

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Tuesday

March 27, 2007

Seventy-first Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:09 a.m.

Roll call showed 38 members present. Representative Cissna had been excused from a call of the House today. Representative Ramras was absent and his presence was noted later.

The invocation was offered by the Chaplain, Pastor Jesse Perry of Northern Light United Church. Representative LeDoux moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With thanksgiving for all the ways that God inhabits our lives, let us pray.

God of infinite creativity, teach us respect for all that you have made in your world. Your delight in diversity has amazed us all this year; we delight in knowing that every snowflake that fell in the record snowfall you gave us was one-of-a-kind. We rejoice in knowing that each of us is also a unique sign of your compassion for the world.

That we may acknowledge the diversity of your world, may we never succeed in ignoring the true value of everything and everyone you have made. May we never succeed in concealing your beloved diversity behind clever words; may we never succeed in substituting equality for justice; may a majority of us never succeed in oppressing a few; and may we

never succeed in confusing ownership with access – for though you hold the deed to the entire universe, you have granted us your creation as a perpetual trust for the delight and life of us all.

So this day, ever thankful for the diversity within us and around us, we pray in reverent joy. Amen.

The Pledge of Allegiance was led by Representative Johnson.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 70th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 102

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

HOUSE BILL NO. 102

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

HB 102 was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

HJR 9

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 9

Proposing an amendment to the section of the Constitution of the State of Alaska relating to marriage.

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

Do pass (4): Johnson, Johansen, Coghill, Lynn

Do not pass (2): Doll, Gruenberg

No recommendation (1): Roses

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 9 was referred to the Judiciary Committee.

HB 133

The Judiciary Committee considered:

HOUSE BILL NO. 133

"An Act relating to requiring electronic monitoring as a special condition of probation for offenders whose offense was related to a criminal street gang."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 133(JUD)

"An Act relating to requiring electronic monitoring as a special condition of probation or parole for offenders whose offense was related to a criminal street gang."

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

Do pass (5): Gruenberg, Lynn, Coghill, Dahlstrom, Holmes

No recommendation (2): Samuels, Ramras

The following fiscal note(s) apply to CSHB 133(JUD):

1. Zero, Dept. of Law
2. Indeterminate, Dept. of Administration
3. Indeterminate, Dept. of Corrections
4. Indeterminate, Alaska Court System

HB 133 was referred to the Finance Committee.

**The presence of Representative Ramras was noted.

HB 152

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 152

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 152(CRA)

"An Act establishing a renewable energy project account and a renewable energy fund and describing their uses and purposes."

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

Do pass (7): Cissna, Dahlstrom, Neuman, Salmon, Olson, Fairclough, LeDoux

The following fiscal note(s) apply to CSHB 152(CRA):

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

HB 152 was referred to the Finance Committee.

HB 175

The Judiciary Committee considered:

HOUSE BILL NO. 175

"An Act relating to the prohibition of the exercise of the power of eminent domain against a recreational structure for the purposes of developing a recreational facility or project."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 175(JUD)
(same title)

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

Do pass (4): Gruenberg, Lynn, Samuels, Ramras

No recommendation (3): Coghill, Dahlstrom, Holmes

The following fiscal note(s) apply to CSHB 175(JUD):

1. Zero, Dept. of Transportation & Public Facilities

HB 175 was referred to the Finance Committee.

HB 202

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 202

"An Act relating to the community revenue sharing program; and providing for an effective date."

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

Do pass (2): Salmon, LeDoux

No recommendation (4): Neuman, Dahlstrom, Olson, Fairclough

Amend (1): Cissna

The following fiscal note(s) apply:

1. Fiscal, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources

HB 202 was referred to the Finance Committee.

SB 82

The Finance Committee considered:

CS FOR SENATE BILL NO. 82(FIN)

"An Act making supplemental appropriations and other appropriations; amending the lapse dates of certain appropriations; and providing for an effective date."

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

Do pass (5): Hawker, Stoltze, Thomas, Meyer, Chenault

No recommendation (4): Gara, Crawford, Joule, Nelson

CSSB 82(FIN) is on today's calendar.

REPORTS OF SPECIAL COMMITTEES**HB 15**

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 15

"An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 15(FSH)

(same title)

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

Do pass (2): LeDoux, Seaton

No recommendation (3): Johnson, Holmes, Edgmon

Amend (1): Wilson

The following fiscal note(s) apply to CSHB 15(FSH):

1. Zero, Dept. of Fish & Game

HB 15 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Ben Hotch
By Representative Thomas; Senator Kookesh

In Memoriam - Paul "Steve" McCarthy
By Senator Bunde

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 5

HOUSE CONCURRENT RESOLUTION NO. 5 by Representatives Stoltze, Samuels, Meyer, Dahlstrom, Roses, Harris, Edgmon, Hawker, Johnson, Lynn, Wilson, Johansen, and Fairclough:

Supporting the 2007 National Crime Victims' Rights Week.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 223

HOUSE BILL NO. 223 by Representatives Coghill and Gruenberg, entitled:

"An Act relating to property crimes."

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

HB 224

HOUSE BILL NO. 224 by Representatives Nelson, Kerttula, Salmon, Foster, LeDoux, Edgmon, Joule, Gara, Doll, Gruenberg, and Guttenberg, entitled:

"An Act making a special appropriation for a state match of federal funds for the Low Income Heating and Energy Assistance Program; and providing for an effective date."

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

HB 225

HOUSE BILL NO. 225 by Representatives Johnson and Buch, entitled:

"An Act relating to misconduct involving weapons and bail."

