

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

March 21, 2011

Sixty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:33 a.m.

Roll call showed 23 members present. Representatives Costello, Doogan, Fairclough, Gara, Hawker, Herron, Joule, Kawasaki, Millett, Neuman, Stoltze, Thomas, and T. Wilson had been excused from a call of the House today. Representative Tuck was absent.

Representative P. Wilson, Acting Majority Leader, moved and asked unanimous consent that Representatives Austerman, Edgmon, and Guttenberg be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, David Dierdorff of Juneau Unitarian Universalist Fellowship. Representative Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Please join me in reverence.

Spring. Soon the dormant buds will open, the chill of winter will turn to warmth, we will all feel a little renewed and refreshed. But on this beautiful and peaceful day in Juneau, we know that there are others in the world who are facing the violence of man, others who are recovering from the violence of the earth, and our hearts go out to them.

It reminds me of how important each of our days is, an importance set to words by the great Sanskrit poet, Kalidasa, almost 2,000 years ago:

Look to this day: for it is life, the very life of life. In its brief course lie all the verities and realities of your existence. The bliss of growth, the glory of action, the splendour of achievement are but experiences of time. For yesterday is but a dream and tomorrow is only a vision; and today well-lived, makes yesterday a dream of happiness and every tomorrow a vision of hope. Look well therefore to this day.

So be it. Amen.

The Pledge of Allegiance was led by Representative Miller.

CERTIFICATION OF THE JOURNAL

Representative P. Wilson moved and asked unanimous consent that the journal for the 60th, 61st, and 62nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Miller introduced Justice Fike, Guest Page, from North Pole.

Representative Johansen introduced his daughter, Jacie Johansen, Guest Page, from Ketchikan.

Representative Kerttula introduced Gracie Lazar, Guest Page, from Juneau.

MESSAGES FROM THE SENATE

HCR 4

A message dated March 18, 2011, was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 4

Proposing amendments to the Uniform Rules of the Alaska State Legislature providing that the 2010 edition of "Mason's Manual of Legislative Procedure" shall implement the rules; and providing for an effective date for the amendments.

HCR 4 was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the State and Alaska
Vocational Technical Center Teachers' Association
March 18, 2011
(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

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:

John Burns

as Attorney General.

The report was signed by Representative Gatto, Chair; and Representatives Lynn, Gruenberg, Thompson, Holmes, and Pruitt.

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

Cora Campbell

as Commissioner of the Department of Fish and Game.

Michael Smith

as a member of the Board of Fisheries.

Daniel Seamount, Jr.

as a member of the Alaska Oil and Gas Conservation Commission.

The reports were signed by Representatives Feige and Seaton, Co-chairs; and Representatives Gardner, Munoz, P. Wilson, and Dick.

HB 150

The Judiciary Committee considered:

HOUSE BILL NO. 150

"An Act relating to the protection of property of persons under disability and minors; relating to the crime of violating a protective order concerning certain vulnerable persons; relating to aggravating factors at sentencing for offenses concerning a victim 65 years or older; relating to the protection of vulnerable adults; amending Rule 12(h), Alaska Rules of Criminal Procedure; amending Rule 45(a), Alaska Rules of Criminal Procedure; amending Rule 65, Alaska Rules of Civil Procedure; amending Rule 17, Alaska Rules of Probate Procedure; amending Rule 9, Alaska Rules of Administration; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 150(JUD)

"An Act relating to the protection of property of persons under disability and minors; relating to the crime of violating a protective order concerning certain vulnerable persons; relating to aggravating factors at sentencing for offenses concerning a victim 65 years or older; relating to the protection of vulnerable adults; making conforming amendments; amending Rules 12(h) and

45(a), Alaska Rules of Criminal Procedure, Rule 77, Alaska Rules of Civil Procedure, Rule 17, Alaska Rules of Probate Procedure, and Rule 9, Alaska Rules of Administration; and providing for an effective date."

