul C. Johnson

as a member of the Board of Game.

The report was signed by Representatives Ramras and Samuels, Co-chairs; and Representatives Gatto, Olson, Crawford, LeDoux, and Seaton.

**SB 55**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 55(FIN)

"An Act instructing the commissioner of natural resources to issue a patent for the remaining interest in certain state land to the owner of the agricultural rights to that land."

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

Do pass (6): Hawker, Kerttula, Stoltze, Joule, Moses, Meyer

No recommendation (1): Kelly

The following fiscal note(s) apply:

2. Indeterminate, Dept. of Natural Resources

CSSB 55(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 177**

The Labor & Commerce Committee has considered:

## CS FOR SENATE BILL NO. 177(HES)

"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.'"

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

Do pass (1): Kott

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

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Health & Social Services

CSSB 177(HES) was referred to the Rules Committee for placement on the calendar.

**SB 200**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 200(JUD) am

"An Act relating to defense of self, other persons, property, or services."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 200(FIN)  
(same title)

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

Do pass (4): Hawker, Kelly, Stoltze, Meyer

No recommendation (2): Joule, Moses

Amend (1): Kerttula

The following fiscal note(s) apply to HCS CSSB 200(FIN):

1. Zero, Dept. of Public Safety

CSSB 200(JUD) am was referred to the Rules Committee for placement on the calendar.

**SB 304**

The Finance 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 Representative Meyer, Co-chair, with the following individual recommendations:

Do pass (2): Moses, Meyer

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

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

2. Zero, House Finance Committee/Dept. of Transportation & Public Facilities

SB 304 was referred to the Rules Committee for placement on the calendar.



**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 190**

The following was read the second time:

**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."

with the:

Journal Page

L&C RPT CS(L&C) NT 3DP 2NR	1214
FN1: INDETERMINATE(ADM)	1215
JUD RPT CS(JUD) NT 1DP 4NR	2502
FN2: ZERO(ADM)	2503
FN3: INDETERMINATE(ADM)	2503
FIN RPT CS(FIN) NT 3DP 5NR	2884
FN2: ZERO(ADM)	2885
FN3: INDETERMINATE(ADM)	2885

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. 190(FIN)**

"An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; 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 and relating to fees for the marked license; and requiring the surrender and cancellation of driver's licenses under certain circumstances."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 190(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 190(FIN) was read the third time.

Representative Dahlstrom placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall CSHB 190(FIN) pass the House?" The roll was taken with the following result:

CSHB 190(FIN)  
Third Reading  
Final Passage

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

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

Nays: Coghill, Hawker, Kohring, Kott, Rokeberg

Excused: Croft, Elkins

And so, CSHB 190(FIN) passed the House and was referred to the Chief Clerk for engrossment.

### **HB 304**

The following was read the second time:

HOUSE BILL NO. 304

"An Act relating to the commercial fishing loan program; and providing for an effective date."

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with the:	Journal Page
FSH RPT CS(FSH) 2DP 3NR	2866
FN1: (CED)	2867
RES RPT CS(RES) 2DP 1DNP 3NR 1AM	3101
FN1: (CED)	3102
FIN RPT CS(FIN) 3DP 3NR 1AM	3248
FN2: (CED)	3249

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. 304(FIN)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Seaton, Coghill, and Wilson:

Page 5, line 2:

Delete "[10 1/2 PERCENT]"

Insert "**, but not more than** 10 1/2 percent"

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

Representative Samuels objected.

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

CSHB 304(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 21 NAYS: 13 EXCUSED: 2 ABSENT: 4**

Yeas: Berkowitz, Chenault, Coghill, Crawford, Gara, Gardner, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kerttula, LeDoux, Lynn, Moses, Neuman, Ramras, Salmon, Seaton, Thomas, Wilson

Nays: Foster, Gatto, Hawker, Holm, Kelly, Kott, McGuire, Meyer, Olson, Rokeberg, Samuels, Stoltze, Weyhrauch

Excused: Croft, Elkins

Absent: Anderson, Cissna, Dahlstrom, Kohring

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 304(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 304(FIN) am was read the third time.

