

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Tuesday

April 25, 2006

One Hundred Seventh Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:04 a.m.

Roll call showed 40 members present.

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

Yom HaShoah or Holocaust Remembrance Day takes place on the 27th day of Nisan in the Hebrew calendar, which this year is April 25th. It is held every year in remembrance of the approximately six million Jews who were killed in the Holocaust. In all Jewish services the prayer for those who have passed away is read. This prayer is called the Mourner's Kaddish. I will say the prayer in Hebrew.

Yeetgadal v' yeetkadesh sh'mey rabbah

May His great Name grow exalted and sanctified.

B'almah dee v'rah kheer'utey

in the world that He created as He willed.

v' yamleekh malkhutei, b'chahyeykhohn, uv' yohmeykhohn,

May He give reign to His kingship in your lifetimes and in your days,

uv'chahyei d'chohl beyt yisrael,

and in the lifetimes of the entire Family of Israel,

ba'agalah u'veez'man kareev, v'eemru: Amein.

swiftly and soon. Now respond: Amen.

Y'hey sh'met rabbah m'varach l'alam u'l'almey almahyah
 May His great Name be blessed forever and ever.
Y'hey sh'met rabbah m'varach l'alam u'l'almey almahyah.
 May His great Name be blessed forever and ever.
Yeet'barakh, v' yeesh'tabach, v' yeetpa'ar, v' yeetrohmam, v'
yeet'nasei,
 Blessed, praised, glorified, exalted, extolled,
v' yeet'hadar, v' yeet'aleh, v' yeet'halal sh'mey d'kudshah b'reekh
hoo
 mighty, upraised, and lauded be the Name of the Holy One,
 Blessed is He
L'eylah meen kohl beerkhatah v'sheeratah,
 beyond any blessing and song,
toosh'b'chatah v'nechematah, da'ameeran b'al'mah, v'eemru:
Amein
 praise and consolation that are uttered in the world. Now respond:
 Amen.
Y'hei shlamah rabbah meen sh'mahyah, v'chahyeem
 May there be abundant peace from Heaven, and life
aleynu v'al kohl yisrael, v'eemru: Amein
 upon us and upon all Israel. Now respond: Amen.
Oseh shalom beem'roh'mahv, hoo ya'aseh shalom,
 He Who makes peace in His heights, may He make peace,
aleynu v'al kohl yisrael v'eemru: Amein
 upon us and upon all Israel. Now respond: Amen.

The Pledge of Allegiance was led by Representative Gruenberg.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 106th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 365

A message dated April 24, 2006, was read stating the Senate has failed to recede from its amendment to:

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

"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."

namely:

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

The President appointed members to a Conference Committee to meet with a like committee from the House to consider the bills (page 3287).

The House members of the Conference Committee are Representatives Chenault (Chair), Meyer, and Joule (page 3288).

HB 366

A message dated April 24, 2006, was read stating the Senate has failed to recede from its amendment to:

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."

namely:

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

The President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Wilken, Chair
Senator Green
Senator Hoffman

The House members of the Conference Committee are Representatives Chenault (Chair), Meyer, and Joule (page 3289).

REPORTS OF STANDING COMMITTEES

SB 12

The Judiciary Committee has considered:

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."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 12(STA)

"An Act relating to procurement from a person conducting business in or having headquarters in countries that support or ignore slavery and trafficking in persons."

(HCR 43 - title change resolution)

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

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

Amend (1): Gara

The following fiscal note(s) apply to HCS CSSB 12(STA):

3. Zero, Dept. of Administration
4. Zero, Legislative Agency

CSSB 12(STA) was referred to the Rules Committee for placement on the calendar.

SB 249

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

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

Do pass (7): Gara, Coghill, Kott, Wilson, Anderson, Gruenberg, McGuire

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Alaska Court System

CSSB 249(JUD) was referred to the Rules Committee for placement on the calendar.

SB 273

The Judiciary Committee has considered:

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."

