

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

**Juneau, Alaska**

**Saturday**

**April 16, 2011**

**Eighty-ninth Day**

The House was called to order by Speaker Chenault at 1:23 p.m.

Roll call showed 40 members present.

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

With the deepest respect for the traditions and beliefs of all Alaskans, I offer the following thoughts:

As Sir Ernest Shackleton said, "Leadership is a fine thing, but it has its penalties. And the greatest penalty is loneliness."

As we begin the final days of this session I pray for courage for each and every one of us. And I'm not talking about just the big decisions, I'm talking about the little ones, the ones where you lose your temper or not, the ones where you have the courage to show patience or not, the ones where you admit your loneliness and reach out.

Tim O'Brien, in his book about Vietnam, *The Things They Carried*, talks about courage, "If the stakes ever became high enough—if the evil were evil enough, if the good were good enough—I would simply tap a secret reservoir of courage that had been accumulating inside me over the years ... it was a

comforting theory. It dispensed with all those bothersome little acts of daily courage."

When the buck is stopping here, it's hard to face it, so I pray for all of us to reach inside ourselves, to our humanity, to have courage.

In closing, I share two thoughts on courage. First, from the Dalai Lama, "Controlled energy comes not only from a compassionate attitude but also from reason and patience. These are the most powerful antidotes to anger. Many people misjudge these qualities as signs of weakness. I believe just the opposite—they are the true signs of inner strength."

Finally, from the book of Matthew, "Love thy neighbor as thyself." Amen.

The Pledge of Allegiance was led by Representative Doogan.

### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 88<sup>th</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Munoz introduced Gabriella Worden, Guest Page, from Juneau.

### **REPORTS OF STANDING COMMITTEES**

#### **SB 15**

The Finance Committee considered:

CS FOR SENATE BILL NO. 15(JUD)

"An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by certain sex offenders or child kidnappers."

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

Do pass (11): Fairclough, Guttenberg, T. Wilson, Gara, Joule, Neuman, Costello, Edgmon, Doogan, Stoltze, Thomas

The following fiscal note(s) apply:

2. Indeterminate, Dept. of Law
4. Indeterminate, Senate Finance Committee/Dept. of Corrections

CSSB 15(JUD) is on today's calendar.

**SB 58**

The Finance Committee considered:

SENATE BILL NO. 58

"An Act increasing the number of superior court judges designated for the third judicial district; and providing for an effective date."

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

Do pass (9): Fairclough, Guttenberg, T. Wilson, Gara, Neuman, Costello, Edgmon, Doogan, Thomas

No recommendation (1): Stoltze

The following fiscal note(s) apply:

2. Fiscal, Alaska Court System
3. Fiscal, Dept. of Administration
4. Fiscal, Dept. of Administration
7. Fiscal, Dept. of Law
8. Zero, Office of the Governor
9. Zero, Dept. of Corrections
10. Zero, Senate Finance Committee/Dept. of Public Safety
11. Fiscal, Alaska Court System

SB 58 was referred to the Rules Committee for placement on the calendar.

**SB 95**

The Finance Committee considered:

## SENATE BILL NO. 95

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal."

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

Do pass (11): Guttenberg, Gara, Fairclough, T. Wilson, Joule, Neuman, Costello, Edgmon, Doogan, Stoltze, Thomas

The following fiscal note(s) apply:

2. Zero, Senate Finance Committee/Dept. of Transportation & Public Facilities

SB 95 is on today's calendar.

**SB 108**

The Finance Committee considered:

## SENATE BILL NO. 108

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

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

Do pass (11): Fairclough, Guttenberg, T. Wilson, Gara, Joule, Neuman, Costello, Edgmon, Doogan, Stoltze, Thomas

The following fiscal note(s) apply:

1. Fiscal, Dept. of Transportation & Public Facilities

SB 108 is on today's calendar.

### INTRODUCTION OF CITATIONS

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

Honoring – Lieutenant Brandon David Stone, U.S.N.

By Representatives Saddler, Thomas, Stoltze

Honoring – Mark David Drygas

By Representatives Miller, Kawasaki

Honoring – Todd Starr

By Representative Tuck

Honoring – Senate Sergeant-at-Arms, Senate Assistant Sergeant-at-Arms, Senate Pages

By Senator Ellis

The following citation was introduced and taken up later as a Special Order of Business:

Honoring – The House Floor Staff

By Representative Johnson

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

#### **HB 239**

HOUSE BILL NO. 239 by Representative Holmes, entitled:

"An Act relating to the procurement of architectural, engineering, or land surveying contracts funded by money from the state."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF SENATE BILLS****SB 15**

The following was read the second time:

CS FOR SENATE BILL NO. 15(JUD)

"An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by certain sex offenders or child kidnappers."

with the:

Journal Page

JUD RPT 4DP 1NR	1019
FN2: INDETERMINATE(LAW)	1019
FN4: INDETERMINATE(S.FIN/COR)	1019
FIN RPT 11DP	1040
FN2: INDETERMINATE(LAW)	1041
FN4: INDETERMINATE(S.FIN/COR)	1041

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

CSSB 15(JUD) was read the third time.

