

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

Juneau, Alaska

Wednesday

February 27, 2008

Forty-fourth Day

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

Roll call showed 36 members present. Representatives Foster, Olson, and Ramras had been excused from a call of the House today.

Representative Samuels moved and asked unanimous consent that Representative Johansen be excused from a call of the House from today to evening plane time, March 2. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Michael Spainhoward of St. Nicholas Russian Orthodox Church. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

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

From the Book of Psalms we read: *Bless the Lord, my soul! God, how great you are. You founded the earth on its base, to stand firm from age to age. You wrapped it with the ocean like a cloak: the waters stood against the mountains.*

Beautiful Creator and Creator of all that is beautiful, we stand in wondrous awe of the deep beauty of this great land that you have given to us to enjoy. Bless those who have been raised

up to the roles of leadership and governance with wisdom that we may preserve and protect this land, even as the lives of our citizens are enriched by the bounties this land provides. Bless, O Good One, also the seas and waterways around and within this land and those who make their living upon them, even while we work to keep them clean and fertile. Give to us a sure sense of our honored place within the fabric of creation that we may exercise good stewardship of all the blessings you, O God, have provided for us. Amen.

The Speaker asked former Representative Fate to lead the Pledge of Allegiance.

CERTIFICATION OF THE JOURNAL

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

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Representative Nelson introduced her son, "Qugpak Paniiluk" Conrad Kapsner, Guest Page, from Bethel.

MESSAGES FROM THE SENATE

A message dated February 25, 2008, was read stating the Senate passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 101

CS FOR SENATE BILL NO. 101(2d L&C) by the Senate Labor and Commerce Committee, entitled:

"An Act relating to private professional conservators, private and public guardians, and court hearings on the issue of incapacity; and establishing uniform adult guardianship and conservator jurisdiction and procedures."

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

REPORTS OF STANDING COMMITTEES

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

Mr. Lewis D. "Lew" Bradley
Mr. Craig Fleener

as members of the Board of Game.

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

HJR 30

The Community & Regional Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 30
Disapproving the Local Boundary Commission recommendation regarding the annexation of territory to the Ketchikan Gateway Borough.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 30(CRA)
(same title)

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

Do pass (2): Salmon, LeDoux

No recommendation (2): Neuman, Fairclough

The following fiscal note(s) apply to CSHJR 30(CRA):

1. Zero, House Community & Regional Affairs Committee

HJR 30 was referred to the Rules Committee for placement on the calendar.

HB 282

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 282

"An Act relating to eligibility for membership on state boards, commissions, and authorities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 282(CRA)
(same title)

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

Do pass (2): Cissna, Olson

Do not pass (1): LeDoux

No recommendation (3): Neuman, Salmon, Fairclough

Amend (1): Dahlstrom

The following fiscal note(s) apply to CSHB 282(CRA):

1. Zero, Office of the Governor

HB 282 was referred to the State Affairs Committee.

HB 348

The Resources Committee considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348

"An Act relating to the adoption of regulations by the Board of Game."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
348(RES)
(same title)

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

Do pass (2): Wilson, Gatto

Do not pass (1): Guttenberg

No recommendation (4): Fairclough, Edgmon, Roses, Johnson

The following fiscal note(s) apply to CSSSHB 348(RES):

1. Indeterminate, Dept. of Fish & Game
2. Fiscal, Dept. of Law

SSHB 348 was referred to the Finance Committee.

HB 368

The State Affairs Committee considered:

HOUSE BILL NO. 368

"An Act modifying the limitations on political fund raising during legislative sessions by candidates for governor or for lieutenant governor, and amending the Legislative Ethics Act to modify the limitation on political fund raising by legislators and legislative employees during legislative sessions, to allow legislators and legislative employees to accept certain gifts from lobbyists within their immediate families, to clarify the Legislative Ethics Act as it relates to legislative volunteers and educational trainees, to reduce the frequency of publication of summaries by the Select Committee on Legislative Ethics, to revise procedures and

penalties related to the late filing of disclosures required by the Legislative Ethics Act, and to add a definition to that Act."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 368(STA)

"An Act modifying the limitations on political fund raising during legislative sessions by candidates for governor or for lieutenant governor, and amending the Legislative Ethics Act to modify the limitation on political fund raising by legislators and legislative employees during legislative sessions, to allow legislators and legislative employees to accept certain gifts from lobbyists within their immediate families, to clarify the Legislative Ethics Act as it relates to legislative volunteers and educational trainees, to reduce the frequency of publication of summaries by the Select Committee on Legislative Ethics, and to revise procedures and penalties related to the late filing of disclosures required by the Legislative Ethics Act."