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

Do pass (4): Wilson, Anderson, Kott, McGuire

No recommendation (1): Coghill

Amend (2): Gara, Gruenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

SB 273 was referred to the Rules Committee for placement on the calendar.

SB 289

The Labor & Commerce Committee has considered:

CS FOR SENATE BILL NO. 289(FIN)

"An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to mental health benefits under a health care insurance plan, to the definitions of 'title insurance limited producer' and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; and providing for an effective date."

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

Do pass (3): Kott, Rokeberg, Anderson

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

The following fiscal note(s) apply:

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

CSSB 289(FIN) was referred to the Finance Committee.

SB 308

The Finance Committee has considered:

SENATE BILL NO. 308

"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."

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

Do pass (4): Hawker, Holm, Foster, Meyer

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

The following fiscal note(s) apply:

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

SB 308 was referred to the Rules Committee for placement on the calendar.

SB 310

The Labor & Commerce Committee has considered:

SENATE BILL NO. 310

"An Act relating to the employment of prisoners; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR SENATE BILL NO. 310(STA)
(same title)

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

Do pass (1): Anderson

No recommendation (6): Crawford, Lynn, Guttenberg, LeDoux, Kott, Rokeberg

The following fiscal note(s) apply to HCS SB 310(STA):

1. Zero, Dept. of Labor & Workforce Development
2. Fiscal, Dept. of Corrections

SB 310 was referred to the Finance Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 431

The following was read the second time:

HOUSE BILL NO. 431

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

with the:	Journal Page
L&C RPT CS(L&C) 5DP	3105
FN1: INDETERMINATE(DPS)	3106
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. 431(L&C)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 431(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 431(L&C) was read the third time.

Representative Thomas moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Thomas was required to vote.

The question being: "Shall CSHB 431(L&C) pass the House?" The roll was taken with the following result:

CSHB 431(L&C)

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: McGuire

And so, CSHB 431(L&C) passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 304

The following was read the second time:

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."

with the:

Journal Page

TRA RPT HCS(TRA) NT 3DP 1NR	3068
FN1: ZERO(DOT)	3069
FIN RPT HCS(TRA) NT 2DP 5NR	3292
FN2: ZERO(H.FIN/DOT)	3292

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

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)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS SB 304(TRA) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HCS SB 304(TRA) will advance to third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS

HB 266

The following, which was on the February 10, 2006, calendar and returned to the Finance Committee (page 2492), was read the third time:

CS FOR HOUSE BILL NO. 266(TRA)

"An Act relating to offenses and penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that CSHB 266(TRA) be returned to second reading for the specific purpose of rescinding previous action in adopting the Transportation Committee Substitute. There being no objection, it was so ordered.

Representative Coghill moved that the House rescind previous action in adopting CSHB 266(TRA) (page 2470).

The question being: "Shall the House rescind previous action in adopting CSHB 266(TRA)?" The roll was taken with the following result:

CSHB 266(TRA)
Second Reading
Rescind Previous Action

YEAS: 26 NAYS: 10 EXCUSED: 0 ABSENT: 4

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Joule, Kelly, Kohring, Kott, LeDoux, Lynn, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Guttenberg, Kapsner, Kerttula, Salmon

Absent: Gruenberg, Holm, McGuire, Seaton

And so, the motion passed.

Representative Coghill moved and asked unanimous consent that the motion to adopt CSHB 266(TRA) be withdrawn. There being no objection, the following was before the House in third reading:

HOUSE BILL NO. 266

"An Act relating to offenses and penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that HB 266 be returned to second reading for the specific purpose of adopting the Finance Committee Substitute (pages 2361 and 2886). There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 266(FIN) be adopted in lieu of the original bill.

There being no objection, the following was adopted:

CS FOR HOUSE BILL NO. 266(FIN)

"An Act relating to penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

CSHB 266(FIN) was automatically in third reading.

The question being: "Shall CSHB 266(FIN) pass the House?" The roll was taken with the following result:

CSHB 266(FIN)

Third Reading

Final Passage

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

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

Nays: Holm, Kohring, Salmon

Absent: Gruenberg, McGuire

And so, CSHB 266(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.

