

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Tuesday

April 3, 2007

Seventy-eighth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 11:04 a.m.

Roll call showed 39 members present.

Representative Samuels moved and asked unanimous consent that Representative Stoltze's excused absence (page 632) be extended to 3:00 p.m., today. There being no objection, it was so ordered.

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

Our Father in Heaven,

We come before you today as an elected body with the goals and intent of serving our great state to the best of our ability.

We thank you for and value the freedom we enjoy. We ask for thy blessings on the men and women serving in our military today. We ask for thy blessings on the families left behind.

We thank you for the beauties of this earth and our great state and ask for thy guidance as we work on legislation and issues that pertain to our resources and quality of life here.

Father, bless us to be able to work together, sharing our differences and finding common ground together.

Again, we are grateful for the bounties of the earth and accept willingly the responsibility we have to protect our state.

We ask for thy blessings on the members of this body who have challenging health issues. Bless them with a calm and returned health.

I offer this prayer in the name of thy son, Jesus Christ, Amen.

The Pledge of Allegiance was led by Representative Doogan.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 77th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

The House observed a moment of silence in memory of former Representative Jim Elkins.

REPORTS OF STANDING COMMITTEES

HB 45

The State Affairs Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 45(MLV)
(same title)

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

Do pass (6): Johnson, Johansen, Roses, Gruenberg, Doll, Lynn

The following fiscal note(s) apply to CSHB 45(MLV):

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Indeterminate, Dept. of Military & Veterans' Affairs

HB 45 was referred to the Finance Committee.

HB 118

The Rules Committee considered:

HOUSE BILL NO. 118

"An Act relating to underage possession of alcoholic beverages in a dwelling."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 118(RLS)
(same title)

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

Do pass (4): Fairclough, Kerttula, Harris, Johnson

No recommendation (3): Samuels, Guttenberg, Coghill

The following fiscal note(s) apply to CSHB 118(RLS):

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

HB 118 is on today's calendar.

HB 203

The Resources Committee considered:

HOUSE BILL NO. 203

"An Act creating the Kodiak Narrow Cape Public Use Area."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 203(RES)

(same title)

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

Do pass (7): Roses, Wilson, Edgmon, Kohring, Seaton, Gatto, Johnson

No recommendation (2): Kawasaki, Guttenberg

The following fiscal note(s) apply to CSHB 203(RES):

1. Fiscal, Dept. of Natural Resources

HB 203 was referred to the Finance Committee.

HB 210

The State Affairs Committee considered:

HOUSE BILL NO. 210

"An Act relating to the appointment and qualifications of the adjutant general."

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

Do pass (7): Johnson, Johansen, Roses, Gruenberg, Coghill, Doll, Lynn

The following fiscal note(s) apply:

1. Zero, Dept. of Military & Veterans' Affairs

HB 210 was referred to the Rules Committee for placement on the calendar.

HB 220

The Resources Committee considered:

HOUSE BILL NO. 220

"An Act prohibiting computer-assisted remote hunting."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 220(RES)

(same title)

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

Do pass (6): Roses, Wilson, Guttenberg, Edgmon, Seaton, Gatto

No recommendation (3): Kawasaki, Kohring, Johnson

The following fiscal note(s) apply to CSHB 220(RES):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Public Safety

HB 220 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Nicole Leman, Miss Alaska Junior National Teenager
By Senator Green; Representative Harris

Honoring - Kimberley Carr
By Senator Green; Representative Harris

Honoring - Sydney Michelle Cain
By Senator Green; Representative Harris

In Memoriam - Sgt. Daniel Woodcock
By Representatives Salmon, Harris

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 118

The following was read the second time:

HOUSE BILL NO. 118

"An Act relating to underage possession of alcoholic beverages in a dwelling."

with the:	Journal Page
L&C RPT 4DP 2NR	304
FN1: ZERO(COR)	305
FN2: ZERO(LAW)	305
FN3: ZERO(DPS)	305
JUD RPT 2DP 4NR 1AM	450
FN1: ZERO(COR)	450
FN2: ZERO(LAW)	450
FN3: ZERO(DPS)	450
RLS RPT CS(RLS) 4DP 3NR	665
FN1: ZERO(COR)	665
FN2: ZERO(LAW)	665
FN3: ZERO(DPS)	665

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

CS FOR HOUSE BILL NO. 118(RLS)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 118(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 118(RLS) was read the third time.

The question being: "Shall CSHB 118(RLS) pass the House?" The roll was taken with the following result:

CSHB 118(RLS)

Third Reading

Final Passage

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

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, 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, Thomas, Wilson

Nays: Doogan

Excused: Stoltze

And so, CSHB 118(RLS) passed the House and was referred to the Chief Clerk for engrossment.

