

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE**  
**THIRD SPECIAL SESSION**

**Juneau, Alaska**

**Tuesday**

**June 10, 2008**

**Eighth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 9:04 a.m.

Roll call showed 24 members present. Representatives Foster, LeDoux, and Nelson had been excused from a call of the House today. Representatives Guttenberg and Thomas were later excused. Representatives Crawford and Gruenberg were absent and their presence was noted later. Representatives Cissna, Fairclough, Holmes, Kawasaki, Keller, Kelly, Neuman, and Salmon were absent.

Representative Samuels moved and asked unanimous consent that Representative Meyer be excused from a call of the House from today to 8:00 a.m., June 11. There being no objection, it was so ordered.

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

Our Father in Heaven,

We come before you today as a legislative body, grateful for the many blessings that we have—the beautiful state we live in and the many resources we enjoy; we are thankful for the freedoms we have and the men and women who defend this freedom.

Father, please bless us this day as we go about our business. Please bless us as many of us travel home today—that we will all be able to do so safely.

We thank thee and ask for these blessings in thy name.  
Amen.

The Pledge of Allegiance was led by Representative Gara.

### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the first through seventh legislative days of the Third Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HB 252**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 252(STA)

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

Chapter No. 80, SLA 2008

Effective Date: September 4, 2008

#### **HB 286**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 286(JUD)

"An Act relating to impersonating a public servant."

Chapter No. 78, SLA 2008  
Effective Date: September 4, 2008

**HB 295**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## 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."

Chapter No. 76, SLA 2008  
Effective Date: See Chapter

**HB 296**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## HOUSE BILL NO. 296

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

Chapter No. 77, SLA 2008  
Effective Date: June 7, 2008

**HB 334**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## HOUSE BILL NO. 334

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

Chapter No. 81, SLA 2008  
Effective Date: June 7, 2008

**HB 344**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 344

"An Act relating to distribution of the Alaska Administrative Code and Alaska Administrative Register; and providing for an effective date."

Chapter No. 82, SLA 2008  
Effective Date: July 1, 2008

**HB 366**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 366 am

"An Act relating to an exemption from public disclosure of certain appropriations from the dividend fund; relating to execution upon permanent fund dividends by civilian process servers using electronic procedures; amending Rule 89, Alaska Rules of Civil Procedure; and providing for an effective date."

Chapter No. 79, SLA 2008  
Effective Date: See Chapter

**HB 383**

A message dated June 6, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 383(L&C)

"An Act establishing an exemption from the dentist licensing exam for certain persons."

Chapter No. 83, SLA 2008  
Effective Date: September 4, 2008

**SB 196**

The following letter dated June 9, 2008, was received:

"Dear Speaker Harris:

Under the authority of art. II, sec. 17, of the Alaska Constitution, I have allowed the following bill to become law without signature:

HOUSE CS FOR CS FOR SENATE BILL NO. 196(FIN) am H  
"An Act relating to establishing a controlled substance prescription database."

[Chapter 84, SLA 2008  
Effective Date: September 7, 2008]

This bill would establish a statewide controlled substance prescription database administered by the Board of Pharmacy. A major goal of the bill is laudable - curbing prescription drug abuse through a proactive approach of reviewing a patient's prescription history before dispensing certain controlled substances. Nevertheless, I question whether a statewide electronic database for this sensitive personal information is the most appropriate means to achieve this end.

The Constitution of the State of Alaska strongly protects Alaskans' privacy rights. Nothing could be more private and deserving of the highest protection than a citizen's medical records for prescription drugs lawfully prescribed to that citizen. While the bill does much to protect the information in the database, and to punish persons who wrongfully access it, no system is perfect. I understand that the database is designed for electronic records, so licensed practitioners can have ready access to the information. While electronic records are convenient, they have their own risk from unauthorized intrusions and use.