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

CSSB 15(JUD)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, CSSB 15(JUD) passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

#### **SB 84**

The following was read the second time:

CS FOR SENATE BILL NO. 84(FIN)

"An Act relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to the base student allocation; relating to education tax credits; providing for an effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

with the:

Journal Page

FIN RPT HCS(FIN) NT 9DP 1NR 1AM	1007
FN5: (EED)	1008
FN6: (EED)	1008
FN7: (EED)	1008

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

HOUSE CS FOR CS FOR SENATE BILL NO. 84(FIN)

"An Act amending the funding for statewide residential educational programs; relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to education tax credits; creating a pilot project in the Iditarod Area School District; providing for an effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

(HCR 16 - title change resolution)

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representatives Petersen, Miller, Gara, Guttenberg, Kerttula, Gardner, Kawasaki, Cissna, Holmes, and Gruenberg:

Page 1, line 3, following "**schools;**" (title amendment):

Insert "**increasing the base student allocation;**"

Page 4, following line 30:

Insert a new bill section to read:

"\* **Sec. 5.** AS 14.17.470 is amended to read:

**Sec. 14.17.470. Base student allocation.** The base student allocation is **\$5,790** [\$5,680]."

Renumber the following bill sections accordingly.

Representative Petersen moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Edgmon objected.

Representative Gruenberg moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Gruenberg was required to vote.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 84(FIN)

Second Reading

Amendment No. 2

**YEAS: 14 NAYS: 26 EXCUSED: 0 ABSENT: 0**

Yeas: Cissna, Doogan, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Miller, Munoz, Petersen, Tuck, P.Wilson



Nays: Austerman, Chenault, Costello, Dick, Edgmon, Fairclough, Feige, Foster, Gatto, Hawker, Herron, Johansen, Johnson, Joule, Keller, Lynn, Millett, Neuman, Olson, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, T.Wilson

P.Wilson changed from "Nay" to "Yea".

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was not offered.

Representative Austerman moved and asked unanimous consent that HCS CSSB 84(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 84(FIN) was read the third time.

The question being: "Shall HCS CSSB 84(FIN) pass the House?"  
The roll was taken with the following result:

HCS CSSB 84(FIN)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, HCS CSSB 84(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.

HCS CSSB 84(FIN) was referred to the Chief Clerk for engrossment.

**SB 95**

The following was read the second time:

## SENATE BILL NO. 95

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal."

with the:	Journal Page
TRA RPT 5DP	1019
FN2: ZERO(S.FIN/DOT)	1020
FIN RPT 11DP	1042
FN2: ZERO(S.FIN/DOT)	1042

Amendment No. 1 was offered by Representative Gatto:

Page 1, line 1, following "**Palmer**" (title amendment):  
 Insert "**Auke Bay**"

Page 1, line 5, following "**Palmer**":  
 Insert "**Auke Bay**"

Page 1, line 6, following "Palmer":  
 Insert "Auke Bay"

Representative Gatto moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Kerttula objected and withdrew the objection. There being no further objection, Amendment No. 1 was adopted, and the new title follows:

## SENATE BILL NO. 95 am H

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Auke Bay Ferry Terminal."

(pending title change resolution)

The Speaker stated that, without objection, the House would recess to a Call of the Chair; and so, the House recessed at 2:45 p.m.

**AFTER RECESS**

The Speaker called the House back to order at 7:13 p.m.

**SECOND READING OF SENATE BILLS**

(continued)

**SB 95**

The following was again before the House in second reading:

SENATE BILL NO. 95 am H

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Auke Bay Ferry Terminal."

Representative Austerman moved and asked unanimous consent that SB 95 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 95 am H was read the third time.

The question being: "Shall SB 95 am H pass the House?" The roll was taken with the following result:

SB 95 am H

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 0 ABSENT: 3**

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, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Gruenberg, Stoltze, Thomas

And so, SB 95 am H passed the House and was referred to the Chief Clerk for engrossment.

**SPECIAL ORDER OF BUSINESS****HCR 17**

Representative Austerman moved and asked unanimous consent that the following by Representative Gatto be taken up as a Special Order of Business:

**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. 95, naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal.

There being no objection, it was so ordered.