HOUSE BILLS IN SECOND READING

HB 171

The following, which was held in second reading from the April 2, 2007, calendar (page 658), was again before the House:

HOUSE BILL NO. 171

"An Act relating to the terms of legislators, the date and time for convening regular legislative sessions, adoption of uniform rules of the legislature and to certain of those rules, the date for organizing the Legislative Budget and Audit Committee, and

deadlines for certain matters or reports to be delivered to the legislature or filed; prohibiting bonuses for legislative employees; and providing for an effective date."

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

CS FOR HOUSE BILL NO. 171(STA)

"An Act relating to the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date."

Amendment No. 1 was offered by Representatives Crawford, Guttenberg, Cissna, and Holmes:

Page 2, lines 3 - 11:

Delete all material.

Renumber the following bill sections accordingly.

Page 2, line 25, through page 3, line 6:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, line 24, through page 4, line 9:

Delete all material.

Renumber the following bill sections accordingly.

Page 4, line 28, through page 5, line 13:

Delete all material.

Renumber the following bill sections accordingly.

Page 5, line 25, through page 6, line 4:

Delete all material.

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Renumber the following bill sections accordingly.

Page 6, lines 19 - 22:

Delete all material.

Renumber the following bill sections accordingly.

Page 7, line 20, through page 8, line 15:

Delete all material.

Renumber the following bill sections accordingly.

Page 8, line 25, through page 9, line 2:

Delete all material.

Renumber the following bill sections accordingly.

Page 9, lines 14 - 24:

Delete all material.

Renumber the following bill sections accordingly.

Page 10, lines 1 - 6:

Delete all material.

Renumber the following bill sections accordingly.

Page 10, line 24, through page 11, line 11:

Delete all material.

Renumber the following bill sections accordingly.

Page 11, line 26, through page 12, line 8:

Delete all material.

Renumber the following bill sections accordingly.

Page 12, lines 14 - 18:

Delete all material.

Renumber the following bill sections accordingly.

Page 12, lines 23 - 26:

Delete all material.

Renumber the following bill sections accordingly.

Page 13, line 12, through page 14, line 1:

Delete all material and insert:

"* **Sec. 17.** This Act takes effect January 1, 2008."

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

Representative Gruenberg objected.

Amendment to Amendment No. 1 was offered by Representatives Crawford, Gruenberg, Coghill, and Lynn:

Preceding the effective date clause:

Insert new material to read:

"* **Sec. 17.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT ON 90-DAY REGULAR SESSION. The Alaska Legislative Council shall prepare and deliver a report to each house of the legislature considering issues related to the duration of the regular session and making recommendations regarding the amendment or repeal of any statutes or Uniform Rules implementing the 90-day regular session. The report may be delivered at any time before the regular session is convened in 2010. By July 1, 2008, the Alaska Legislative Council shall notify the chief clerk, the senate secretary, and each of the presiding officers of the date the report will be delivered."

Renumber the following bill section accordingly.

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

Objection was heard and withdrawn. There being no further objection, Amendment to Amendment No. 1 was adopted.

There being no further objection, Amendment No. 1 as amended was adopted.

Amendment No. 2 was offered by Representatives Coghill, Gruenberg, Roses, Doll, and Johnson:

Page 4, following line 9:

Insert a new bill section to read:

"* **Sec. 7.** AS 24.05.180 is amended by adding new subsections to read:

(c) The chair of a standing or special committee that meets during the interim to consider an introduced measure shall give at least 14 days' notice of the meeting. The notice must include the subject and number of the measure that will be heard.

(d) A member of a standing or special committee may attend a meeting held by that committee during the interim telephonically or by teleconference. The member may vote on any question before the committee; however, the vote shall be conducted in such a manner that the public and other committee members may know the vote of the member who attends telephonically or by teleconference.

(e) A standing committee may report a measure from committee during the interim only if a majority of the members are physically present at the meeting site and the meeting site is in a legislative information office or in the state capital. Other committee members may attend and vote telephonically or by teleconference. A committee member who is voting telephonically or by teleconference shall sign a copy of the committee report and indicate on the copy the member's recommendation. The member shall send the signed copy by facsimile or other electronic means to the committee chair. The member shall also, by mail or other means, deliver the original signed copy to the senate secretary or the chief clerk of the house of representatives, as appropriate. The chair of the committee shall deliver the committee report and the facsimile copy to the senate secretary or the chief clerk of the house of representatives to be taken up when the legislature next convenes."

Renumber the following bill sections accordingly.

Page 13, line 28:

Delete "is"

Insert "and AS 24.05.180(c), 24.05.180(d), and 24.05.180(e) are"

Page 13, line 29:

Delete all material and insert:

"* **Sec. 34.** Sections 1, 3, 5, 7, 8, 10, 12, 13, 15, 17, 19, 21, 23, 25, 27, 29, and 31 of this Act take"

Page 13, line 31:

Delete all material and insert:

"* **Sec. 35.** Sections 2, 4, 6, 9, 11, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 33 of this Act"

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

Representative Samuels objected.