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

Do pass (3): Roses, Gruenberg, Lynn

No recommendation (4): Johnson, Johansen, Coghill, Doll

The following fiscal note(s) apply to CSHB 368(STA):

1. Zero, Dept. of Administration

HB 368 was referred to the Judiciary Committee.

HB 379

The Labor & Commerce Committee considered:

HOUSE BILL NO. 379

"An Act relating to educational requirements for licensure as a certified public accountant."

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

Do pass (6): Gardner, LeDoux, Buch, Neuman, Gatto, Olson

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development

HB 379 was referred to the Finance Committee.

HB 413

The Labor & Commerce Committee considered:

HOUSE BILL NO. 413

"An Act extending the termination date for the Real Estate Commission; and providing for an effective date."

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

Do pass (5): Gardner, Buch, Neuman, LeDoux, Olson

The following fiscal note(s) apply:

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

HB 413 was referred to the Finance Committee.

SB 196

The Judiciary Committee considered:

CS FOR SENATE BILL NO. 196(FIN) am

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 196(JUD)
(same title)

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

No recommendation (6): Gruenberg, Lynn, Coghill, Samuels, Holmes, Dahlstrom

The following fiscal note(s) apply to HCS CSSB 196(JUD):

2. Fiscal, Dept. of Health & Social Services
3. Fiscal, Dept. of Commerce, Community, & Economic Development

CSSB 196(FIN) am was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 134

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 134

"An Act relating to conservation and protection of wild salmon production in drainages affecting the Bristol Bay Fisheries Reserve; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 134(FSH)

"An Act relating to conservation and protection of anadromous fish production in drainages affecting the Bristol Bay Fisheries Reserve; and providing for an effective date."

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

Do pass (1): Edgmon

Do not pass (3): Johnson, Wilson, Johansen

No recommendation (1): Holmes

Amend (2): LeDoux, Seaton

The following fiscal note(s) apply to CSHB 134(FSH):

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Fish & Game
3. Indeterminate, Dept. of Natural Resources

HB 134 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 – Richard "Dick" Cattanach
By Representative Hawker

Honoring – AWARE Women of Distinction
By Representatives Kerttula, Doll; Senator Elton

Honoring – Resource Center for Parents and Children, 35th
Anniversary
By Representatives Kawasaki, Guttenberg

Honoring – Rick Urion
By Senator Bunde

Honoring – Brooke Miles
By Senator French; Representative Holmes

Honoring – Juneau-Douglas High School Football Team, 2007 State
Champions
By Senator Elton; Representatives Kerttula, Doll

Honoring – Juneau-Douglas High School Girls Softball Team, 2007
State Champions
By Senator Elton; Representatives Kerttula, Doll

Honoring – Juneau-Douglas High School Girls Swim/Dive Team,
2007 State Champions

By Senator Elton; Representatives Kerttula, Doll

Honoring – Juneau-Douglas High School Home Building Team, 2008
National Construction Competition Champions

By Senator Elton; Representatives Kerttula, Doll

In Memoriam – Kathleen Wakefield

By Senator Elton; Representatives Doll, Kerttula

In Memoriam – Connie Millhouse

By Senator Bunde

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 387

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 387 by
Representatives Gardner and Gara, entitled:

"An Act limiting the number of published telephone directories
that may be distributed to a household."

was read the first time and referred to the Community & Regional
Affairs and Labor & Commerce Committees.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 65

The following was read the second time:

HOUSE BILL NO. 65

"An Act relating to breaches of security involving personal
information, credit report and credit score security freezes,
consumer credit monitoring, credit accuracy, protection of social
security numbers, care of records, disposal of records, identity
theft, furnishing consumer credit header information, credit cards,

and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) 2DP 3NR 1AM	886
FN1: INDETERMINATE(GOV/ALL DEPTS)	887
FN2: (ADM)	887
JUD RPT CS(JUD) NT 4DP 2AM	1151
FN1: INDETERMINATE(GOV/ALL DEPTS)	1152
FN2: (ADM)	1152
FIN RPT CS(FIN) NT 4DP 5NR	2048
FN3: INDETERMINATE(GOV/ALL DEPTS)	2049
FN4: (ADM)	2049

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. 65(FIN)

"An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 65(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 65(FIN) was read the third time.

The question being: "Shall CSHB 65(FIN) pass the House?" The roll was taken with the following result:

CSHB 65(FIN)

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1

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

Excused: Foster, Johansen, Olson, Ramras

Absent: Chenault

And so, CSHB 65(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 and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes. There being no objection, it was so ordered.

