

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Tuesday

May 8, 2007

One Hundred Thirteenth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:13 a.m.

Roll call showed 30 members present. Representative Kerttula had been excused from a call of the House today. Representatives Buch, Crawford, Doll, Gruenberg, Guttenberg, Joule, and Meyer were absent and their presence was noted later.

Representative Samuels moved and asked unanimous consent that Representatives Kohring and Ramras be excused from a call of the House to evening plane time, today. There being no objection, it was so ordered.

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

Dear Heavenly Father,

Guide us as we come into these last days of session. Help us see the overall picture and do what is best for all of Alaska.

Help tempers to remain calm and cool. Help us to work cooperatively and assist us into these last days with a smooth and easy ship that moves into the dock without any unforeseen waves that rock our boat.

Be with our service men and women and their families wherever they may be. Keep them safe. In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Representative Nelson.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 112th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Nelson introduced Conrad Adrian Kapsner, Guest Page, from Bethel.

MESSAGES FROM THE SENATE

HB 170

A message dated May 7, 2007, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 170(FIN)

"An Act relating to annual audit reports by insurers, to custodians of insurer assets, to writing workers' compensation insurance by surplus lines insurers, to reports by surplus lines insurers, to the definition of 'wet marine and transportation insurance,' to false or misleading financial statements concerning insurance audits, to high deductible health plans, to retaliation for obligations, prohibitions, or restrictions imposed on Alaska insurers by other states or countries, and to the membership of the Alaska Life and Health Insurance Guaranty Association; and providing for an effective date."

CSHB 170(FIN) was referred to the Chief Clerk for enrollment.

HJR 18

A message dated May 7, 2007, was read stating the Senate passed CSHJR 18(TRA) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 18(TRA)

Opposing the enactment of the provisions in the Next Generation Air Transportation System Financing Reform Act of 2007 that impose air traffic control user fees, increase aviation fuel and aviation gas taxes, reduce airport funding, and reduce Congressional oversight of the Federal Aviation Administration.

CSHJR 18(TRA) is under Unfinished Business.

A message dated May 7, 2007, was received stating the Senate passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SJR 6**

CS FOR SENATE JOINT RESOLUTION NO. 6(RES) by the Senate Resources Committee, entitled:

Urging the United States Congress to defeat H.R. 39, titled "To preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans."

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

**The presence of Representative Gruenberg was noted.

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 111**

CS FOR SENATE BILL NO. 111(RES) by the Senate Resources Committee, entitled:

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

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

**The presence of Representatives Doll, Guttenberg, Meyer, and Joule was noted.

COMMUNICATIONS

The following were received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the State and Alaska Public
Employees Association
May 7, 2007
(as required by AS 23.40.215)

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the State and the Marine
Engineers Beneficial Association
May 7, 2007
(as required by AS 23.40.215)

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the State and the
International Organization of the Masters, Mates and Pilots
May 7, 2007
(as required by AS 23.40.215)

The Speaker referred the monetary terms of agreements to the Finance Committee.

REPORTS OF STANDING COMMITTEES

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

Mr. Denby Lloyd

as a Commissioner of the Department of Fish and Game.

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

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

Mr. Howard Delo
Mr. Larry Edfelt
Mr. Claude (Vince) Webster

as members of the Board of Fisheries.

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

**The presence of Representative Buch was noted.

HJR 12

The Resources Committee considered:

HOUSE JOINT RESOLUTION NO. 12

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 12(O&G)
(same title)

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

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

Amend (2): Kawasaki, Guttenberg

The following fiscal note(s) apply to CSHJR 12(O&G):

1. Zero, Office of the Governor

HJR 12 was referred to the Rules Committee for placement on the calendar.

HJR 22

The Rules Committee considered:

HOUSE JOINT RESOLUTION NO. 22

Denouncing the National Entertainment Collectibles Association's production of the Rapist No. 1 collectible doll.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)
(same title)

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

Do pass (4): Fairclough, Samuels, Johnson, Coghill

The following fiscal note(s) apply to CSHJR 22(RLS):

1. Zero, House State Affairs Committee

HJR 22 is on today's calendar.

HB 15

The Resources Committee 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(RES)

"An Act relating to participation in matters before the Board of Fisheries by members of the board and to the definition of 'immediate family member' under the Alaska Executive Branch Ethics Act as that Act applies to members of the Board of Fisheries; and providing for an effective date."