The question being: "Shall CSHB 304(FIN) am pass the House?" The roll was taken with the following result:

CSHB 304(FIN) am

Third Reading

Final Passage

**YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0**

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

Excused: Croft, Elkins

And so, CSHB 304(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 304(FIN) am was referred to the Chief Clerk for engrossment.

**HB 378**

The following was read the second time:

## HOUSE BILL NO. 378

"An Act designating a representative of Chilkat Snowburners, Inc. as an ex officio member of the Alaska Chilkat Bald Eagle Preserve Advisory Council and removing the mayor of the City of Haines as an ex officio member of the council."

with the:	Journal Page
CRA RPT CS(CRA) NT 2DP 4NR 1AM	2487
FN1: ZERO(DNR)	2488
RES RPT CS(RES) NT 7DP	3222
FN1: ZERO(DNR)	3223

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. 378(RES)

"An Act providing for selection of a member of the Haines Borough Assembly to serve as an ex officio member of the Alaska Chilkat Bald Eagle Preserve Advisory Council and removing the mayor of the City of Haines as an ex officio member of the council."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 378(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 378(RES) was read the third time.

The question being: "Shall CSHB 378(RES) pass the House?" The roll was taken with the following result:

CSHB 378(RES)

Third Reading

Final Passage

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

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

Excused: Croft, Elkins

Absent: Holm, Moses

And so, CSHB 378(RES) passed the House and was referred to the Chief Clerk for engrossment.

**HB 384**

The following, which was held from the April 21, 2006, calendar (page 3265), was read the second time:

HOUSE BILL NO. 384

"An Act relating to fines and offenses; amending Rule 8(b), Alaska District Court Rules of Criminal Procedure; and providing for an effective date."

with the:

Journal Page

JUD RPT CS(JUD) NT 4DP 1NR	2587
FN1: ZERO(CRT)	2588
FN2: ZERO(LWF)	2588
FN3: ZERO(LAW)	2588
FIN RPT CS(JUD) NT 2DP 6NR	3033
FN4: INDETERMINATE(GOV/ALL DEPTS)	3034

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. 384(JUD)

"An Act relating to fines for certain offenses involving aeronautics, shipment of animals, alcoholic beverages, boats, fish and game, health care records and public health, medical review organizations, public restroom facilities, smoking, shelter cabins, refrigerators and similar equipment, radiation sources, high voltage lines, child labor, employment in underground mines, marriage licenses, motor vehicles and driver's licenses, ignition interlock devices, pipelines, use of the state seal, and emissions requirements; relating to the maximum fine provided for violations and infractions and to the definition of 'minor offenses'; redesignating certain fish and game misdemeanor offenses as class A misdemeanors; amending Rule 8(b), Alaska District Court Rules of Criminal Procedure; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 384(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 384(JUD) will advance to third reading on tomorrow's calendar.

**HB 399**

The following was read the second time:

HOUSE BILL NO. 399

"An Act establishing the office of elder fraud and assistance; and relating to fraud involving older Alaskans."

with the:

Journal Page

STA RPT 1DP 1NR 3AM	2459
FN1: ZERO(HSS) RECEIVED	2654
FIN RPT CS(FIN) 6DP 3NR	3223
FN1: ZERO(HSS)	3223
FN2: ZERO(LAW)	3223

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FN3: ZERO(DPS)	3223
FN4: (H.FIN/ADM)	3223

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. 399(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 399(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 399(FIN) was read the third time.

The question being: "Shall CSHB 399(FIN) pass the House?" The roll was taken with the following result:

CSHB 399(FIN)  
Third Reading  
Final Passage

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

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

Excused: Croft, Elkins

Absent: Foster, Moses

And so, CSHB 399(FIN) passed the House and was referred to the Chief Clerk for engrossment.