The question being: "Shall HCR 17 pass the House?" The roll was taken with the following result:

**HCR 17**

Special Order of Business

**YEAS: 38 NAYS: 0 EXCUSED: 0 ABSENT: 2**

Yeas: 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, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Stoltze, Thomas

And so, HCR 17 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would revert to:

**MESSAGES FROM THE SENATE****HB 7**

A message dated April 16, 2011, was read stating the Senate passed:

## CS FOR HOUSE BILL NO. 7(JUD)

"An Act classifying certain substances as schedule IIIA controlled substances; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

## SENATE CS FOR CS FOR HOUSE BILL NO. 7(JUD)

"An Act classifying certain substances as schedule IIIA controlled substances and relating to penalties for possession of those substances; and providing for an effective date."

(SCR 8 - title change resolution)

CSHB 7(JUD) is under Unfinished Business.

**HB 119**

A message dated April 16, 2011, was read stating the Senate passed:

## CS FOR HOUSE BILL NO. 119(EDT)

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

## SENATE CS FOR CS FOR HOUSE BILL NO. 119(FIN)

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under

AS 44.88.172; authorizing the Alaska Development and Export Authority to issue bonds to finance the expansion, modification, and upgrading of the Skagway Ore Terminal; relating to the operation and management of public housing projects and housing for low-income households by the Alaska Housing Finance Corporation; relating to subsidiary corporations of the Alaska Housing Finance Corporation; relating to harbor facility grants; and providing for an effective date."

(SCR 13 - title change resolution)

CSHB 119(EDT) is under Unfinished Business.

**HB 127**

A message dated April 16, 2011, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 127(FIN)

"An Act relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 127(JUD)

"An Act relating to the crimes of stalking, sexual assault in the third degree, sexual assault in the fourth degree, unlawful exploitation of a minor, distribution of child pornography, online enticement of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; making the installation, enabling, or use of keystroke loggers or other devices criminal use

of a computer; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to conditions of probation in criminal cases involving sex offenses; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration; and providing for an effective date."

(SCR 14 - title change resolution)

CSHB 127(FIN) is under Unfinished Business.

#### **HB 164**

A message dated April 16, 2011, was read stating the Senate passed CSHB 164(FIN) with the following amendment, and it is transmitted for consideration:

#### **SENATE CS FOR CS FOR HOUSE BILL NO. 164(L&C)**

"An Act relating to health care insurance, exemption of certain insurers, reporting, notice, and record-keeping requirements for insurers, biographical affidavits, qualifications of alien insurers assuming ceded insurance, risk-based capital for insurers, insurance holding companies, licensing, federal requirements for nonadmitted insurers, surplus lines insurance, insurance fraud, life insurance policies and annuity contracts, rate filings by health care insurers, long-term care insurance, automobile service corporations, guaranty fund deposits of a title insurer, joint title plants, fraternal benefit societies, multiple employer welfare arrangements, hospital and medical service corporations, health maintenance organizations, and alternate forms of payment to policyholders; and providing for an effective date."

CSHB 164(FIN) is under Unfinished Business.

#### **SB 1**

A message dated April 16, 2011, was read stating the Senate concurred in the House amendment to:

CS FOR SENATE BILL NO. 1(EDC)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 1(RLS)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature; and establishing a joint legislative task force on theme- based education."

(HCR 15 - title change resolution)

Messages dated April 16, 2011, were read stating the Senate passed the following, and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS**

**SCR 8**

SENATE CONCURRENT RESOLUTION NO. 8 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 7, relating to classifying certain substances as schedule IIIA controlled substances.

was read the first time and held on the Clerk's desk.

**SCR 13**

SENATE CONCURRENT RESOLUTION NO. 13 by the Senate Labor and Commerce Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 119, relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of "own" for the



economic development account; relating to the definitions of "development project," "plant," "facility," and "project" for the Alaska Industrial Development and Export Authority; and relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172.

was read the first time and held on the Clerk's desk.

**SCR 14**

SENATE CONCURRENT RESOLUTION NO. 14 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 127, relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; and amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration.

was read the first time and held on the Clerk's desk.

The House advanced to:

**SECOND READING OF SENATE BILLS**

(continued)

**SB 108**

The following was read the second time:

## SENATE BILL NO. 108

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

with the:	Journal Page
TRA RPT 5DP	1009
FN1: (DOT)	1009
FIN RPT 11DP	1042
FN1: (DOT)	1042

Representative Austerman moved and asked unanimous consent that SB 108 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 108 was read the third time.

The question being: "Shall SB 108 pass the House?" The roll was taken with the following result:

SB 108

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, SB 108 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

## SECOND READING OF HOUSE RESOLUTIONS

### HCR 16

The following was read the second time:

## HOUSE CONCURRENT RESOLUTION NO. 16

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 84, relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to the base student allocation; and relating to education tax credits.

