

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE – SECOND SESSION

Juneau, Alaska

Wednesday

February 20, 2008

Thirty-seventh Day

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

Roll call showed 36 members present. Representative Foster had been excused from a call of the House today. Representatives Gara, Joule, and Nelson were absent and their presence was noted later.

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

In awe of the sacred among us, let us pray.

O God of grace, today we express our thanksgiving to you, the source of the world and of all the world's hope and joy. Thank you for the honor of being chosen by the people of Alaska to serve together in this place. Thank you for the great privilege of serving beyond our own interests and for the interests of all. Thank you for the wisdom of elders in centuries past who laid the foundations of a government capable of preserving this honorable ideal.

We thank you for the grandeur of this part of the world – for the experience of lengthening days and increasing light. Thank you for nature's abundance and for the vast resources of water and mountain and forest and stream.

And thank you for the immense challenges we share living together and serving one another at this time and in this place. May all the conflict, confusion, and disappointment attending this sacred public trust serve to refine our hearts, our motives, and our means, and so preserve among us the ideal of hope, justice, and freedom for all. Amen.

The Pledge of Allegiance was led by Representative Olson.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 36th legislative day and Senate and House Joint Journal Supplement No. 13 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 19, 2008, was read stating the Senate passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 57

CS FOR SENATE BILL NO. 57(RES) by the Senate Resources Committee, entitled:

"An Act relating to fishing, hunting, and trapping in marine park units of the Alaska state park system, amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska state park system."

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

SB 196

CS FOR SENATE BILL NO. 196(FIN) am by the Senate Finance Committee, entitled:

"An Act relating to establishing a controlled substance prescription database."

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

A Senate letter of intent was attached (Senate Journal page 1785).

**The presence of Representative Nelson was noted.

REPORTS OF STANDING COMMITTEES

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

Mr. Peter Aschenbrenner

as a member of the Commission on Judicial Conduct.

The report was signed by Representative Ramras, Chair; and Representatives Coghill, Holmes, Gruenberg, and Dahlstrom.

HB 267

The Finance Committee considered:

HOUSE BILL NO. 267

"An Act relating to authorizing the state to join with other states entering into the Wildlife Violator Compact and authorizing the compact to supersede existing statutes by approving standards, rules, or other action under the terms of the compact; and directing the initiation of civil actions to revoke appropriate licenses in this state based on a resident licensee's violation of or failure to comply with the terms of a wildlife resource citation issued in another state that is a party to the compact."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 267(RES)

"An Act relating to authorizing the state to join with other states entering into the Wildlife Violator Compact; excluding commercial fishing and big game commercial hunting services from the provisions of the compact; and directing the initiation of

civil actions to revoke appropriate licenses in this state based on a licensee's violation of or failure to comply with the terms of a wildlife resource citation issued in another state that is a party to the compact."

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

Do pass (8): Kelly, Crawford, Stoltze, Hawker, Nelson, Thomas, Meyer, Chenault

No recommendation (1): Gara

The following fiscal note(s) apply to CSHB 267(RES):

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

HB 267 was referred to the Rules Committee for placement on the calendar.

HB 303

The Judiciary Committee considered:

HOUSE BILL NO. 303

"An Act relating to marine products and motorized recreational products; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 303(JUD)

(same title)

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

No recommendation (1): Lynn

Amend (5): Gruenberg, Coghill, Samuels, Holmes, Ramras

The following fiscal note(s) apply to CSHB 303(JUD):

1. Zero, Dept. of Law

HB 303 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HCR 22

The House Special Committee on Fisheries considered:

HOUSE CONCURRENT RESOLUTION NO. 22

Affirming the legislative intent of state law that the Alaska Board of Fisheries currently has the tools and authority to allocate fishery resources within a fishery based on vessel size class, gear limits, trip limits, and registration areas.

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

Do pass (1): Seaton

No recommendation (6): Johnson, LeDoux, Wilson, Johansen, Holmes, Edgmon

The following fiscal note(s) apply:

1. Zero, House Special Committee on Fisheries

HCR 22 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

The following citations were introduced and taken up later as a Special Order of Business:

In Memoriam – Vallie Mae Hawkins
By Senator Davis

In Memoriam – Bessie Youngblood
By Senator Davis

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

HB 413

HOUSE BILL NO. 413 by the House Labor and Commerce
Committee, entitled:

"An Act extending the termination date for the Real Estate
Commission; 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 HOUSE BILLS

HB 273

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

HOUSE BILL NO. 273

"An Act relating to school funding, the base student allocation,
district cost factors, and the adjustments for intensive services and
average daily membership calculations; and providing for an
effective date."

**The presence of Representative Joule was noted.

SECOND READING OF HOUSE RESOLUTIONS

HCR 21

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 21
Supporting the National Crime Victims' Rights Week of 2008.

HOUSE JOURNAL

February 20, 2008

2033

with the:

Journal Page

JUD RPT 5DP

1979

FN1: ZERO(H.JUD)

1979

The question being: "Shall HCR 21 pass the House?" The roll was taken with the following result:

HCR 21

Second Reading

Final Passage

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

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

Excused: Foster

Absent: Gara

And so, HCR 21 passed the House and 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 – Chad Carpenter, Alaska's Cartoon Laureate for 2008

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

Honoring – 35th Anniversary of UAF Kuskokwim Campus

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

In Memoriam – Mark A. Ertischek

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

In Memoriam – Patrick C. Analoak, Sr.

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

In Memoriam – Lloyd Raymond Cole

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

In Memoriam – Representative Bennie Leonard, Sr.

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

In Memoriam – Thomas Beatty

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

**The presence of Representative Gara was noted.

RECONSIDERATION

HB 305

Representative Guttenberg brought up reconsideration of the vote on CSHB 305(RLS) (page 2018).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 305(RLS)

"An Act relating to campaign fund raising during a regular or special legislative session; and providing for an effective date."