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

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

No recommendation (3): Guttenberg, Kawasaki, Johnson

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

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Law

HB 15 was referred to the Rules Committee for placement on the calendar.

HB 128

The Judiciary Committee considered:

HOUSE BILL NO. 128

"An Act relating to allowable lease expenditures for the purpose of determining the production tax value of oil and gas for the purposes of the oil and gas production tax; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 128(RES)
(same title)

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

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

No recommendation (3): Coghill, Dahlstrom, Samuels

The following fiscal note(s) apply to CSHB 128(RES):

1. Zero, Dept. of Environmental Conservation
2. Fiscal, Dept. of Administration
3. Fiscal, Dept. of Revenue
4. Zero, Dept. of Administration
5. Fiscal, Dept. of Administration

HB 128 was referred to the Finance Committee.

HB 232

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 232

"An Act relating to the sale, distribution, and purchase of alcoholic beverages; relating to a state database for records of certain purchases of alcoholic beverages; relating to the relocation of a license to sell alcoholic beverages; relating to procedures for local option elections for control of alcoholic beverages; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 232(CRA)

"An Act relating to the sale, distribution, and purchase of alcoholic beverages; relating to a state database for records of certain purchases of alcoholic beverages; relating to procedures for local option elections for control of alcoholic beverages; 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): Cissna, Fairclough

No recommendation (3): Dahlstrom, Olson, LeDoux

Amend (2): Neuman, Salmon

The following fiscal note(s) apply to CSHB 232(CRA):

1. Zero, Dept. of Law
2. Fiscal, Dept. of Public Safety

HB 232 was referred to the Judiciary Committee.

SB 121

The Judiciary Committee considered:

CS FOR SENATE BILL NO. 121(L&C)

"An Act relating to discharge from small commercial passenger vessels; relating to information-gathering requirements for small commercial passenger vessels; providing for an effective date by repealing the delayed effective date found in sec. 16, ch. 153, SLA 2004; and providing for an effective date."

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

Do pass (3): Gruenberg, Holmes, Ramras

No recommendation (2): Lynn, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Environmental Conservation

CSSB 121(L&C) was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Thomas S. Nighswander

By Senator McGuire

Honoring - Noel H. Gast

By Senator Huggins

Honoring - Lance Mackey, 2007 Yukon Quest and Iditarod Champion

By Senator Thomas

Honoring - West Valley High School Academic Decathlon

By Senator Thomas

In Memoriam - Richard Benner

By Representative Crawford

In Memoriam - Jim Elkins

By Senator Stedman; Representatives Johansen, Dahlstrom

In Memoriam - Will E. Bergeson

By Senator Thomas

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 192**

The following was read the second time:

HOUSE BILL NO. 192

"An Act relating to notification to teachers of layoff or nonretention."

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with the:

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HES RPT CS(HES) 3DP 1DNP 2NR 1AM	904
FN1: ZERO(EED)	904
FIN RPT CS(HES) 6DP 4NR	1031
FN1: ZERO(EED)	1031

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. 192(HES)
(same title)

There being no objection, it was so ordered.

**The presence of Representative Crawford was noted.

Representative Samuels moved and asked unanimous consent that CSHB 192(HES) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 192(HES) will advance to third reading on tomorrow's calendar.

HB 209

The Speaker stated that, without objection, the following would be moved to the bottom of the calendar:

HOUSE BILL NO. 209

"An Act relating to the chair of and the membership of and qualifications of members of the Regulatory Commission of Alaska; adding positions to the partially exempt service; creating an administrative law division and natural gas and oil pipeline division within the commission; amending the timeline requirements for a final order of the commission; relating to the commission's regulatory cost charges; and adding to the duties of the Alaska Judicial Council as they relate to the presentation of nominees for consideration for appointment to the commission."

HB 226

The following was read the second time:

HOUSE BILL NO. 226

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

with the:

Journal Page

L&C RPT CS(L&C) NT 3DP 3NR	847
FN1: (LWF)	847
FN2: (LWF)	847
FIN RPT CS(FIN) NT 8DP 2NR 1AM	1122
FN3: (H.FIN/LWF)	1122
FN4: (H.FIN/LWF)	1122

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. 226(FIN)

"An Act extending the termination of the state training and employment program; requiring a review of the program; and providing for an effective date."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 226(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 226(FIN) was read the third time.

