

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

March 11, 2011

#### Fifty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:33 a.m.

Roll call showed 38 members present. Representative Holmes had been excused from a call of the House today.

Representative Austerman moved and asked unanimous consent that Representative T. Wilson be excused from a call of the House from today to 9:40 a.m., March 14. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Dr. Douglas Dye of Chapel by the Lake Presbyterian Church. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Please bow with me as I pray.

Gracious and loving God, on this beautiful, sun-filled day we pause to give you thanks for the gift of life and the joy of living. As the Psalmist in the Hebrew Scriptures declared, "This is the day the Lord has made; let us rejoice and be glad in it." (Psalm 118:24) So we "thank you," O God, for you have blessed us with a new day: a day to enjoy the beauty and wonder of your creation, a day to love and serve our families, our colleagues, and our constituents.

We thank you for the bounty and grandeur of our beloved state, Alaska. Snow-covered mountains, breath-taking coastal vistas, grand forests, immense tundra—all of it speaks of your creative power and love. Thank you for placing us in this magnificent land. Help us to be good and wise stewards of your creation.

Today, O God, as we consider the earthquake in Japan and the ensuing tsunamis, we are reminded of the power of nature and our human fragility. Strengthen and protect the good people of Japan as they stagger under the force of this natural disaster. And protect us and others from similar catastrophes.

Loving God, give to these servants in the Alaska State House of Representatives sufficient wisdom and grace for today so they might lead us ably and well. Encourage them in their work. Grant them wisdom and insight to promote justice and prosperity amongst us. Place within them a desire to seek your counsel as they serve the people of this blessed and beautiful state.

I pray in the name of Jesus. Amen.

The Pledge of Allegiance was led by Representative Kawasaki.

#### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 52<sup>nd</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Olson introduced Mac Evans, Guest Page, from Anchorage.

Representative Pruitt introduced Jonah Parker, Guest Page, from Anchorage.

Representative Austerman introduced his granddaughter, Alex Bodily, Guest Page, from Kodiak.

**REPORTS OF STANDING COMMITTEES****HCR 1**

The Health & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 1  
Proclaiming November 2011 to be Pancreatic Cancer Awareness  
Month.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(HSS)  
(same title)

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

Do pass (7): Kerttula, Millett, Dick, Seaton, Miller, Herron, Keller

The following fiscal note(s) apply to CSHCR 1(HSS):

1. Zero, Legislative Agency

HCR 1 was referred to the Rules Committee for placement on the calendar.

**HCR 3**

The Health & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 3  
Relating to promoting the safety and protection of older Alaskans.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 3(HSS)  
(same title)

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

Do pass (7): Kerttula, Millett, Dick, Seaton, Miller, Herron, Keller

The following fiscal note(s) apply to CSHCR 3(HSS):

1. Zero, Legislative Agency

HCR 3 was referred to the Rules Committee for placement on the calendar.

### **REPORTS OF SPECIAL COMMITTEES**

#### **HCR 7**

The House Special Committee on Military & Veterans' Affairs considered:

#### HOUSE CONCURRENT RESOLUTION NO. 7

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

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

Do pass (4): Gatto, Miller, Thompson, Saddler

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HCR 7 was referred to the Rules Committee for placement on the calendar.

### **INTRODUCTION OF CITATIONS**

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

In Memoriam – Rachel Baird  
By Senator Huggins; Representative Neuman

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS****HCR 8**

HOUSE CONCURRENT RESOLUTION NO. 8 by Representatives Tuck, Cissna, Austerman, Munoz, Dick, Millett, P. Wilson, Gruenberg, Hawker, Guttenberg, Petersen, Fairclough, Costello, Kerttula, Pruitt, Chenault, Miller, Gara, Gardner, Kawasaki, Herron, and Johansen:

Urging the Transportation Security Administration to reconsider its use of pat-down search procedures adopted on October 28, 2010, and to conduct pat-down searches using less invasive but equally effective procedures; and urging the United States Congress to exercise greater oversight of the Transportation Security Administration.

was read the first time and taken up as a Special Order of Business.

**SPECIAL ORDER OF BUSINESS****HCR 8**

Representative Austerman moved and asked unanimous consent that HCR 8 be taken up as a Special Order of Business. There being no objection, it was so ordered.

The question being: "Shall HCR 8 pass the House?" The roll was taken with the following result:

HCR 8

Special Order of Business

**YEAS: 37 NAYS: 1 EXCUSED: 2 ABSENT: 0**

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson

Nays: Lynn

Excused: Holmes, T.Wilson

And so, HCR 8 passed the House and was referred to the Chief Clerk for engrossment.

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

**HB 190**

HOUSE BILL NO. 190 by Representatives Feige, Chenault, Herron, P. Wilson, and Johnson, entitled:

"An Act relating to the allowable absence for active duty service members of the armed forces for purposes of permanent fund dividend eligibility."

was read the first time and referred to the State Affairs and Finance Committees.