CSHB 65(FIN) was referred to the Chief Clerk for engrossment.

HB 137

The following was read the second time:

HOUSE BILL NO. 137

"An Act amending the requirements for the identification card needed for sport fishing, hunting, and trapping without a license by residents who are 60 years of age or more."

with the:

Journal Page

FSH RPT CS(FSH) 2DP 1DNP 2NR	324
FN1: (DFG)	325
RES RPT CS(RES) 4DP 4NR	451
FN1: (DFG)	451

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FIN RPT CS(FIN) NT 6DP 5NR
FN2: (DFG)

646
646

The Rules Committee submitted the following updated fiscal note:

3. Fiscal, Dept. of Fish & Game

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. 137(FIN)

"An Act providing for free hunting and sport fishing licenses for active members of the Alaska National Guard; and amending the requirements for the identification card needed for sport fishing, hunting, and trapping without a license by residents who are 60 years of age or more; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Seaton:

Page 4, line 21:

Delete "2010"
Insert "2011"

Page 4, line 22:

Delete "2008"
Insert "2009"

Representative Seaton 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 137(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 137(FIN) am was read the third time.

The question being: "Shall CSHB 137(FIN) am pass the House?" The roll was taken with the following result:

CSHB 137(FIN) am
Third Reading
Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Foster, Johansen, Olson, Ramras

And so, CSHB 137(FIN) 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 137(FIN) am was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SCR 17

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 17

Relating to establishing March 2008 as Brain Injury Awareness Month.

with the:

Journal Page

HES RPT 6DP

2074

FN1: ZERO(S.HES)

2075

The question being: "Shall SCR 17 pass the House?" The roll was taken with the following result:

SCR 17

Second Reading

Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 4 ABSENT: 3

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

Excused: Foster, Johansen, Olson, Ramras

Absent: Joule, Meyer, Nelson

And so, SCR 17 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

LEGISLATIVE CITATIONS

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

Honoring – Elizabeth "Pat" Hjellen, Wasilla Pioneer

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

Honoring – Perfect World

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

UNFINISHED BUSINESS

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

Representative Crawford – from 6:00 p.m., February 28 to evening plane time, March 2

Representative Doogan – from 6:00 a.m. to evening plane time, March 1

Representative Gara – from noon, March 2 to morning plane time, March 4

Representative Holmes – from 6:00 p.m., February 29 to morning plane time, March 3

Representative Kawasaki – from 6:00 a.m. to 9:00 p.m., February 28

Representative LeDoux – from 11:30 a.m., February 29 to morning plane time, March 3

Representative Neuman – from 11:00 a.m., February 28 to morning plane time, March 3

Representative Ramras – from 6:00 p.m., February 29 to morning plane time, March 3

Representative Roses – from 6:00 a.m., February 29 to evening plane time, March 2

HB 295

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

HOUSE BILL NO. 295

"An Act relating to the filing or recording of documents and records with the Department of Natural Resources, to the inspection and copying of filed and recorded documents, and to

the filing of secured transaction records under the Uniform Commercial Code; and providing for an effective date."

HB 295 was removed from the Resources Committee and referred to the Rules Committee for placement on the calendar.

HJR 28

Representative Kelly added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 28

Proposing an amendment to the Constitution of the State of Alaska relating to the production tax revenue fund, dedicating a portion of the petroleum production tax to the fund, and limiting appropriations from the fund.

HB 65

Representatives Dahlstrom, Gardner, Johnson, Wilson, Guttenberg, Holmes, Nelson, Crawford, LeDoux, Keller, Doogan, Buch, Roses, and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 65(FIN)

"An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

HB 363

Representative Salmon added his name as cosponsor to:

HOUSE BILL NO. 363

"An Act relating to naturopaths and to the practice of naturopathy; establishing an Alaska Naturopathic Council; amending the duties of the Board of Pharmacy relating to naturopathic practice; and providing for an effective date."

HB 366

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 366

"An Act relating to an exemption from public disclosure of certain appropriations from the dividend fund; and providing for an effective date."

SCR 17

Representatives Kerttula, Doogan, Wilson, and Samuels added their names as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 17

Relating to establishing March 2008 as Brain Injury Awareness Month.

SJR 11

Representative Buch added his name as cross sponsor to:

SENATE JOINT RESOLUTION NO. 11

Supporting federal funding for veterans' health care and urging the United States Congress to ensure adequate funding for veterans' health care.

ENGROSSMENT**HB 65**

CSHB 65(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 137

CSHB 137(FIN) 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 29, 2008. There being no objection, the House adjourned at 11:38 a.m.

Suzi Lowell
Chief Clerk