The question being: "Shall CSHB 226(FIN) pass the House?" The roll was taken with the following result:

CSHB 226(FIN)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 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, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, CSHB 226(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.

CSHB 226(FIN) was referred to the Chief Clerk for engrossment.

HB 244

The following was read the second time:

HOUSE BILL NO. 244

"An Act creating an Alaska Medal of Honor and establishing criteria for awarding the medal."

with the:

Journal Page

FIN RPT CS(FIN) NT 6DP	1153
FN1: ZERO(MVA)	1154
FN2: (LEG)	1154

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. 244(FIN)

"An Act creating an Alaska Decoration of Honor and establishing criteria for awarding the decoration."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Thomas, Dahlstrom, Foster, and Gruenberg:

Page 1, line 9:

Delete "January 1, 2000,"

Insert "the date Alaska achieved statehood"

Page 3, following line 4:

Insert a new bill section to read:

"* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

INITIAL LIST TO BE OBTAINED BY ADJUTANT GENERAL. The initial list of individuals obtained from the United States government by the adjutant general under AS 26.05.342(e)(1) must include all individuals who meet the criteria described in AS 26.05.342(a)(1) - (4) and (b)(1) - (3) and were killed in action at some time after January 2, 1959, and before January 1, 2007."

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

Representative Samuels moved and asked unanimous consent that CSHB 244(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 244(FIN) am was read the third time.

The question being: "Shall CSHB 244(FIN) am pass the House?" The roll was taken with the following result:

CSHB 244(FIN) am

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 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, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, CSHB 244(FIN) am passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 217

The following, which was held from the May 7, 2007, calendar (page 1161), was read the third time:

CS FOR HOUSE BILL NO. 217(JUD)

"An Act relating to required onboard disclosures about promotions, tours, flightseeing operations, other shoreside activities, shoreside vendors, and visitors bureaus; and providing for an effective date."

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 217(JUD) pass the House?" The roll was taken with the following result:

CSHB 217(JUD)

Third Reading

Final Passage

YEAS: 27 NAYS: 10 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Chenault, Cissna, Coghill, Doll, Edgmon, Fairclough, Foster, Gardner, Gatto, Gruenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kelly, Lynn, Meyer, Nelson, Olson, Salmon, Samuels, Seaton, Thomas, Wilson

Nays: Crawford, Dahlstrom, Doogan, Gara, Guttenberg, Kawasaki, LeDoux, Neuman, Roses, Stoltze

Excused: Kerttula, Kohring, Ramras

Dahlstrom changed from "Yea" to "Nay".

And so, CSHB 217(JUD) 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 217(JUD) was referred to the Chief Clerk for engrossment.

RECONSIDERATION

HJR 9

The Speaker stated that, without objection, the following would be returned to the Rules Committee:

CS FOR HOUSE JOINT RESOLUTION NO. 9(JUD)(fld H)
Proposing an amendment to the section of the Constitution of the State of Alaska relating to marriage.

Notice of reconsideration of the vote was given on May 7, 2007 (page 1163).

CONSIDERATION OF THE DAILY CALENDAR

(continued)

THIRD READING OF SENATE BILLS

SB 59

The following, which was advanced to third reading from the May 7, 2007, calendar (page 1161), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 59(FIN)
"An Act relating to the use of broadcasting to promote dog mushers' contests and charitable raffles and lotteries; to the maximum amount of prizes that may be awarded for charitable gaming activities other than bingo; to the use of the proceeds of charitable gaming; and to establishing cabbage classics as a form of charitable gaming."

The question being: "Shall HCS CSSB 59(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 59(FIN)

Third Reading

Final Passage

YEAS: 21 NAYS: 12 EXCUSED: 3 ABSENT: 4

Yeas: Chenault, Coghill, Dahlstrom, Edgmon, Fairclough, Gatto, Harris, Hawker, Johansen, Johnson, Kelly, Lynn, Meyer, Neuman, Olson, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Cissna, Doll, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, LeDoux, Nelson, Salmon

Excused: Kerttula, Kohring, Ramras

Absent: Buch, Crawford, Doogan, Foster

And so, HCS CSSB 59(FIN) passed the House.

Representative Guttenberg gave notice of reconsideration of the vote on HCS CSSB 59(FIN).