Amendment to Amendment No. 2 was offered by Representative Gruenberg:

Beginning with "Page 13, line 28":

Delete all material.

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

Objection was heard and withdrawn. There being no further objection, Amendment to Amendment No. 2 was adopted.

The question being: "Shall Amendment No. 2 as amended be adopted?" The roll was taken with the following result:

CSHB 171(STA) am

Second Reading

Amendment No. 2 as amended

YEAS: 5 NAYS: 34 EXCUSED: 1 ABSENT: 0

Yeas: Cissna, Coghill, Doll, Gruenberg, Ramras

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

Excused: Stoltze

And so, Amendment No. 2 as amended was not adopted.

Representative Samuels moved and asked unanimous consent that CSHB 171(STA) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 171(STA) am was read the third time.

The question being: "Shall CSHB 171(STA) am pass the House?"
The roll was taken with the following result:

CSHB 171(STA) am

Third Reading

Final Passage

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

Yeas: Buch, Chenault, Cissna, 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, Salmon, Samuels, Seaton, Thomas, Wilson

Excused: Stoltze

Hawker changed from "Nay" to "Yea".

And so, CSHB 171(STA) am 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.

CSHB 171(STA) am was referred to the Chief Clerk for engrossment.

HOUSE RESOLUTIONS IN SECOND READING

HR 6

The following, which was held from the April 2, 2007, calendar (page 659), was again before the House:

HOUSE RESOLUTION NO. 6

Encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species.

The question being: "Shall HR 6 pass the House?" The roll was taken with the following result:

HR 6

Second Reading

Final Passage

YEAS: 30 NAYS: 9 EXCUSED: 1 ABSENT: 0

Yeas: Buch, Chenault, Coghil, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Joule, Kelly, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Thomas, Wilson

Nays: Cissna, Doll, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula

Excused: Stoltze

And so, HR 6 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

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 - Casey Marre

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

Honoring - Cheryl Fecko

By Representatives Thomas, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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, Wilson

In Memoriam - SFC Christopher Robert Brevard

By Representatives Gatto, Dahlstrom, Harris, Chenault, Cissna, Coghill, Crawford, Doogan, Fairclough, Foster, Gara, Gardner, 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 - Gladene Lorraine Stewart

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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, Thomas, Wilson

UNFINISHED BUSINESS**HJR 15**

The Speaker waived the House Special Committee on Military & Veterans' Affairs referral for the following at the request of Representative Roses, Chair:

HOUSE JOINT RESOLUTION NO. 15

Supporting the passage of a Filipino Veterans Equity Act and a Filipino Veterans Family Reunification Act.

HJR 15 was removed from the House Special Committee on Military & Veterans' Affairs and referred to the State Affairs Committee.

HJR 14

The Speaker waived the Resources Committee referral for the following at the request of Representative Johnson, Co-chair:

HOUSE JOINT RESOLUTION NO. 14

Urging the United States Congress to enact Senate Bill 552 so that individuals receiving a damage award from the Exxon Valdez oil spill can benefit from the income averaging and retirement contribution provisions of the bill.

HJR 14 was removed from the Resources Committee and referred to the Rules Committee for placement on the calendar.

HR 6

Representative Lynn added his name as cosponsor to:

HOUSE RESOLUTION NO. 6

Encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species.

HJR 7

Representative Gruenberg added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 7

Proposing amendments to the Constitution of the State of Alaska to avoid the use of personal pronouns and similar references that denote masculine or feminine gender in that document.

HJR 15

Representative Doll added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 15

Supporting the passage of a Filipino Veterans Equity Act and a Filipino Veterans Family Reunification Act.

HB 45

Representatives Roses, Johnson, and Gruenberg added their names as cosponsors 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 118

Representative Seaton added his name as cosponsor to:

CS FOR HOUSE BILL NO. 118(RLS)

"An Act relating to underage possession of alcoholic beverages in a dwelling."

HB 152

Representative Holmes added her name as cosponsor to:

HOUSE BILL NO. 152

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

HB 175

Representative Kelly added his name as cosponsor to:

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."

HB 200

Representatives Kerttula, Crawford, and Gatto added their names as cosponsors 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 220

Representative Seaton added his name as cosponsor to:

HOUSE BILL NO. 220

"An Act prohibiting computer-assisted remote hunting."

ENGROSSMENT

HB 118

CSHB 118(RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 171

CSHB 171 (STA) am 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.

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 4, 2007. There being no objection, the House adjourned at 12:39 p.m.

Suzi Lowell
Chief Clerk