

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

**Juneau, Alaska**

**Monday**

**March 10, 2008**

**Fifty-sixth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 11:13 a.m.

Roll call showed 33 members present. Representatives Foster, Kerttula, Lynn, and Salmon had been excused from a call of the House today.

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 LeDoux – to afternoon plane time today

Representative Joule – from today to evening plane time, March 13

Representative Guttenberg – from today to evening plane time, March 14 (amended from page 2159)

The invocation was offered by the Chaplain, the Reverend Tom Matthews of Douglas Island Bible 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 respect for the various beliefs represented here, I would ask you to please join me in this opening prayer this morning.

Lord, I come before you with an open heart with a special request that has been shared with me: there has been a loss of

a man from Cordova, Mr. Mike O'Leary. The family and the friends are hurting right now. He is loved and he is going to be missed. Lord, we pray that you would give that special measure of comfort and strength to the family to persevere in this difficult time. Thank you that we can lift our request before you and that you care and you want to help us in these times of difficulty.

I thank you, Lord, for each person here today as they represent the various house districts of this great state of Alaska. What an honor it is for them to represent their various constituents. Thank you for a system of government that allows representation by the common man in decisions that are made by its leaders.

Lord, as we gather here I know there is fatigue among these members. They are pushing hard to complete their tasks within a set period of time and in doing so are pushing the limits of their own endurance and strength. I would pray that in spite of their fatigue, you would help them to evaluate each piece of information that comes before them with clarity of mind and the ability to make wise determinations based on the material that comes before them. Help them persevere to the end.

Lord, I pray that you would guide and bless their deliberations today. In the name of Jesus Christ I lift this prayer. 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 51<sup>st</sup>, 52<sup>nd</sup>, 53<sup>rd</sup>, 54<sup>th</sup>, and 55<sup>th</sup> legislative days and House Journal Supplement No. 5 and House and Senate Joint Journal Supplement No. 14 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Holmes introduced Chris Jenkins, Guest Page, from Anchorage.

Representative Gardner introduced Hayley Rodgers, Guest Page, from Anchorage.

Representative Stoltze introduced Tavish Logan, Guest Page, from Anchorage.

### MESSAGES FROM THE GOVERNOR

#### HCR 17

A message dated March 7, 2008, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

##### HOUSE CONCURRENT RESOLUTION NO. 17

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 139, relating to limitations on liability for certain airfield owners or operators.

Legislative Resolve No. 27

#### HCR 21

A message dated March 7, 2008, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

##### HOUSE CONCURRENT RESOLUTION NO. 21

Supporting the National Crime Victims' Rights Week of 2008.

Legislative Resolve No. 30

#### SCR 13

A message dated March 7, 2008, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**CS FOR SENATE CONCURRENT RESOLUTION NO. 13(RES)**

Urging the governor to direct the attorney general to file an amicus curiae brief with the United States Supreme Court in the case of District of Columbia v. Heller, supporting the individual right to keep and bear arms under the Second Amendment to the United States Constitution.

Legislative Resolve No. 28

**SCR 17**

A message dated March 7, 2008, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**SENATE CONCURRENT RESOLUTION NO. 17**

Relating to establishing March 2008 as Brain Injury Awareness Month.

Legislative Resolve No. 29

**MESSAGES FROM THE SENATE****HB 259**

A message dated March 6, 2008, was read stating the Senate passed:

**HOUSE BILL NO. 259(efd add)**

"An Act establishing the first week of every March as Alaska History Week; and providing for an effective date."

HB 259(efd add) was referred to the Chief Clerk for enrollment.

A message dated March 5, 2008, was read stating the Senate passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 230**

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 230(FIN) am by the Senate Finance Committee, entitled:

"An Act establishing the film office in the Department of Commerce, Community, and Economic Development; creating a transferable tax credit applicable to certain film production expenditures incurred in the state; and providing for an effective date."

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

**SB 256**

CS FOR SENATE BILL NO. 256(FIN) am(efd fld) by the Senate Finance Committee, entitled:

"An Act making supplemental appropriations, capital appropriations, reappropriations, and other appropriations; making an appropriation to the senior benefits payment program; amending certain appropriations; ratifying certain expenditures; and making appropriations to capitalize funds."

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

**REPORTS OF STANDING COMMITTEES****HCR 20**

The State Affairs Committee considered:

**HOUSE CONCURRENT RESOLUTION NO. 20**

Encouraging the installation of fire sprinkler systems in residences.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 20(STA)  
(same title)

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

No recommendation (5): Johnson, Johansen, Gruenberg, Doll, Roses

The following fiscal note(s) apply to CSHCR 20(STA):

1. Zero, House Labor & Commerce Committee

HCR 20 was referred to the Rules Committee for placement on the calendar.