CSHB 266(FIN) was referred to the Chief Clerk for engrossment.

HB 384

The following, which was advanced to third reading from the April 24, 2006, calendar (page 3299), was read the third time:

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."

Representative Berkowitz moved and asked unanimous consent that CSHB 384(JUD) 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 Berkowitz:

Insert a new bill section to read:

"* **Sec. _.** Any contract relating to a common carrier gas pipeline shall have mandatory fines for failure to perform."

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

Representative Anderson objected.

Amendment to Amendment No. 1 was offered by Representative Croft:

Delete "common carrier"

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

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

CSHB 384(JUD)

Second Reading

Amendment No. 1 as amended

YEAS: 18 NAYS: 20 EXCUSED: 0 ABSENT: 2

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kerttula, Moses, Salmon, Weyhrauch, Wilson

Nays: Anderson, Chenault, Coghill, Foster, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Seaton, Stoltze, Thomas

Absent: Gatto, Samuels

And so, Amendment No. 1 as amended was not adopted.

The question being: "Shall CSHB 384(JUD) pass the House?" The roll was taken with the following result:

CSHB 384(JUD)

Third Reading

Final Passage

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

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

Nays: Kohring

Absent: Gatto, Samuels

And so, CSHB 384(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.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

CSHB 384(JUD) was referred to the Chief Clerk for engrossment.

HB 475

The following, which was advanced to third reading from the April 24, 2006, calendar (page 3304), was read the third time:

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."

Representative Hawker moved and asked unanimous consent that CSHB 474(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 Representative Hawker:

Page 2, line 2, following "**program**;" (title amendment):

Insert "**providing for an effective date by amending sec. 148, ch. 9, FSSLA 2005, which contains an effective date;**"

Page 2, following line 3:

Insert new bill sections to read:

"* **Section 1.** AS 14.25.009 is amended to read:

Sec. 14.25.009. Applicability of AS 14.25.009 - 14.25.220.

The provisions of AS 14.25.009 - 14.25.220 apply only to members first hired before July 1, 2007 [2006].

* **Sec. 2.** AS 14.25.012(c) is amended to read:

(c) Employees first hired after June 30, 2007 [2006], are not eligible to participate in the plan established in AS 14.25.009 - 14.25.220."

Page 2, line 4:

Delete "**Section 1**"

Insert "**Sec. 3**"

Renumber the following bill sections accordingly.

Page 3, following line 12:

Insert a new bill section to read:

"* **Sec. 7.** AS 14.25.310, as enacted by sec. 35, ch. 9, FSSLA 2005, is amended to read:

Sec. 14.25.310. Applicability of AS 14.25.310 - 14.25.590.

The provisions of AS 14.25.310 - 14.25.590 apply only to teachers who first become members on or after July 1, 2007 [2006], or to members who transfer into the defined contribution plan under AS 14.25.540."

Renumber the following bill sections accordingly.

Page 3, lines 14 - 18:

Delete all material and insert:

"(b) The defined contribution retirement plan includes a plan in which savings are accumulated in an individual account for the exclusive benefit of the member or beneficiaries, and certain

fixed occupational death and disability benefits are paid. The plan is established effective July 1, **2007** [2006], at which time contributions by employers and members begin."

Page 3, following line 23:

Insert a new bill section to read:

"* **Sec. 10.** AS 14.25.330(a), as enacted by sec. 35, ch. 9, FSSLA 2005, is amended to read:

(a) A teacher who first becomes a member on or after July 1, **2007** [2006], shall participate in the plan as a member of the defined contribution retirement plan."

Renumber the following bill sections accordingly.

Page 4, following line 1:

Insert a new bill section to read:

"* **Sec. 12.** AS 14.25.350(c), as enacted by sec. 35, ch. 9, FSSLA 2005, is amended to read:

(c) Notwithstanding (b) of this section, the employer contribution for retiree major medical insurance for fiscal year **2008** [2007] shall be 1.75 percent of each member's compensation from July 1 to the following June 30."