Representative Crawford moved and asked unanimous consent that CSHB 305(RLS) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Crawford:

Page 3, lines 9 - 10:

Delete "or

(C) to influence a state ballot proposition or question;"

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

Representative Johnson objected.

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

CSHB 305(RLS)--RECONSIDERATION

Second Reading

Amendment No. 1

YEAS: 18 NAYS: 20 EXCUSED: 1 ABSENT: 1

Yeas: Buch, Cissna, Coghill, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Joule, Kerttula, Nelson, Ramras, Salmon

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

Excused: Foster

Absent: LeDoux

And so, Amendment No. 1 was not adopted.

CSHB 305(RLS) was automatically in third reading.

Representative Doogan moved and asked unanimous consent that CSHB 305(RLS) be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Doogan, Guttenberg, and Kawasaki:

Page 3, following line 10:

Insert a new subparagraph to read:

"(D) for a political party or its subdivisions;"

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

Representative Keller objected.

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

Delete "or its subdivisions"

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

Representative Johnson objected and withdrew the objection. 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 305(RLS)--RECONSIDERATION

Second Reading

Amendment No. 2 as amended

YEAS: 35 NAYS: 3 EXCUSED: 1 ABSENT: 1

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

Nays: Doll, Keller, Neuman

Excused: Foster

Absent: LeDoux

And so, Amendment No. 2 as amended was adopted.

CSHB 305(RLS) am was automatically in third reading.

The question to be reconsidered: "Shall CSHB 305(RLS) am pass the House?" The roll was taken with the following result:

CSHB 305(RLS) am --RECONSIDERATION

Third Reading

Final Passage

YEAS: 35 NAYS: 3 EXCUSED: 1 ABSENT: 1

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

Nays: Coghill, Crawford, Doogan

Excused: Foster

Absent: LeDoux

And so, CSHB 305(RLS) am passed the House on reconsideration.

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 305(RLS) am was referred to the Chief Clerk for engrossment.

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 Edgmon – from 6:00 a.m., February 21 to evening plane time, February 24

Representative Fairclough – from noon, February 22 to morning plane time, February 25

Representative Foster – from evening plane time, February 27 to evening plane time, March 4 (amended from page 1949)

Representative Gara – from 6:00 p.m., February 22 to morning plane time, February 25

Representative Gardner – from 5:00 p.m., February 22 to evening plane time, February 24

Representative Harris – from 6:00 a.m., February 22 to evening plane time, February 24

Representative Johnson – from 10:00 a.m., February 22 to morning plane time, February 25

Representative Kawasaki – from 8:00 a.m., February 22 to evening plane time, February 25

Representative LeDoux – from 6:00 a.m., February 22 to evening plane time, February 24

Representative Ramras – from 6:00 p.m., February 22 to evening plane time, February 27

SPECIAL ORDER OF BUSINESS

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the citations, In Memoriam – Vallie Mae Hawkins and In Memoriam – Bessie Youngblood, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that the House approve the citations. There being no objection, the following citations were approved and sent to enrolling:

In Memoriam – Vallie Mae Hawkins

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

In Memoriam – Bessie Youngblood

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

UNFINISHED BUSINESS**HCR 21**

Representatives Keller, Buch, Kerttula, and Roses added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 21
Supporting the National Crime Victims' Rights Week of 2008.

HB 44

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 44
"An Act relating to information from veterans on the permanent fund dividend application form."

HB 193

Representative Dahlstrom removed her name as cosponsor to:

HOUSE BILL NO. 193
"An Act relating to the composition of the Alaska Police Standards Council; and providing for an effective date."

HB 301

Representative Kelly added his name as cosponsor to:

HOUSE BILL NO. 301
"An Act relating to partial-birth abortions."

HB 307

Representative Nelson added her name as cosponsor to:

HOUSE BILL NO. 307
"An Act relating to penalizing certain misdemeanor domestic violence offenses as felonies."

HB 320

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 320

"An Act relating to certification of search and rescue personnel and organizations; requiring certain search and rescue personnel to be considered state employees for purposes of workers' compensation coverage; and allowing municipalities to elect to provide workers' compensation insurance coverage for search and rescue personnel."

HB 364

Representatives Kelly and Gatto added their names as cosponsors to:

HOUSE BILL NO. 364

"An Act relating to notice and consent for a minor's abortion; relating to penalties for performing an abortion; relating to a judicial bypass procedure for an abortion; relating to coercion of a minor to have an abortion; relating to reporting of abortions performed on minors; amending Rule 24(a), Alaska Rules of Civil Procedure, amending Rule 220, Alaska Rules of Appellate Procedure, and Rule 20, Alaska Probate Rules, relating to judicial bypass for an abortion; and providing for an effective date."

HB 395

Representative Samuels added his name as cosponsor to:

HOUSE BILL NO. 395

"An Act repealing the Estate Tax Law of Alaska."

HB 412

Representatives Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gardner, Guttenberg, Holmes, Kawasaki, Kerttula, Joule, and Salmon added their names as cosponsors to:

HOUSE BILL NO. 412

"An Act relating to the membership of the Alaska Legislative Council and the membership of the Legislative Budget and Audit Committee."

SB 57

Representative Kerttula added her name as cross sponsor to:

CS FOR SENATE BILL NO. 57(RES)

"An Act relating to fishing, hunting, and trapping in marine park units of the Alaska state park system, amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska state park system."

ENGROSSMENT**HCR 21**

HCR 21 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 305

CSHB 305(RLS) 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., February 21, 2008. There being no objection, the House adjourned at 11:39 a.m.

Suzi Lowell
Chief Clerk