HOUSE BILLS IN THIRD READING

HB 164

The following, which was held in third reading from the May 7, 2007, calendar (page 1161), was again before the House:

CS FOR HOUSE BILL NO. 164(FIN) am

"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 a wastewater treatment operator for purposes of monitoring compliance with state and federal marine discharge and pollution requirements, to the obligations of that operator while aboard the vessels, and to the qualifications of the wastewater treatment operator; and providing for an effective date."

Representative Johansen moved and asked unanimous consent that CS HB 164(FIN) am be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 3. There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 3 (page 1131).

Objection was heard.

The question being: "Shall the House rescind previous action in adopting Amendment No. 3?" The roll was taken with the following result:

CSHB 164(FIN) am

Second Reading

Rescind Previous Action/Amendment No. 3

YEAS: 30 NAYS: 6 EXCUSED: 3 ABSENT: 1

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

Nays: Cissna, Crawford, Edgmon, Gara, Guttenberg, Kawasaki

Excused: Kerttula, Kohring, Ramras

Absent: Salmon

And so, the motion passed.

Representative Johansen moved and asked unanimous consent to withdraw Amendment No. 3 (page 1130). There being no objection, it was so ordered.

New Amendment No. 3 was offered by Representatives Thomas and Johansen:

Page 1, line 3, following "**operator**" (title amendment):

Insert "**or a marine engineer licensed by the United States Coast Guard**"

Page 1, line 4, following "**operator**" (title amendment):

Insert "**or marine engineer**"

Page 2, line 5, following "operator":

Insert "or a marine engineer licensed by the United States Coast Guard"

Page 2, line 10, following "operator":

Insert "or marine engineer"

Page 2, line 17, following "operator"

Insert "or marine engineer"

Page 2, line 20, following "operator":

Insert "or marine engineer"

Representative Johansen moved and asked unanimous consent that New Amendment No. 3 be adopted.

Representative Doogan objected.

The question being: "Shall New Amendment No. 3 be adopted?" The roll was taken with the following result:

CSHB 164(FIN)

Second Reading

New Amendment No. 3

YEAS: 18 NAYS: 18 EXCUSED: 3 ABSENT: 1

Yeas: Chenault, Coghill, Fairclough, Foster, Harris, Hawker, Johansen, Johnson, Joule, Kelly, Lynn, Meyer, Nelson, Olson, Roses, Samuels, Thomas, Wilson

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Kawasaki, LeDoux, Neuman, Seaton, Stoltze

Excused: Kerttula, Kohring, Ramras

Absent: Salmon

And so, New Amendment No. 3 was not adopted.

CSHB 164(FIN) was automatically in third reading.

The question being: "Shall CSHB 164(FIN) pass the House?" The roll was taken with the following result:

CSHB 164(FIN)

Third Reading

Final Passage

YEAS: 13 NAYS: 24 EXCUSED: 3 ABSENT: 0

Yeas: Chenault, Coghill, Foster, Hawker, Johansen, Johnson, Joule, Kelly, Meyer, Nelson, Olson, Samuels, Thomas

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Kawasaki, LeDoux, Lynn, Neuman, Roses, Salmon, Seaton, Stoltze, Wilson

Excused: Kerttula, Kohring, Ramras

And so, CSHB 164(FIN) failed to pass the House.

CSHB 164(FIN)(fld H) was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONS

HJR 22

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 22

Denouncing the National Entertainment Collectibles Association's production of the Rapist No. 1 collectible doll.

with the:

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STA RPT 7DP	1007
FN1: ZERO(H.STA)	1008
RLS RPT CS(RLS) 4DP	1174
FN1: ZERO(H.STA)	1174

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

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHJR 22(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 22(RLS) was read the third time.

The question being: "Shall CSHJR 22(RLS) pass the House?" The roll was taken with the following result:

CSHJR 22(RLS)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 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, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, CSHJR 22(RLS) passed the House and was referred to the Chief Clerk for engrossment.

HJR 23

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 23

Supporting the reuse of facilities at the Galena Air Base to provide regional educational services.

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with the:

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STA RPT 4DP 1NR
FN1: ZERO(H.STA)

1063
1063

Representative Samuels moved and asked unanimous consent that HJR 23 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 23 was read the third time.