Renumber the following bill sections accordingly.

Page 14, following line 29:

Insert new bill sections to read:

"* **Sec. 37.** AS 39.30.300, as enacted by sec. 80, ch. 9, FSSLA 2005, is amended to read:

Sec. 39.30.300. State of Alaska Teachers' and Public Employees' Retiree Health Reimbursement Arrangement Plan established. The State of Alaska Teachers' and Public Employees' Retiree Health Reimbursement Arrangement Plan is established for teachers who first become members of the defined contribution plan of the teachers' retirement system under AS 14.25.310 - 14.25.590 on or after July 1, **2007** [2006], and employees of the state, political subdivisions of the state, and public organizations of the state who first become members of the defined contribution plan of the public employees' retirement system under AS 39.35.700 - 39.35.990 on or after July 1, **2007** [2006].

* **Sec. 38.** AS 39.30.310(b), as enacted by sec. 80, ch. 9, FSSLA 2005, is amended to read:

(b) The plan becomes effective July 1, 2007 [2006], at which time contributions by employers begin."

Renumber the following bill sections accordingly.

Page 15, following line 29:

Insert a new bill section to read:

"* **Sec. 43.** AS 39.35.095 is amended to read:

Sec. 39.35.095. Applicability of AS 39.35.095 - 39.35.680.

The following provisions of this chapter apply only to members first hired before July 1, 2007 [2006]: AS 39.35.095 - 39.35.680."

Renumber the following bill sections accordingly.

Page 18, following line 13:

Insert a new bill section to read:

"* **Sec. 51.** AS 39.35.700, as enacted by sec. 122, ch. 9, FSSLA 2005, is amended to read:

Sec. 39.35.700. Applicability of AS 39.35.700 - 39.35.990.

The provisions of AS 39.35.700 - 39.35.990 apply only to members first hired on or after July 1, 2007 [2006], or to members who transfer into the defined contribution plan under AS 39.35.940."

Renumber the following bill sections accordingly.

Page 18, lines 15 - 20:

Delete all material and insert:

"(b) The defined contribution retirement plan includes [IS] a plan in which savings are accumulated in an individual retirement account for the exclusive benefit of the member or beneficiaries, certain fixed occupational death and disability benefits are paid, and certain fixed retirement and survivor benefits for peace officers and fire fighters are paid. The plan is established effective July 1, 2007 [2006], at which time contributions by employers and members begin."

Page 18, following line 28:

Insert a new bill section to read:

"* **Sec. 54.** AS 39.35.720, as enacted by sec. 122, ch. 9, FSSLA 2005, is amended to read:

Sec. 39.35.720. Membership. An employee who becomes a member on or after July 1, 2007 [2006], shall participate in the plan set out in AS 39.35.700 - 39.35.990."

Renumber the following bill sections accordingly.

Page 19, following line 6:

Insert a new bill section to read:

"* **Sec. 56.** AS 39.35.750(c), as enacted by sec. 122, ch. 9, FSSLA 2005, is amended to read:

(c) Notwithstanding (b) of this section, the employer contribution for retiree major medical insurance for fiscal year 2008 [2007] shall be 1.75 percent of each member's compensation from July 1 to the following June 30."

Renumber the following bill sections accordingly.

Page 33, lines 15 - 16:

Delete all material and insert:

"* **Sec. 85.** AS 14.25.045 and AS 39.35.050(a) are repealed.

* **Sec. 86.** AS 14.25.570, as enacted by sec. 35, ch. 9, FSSLA 2005, is repealed.

* **Sec. 87.** AS 14.25.070(b) and AS 39.35.270(b) are repealed."

Renumber the following bill sections accordingly.

