

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Wednesday

February 28, 2007

Forty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:08 a.m.

Roll call showed 29 members present. Representatives Dahlstrom, Edgmon, Gara, Holmes, Johnson, LeDoux, Ramras, Seaton, and Wilson were absent and their presence was noted later.

Representative Samuels moved and asked unanimous consent that Representative Nelson's excused absence (page 295) be extended to noon, today. There being no objection, she was excused and her presence was noted later.

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

The invocation was offered by the Chaplain, the Reverend George Silides of Holy Trinity Episcopal Church. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With deepest respect for the religious beliefs of all Alaskans, I offer the following prayer.

Dear God of Love and Mercy, we thank you for our creation, preservation, and all the blessings of this life. We thank you for this House here gathered and for the gifts of reason, charity, justice, and vision offered by them to the people of

this state. We thank you also for the gift of our democratic process, for the protection and opportunity it affords each citizen of this state. We ask you pour generously your own wisdom upon those servants elected and appointed to fulfill the duties of judge and justice in the courts of our state. May guilt and innocence be rightly discovered, and reputations rightly guarded, and creative means of reconciliation brought to bear.

We remember before you, O Lord, this day the very poor, the mentally ill, the addict, the elderly, and the helpless young. We give thanks for each and every one and for all who turn their hearts and minds and gifts of time and money to their care. We rejoice in the beauty of this day; may our walk in it reflect that beauty in both word and deed. In thanksgiving and expectation we pray. Amen.

The Pledge of Allegiance was led by Representative Gruenberg.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 42nd and 43rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HJR 8

A message dated February 26, 2007, was read stating the Senate passed:

CS FOR HOUSE JOINT RESOLUTION NO. 8(L&C) am
Opposing the enactment by the Washington State Legislature of a bill proposing to impose a fee on the processing of shipping containers in the State of Washington because of the negative impact of the fee on the people and the economy of this state.

CSHJR 8(L&C) am was referred to the Chief Clerk for enrollment.

HB 21

A message dated February 26, 2007, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 21(STA)

"An Act relating to the state flag; and relating to the proper retirement of an official state flag."

CSHB 21(STA) was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

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

Mr. Richard A. Rohrer
Mr. Leif Wilson

as members of the Big Game Commercial Services Board.

Mr. Robert Bell
Mr. Ben Grussendorf

as members of the Board of Game.

The report was signed by Representatives Gatto and Johnson, Co-chairs, and Representatives Kawasaki, Kohring, Edgmon, Guttenberg, Roses, Wilson, Seaton.

HCR 3

The Health, Education & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 3

Relating to proclaiming April of 2007 as Sexual Assault Awareness Month.

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

Do pass (7): Cissna, Neuman, Fairclough, Gardner, Seaton, Roses, Wilson

HCR 3 was referred to the Rules Committee for placement on the calendar.

HB 102

The Judiciary Committee considered:

HOUSE BILL NO. 102

"An Act relating to vacating lanes or slowing down for certain vehicles stopped along the side of a road."

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

Do pass (6): Gruenberg, Lynn, Dahlstrom, Samuels, Holmes, Ramras

The following fiscal note(s) apply:

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

HB 102 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Ramras was noted.

INTRODUCTION OF CITATIONS

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

Honoring - The Juneau Raptor Center's 20th Anniversary
By Representative Doll

Honoring - Miss Ethyl Peasgood on Her 100th Birthday
By Senator Thomas

In Memoriam - Gordon Wright
By Senator Thomas

**The presence of Representative Gara was noted.

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

HJR 11

HOUSE JOINT RESOLUTION NO. 11 by Representatives Roses, Buch, and Gruenberg:

Relating to the increased authority granted to the President of the United States to federalize the National Guard of the individual states without the consent of the governors; and urging the United States Congress to take action to restore the sovereignty of the individual states to regulate and command the National Guard of the states.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee.

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

HB 140

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 140 by Representatives Gara, Buch, Kawasaki, Doll, Gardner, and Gruenberg, entitled:

"An Act expanding medical assistance coverage for eligible children and pregnant women; relating to the poverty guideline and cost sharing for certain recipients of medical assistance; and providing for an effective date."

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

HB 157

HOUSE BILL NO. 157 by Representative Ramras, entitled:

"An Act relating to charter school funding."