**HB 426**

The following, which was held from the April 21, 2006, calendar (page 3271), was read the second time:



## HOUSE BILL NO. 426

"An Act relating to medical assistance eligibility and coverage for persons under 21 years of age."

with the:	Journal Page
HES RPT CS(HES) NT 3DP 1NR	3105
FN1: ZERO(HSS)	3105
FN2: (HSS)	3105
FN3: (HSS)	3105
FN4: (HSS)	3105
FN5: (HSS)	3105
FIN RPT CS(FIN) NT 4DP 4NR	3199
FN1: ZERO(HSS)	3199
FN2: (HSS)	3199
FN3: (HSS)	3199
FN4: (HSS)	3199
FN5: (HSS)	3199

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. 426(FIN)

"An Act relating to cooperation of insurers with the Department of Health and Social Services; relating to subrogation, assignment, and lien rights and notices for medical assistance claims; relating to recovery of medical assistance overpayments; relating to asset transfers by medical assistance applicants; relating to medical assistance eligibility; relating to home and community-based services; relating to medical assistance coverage for persons under 21 years of age; requiring a report by the Department of Health and Social Services; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

Amendment No. 2 (title amendment) was offered by Representative Gara:

Page 1, line 4:

Following "**transfers**":

Insert "**and income diversion**"

Delete "**relating to medical assistance eligibility;**"

Insert "**relating to assets and Medicare enrollment as they affect medical assistance coverage;**"

Page 1, line 5:

Delete "**coverage**"

Insert "**applications**"

Representative Gara moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 2 was adopted, and the new title follows:

CS FOR HOUSE BILL NO. 426(FIN)(title am)

"An Act relating to cooperation of insurers with the Department of Health and Social Services; relating to subrogation, assignment, and lien rights and notices for medical assistance claims; relating to recovery of medical assistance overpayments; relating to asset transfers and income diversion by medical assistance applicants; relating to assets and Medicare enrollment as they affect medical assistance coverage; relating to home and community-based services; relating to medical assistance applications for persons under 21 years of age; requiring a report by the Department of Health and Social Services; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that CSHB 426(FIN)(title am) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 426(FIN)(title am) was read the third time.

The question being: "Shall CSHB 426(FIN)(title am) pass the House?" The roll was taken with the following result:

CSHB 426(FIN)(title am)  
Third Reading  
Final Passage

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

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

Excused: Croft, Elkins

Absent: Anderson, McGuire, Moses

And so, CSHB 426(FIN)(title 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 426(FIN)(title am) was referred to the Chief Clerk for engrossment.

**HB 475**

The following was read the second time:

HOUSE BILL NO. 475

"An Act describing contributions to the health reimbursement arrangement plan for certain teachers and public employees; clarifying eligibility for membership in that health reimbursement arrangement plan; relating to the 'administrator' of the Public Employees' Retirement System of Alaska; and providing for an effective date."

with the:

Journal Page

STA RPT CS(STA) NT 1DP 3NR 3AM	2791
FN1: ZERO(ADM)	2793
FIN RPT CS(FIN) NT 1DP 6NR 3AM	3224
FN2: ZERO(ADM)	3225

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. 475(FIN)

"An Act relating to the supplemental employee benefit program; relating to teachers' and public employees' defined benefit retirement plans; relating to teachers' and public employees' defined contribution retirement plans; relating to the health reimbursement arrangement plan for certain teachers and public employees; clarifying eligibility for membership in the health reimbursement arrangement plan; relating to waiver of adjustments under the teachers' defined benefit retirement plan and the public employees' defined benefit retirement plan; relating to the administrator of the Public Employees' Retirement System of Alaska; relating to employer contributions for occupational disability and death benefits; repealing participation in the teachers' defined contribution and defined benefit retirement plans by certain employees of the National Education Association of Alaska; relating to requirements for employer minimum contributions to the teachers' and the public employees' defined benefit retirement systems; relating to the public employees' defined benefit deferred compensation program; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 475(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 475(FIN) will advance to third reading on tomorrow's calendar.