**HJR 28**

The Finance Committee considered:

**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.

and recommends it be replaced with:

**CS FOR HOUSE JOINT RESOLUTION NO. 28(FIN)**

Proposing amendments to the Constitution of the State of Alaska relating to the budget reserve fund, and to appropriations to and transfers from the fund; and dedicating a portion of the petroleum production tax to the fund.

The report was signed by Representative Meyer, Co-chair, with the following individual recommendations:

Do pass (4): Hawker, Crawford, Thomas, Meyer

No recommendation (3): Gara, Stoltze, Joule

The following fiscal note(s) apply to CSHJR 28(FIN):

1. Zero, Dept. of Administration
2. Fiscal, Office of the Governor
4. Fiscal, Dept. of Revenue
5. Fiscal, Dept. of Revenue

HJR 28 was referred to the Rules Committee for placement on the calendar.

**HB 332**

The Health, Education & Social Services Committee considered:

## HOUSE BILL NO. 332

"An Act relating to elementary and pre-elementary schools."

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

Do pass (5): Cissna, Seaton, Roses, Keller, Wilson

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

HB 332 was referred to the Finance Committee.

**HB 337**

The Health, Education & Social Services Committee considered:

## HOUSE BILL NO. 337

"An Act establishing the Alaska Health Care Commission and the Alaska health care information office; relating to health care planning and information; repealing the certificate of need program for certain health care facilities and relating to the repeal; annulling certain regulations required for implementation of the certificate of need program for certain health care facilities; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 337(HES)

"An Act establishing the Alaska Health Care Commission and the Alaska health care information office; relating to health care planning and information; relating to the certificate of need program for certain health care facilities; and providing for an effective date."

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

Do pass (2): Cissna, Seaton

Do not pass (2): Fairclough, Gardner

No recommendation (1): Roses

Amend (2): Keller, Wilson

The following fiscal note(s) apply to CSHB 337(HES):

5. Indeterminate, Dept. of Health & Social Services
6. Indeterminate, Dept. of Health & Social Services
7. Fiscal, Dept. of Health & Social Services
8. Fiscal, Dept. of Health & Social Services
9. Fiscal, Dept. of Health & Social Services

HB 337 was referred to the Finance Committee.

### **SB 78**

The Transportation Committee considered:

CS FOR SENATE BILL NO. 78(JUD)

"An Act relating to the installation of window tinting in automobiles."

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

Do pass (1): Doogan

No recommendation (3): Neuman, Keller, Johansen

The following fiscal note(s) apply:

3. Zero, Dept. of Law
4. Zero, Dept. of Public Safety

CSSB 78(JUD) 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 – Roger Schmidt, 2007 National Coming Up Taller Award  
By Representative Wilson; Senator Stedman

Honoring – Chief Petty Officer Brian Vesco, Bronze Star Recipient  
By Representatives Keller, Gatto, Stoltze, Neuman; Senator Huggins

Honoring – Wayne Anthony Ross  
By Representative Hawker

Honoring – National Correctional Officers' Week, May 4-10, 2008  
By Representative Harris

Honoring – South Anchorage High School Hockey Team, 2008 State Champions  
By Representative Lynn

Honoring – Seward High School Girls Cross Country Ski Team, Highest Scoring 2A/3A Team for 2008  
By Representative Seaton

Honoring – Seward – The Mural Capital of Alaska  
By Representative Seaton; Senator Stevens

In Memoriam – James Vernon Grizzell Jr.  
By Senators Green, Huggins; Representative Stoltze

In Memoriam – Troy Kahklen  
By Senator Elton; Representatives Kerttula, Doll

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

Honoring – James L. Grant, Sr.  
By Senator Kookesh; Representative Salmon

Honoring – Interior Regional Housing Authority  
By Senator Kookesh; Representative Salmon

Honoring – Women's History Month, 2008 Theme: Women's Art,  
Women's Vision  
By Senator Davis

In Memoriam – Chief David Salmon  
By Senator Kookesh; Representative Salmon

## CONSIDERATION OF THE DAILY CALENDAR

### SECOND READING OF HOUSE BILLS

#### HB 325

The following was read the second time:

##### HOUSE BILL NO. 325

"An Act relating to the teachers' and nurses' housing loan program  
in the Alaska Housing Finance Corporation; and providing for an  
effective date."

with the:

Journal Page

HES RPT 5DP	1880
FN1: ZERO(REV)	1880
FIN RPT CS(FIN) NT 8DP 2NR	1984
FN1: ZERO(REV)	1985

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. 325(FIN)

"An Act relating to the teachers' and health care professionals'  
housing loan program in the Alaska Housing Finance Corporation;  
and providing for an effective date."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 325(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 325(FIN) was read the third time.

The question being: "Shall CSHB 325(FIN) pass the House?" The roll was taken with the following result:

CSHB 325(FIN)

Third Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 7 ABSENT: 0**

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

Excused: Foster, Guttenberg, Joule, Kerttula, LeDoux, Lynn, Salmon

And so, CSHB 325(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 325(FIN) was referred to the Chief Clerk for engrossment.