The question being: "Shall HJR 23 pass the House?" The roll was taken with the following result:

HJR 23
Third Reading
Final Passage

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

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

Excused: Kerttula, Kohring, Ramras

Absent: Edgmon

And so, HJR 23 passed the House and was referred to the Chief Clerk for engrossment.

HCR 7

The following, which was held from the May 7, 2007, calendar (page 1164), was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 7
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 59, relating to charitable gaming.

The question being: "Shall HCR 7 pass the House?" The roll was taken with the following result:

HCR 7

Second Reading

Final Passage

YEAS: 19 NAYS: 18 EXCUSED: 3 ABSENT: 0

Yeas: Chenault, Coghill, Fairclough, Foster, Harris, Hawker, Johansen, Johnson, Kelly, Lynn, Meyer, Neuman, Olson, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, LeDoux, Nelson, Salmon

Excused: Kerttula, Kohring, Ramras

And so, lacking the necessary 27 votes, HCR 7 failed to pass the House.

Representative Stoltze gave notice of reconsideration of the vote on HCR 7(fld H).

HCR 8

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 8

Establishing a task force to make recommendations regarding job descriptions and salary changes for the commissioners and support staff of the Regulatory Commission of Alaska.

with the:

Journal Page

L&C RPT CS(L&C) NT 3DP 3NR	1030
FN1: (LEG)	1030
FIN RPT CS(L&C) NT 9DP 1NR	1085
FN1: (LEG)	1086

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

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

Establishing a legislative task force to make recommendations regarding job descriptions and salary changes for the commissioners and support staff and the possible need for additional support staff of the Regulatory Commission of Alaska.

There being no objection, it was so ordered.

The question being: "Shall CSHCR 8(L&C) pass the House?" The roll was taken with the following result:

CSHCR 8(L&C)

Second Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 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, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, CSHCR 8(L&C) passed the House.

Representative Gruenberg gave notice of reconsideration of the vote on CSHCR 8(L&C).

SECOND READING OF HOUSE BILLS

(continued)

HB 209

The following, which was moved to the bottom of the calendar (page 1179), was read the second time:

HOUSE BILL NO. 209

"An Act relating to the chair of and the membership of and qualifications of members of the Regulatory Commission of Alaska; adding positions to the partially exempt service; creating

an administrative law division and natural gas and oil pipeline division within the commission; amending the timeline requirements for a final order of the commission; relating to the commission's regulatory cost charges; and adding to the duties of the Alaska Judicial Council as they relate to the presentation of nominees for consideration for appointment to the commission."

with the:	Journal Page
L&C RPT CS(L&C) NT 1DP 1DNP 2NR 2AM	992
FN1: ZERO(H.L&C/CED)	993
FN2: ZERO(H.L&C/CRT)	993
FN3: ZERO(LAW)	993
JUD RPT CS(JUD) NT 1DP 6NR	1065
FN1: ZERO(H.L&C/CED)	1066
FN2: ZERO(H.L&C/CRT)	1066
FN3: ZERO(LAW)	1066
FIN RPT CS(JUD) NT 2DP 5NR 1AM	1152
FN1: ZERO(H.L&C/CED)	1153

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. 209(JUD)

"An Act relating to the chair of the Regulatory Commission of Alaska and amending the timeline requirements for a final order of the commission; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gardner and Gruenberg:

Page 1, line 5 - page 2, line 2:
Delete all material.

Renumber the following bill sections accordingly.

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

Representative Olson objected.

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

CSHB 209(JUD)

Second Reading

Amendment No. 1

YEAS: 17 NAYS: 20 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Nelson, Neuman, Salmon, Wilson

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Kelly, LeDoux, Lynn, Meyer, Olson, Roses, Samuels, Seaton, Stoltze, Thomas

Excused: Kerttula, Kohring, Ramras

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Gara:

Page 3, line 3:

Delete "or involve the review of private settlements and contracts"

Page 3, line 5, following "180 days":

Insert ", or 365 days if the matter is a case where the commission holds a hearing for which the parties or members of the public may appear,"

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

Representative Olson objected.

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

CSHB 209(JUD)
Second Reading
Amendment No. 2

YEAS: 18 NAYS: 19 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Joule, Kawasaki, LeDoux, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Harris, Johansen, Johnson, Kelly, Lynn, Meyer, Neuman, Olson, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Gara:

Page 2, line 17:

Delete "**270 days**"

Insert "**365 days**"

Representative Gara moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Olson objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSHB 209(JUD)
Second Reading
Amendment No. 3

YEAS: 15 NAYS: 22 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Kelly, LeDoux, Lynn, Meyer, Neuman, Olson, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Kerttula, Kohring, Ramras

And so, Amendment No. 3 was not adopted.