**HB 482**

The following was read the second time:

HOUSE BILL NO. 482

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

with the:	Journal Page
EDU RPT CS(EDU) 1DNP 3NR 1AM	2811
FN1: ZERO(LAW)	2811
FN2: (EED)	2811
HES RPT CS(HES) 4DP 1DNP 1AM	3108
FN1: ZERO(LAW)	3109
FN2: (EED)	3109
JUD RPT CS(JUD) 5DP 1NR	3166
FN1: ZERO(LAW)	3166
FN2: (EED)	3166
FIN REFERRAL WAIVED	3274

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. 482(JUD)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 482(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 482(JUD) was read the third time.

The question being: "Shall CSHB 482(JUD) pass the House?" The roll was taken with the following result:

CSHB 482(JUD)  
Third Reading  
Final Passage

**YEAS: 29 NAYS: 7 EXCUSED: 2 ABSENT: 2**

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

Nays: Coghill, Gatto, Holm, Kohring, Lynn, Olson, Stoltze

Excused: Croft, Elkins

Absent: Kelly, Kott

And so, CSHB 482(JUD) passed the House and was referred to the Chief Clerk for engrossment.

### THIRD READING OF HOUSE BILLS

#### HB 273

The following, which was advanced to third reading from the April 21, 2006, calendar (page 3263), was read the third time:

CS FOR HOUSE BILL NO. 273(RLS) am

"An Act relating to the dividends of certain individuals claiming allowable absences; and providing for an effective date."

Representative Lynn moved and asked unanimous consent that CSHB 273(RLS) am 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 Representative Lynn:

Page 4, line 4, following "paid":

Insert ", together with interest,"

Page 4, line 6, following "(10) - (13).":

Insert "The department shall adopt regulations under AS 44.62 (Administrative Procedure Act) that establish a reasonable rate of interest for a dividend that is paid on a delayed basis under this section."

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

Representative Weyhrauch objected.

Representative Lynn placed a call of the House on the bill and lifted the call.

The Speaker stated that, without objection, the House would recess to 5:00 p.m.; and so, the House recessed at 1:24 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 5:16 p.m.

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

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

(continued)

##### **HB 273**

The Speaker stated that, without objection, CSHB 273(RLS) am with Amendment No. 1 pending would be returned to the Rules Committee.

##### **HB 414**

The following, which was advanced to third reading from the April 21, 2006, calendar (page 3266), was read the third time:

##### **CS FOR HOUSE BILL NO. 414(RLS)**

"An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent to an order authorizing law enforcement to intercept the private communications of the minor."

Representative Gruenberg moved and asked unanimous consent that CSHB 414(RLS) 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 Gruenberg and Kott:

Page 1, lines 1 - 3 (title amendment):

Delete all material and insert:

**""An Act relating to the interception of the private communications of a minor.""**

Page 1, line 5:

Delete "a new subsection"

Insert "new subsections"

Page 1, line 9, following "determines,":

Insert "after making appropriate findings of fact and"

Page 1, lines 10 - 11:

Delete ", which may be based upon a finding that"

Insert "to believe that

(1) a party to the private communication

(A) has committed, is committing, or is about to commit a felony or misdemeanor;

(B) has been, is, or is about to be a victim of a felony or misdemeanor; or

(C) has been, is, or is about to be a witness to a felony or misdemeanor;

(2) the health or safety of a minor is in danger; or

(3)"

Page 1, lines 13 - 14:

Delete "In this subsection"

Insert "(c) In (b) of this section"

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. 414(RLS) am  
"An Act relating to the interception of the private communications of a minor."

The question being: "Shall CSHB 414(RLS) am pass the House?"  
The roll was taken with the following result:

CSHB 414(RLS) am  
Third Reading  
Final Passage

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

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

Excused: Croft, Elkins, Ramras

Absent: McGuire

And so, CSHB 414(RLS) am passed the House and was referred to the Chief Clerk for engrossment.

### **HOUSE BILLS IN THIRD READING**

#### **HB 467**

The following, which was held in third reading from the April 21, 2006, calendar (page 3271), was again before the House:

CS FOR HOUSE BILL NO. 467(HES)  
"An Act relating to the administration of prescribed remedies and dietary supplements by a nurse."

