

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

**Juneau, Alaska**

**Monday**

**March 28, 2011**

**Seventieth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:05 a.m.

Roll call showed 36 members present. Representatives Saddler and Thompson had been excused from a call of the House today.

Representative Austerman 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 Gruenberg – today

Representative Neuman – from today to 10:00 a.m., April 4

The invocation was offered by the Chaplain, Father Simeon Johnson of St. Nicholas Russian Orthodox 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.

If I had to sum up the Orthodox spiritual tradition in one sentence or less, I would have to use the following line from St. Seraphim of Sarov (1759–1833): "Acquire the spirit of peace, and thousands around you will be saved."

In that spirit, I will offer a prayer by St. Ephraim the Syrian (A.D. 306–373) that the Eastern Orthodox Church uses throughout Great Lent to help us acquire the spirit of peace:

O Lord and Master of my life, take from me the spirit of sloth, despair, lust of power, and idle talk. But give rather the spirit of chastity, humility, patience, and love to Thy servant. Yea, O Lord and King: Grant me to see my own transgressions and not to judge my brother, for blessed art Thou, unto the ages of ages. Amen.

The Pledge of Allegiance was led by Representative Olson.

### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 67<sup>th</sup>, 68<sup>th</sup>, and 69<sup>th</sup> legislative days and House Journal Supplement No. 2 and House and Senate Joint Journal Supplement No. 6 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 26, 2011, was read stating the Governor withdraws the following names from legislative confirmation of appointment to the positions noted.

The Speaker had referred the following to the Labor & Commerce Committee (page 163):

#### **Board of Nursing**

Jennifer "Robin" Allen

The Speaker had referred the following to the State Affairs Committee (page 166):

#### **State Commission for Human Rights**

Jerrad "Shea" Hutchings

A letter dated March 26, 2011, was read stating that, in accordance with art. III, sec. 26, Constitution of the State of Alaska, and AS 16.05.221 and AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the House Special Committee on Fisheries and the Resources Committee:

**Board of Fisheries**

William S. Brown – Juneau

Appointed: 3/12/2008

Reappointed: 3/26/2011      Term Expires: 6/30/2014

Susan Jeffrey – Kodiak

Appointed: 3/26/2011      Term Expires: 6/30/2014

John E. Jensen – Petersburg

Appointed: 1/20/2003

Reappointed: 4/11/2005      Reappointed: 3/12/2008

Reappointed: 3/26/2011      Term Expires: 6/30/2014

The Speaker referred the following to the Resources Committee:

**Board of Game**

Stanley "Stosh" L. Hoffman, Jr. – Bethel

Appointed: 11/13/2008

Reappointed: 3/26/2011      Term Expires: 6/30/2014

Ted H. Spraker – Soldotna

Appointed: 1/21/2003

Reappointed: 4/11/2005      Reappointed: 1/28/2008

Reappointed: 3/26/2011      Term Expires: 6/30/2014

Nick Yurko – Juneau

Appointed: 3/26/2011      Term Expires: 6/30/2014

The Speaker referred the following to the State Affairs Committee:

**Board of Parole**

Sarah J. Possenti – Fairbanks

Appointed: 3/26/2011      Term Expires: 3/1/2013

Resumes for the appointments are on file in the Chief Clerk's office.

**COMMUNICATIONS**

The following was received:

Dept. of Administration  
Office of the Commissioner  
Monetary Terms of Agreement Between the State and the  
International Organization of Masters, Mates and Pilots, Pacific  
Maritime Region  
March 24, 2011  
(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

**REPORTS OF STANDING COMMITTEES**

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

Patrick Shier

as a member of the Board of Education and Early Development.

Stephen Atwater  
Richard Lum

as members of the Professional Teaching Practices Commission.

Jyotsna "Jo" Heckman  
Michael K. Powers

as members of the University of Alaska Board of Regents.

The report was signed by Representative Dick, Chair; and Representatives Cissna, P. Wilson, Seaton, and Pruitt.

**HB 23**

The Judiciary Committee considered:

## HOUSE BILL NO. 23

"An Act relating to criminal use of a computer."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 23(JUD)

"An Act making the installation, enabling, or use of keystroke loggers or other devices criminal use of a computer."

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

Do pass (3): Holmes, Lynn, Gatto

No recommendation (2): Pruitt, Keller

The following fiscal note(s) apply to CSHB 23(JUD):

1. Indeterminate, Dept. of Corrections
2. Indeterminate, Dept. of Law

HB 23 was referred to the Finance Committee.

**REPORTS OF SPECIAL COMMITTEES**

A report of the Committee on Committees dated March 28, 2011, was read submitting an amendment to the January 19, 2011, report (page 10). Additional reports are on pages 78, 319, and 409. The amendment follows:

Finance Committee: Hawker replaced Neuman as member; Chenault replaced Hawker as Alternate

The report was signed by Representative Chenault, Chair; and Representatives Johnson, Austerman, Thomas, Stoltze, Kerttula, and Gardner.

Representative Austerman moved and asked unanimous consent that the House adopt the Committee on Committees report. There being no objection, it was so ordered.