Representative Samuels moved and asked unanimous consent that CSHB 209(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 209(JUD) will advance to third reading on tomorrow's calendar.

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 - 60th Anniversary of the Community of Chugiak-Eagle River

By Representatives Stoltze, Dahlstrom, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Doogan, Edgmon, 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, Thomas, Wilson

Honoring - Marcus Farquhar

By Senator Green; Representatives Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, 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 - Norman "Norm" Tyler Jr.

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

In Memoriam - Max Harris Wells

By Representatives Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, 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, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Rupert "Rupe" Andrews

By Representatives Stoltze, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, 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, Samuels, Seaton, Thomas, Wilson

CONCUR IN SENATE AMENDMENTS

HJR 18

Representative Samuels moved and asked unanimous consent that the House consider the Senate message (page 1170) on the following:

CS FOR HOUSE JOINT RESOLUTION NO. 18(TRA)

Opposing the enactment of the provisions in the Next Generation Air Transportation System Financing Reform Act of 2007 that impose air traffic control user fees, increase aviation fuel and aviation gas taxes, reduce airport funding, and reduce Congressional oversight of the Federal Aviation Administration.

and

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO.
18(TRA)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved that the House concur in the Senate amendment to CSHJR 18(TRA), thus adopting SCS CSHJR 18(TRA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHJR 18(TRA)?" The roll was taken with the following result:

SCS CSHJR 18(TRA)
Concur

YEAS: 34 NAYS: 0 EXCUSED: 3 ABSENT: 3

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

Excused: Kerttula, Kohring, Ramras

Absent: Kawasaki, Kelly, Thomas

And so, the House concurred in the Senate amendment, thus adopting SCS CSHJR 18(TRA).

The Chief Clerk notified the Senate.

SCS CSHJR 18(TRA) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

HJR 22

Representatives Olson, Neuman, Doogan, Gardner, and Meyer added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)
Denouncing the National Entertainment Collectibles Association's
production of the Rapist No. 1 collectible doll.

HJR 23

Representatives Gardner and Kelly added their names as cosponsors
to:

HOUSE JOINT RESOLUTION NO. 23
Supporting the reuse of facilities at the Galena Air Base to provide
regional educational services.

HB 128

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 128
"An Act relating to allowable lease expenditures for the purpose
of determining the production tax value of oil and gas for the
purposes of the oil and gas production tax; and providing for an
effective date."

HB 192

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE BILL NO. 192(HES)
"An Act relating to notification to teachers of layoff or
nonretention."

HB 226

Representative Gardner added her name as cosponsor to:

CS FOR HOUSE BILL NO. 226(FIN)
"An Act extending the termination of the state training and
employment program; requiring a review of the program; and
providing for an effective date."

HB 252

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 252

"An Act requiring paid leave from employment for organ and bone marrow donation."

HJR 18

The following memorandum, dated May 8, 2007, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in SCS CSHJR 18(TRA), which has been corrected in enrolling:

Page 2, line 5:

Delete "world's""

HB 126

The following memorandum, dated May 7, 2007, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in CSHB 126(JUD)(title am), which has been corrected in enrolling:

Page 16, line 3:

Delete "**driver**"

Insert "**driver's**""

HB 210

The following memorandum, dated May 7, 2007, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in HB 210, which has been corrected in enrolling:

Page 1, line 3:

Delete "AS 36.05.160(a)"

Insert "AS 26.05.160(a)""

HJR 9

Reconsideration of the following was not taken up on this legislative day:

CS FOR HOUSE JOINT RESOLUTION NO. 9(JUD)(fld H)

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

CSHJR 9(JUD)(fld H) was returned to the Rules Committee (page 1184).

ENGROSSMENT**HJR 22**

CSHJR 22(RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HJR 23

HJR 23 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 164

CSHB 164(FIN)(fld H) was engrossed.

HB 217

CSHB 217(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 226

CSHB 226(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 244

CSHB 244(FIN) am 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 27, 2007.

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., May 9, 2007. There being no objection, the House adjourned at 11:56 a.m.

Suzi Lowell
Chief Clerk