Representative Gara moved and asked unanimous consent that CSHB 467(HES) 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 Kelly and Gara:

Page 1, line 6:

Delete "The board shall establish standards in regulation that authorize a"

Insert "A"

Page 1, line 7:

Delete "to"

Insert "may, but shall not be required to,"

Page 1, line 9:

Delete "The standards must"

Insert "The board shall adopt regulations that"

Representative Gara 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.

The question being: "Shall CSHB 467(HES) am pass the House?"  
The roll was taken with the following result:

CSHB 467(HES) am

Third Reading

Final Passage

**YEAS: 29 NAYS: 7 EXCUSED: 3 ABSENT: 1**

Yeas: Anderson, Chenault, Cissna, Coghill, Crawford, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Samuels, Seaton, Thomas

Nays: Berkowitz, Dahlstrom, Gardner, Guttenberg, Kapsner, Stoltze, Wilson

Excused: Croft, Elkins, Ramras

Absent: Weyhrauch

And so, CSHB 467(HES) am passed the House and was referred to the Chief Clerk for engrossment.

### 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 - Akihiro and Yoshiko Aoki

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

Honoring - Barbara Brink

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

Honoring - The Anchorage International Film Festival

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

### UNFINISHED BUSINESS

#### HB 350

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 350

"An Act relating to enforcement of insurance unfair claim settlement practices by a person affected by a violation; permitting

penalties for a single-act unfair claim settlement practice; and providing for an effective date."

HB 350 is in the Judiciary Committee.

**HCR 4**

Representatives Gara, LeDoux, Holm, McGuire, and Dahlstrom added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 4

Encouraging the establishment of a methamphetamine watch program.

**HB 190**

Representatives Meyer, Kerttula, Gara, LeDoux, Kelly, Berkowitz, Gardner, Wilson, Dahlstrom, Anderson, Seaton, Samuels, and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 190(FIN)

"An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; 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 and relating to fees for the marked license; and requiring the surrender and cancellation of driver's licenses under certain circumstances."

**HB 399**

Representatives Neuman, Gara, Seaton, Gardner, and Anderson added their names as cosponsors to:

CS FOR HOUSE BILL NO. 399(FIN)

"An Act establishing the office of elder fraud and assistance; and relating to fraud involving older Alaskans."

**HB 426**

Representative Gardner added her name as cosponsor to:

CS FOR HOUSE BILL NO. 426(FIN)(title am)

"An Act relating to cooperation of insurers with the Department of Health and Social Services; relating to subrogation, assignment, and lien rights and notices for medical assistance claims; relating to recovery of medical assistance overpayments; relating to asset transfers and income diversion by medical assistance applicants; relating to assets and Medicare enrollment as they affect medical assistance coverage; relating to home and community-based services; relating to medical assistance applications for persons under 21 years of age; requiring a report by the Department of Health and Social Services; and providing for an effective date."

**HB 431**

Representative Thomas added his name as cosponsor to:

HOUSE BILL NO. 431

"An Act relating to sales of wine by a winery licensee."

**HB 482**

Representative LeDoux added her name as cosponsor to:

CS FOR HOUSE BILL NO. 482(JUD)

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

**SB 12**

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

CS FOR SENATE BILL NO. 12(STA)

"An Act relating to financial relationships with persons conducting business in or having headquarters in countries that support or ignore slavery and trafficking in persons."

**SB 249**

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

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

**SB 273**

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

SENATE BILL NO. 273

"An Act relating to a motor vehicle dealer's selling or offering to sell motor vehicles as new or current models or as new or current model motor vehicles having manufacturer's warranties."

**ENGROSSMENT****HB 190**

CSHB 190(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 304**

CSHB 304(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 378**

CSHB 378(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 399**

CSHB 399(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 414**

CSHB 414(RLS) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 426**

CSHB 426(FIN)(title am) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 467**

CSHB 467(HES) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 482**

CSHB 482(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 24, 2006. Submit written notice of a meeting by 4:00 p.m. to the Chief Clerk's office for publication in the next day's committee schedule.

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., April 25, 2006. There being no objection, the House adjourned at 5:48 p.m.

Suzi Lowell  
Chief Clerk