Also, some Alaskans may hesitate to consult a health professional about a personal medical problem if personal information about the drugs prescribed to that person appears in a database accessible

throughout the state. In testimony before the legislature, some medical professionals expressed their concern that their patients may avoid or delay obtaining necessary care because of this perceived intrusion upon their privacy.

I am allowing this bill to become law without signature because prescription drug abuse is a serious problem in Alaska. Also, the bill contains strong performance measures to evaluate the database through annual reports to the legislature. I ask legislators and state agencies involved in the implementation of the database to closely monitor its progress, to be sure that its safeguards are successful and the intended benefits are achieved.

Sincerely,  
/s/  
Sarah Palin  
Governor"

**SB 265**

A message dated June 5, 2008, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 265(FIN) am H  
"An Act relating to the term of probation for persons convicted of minor consuming or in possession or control of alcohol or repeat minor consuming or in possession or control of alcohol; relating to termination of probation for certain persons convicted of minor consuming or in possession or control of alcohol or repeat minor consuming or in possession or control of alcohol; relating to furnishing or delivering alcoholic beverages to persons under 21 years of age; relating to shipping, sending, transporting, or bringing alcohol to a local option area and providing alcohol to others in the local option area, including penalties for violations; relating to reports of alcohol violations by minors; relating to the payment of permanent fund dividends to certain individuals required to register as sex offenders or child kidnappers; relating to public notice requirements relating to amounts that would have been paid as dividends to certain individuals required to register as sex offenders or child kidnappers; relating to certain persons who lend money on secondhand articles; relating to arson and

criminally negligent burning; relating to defenses for the detention of persons suspected of committing concealment of merchandise or theft; relating to the determination of time of a conviction; relating to issuance of search warrants; relating to persons found incompetent to stand trial concerning criminal conduct; relating to probation for certain offenses; relating to restitution for fish and game violations; relating to aggravating factors at sentencing; relating to post-conviction relief proceedings; relating to criminal extradition authority of the governor; removing the statutory bar to prosecution of certain crimes; relating to the reporting of suspected child pornography by certain persons; amending Rule 37(b), Alaska Rules of Criminal Procedure, relating to execution of warrants, and Rule 35.1, Alaska Rules of Criminal Procedure; and providing for an effective date."

Chapter No. 75, SLA 2008  
Effective Date: See Chapter

### **REPORTS OF STANDING COMMITTEES**

A report dated June 9, 2008, was read stating the Rules Committee adopted the following amendment to the Longevity Policy (House Journal page 127, February 5, 2003) of the Senate/House Employment Policy (House and Senate Joint Journal Supplement No. 8, May 10, 2005):

- Step A - No prior legislative experience.
- Step B - Two legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step C - Four legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step D - Six legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step E - Eight legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.

- Step F - Ten legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step J - Fourteen legislative sessions of at least 100 days each, or two full years with the legislature at a comparable or higher level.
- Step K - Eighteen legislative sessions of at least 100 days each, or two full years with the legislature at a comparable or higher level.
- Step L - **Twenty-two** [TWENTY-EIGHT] legislative sessions of at least 100 days each, or **two** [FIVE] full years with the legislature at a comparable or higher level.
- Step M - **Twenty-six** [THIRTY-SIX] legislative sessions of at least 100 days each, or **two** [FOUR] full years with the legislature at a comparable or higher level.

**Additional Steps based on eligibility criteria that conforms to and continues the system set out under Steps J – M of this longevity policy, with the amount to be computed in accordance with AS 39.27.011(h).**

**Application of this amended longevity policy and transition shall be in accordance with the policies set out in sections 23 and 24 of chapter 21, SLA 2008.**

The new Longevity Policy takes effect July 1, 2008.

The report was signed by Representative Coghill, Chair; and Representatives Samuels, Harris, Fairclough, Johnson, and Kerttula.