### **HB 413**

The following was read the second time:

#### **HOUSE BILL NO. 413**

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

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with the:

Journal Page

L&C RPT 5DP	2097
FN1: (CED)	2097
FIN RPT 3DP 6NR	2163
FN1: (CED)	2164

Representative Samuels moved and asked unanimous consent that HB 413 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 413 was read the third time.

The question being: "Shall HB 413 pass the House?" The roll was taken with the following result:

HB 413

Third Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 7 ABSENT: 0**

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

Excused: Foster, Guttenberg, Joule, Kerttula, LeDoux, Lynn, Salmon

And so, HB 413 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.

HB 413 was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### HJR 34

The following was read the second time:

## HOUSE JOINT RESOLUTION NO. 34

Urging the United States Congress to reauthorize the Debbie Smith DNA backlog grant program.

with the:	Journal Page
JUD RPT 5DP	2072
FN1: ZERO(H.JUD)	2073

Representative Samuels moved and asked unanimous consent that HJR 34 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 34 was read the third time.

The question being: "Shall HJR 34 pass the House?" The roll was taken with the following result:

HJR 34  
Third Reading  
Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 7 ABSENT: 0**

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

Excused: Foster, Guttenberg, Joule, Kerttula, LeDoux, Lynn, Salmon

And so, HJR 34 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 – Dorothy I. Perdue

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

Commemorating – Law Enforcement Memorial Day, May 9, 2008

By Representatives Harris, Dahlstrom, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Edgmon, Fairclough, 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 – Jerome E. Hallberg

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

#### **UNFINISHED BUSINESS**

##### **SB 59**

Representative Samuels moved and asked unanimous consent that the House consider the Conference Committee report (page 2145) on the following, which is under Unfinished Business:

##### **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."

and

## CS FOR SENATE BILL NO. 59(FIN)

"An Act relating to the use of broadcasting to promote charitable raffles and lotteries and to establishing cabbage classics as a form of charitable gaming."

There being no objection, it was so ordered.

Representative Samuels moved that the House adopt the Conference Committee report, thus adopting CCS SB 59, and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee report?" The roll was taken with the following result:

CCS SB 59

Adopt

**YEAS: 19 NAYS: 14 EXCUSED: 7 ABSENT: 0**

Yeas: Chenault, Coghill, Doogan, Gardner, Gruenberg, Harris, Hawker, Holmes, Johansen, Johnson, Kawasaki, Kelly, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Seaton

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Edgmon, Fairclough, Gara, Gatto, Keller, Nelson, Stoltze, Thomas, Wilson

Excused: Foster, Guttenberg, Joule, Kerttula, LeDoux, Lynn, Salmon

And so, the House failed to adopt the Conference Committee report, thus failing to adopt:

## CONFERENCE CS FOR SENATE BILL NO. 59

"An Act relating to the use of broadcasting to promote dog mushers' contests and charitable raffles and lotteries; relating to the maximum amount of prizes that may be awarded for charitable gaming activities other than bingo; and establishing cabbage classics as a form of charitable gaming."

The Chief Clerk notified the Senate.

The Senate adopted the Conference Committee report (Senate Journal page 2029).

**SPECIAL ORDER OF BUSINESS**

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the following citations be taken up as a Special Order of Business. There being no objection, it was so ordered.

In Memoriam – Chief David Salmon

Honoring – James L. Grant, Sr.

Honoring – Interior Regional Housing Authority

Honoring – Women's History Month, 2008 Theme: Women's Art,  
Women's Vision

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 – Chief David Salmon

By Senator Kookesh; Representatives Salmon, Harris, Buch, 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, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring – James L. Grant, Sr.

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

Honoring – Interior Regional Housing Authority

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



Honoring – Women's History Month, 2008 Theme: Women's Art, Women's Vision

By Senator Davis; Representatives Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, 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

#### HB 294

Representative Doll added her name as cosponsor to:

##### SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 294

"An Act establishing the division of marine transportation; establishing the Alaska Marine Transportation Authority Board and the position of director of the division of marine transportation, and assigning the powers and duties of each; making conforming amendments; and providing for an effective date."

#### SB 230

Representative Kerttula added her name as cross sponsor to:

##### CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 230(FIN) am

"An Act establishing the film office in the Department of Commerce, Community, and Economic Development; creating a transferable tax credit applicable to certain film production expenditures incurred in the state; and providing for an effective date."

### ENGROSSMENT

#### HJR 34

HJR 34 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 325**

CSHB 325(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 413**

HB 413 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 1:00 p.m., March 11, 2008. There being no objection, the House adjourned at 12:23 p.m.

Suzi Lowell  
Chief Clerk

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