**HB 191**

HOUSE BILL NO. 191 by Representatives Thompson by request and Kertula, entitled:

"An Act establishing a state department of agriculture and food and relating to its powers and duties; relating to the powers and duties of the Department of Environmental Conservation and the Department of Natural Resources; and providing for an effective date."

was read the first time and referred to the House Special Committee on Economic Development, Trade, & Tourism and the Resources and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 130**

The following was read the second time:

## HOUSE BILL NO. 130

"An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings; and providing for an effective date."

with the:	Journal Page
CRA RPT 6DP	206
FN1: ZERO(DPS)	206
L&C RPT CS(L&C) NT 7DP	268
FN1: ZERO(DPS)	268

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

## CS FOR HOUSE BILL NO. 130(L&amp;C)

"An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings."

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 130(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 130(L&C) was read the third time.

The question being: "Shall CSHB 130(L&C) pass the House?" The roll was taken with the following result:

CSHB 130(L&C)

Third Reading

Final Passage

**YEAS: 33 NAYS: 4 EXCUSED: 2 ABSENT: 1**

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Herron, Johansen, Johnson, Kawasaki, Kerttula, Lynn, Miller, Millett, Munoz, Olson, Petersen, Pruitt, Saddler, Seaton, Thomas, Thompson, Tuck, P.Wilson

Nays: Gatto, Keller, Neuman, Stoltze

Excused: Holmes, T.Wilson

Absent: Joule

And so, CSHB 130(L&C) passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### HR 6

The following was read the second time:

#### HOUSE RESOLUTION NO. 6

Urging the North Pacific Fisheries Management Council to amend the groundfish fisheries management plan for the Gulf of Alaska to allow for an annually adjusted cap of prohibited species catch based on an abundance of bycatch species, and expeditiously to implement a Chinook bycatch cap to limit the number of Chinook salmon harvested as bycatch in the Gulf of Alaska.

The question being: "Shall HR 6 pass the House?" The roll was taken with the following result:

### HR 6

Second Reading

Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2**

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Johansen, Johnson, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P.Wilson

Excused: Holmes, T. Wilson

Absent: Joule, Munoz

And so, HR 6 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

### LEGISLATIVE CITATIONS

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

Honoring – South High Boys Varsity Hockey Team, 2010-2011 4A State Champions

By Representatives Lynn, Johnson, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kerttula, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Giessel

### UNFINISHED BUSINESS

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

Representative Cissna – from 7:30 p.m., March 14 to 2:00 p.m., March 20

### HR 6

Representatives Seaton, Neuman, Millett, Hawker, P. Wilson, Chenault, Gara, Thompson, and Gardner added their names as cosponsors to:

#### HOUSE RESOLUTION NO. 6

Urging the North Pacific Fisheries Management Council to amend the groundfish fisheries management plan for the Gulf of Alaska to allow for an annually adjusted cap of prohibited species catch based on an abundance of bycatch species, and expeditiously to

implement a Chinook bycatch cap to limit the number of Chinook salmon harvested as bycatch in the Gulf of Alaska.

**HCR 1**

Representatives Herron, Millett, and Kerttula added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 1  
Proclaiming November 2011 to be Pancreatic Cancer Awareness Month.

**HCR 3**

Representatives Herron, Millett, Kerttula, and Keller added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 3  
Relating to promoting the safety and protection of older Alaskans.

**HJR 21**

Representative Costello added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 21  
Urging the Secretary of the United States Department of the Interior to withdraw a secretarial order that creates a wild land classification and to administer federal lands in the state in accordance with existing statutes and agency guidelines; and urging the United States Congress to prohibit the use of appropriated funds by the United States Department of the Interior and the Bureau of Land Management to implement, administer, or enforce the secretarial order.

**HB 176**

Representative Feige added his name as cosponsor to:

HOUSE BILL NO. 176  
"An Act relating to an allowable absence for members of the Civilian Expeditionary Workforce of the United States Department of Defense for purposes of determining eligibility for permanent fund dividends; and providing for an effective date."

**HB 180**

Representative Fairclough added her name as cosponsor to:

## HOUSE BILL NO. 180

"An Act authorizing the Department of Administration to note a person's status as a veteran on the person's driver's license and to provide certain information to the Department of Military and Veterans' Affairs."

**HB 182**

Representative Hawker added his name as cosponsor to:

## HOUSE BILL NO. 182

"An Act relating to distribution of annual reports by state agencies."

**HB 184**

Representative Thompson added his name as cosponsor to:

## HOUSE BILL NO. 184

"An Act relating to the sharing of tax revenue from the fisheries business tax and fishery resource landing tax with municipalities; and providing for an effective date."

**ENGROSSMENT****HCR 8**

HCR 8 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 130**

CSHB 130(L&C) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

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Financial Disclosure Statements

Due to APOC:

3/15

The following meeting today was changed:

Resources Committee

CHANGED TO:

1:15 p.m.

**ADJOURNMENT**

Representative Austerman moved and asked unanimous consent that the House adjourn until 11:00 a.m., March 14, 2011. There being no objection, the House adjourned at 12:17 p.m.

Suzi Lowell  
Chief Clerk