**HB 181**

The House Special Committee on Fisheries considered:

**HOUSE BILL NO. 181**

"An Act requiring the Department of Fish and Game annually to collect confidential information related to days worked by commercial fishing crewmembers and to compile statistical data."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 181(FSH)  
(same title)

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

Do pass (3): Johnson, Austerman, Thompson

No recommendation (1): Pruitt

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHB 181(FSH):

1. Fiscal, Dept. of Fish & Game

HB 181 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 – The First-Ever All-American Women's Yukon River Quest Team  
By Senator French

In Memoriam – Robert Godfrey Schachle  
By Representatives Neuman, Stoltze, Gatto, Keller; Senators Huggins, Menard

In Memoriam – Pier Hale

By Senator Wielechowski; Representative Gruenberg

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

#### **HB 210**

HOUSE BILL NO. 210 by Representative Lynn, entitled:

"An Act relating to the drinking age for a person who is an active member of the armed forces of the United States or an active member of the Alaska National Guard; and relating to the age to possess tobacco for a person who is an active member of the armed forces of the United States or an active member of the Alaska National Guard."

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs and the Judiciary Committee.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **THIRD READING OF HOUSE BILLS**

#### **HB 24**

The following, which was held from the March 25, 2011, calendar (page 581), was read the third time:

CS FOR HOUSE BILL NO. 24(FIN)

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

The question being: "Shall CSHB 24(FIN) pass the House?" The roll was taken with the following result:

CSHB 24(FIN)

Third Reading

Final Passage

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

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

Excused: Gruenberg, Neuman, Saddler, Thompson

Absent: Stoltze

And so, CSHB 24(FIN) passed the House.

Representative Austerman 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 24(FIN) was referred to the Chief Clerk for engrossment.

### **HB 189**

The following, which was advanced to third reading from the March 25, 2011, calendar (page 581), was read the third time:

#### **CS FOR HOUSE BILL NO. 189(RES)**

"An Act relating to the Alaska Gasline Development Corporation and creating an exception to the public records statute for information provided to the Alaska Gasline Development Corporation; amending the composition of the Joint In-State Gasline Development Team; and providing for an effective date."

The question being: "Shall CSHB 189(RES) pass the House?" The roll was taken with the following result:

CSHB 189(RES)

Third Reading

Final Passage

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

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



Excused: Gruenberg, Neuman, Saddler, Thompson

And so, CSHB 189(RES) passed the House.

Representative Austerman 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 189(RES) was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### HJR 15

The following was read the second time:

#### HOUSE JOINT RESOLUTION NO. 15

Relating to collaboration with the Yukon and the Northwest Territories through the Pacific NorthWest Economic Region and its Arctic Caucus to address common issues.

with the:

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EDT RPT CS(EDT) 6DP

510

FN1: ZERO(LEG)

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

CS FOR HOUSE JOINT RESOLUTION NO. 15(EDT)  
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHJR 15(EDT) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 15(EDT) was read the third time.

The question being: "Shall CSHJR 15(EDT) pass the House?" The roll was taken with the following result:

CSHJR 15(EDT)

Third Reading

Final Passage

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

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

Excused: Gruenberg, Neuman, Saddler, Thompson

And so, CSHJR 15(EDT) passed the House and was referred to the Chief Clerk for engrossment.

### LEGISLATIVE CITATIONS

Representative Austerman 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 – Jeremiah Klejka, 2011 Junior Iditarod Sled Dog Race Champion

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 – Jodi Bailey, Rookie Yukon Quest and Iditarod Finisher

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

## Honoring – Regent Erik Drygas

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

## In Memoriam – Mary Putman

By Representatives Gara, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, 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 Ellis

## In Memoriam – Cecile Costello

By Senator Stevens; Representatives Austerman, 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

## In Memoriam – Eugene Sundberg

By Senator Stevens; Representatives Austerman, 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

## In Memoriam – Carl Carlson

By Senator Stevens; Representatives Austerman, 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

In Memoriam – Ginny Sargent

By Senator Stevens; Representatives Austerman, 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

In Memoriam – Oscar Watsjold

By Senator Stevens; Representatives Seaton, 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, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

### **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 Herron – from 5:30 p.m., March 30 to 9:30 p.m., March 31

### **SPECIAL ORDER OF BUSINESS**

Representative Johnson announced the birth of Representative Thompson's son, Max Andrew Thompson, who was born March 26, 2011.

### **UNFINISHED BUSINESS**

#### **HJR 15**

Representatives Tuck, Johnson, and Cissna added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 15(EDT)

Relating to collaboration with the Yukon and the Northwest Territories through the Pacific NorthWest Economic Region and its Arctic Caucus to address common issues.

**HB 11**

Representative Tuck added his 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 49**

Representative Dick added his name as cosponsor to:

**HOUSE BILL NO. 49**

"An Act establishing in the Department of Education and Early Development a voluntary parent and early childhood education program for pre-elementary aged children."

**HB 170**

Representative Tuck removed his name as cosponsor to:

**HOUSE BILL NO. 170**

"An Act relating to municipal property tax exemptions on residences of certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel; and providing for an effective date."

**HB 189**

Representatives Hawker and Olson added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 189(RES)**

"An Act relating to the Alaska Gasline Development Corporation and creating an exception to the public records statute for information provided to the Alaska Gasline Development Corporation; amending the composition of the Joint In-State Gasline Development Team; and providing for an effective date."

**ENGROSSMENT****HJR 15**

CSHJR 15(EDT) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 24**

CSHB 24(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 189**

CSHB 189(RES) 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.

**ADJOURNMENT**

Representative Austerman moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 29, 2011. There being no objection, the House adjourned at 11:51 a.m.

Suzi Lowell  
Chief Clerk