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

HB 226

HOUSE BILL NO. 226 by Representative Coghill, entitled:

"An Act repealing the termination of the state training and employment program; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE BILLS****SB 82**

The following was read the second time:

CS FOR SENATE BILL NO. 82(FIN)

"An Act making supplemental appropriations and other appropriations; amending the lapse dates of certain appropriations; and providing for an effective date."

with the:	Journal Page
FIN RPT 5DP 4NR	580

Representative Samuels moved and asked unanimous consent that CSSB 82(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 82(FIN) was read the third time.

The question being: "Shall CSSB 82(FIN) pass the House?" The roll was taken with the following result:

CSSB 82(FIN)
Third Reading
Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Cissna

Absent: Salmon

And so, CSSB 82(FIN) passed the House.

Representative Samuels 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.

CSSB 82(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

THIRD READING OF HOUSE BILLS

HB 95

The following, which was advanced to third reading from the March 26, 2007, calendar (page 567), was read the third time:

CS FOR HOUSE BILL NO. 95(FIN)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

The question being: "Shall CSHB 95(FIN) pass the House?" The roll was taken with the following result:

CSHB 95(FIN)

Third Reading

Final Passage

YEAS: 29 NAYS: 10 EXCUSED: 1 ABSENT: 0

Yeas: Chenault, Coghill, Dahlstrom, Doll, Edgmon, Fairclough, Foster, Gatto, Gruenberg, Harris, Hawker, Johansen, Johnson, Joule, Kelly, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Buch, Crawford, Doogan, Gara, Gardner, Guttenberg, Holmes, Kawasaki, Kerttula, Salmon

Excused: Cissna

And so, CSHB 95(FIN) passed the House.

Representative Samuels 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 Samuels moved that the appropriations in Section 31 from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska) be adopted.

The question being: "Shall the House adopt the appropriations in Section 31 from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska)?" The roll was taken with the following result:

CSHB 95(FIN)

Third Reading

Constitutional Budget Reserve Appropriations

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

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

Nays: Crawford, Doogan

Excused: Cissna

And so, the appropriations from the constitutional budget reserve fund were adopted.

CSHB 95(FIN) was referred to the Chief Clerk for engrossment.

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 - James Atwood 'Jim' Sampson

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

Honoring - Syun-Ichi Akasofu

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

Honoring - Dianne E. Olsen

By Representatives Coghill, Harris, Chenault, Cissna, 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 - Whitestone High School's Drama, Debate, and Forensics Team

By Representatives 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; Senator Green

Honoring - The University of Alaska Fairbanks, Alaska Nanooks Rifle Team

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

Honoring - Craig High School Academic Decathlon Team

By Representatives Thomas, 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, Wilson; Senator Kookesh

In Memoriam - Phillip Jack Stolz

By Representatives Chenault, Olson, Harris, 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, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Wagoner

In Memoriam - Donald James Smith

By Representatives Gatto, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, 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

In Memoriam - Richard Reed Rodekohr

By Representatives Gatto, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, 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

In Memoriam - Margery Anne Smith

By Representatives Gatto, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, 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

In Memoriam - Ellen 'Arlene' Clements

By Representatives Gatto, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, 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

In Memoriam - Vivian Erwin Renshaw

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

In Memoriam - Frances Longley

By Senator Olson; Representatives Foster, 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

In Memoriam - James C. Gay, Jr.

By Senator Davis; Representatives 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

UNFINISHED BUSINESS

HB 13

Representative Fairclough added her name as cosponsor to:

HOUSE BILL NO. 13

"An Act relating to prepayments of accrued actuarial liabilities of government retirement systems; relating to the Alaska Municipal Bond Bank Authority; permitting the Alaska Municipal Bond Bank Authority or a subsidiary of the authority to assist state and municipal governmental employers by issuing bonds, notes, commercial paper, or other obligations to enable the governmental employers to prepay all or a portion of the governmental employers' shares of the unfunded accrued actuarial liabilities of retirement systems; authorizing a governmental employer to issue

obligations to prepay all or a portion of the governmental employer's shares of the unfunded accrued actuarial liabilities of retirement systems and to enter into a lease or other contractual agreement with a trustee or the Alaska Municipal Bond Bank Authority or a subsidiary of the authority in connection with the issuance of obligations for that purpose, and relating to those obligations; and providing for an effective date."

HB 165

Representative Roses added his name as cosponsor to:

HOUSE BILL NO. 165

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

HB 200

Representative Doll added her name as cosponsor to:

HOUSE BILL NO. 200

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations."

HB 211

Representative Fairclough added her name as cosponsor to:

HOUSE BILL NO. 211

"An Act imposing a fee on homeowner's insurance policies issued or renewed in the state; requiring an insurer issuing or renewing a homeowner's insurance policy to collect the fee; and creating a special account in the general fund, allowing money in the fund to be appropriated to the Department of Public Safety for the Alaska Fire Standards Council, and repealing the Alaska fire services personnel fund."

HB 221

Representatives Kerttula, Samuels, Salmon, Wilson, LeDoux, Edgmon, Foster, Joule, Gara, Doll, Gruenberg, Guttentberg, and Crawford added their names as cosponsors to:

HOUSE BILL NO. 221

"An Act establishing a high energy cost offset fund and describing its use."

ENGROSSMENT

HB 95

CSHB 95(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today were changed:

House Special Committee on Military & Veterans' Affairs
CANCELED

House Special Committee on Economic Development, Trade, &
Tourism
CHANGED TO: 5:30 p.m.

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 28, 2007. There being no objection, the House adjourned at 11:35 a.m.

Suzi Lowell
Chief Clerk