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

**The presence of Representative Dahlstrom was noted.

HB 158

HOUSE BILL NO. 158 by Representatives Roses and Gruenberg, entitled:

"An Act providing for the licensing and regulation of private investigators and private investigator agencies; and providing for an effective date."

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

HB 159

HOUSE BILL NO. 159 by Representatives Gatto and Lynn, entitled:

"An Act relating to the issuance of a certificate of birth resulting in a stillbirth."

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

HB 160

HOUSE BILL NO. 160 by Representative Hawker, entitled:

"An Act relating to the operation of the public school trust fund and the Alaska children's trust, and making a conforming amendment relating to the commissioner of revenue's power and duty to manage investments for the Alaska heritage endowment fund; and providing for an effective date."

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

HB 161

HOUSE BILL NO. 161 by Representative LeDoux, entitled:

"An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices."

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

HB 162

HOUSE BILL NO. 162 by Representative Lynn, entitled:

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

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

HB 163

HOUSE BILL NO. 163 by Representative Ramras, entitled:

"An Act relating to real property foreclosures, executions, and deeds of trust."

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

HB 164

HOUSE BILL NO. 164 by the House Transportation Committee, entitled:

"An Act relating to reporting of vessel location by certain commercial passenger vessels operating in the marine waters of the state, to access to vessels by licensed marine engineers for purposes of monitoring compliance with state and federal requirements, and to the obligations of those engineers while aboard the vessels; and providing for an effective date."

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

HB 165

HOUSE BILL NO. 165 by Representative LeDoux, entitled:

"An Act relating to providing field accommodations for big game hunters."

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

HB 166

HOUSE BILL NO. 166 by Representative Thomas, entitled:

"An Act relating to contributions from permanent fund dividends to community foundations, to certain educational organizations, and to certain other charitable organizations that provide a positive youth development program, workforce development, aid to the arts, or aid and services to the elderly, low-income individuals, individuals in emergency situations, disabled individuals, or individuals with mental illness; and providing for an effective date."

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

HB 167

HOUSE BILL NO. 167 by Representatives Johnson, Ramras, Thomas, Coghill, Lynn, Johansen, Wilson, Stoltze, and LeDoux, entitled:

"An Act making special appropriations for a contract with a qualified trade association and for a marketing program; and providing for an effective date."

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

HB 168

HOUSE BILL NO. 168 by the House Transportation Committee, entitled:

"An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities; and providing for an effective date."

was read the first time and referred to the Transportation, Labor & Commerce, and Finance Committees.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE RESOLUTIONS****SCR 2**

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 2

Relating to establishing March 2007 as brain injury awareness month.

with the:

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HES RPT 6DP

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FN1: ZERO(S.HES)

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The question being: "Shall SCR 2 pass the House?" The roll was taken with the following result:

SCR 2

Second Reading

Final Passage

YEAS: 31 NAYS: 0 EXCUSED: 2 ABSENT: 7

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Johansen, Joule, Kawasaki, Kelly, Kerttula, Kohring, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Stoltze, Thomas

Excused: Guttenberg, Nelson

Absent: Edgmon, Hawker, Holmes, Johnson, LeDoux, Seaton, Wilson

And so, SCR 2 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

LEGISLATIVE CITATIONS

Representative Samuels 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 - Jack B. Wilbur, Jr.

By Representatives Kelly, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - Chaplain Jim Stephens

By Representatives Gruenberg, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - Robert Norton

By Representatives Johansen, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Stedman

Honoring - Allen R. Storey

By Senator Dyson; Representatives Dahlstrom, Fairclough, Stoltze, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Thomas, Wilson

In Memoriam - Karl W. Kroon

By Representatives Kohring, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Kenneth Eichner

By Representatives Johansen, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Stedman

In Memoriam - Edgar Earnhart

By Representatives Samuels, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Elba Hinson

By Representatives Gruenberg, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Rosemary Rice

By Representatives Gruenberg, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Ben Ballenger

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Robert N. Durst

By Senator McGuire; Representatives Holmes, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

UNFINISHED BUSINESS

Representative Samuels moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Cissna - from noon, March 2 to evening plane time, March 4