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

Do pass (6): Lynn, Holmes, Thompson, Pruitt, Gruenberg, Gatto

The following fiscal note(s) apply to CSHB 150(JUD):

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Administration
3. Zero, Dept. of Law
4. Fiscal, Dept. of Public Safety
5. Zero, Dept. of Public Safety
6. Indeterminate, Dept. of Corrections
7. Zero, Alaska Court System

HB 150 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring – John Quniaq Baker, 2011 Iditarod Champion
By Representative Joule

Honoring – Chanlyut
By Representative Gruenberg

Honoring – Credit Union 1
By Representative Gruenberg

Honoring – Michael Rehe, Eagle Scout
By Senator Wielechowski; Representative Petersen

Honoring – Richard Toymil, 2010 National Distinguished Principal
By Senator Dyson

In Memoriam – Barbara Newell
By Representative Gruenberg

In Memoriam – Susan Joy "Sue" Thompson
By Senator Stevens; Representative Austerman

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 200

HOUSE BILL NO. 200 by Representative Gatto, entitled:

"An Act relating to restricting collective bargaining by certain public employees."

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

HB 201

HOUSE BILL NO. 201 by Representative Guttenberg, entitled:

"An Act establishing the Alaska Broadband Task Force."

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

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

Representative P. Wilson 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 – Greg Carlson, 2010 Alaska Music Educator of the Year
By Representatives Herron, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Hoffman

Honoring – Kaylee Miltersen, Alaska State Poetry Out Loud Finalist
By Senator Dyson; Representatives Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

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

Honoring – Kenai Chamber of Commerce, 2010 Community Service Awards
By Senator Wagoner; Representatives Chenault, Olson, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Honoring – Soldotna Chamber of Commerce, 2010 Community Service Awards
By Senator Wagoner; Representatives Chenault, Olson, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Honoring – 75th Anniversary of Alaska State Fair
By Senator Menard; Representatives Stoltze, Chenault, Austerman, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron,

Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

In Memoriam – Joyce Munson

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

In Memoriam – Gregory Moxie

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

In Memoriam – Frederick Lyall Lambing

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

In Memoriam – Robert I. Vanderpool

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

In Memoriam – James "Jimbo" Edwards

By Representatives Doogan, Holmes, Chenault, Cissna, Costello, Dick, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Johansen, Johnson, Joule,

Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Menard

In Memoriam – Sarah Lee "Sally" Elliott

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

UNFINISHED BUSINESS

Representative P. Wilson 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 Hawker – from 11:00 a.m., March 19 to 10:00 p.m., March 22 (amended from page 495)

HCR 4

The following memorandum dated March 19, 2011, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services, regarding:

HOUSE CONCURRENT RESOLUTION NO. 4

Proposing amendments to the Uniform Rules of the Alaska State Legislature providing that the 2010 edition of "Mason's Manual of Legislative Procedure" shall implement the rules; and providing for an effective date for the amendments.

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in HCR 4, which has been corrected in enrolling:

Page 2, line 5:

Delete "This"

Insert "The""

HB 11

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 11

"An Act requiring that retiree health insurance coverage offered by the state and by certain local governments include coverage for colorectal screening, including colonoscopies."

HB 168

Representatives Keller and Thompson added their names as cosponsors to:

HOUSE BILL NO. 168

"An Act requiring the amount of the security given by a party seeking an injunction or order vacating or staying the operation of a permit affecting an industrial operation to include an amount for the payment of wages and benefits for employees and payments to contractors and subcontractors that may be lost if the industrial operation is wrongfully enjoined."

HB 191

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 191

"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."

EXECUTIVE ORDERS**EO 115**

In accordance with art. III, sec. 23, Constitution of the State of Alaska, the House did not disapprove the following executive order within 60 days, and it was transmitted to the Office of the Governor at 9:50 a.m., March 21, 2011:

EXECUTIVE ORDER NO. 115

Realigning the oversight authority of the Alaska Aerospace Corporation from the Department of Commerce, Community, and Economic Development to the Department of Military and Veterans' Affairs.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative P. Wilson moved and asked unanimous consent that the House adjourn until 10:45 a.m., March 22, 2011, for a joint session. There being no objection, the House adjourned at 11:58 a.m.

Suzi Lowell
Chief Clerk