#### INTRODUCTION OF CITATIONS

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

Honoring – Crew of the F/V Time Bandit  
By Representative Chenault

Honoring – Robert Ruffner  
By Senator Wagoner; Representative Olson



Honoring – Marty Quaas  
By Senator Huggins; Representative Stoltze

In Memoriam – William G. Bacus  
By Senator Stevens; Representative LeDoux

In Memoriam – Louis John Horn  
By Senator Stevens; Representative LeDoux

In Memoriam – Helen Maddox Barlow  
By Senator Davis

In Memoriam – George Guilford Jr.  
By Senator Davis

In Memoriam – Eileen Verna Marshall  
By Senator Davis

\*\*The presence of Representatives Crawford and Gruenberg was noted.

#### **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 Chenault – from 6:00 a.m., July 3 to evening plane time, July 7

Representative Dahlstrom – from 11:30 a.m. to midnight, today

Representative Guttenberg – from today to evening plane time, June 11

Representative Keller – from 6:00 a.m. to 11:30 p.m., June 12

Representative Olson – from 8:00 a.m., June 17 to 8:00 a.m., June 18; and from 6:00 a.m., June 30 to afternoon plane time, July 5

Representative Thomas – from 8:00 a.m., June 8 to 5:00 p.m., June 13

Representative Gruenberg – from 5:00 a.m., June 25 to 11:30 p.m., July 2 (amended from page 3069)

### **SPECIAL ORDER OF BUSINESS**

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the citations on the first special order citation calendar 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 first special order citation calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring – Crew of the F/V Time Bandit

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

Honoring – Robert Ruffner

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

Honoring – Marty Quaas

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

In Memoriam – William G. Bacus

By Senator Stevens; Representatives LeDoux, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg,

Hawker, Holmes, Johansen, Johnson, Joule, Keller, Kerttula, Lynn, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam – Louis John Horn

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

In Memoriam – Helen Maddox Barlow

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

In Memoriam – George Guilford Jr.

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

In Memoriam – Eileen Verna Marshall

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

### **UNFINISHED BUSINESS**

The Speaker made the following reappointment:

Knik Arm Bridge and Toll Authority  
(AS 19.75.031)  
Representative Stoltze

### ENROLLMENT

#### **HB 44**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:47 a.m., June 9, 2008:

CS FOR HOUSE BILL NO. 44(FIN)

"An Act relating to information from veterans on the permanent fund dividend application form."

#### **HB 88**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:47 a.m., June 9, 2008:

SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD)

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; relating to the definition of physical injury for the Alaska Uniform Vehicle Code; and providing for an effective date."

#### **HB 196**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:23 p.m., June 9, 2008, with a manifest error memorandum (page 3017):

SENATE CS FOR CS FOR HOUSE BILL NO. 196(JUD) am S

"An Act relating to the handling of matters after a person's death, to the Uniform Anatomical Gift Act, to anatomical gifts, to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

**HB 319**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:23 p.m., June 9, 2008:

SENATE CS FOR CS FOR HOUSE BILL NO. 319(HES)

"An Act relating to the practice of dentistry, to dental assistants, and to dental hygienists."

**HB 356**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:40 p.m., June 9, 2008, with a manifest error memorandum (page 3009):

CS FOR HOUSE BILL NO. 356(CRA)

"An Act relating to an exemption from municipal property taxes for certain real property that is exempt from levy and collection of real property taxes when conveyed by the federal government to implement the Alaska Native Claims Settlement Act or when conveyed under a land exchange authorized by that Act involving land or an interest in land that is made exempt from local property taxes by that Act; and providing for an effective date."

**HB 414**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:23 p.m., June 9, 2008:

HOUSE BILL NO. 414

"An Act relating to the crime victim compensation fund."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Samuels moved and asked unanimous consent that the House adjourn until 3:30 p.m., June 14, 2008, for a technical session. There being no objection, the House adjourned at 9:20 a.m.

Suzi Lowell  
Chief Clerk