Representative Holmes - from 6:00 a.m., March 1 to evening plane time, March 5

Representative Kawasaki - from 7:00 a.m., March 1 to evening plane time, March 5

Representative Kohring - from noon, March 1 to evening plane time, March 8

Representative Nelson - from 9:00 a.m., March 1 to evening plane time, March 5

Representative Neuman - from 7:00 p.m., March 1 to evening plane time, March 12

Representative Ramras - from 6:00 p.m., March 2 to evening plane time, March 6

Representative Samuels - from 6:00 a.m., March 3 to evening plane time, March 11

Pursuant to AS 24.20.650, the Speaker reappointed Dean Owen as a public member to the Joint Armed Services Committee.

The Speaker stated that the House would stand at ease to allow members of the Senate to enter the Chamber; and so, the House stood at ease at 10:39 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:06 a.m.

**The presence of Representatives Wilson, Johnson, Holmes, LeDoux, Seaton, Edgmon, and Nelson was noted.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Harris turned the gavel over to President Green who called the joint session to order at 11:07 a.m.

The purpose of the joint session was to hear the State of the Judiciary Address by the Honorable Dana Fabe, Chief Justice of the Alaska Supreme Court.

Senator Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Green appointed Representative LeDoux and Senator Thomas to escort the Honorable Dana Fabe to the joint session.

The Senate Sergeant-at-Arms announced the Chief Justice's entrance into the House Chamber.

Chief Justice Fabe was escorted to the rostrum and welcomed by President Green.

The Chief Justice delivered her address and it is published in House and Senate Joint Journal Supplement No. 3.

Chief Justice Fabe received a standing ovation and was escorted from the Chamber by Representative LeDoux and Senator Thomas.

Senator Stevens moved and asked unanimous consent that the joint session adjourn. There being no objection, President Green adjourned the joint session at 11:38 a.m.

IN THE HOUSE

The Speaker called the House back to order at 11:38 a.m.

UNFINISHED BUSINESS**HCR 3**

Representative Neuman added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 3

Relating to proclaiming April of 2007 as Sexual Assault Awareness Month.

HB 2

Representative Harris added his name as cosponsor to:

HOUSE BILL NO. 2

"An Act relating to the vocational education account and appropriations from that account; and providing for an effective date."

HB 35

Representative Buch added his name as cosponsor to:

HOUSE BILL NO. 35

"An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date."

HB 40

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 40

"An Act relating to voluntary land trades, purchases, and leases to enhance public access to certain streams for fishing, hunting, and recreational activities."

HB 45

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 45

"An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries; and establishing the Alaska veterans' cemetery fund in the general fund."

HB 49

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 49

"An Act relating to credit memos, gift certificates, and gift cards, and to unclaimed property; and making a violation of certain gift card prohibitions an unlawful trade practice."

HB 61

Representative Harris added his name as cosponsor to:

HOUSE BILL NO. 61

"An Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes, including vocational education programs and courses at the secondary school level; and providing for an effective date."

HB 88

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 88

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; and providing for an effective date."

HB 127

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 127

"An Act amending the boundaries of the McNeil River State Game Sanctuary."

HB 145

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 145

"An Act relating to sexual assault, sexual abuse of a minor, and online enticement of a minor."

HB 152

Representative Johnson added his name as cosponsor to:

HOUSE BILL NO. 152

"An Act establishing a renewable energy fund and describing its uses and purposes."

SCR 2

Representative Olson added his name as cross sponsor to:

SENATE CONCURRENT RESOLUTION NO. 2

Relating to establishing March 2007 as brain injury awareness month.

ENROLLMENT**HJR 8**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:42 a.m., February 28, 2007:

CS FOR HOUSE JOINT RESOLUTION NO. 8(L&C) am

Opposing the enactment by the Washington State Legislature of a bill proposing to impose a fee on the processing of shipping containers in the State of Washington because of the negative impact of the fee on the people and the economy of this state.

Legislative Resolve No. 1

HB 21

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:42 a.m., February 28, 2007:

CS FOR HOUSE BILL NO. 21(STA)

"An Act relating to the state flag; and relating to the proper retirement of an official state flag."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 1, 2007. There being no objection, the House adjourned at 11:38 a.m.

Suzi Lowell
Chief Clerk