Page 33, line 17:

Delete "2010"

Insert "2011"

Page 33, line 23:

Delete "sec. 8"

Insert "sec. 13"

Page 33, line 30:

Delete "Section 75"

Insert "Section 87"

Page 33, line 31 through Page 34, line 3:

Delete all material and insert:

"* **Sec. 91.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL RETROACTIVITY. If, under sec. 95 of this Act, secs. 1, 2, 7, 8, 10, 12, 37, 38, 43, 51, 52, 54, 56, and 91 of this Act take effect after June 30, 2006, secs. 1, 2, 7, 8, 10, 12, 37, 38, 43, 51, 52, 54, 56, and 91 of this Act are retroactive to June 30, 2006.

* **Sec. 92.** Section 148, ch. 9, FSSLA 2005, is amended to read:

Sec. 148. Sections 2, 8, 35, 40, 46, 61, 69, 80, 82, 122, and 134 of this Act take effect July 1, 2007 [2006].

* **Sec. 93.** Sections 5 and 46 of this Act take effect July 1, 2009.

* **Sec. 94.** Sections 6, 47, and 48 of this Act take effect July 1, 2011.

* **Sec. 95.** Except as provided in secs. 93 and 94 of this Act, this Act takes effect immediately under AS 01.10.070(c)."

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

Representative Seaton objected.

Representative Hawker placed a call of the House on the bill.

The call was satisfied.

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

CSHB 475(FIN)

Second Reading

Amendment No. 1

YEAS: 24 NAYS: 16 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Moses, Neuman, Salmon

Nays: Chenault, Coghill, Elkins, Foster, Gatto, Kelly, Meyer, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, Amendment No. 1 was adopted, and the new title follows:

CS FOR HOUSE BILL NO. 475(FIN) am

"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; providing for an effective date by amending sec. 148, ch. 9, FSSLA 2005, which contains an effective date; and providing for an effective date."

The question being: "Shall CSHB 475(FIN) am pass the House?" The roll was taken with the following result:

CSHB 475(FIN) am

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, CSHB 475(FIN) am passed the House.

Representative Coghill moved the effective date clauses.

The question being: "Shall the effective date clauses be adopted?"
The roll was taken with the following result:

CSHB 475(FIN) am
Third Reading
Effective Dates

YEAS: 34 NAYS: 6 EXCUSED: 0 ABSENT: 0

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

Nays: Chenault, Coghill, Kelly, Olson, Seaton, Wilson

And so, the effective date clauses were adopted.

CSHB 475(FIN) am was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONS

HCR 4

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 4

Encouraging the establishment of a methamphetamine watch program.

with the:

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STA RPT 7DP	614
FN1: ZERO(H.STA)	614
JUD RPT CS(JUD) 6DP	3244
FN2: ZERO(HSS)	3245

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

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(JUD)
(same title)

There being no objection, it was so ordered.

The question being: "Shall CSHCR 4(JUD) pass the House?" The roll was taken with the following result:

CSHCR 4(JUD)
Second Reading
Final Passage

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

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, 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, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Chenault, Kohring

And so, CSHCR 4(JUD) passed the House and was referred to the Chief Clerk for engrossment.

HCR 41

The Speaker stated that, without objection, the following would be held to tomorrow's calendar:

HOUSE CONCURRENT RESOLUTION NO. 41
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.

UNFINISHED BUSINESS

HCR 4

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

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(JUD)
Encouraging the establishment of a methamphetamine watch program.

HB 322

Representative Neuman added his name as cosponsor to:

HOUSE BILL NO. 322
"An Act relating to infants who are safely surrendered by a parent shortly after birth."

HB 386

Representatives Holm, Foster, and Kelly added their names as cosponsors to:

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."

HB 431

Representative Guttenberg added his name as cosponsor to:

CS FOR HOUSE BILL NO. 431(L&C)
"An Act relating to sales of wine by a winery licensee."

SB 54

Representative Neuman added his name as cross sponsor 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."

ENGROSSMENT

HCR 4

CSHCR 4(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 266

CSHB 266(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 384

CSHB 384(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 431

CSHB 431(L&C) 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.

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 26, 2006. There being no objection, the House adjourned at 11:29 a.m.

Suzi Lowell
Chief Clerk