The question being: "Shall HCR 16 pass the House?" The roll was taken with the following result:

HCR 16

Second Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, HCR 16 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 – Ashton Compton, 2009-2011 UA Student Regent

By Representatives Guttenberg, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, 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 Thomas

Honoring – Janet Athanas, Alaska Recreation & Parks Association,  
2010 Distinguished Service Award

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 – Filipino Community of Anchorage, Alaska, Inc.,  
46<sup>th</sup> Annual Founders' Day Banquet and Ball

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

In Memoriam – Peter Mumessaq John

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

### CONCUR IN SENATE AMENDMENTS

#### HB 19

Representative Austerman moved and asked unanimous consent that  
the House consider the Senate message (page 985) on the following:

#### HOUSE BILL NO. 19

"An Act relating to special request registration plates; and  
providing for an effective date."

and

#### SENATE CS FOR HOUSE BILL NO. 19(STA)

(same title)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to HB 19, thus adopting SCS HB 19(STA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 19?" The roll was taken with the following result:

SCS HB 19(STA)

Concur

**YEAS: 12 NAYS: 28 EXCUSED: 0 ABSENT: 0**

Yeas: Edgmon, Foster, Gara, Gardner, Gruenberg, Hawker, Holmes, Kerttula, Lynn, Petersen, Seaton, Tuck

Nays: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Fairclough, Feige, Gatto, Guttenberg, Herron, Johansen, Johnson, Joule, Kawasaki, Keller, Miller, Millett, Munoz, Neuman, Olson, Pruitt, Saddler, Stoltze, Thomas, Thompson, P.Wilson, T.Wilson

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Lynn, Chair  
Representative Seaton  
Representative Holmes

#### **HB 127**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1052) on the following:

## CS FOR HOUSE BILL NO. 127(FIN)

"An Act relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration; and providing for an effective date."

and

## SENATE CS FOR CS FOR HOUSE BILL NO. 127(JUD)

"An Act relating to the crimes of stalking, sexual assault in the third degree, sexual assault in the fourth degree, unlawful exploitation of a minor, distribution of child pornography, online enticement of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; making the installation, enabling, or use of keystroke loggers or other devices criminal use of a computer; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to conditions of probation in criminal cases involving sex offenses; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration; and providing for an effective date."

(SCR 14 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 127(FIN), thus adopting SCS CSHB 127(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 127(FIN)?" The roll was taken with the following result:

SCS CSHB 127(JUD)

Concur

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, the House concurred in the Senate amendment.

Representative Austerman moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes. There being no objection, it was so ordered.

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.

The Chief Clerk notified the Senate.

SCS CSHB 127(JUD) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 14**

Representative Austerman moved and asked unanimous consent that the following be taken up as a Special Order of Business:

**SENATE CONCURRENT RESOLUTION NO. 14**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 127, relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; relating to probation; relating to the subpoena power of the attorney general in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; and amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration.

There being no objection, it was so ordered.

The question being: "Shall SCR 14 pass the House?" The roll was taken with the following result:

**SCR 14**

Special Order of Business

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, SCR 14 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

**CONCUR IN SENATE AMENDMENTS****HB 119**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1051) on the following:



## CS FOR HOUSE BILL NO. 119(EDT)

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172; and providing for an effective date."

and

## SENATE CS FOR CS FOR HOUSE BILL NO. 119(FIN)

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172; authorizing the Alaska Development and Export Authority to issue bonds to finance the expansion, modification, and upgrading of the Skagway Ore Terminal; relating to the operation and management of public housing projects and housing for low-income households by the Alaska Housing Finance Corporation; relating to subsidiary corporations of the Alaska Housing Finance Corporation; relating to harbor facility grants; and providing for an effective date."

(SCR 13 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 119(EDT), thus adopting SCS CSHB 119(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 119(EDT)?" The roll was taken with the following result:

SCS CSHB 119(FIN)

Concur

**YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Chenault, Cissna, Costello, Dick, 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

Nays: Doogan

And so, the House concurred in the Senate amendment.

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.

SCS CSHB 119(FIN) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 13**

Representative Austerman moved and asked unanimous consent that the following be taken up as a Special Order of Business:

#### **SENATE CONCURRENT RESOLUTION NO. 13**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 119, relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of "own" for the economic development account; relating to the definitions of "development project," "plant," "facility," and "project" for the Alaska Industrial Development and Export Authority; and relating

to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172.

There being no objection, it was so ordered.

The question being: "Shall SCR 13 pass the House?" The roll was taken with the following result:

SCR 13

Special Order of Business

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, SCR 13 passed the House and was signed by the Speaker and Chief Clerk.

#### **CONCUR IN SENATE AMENDMENTS**

#### **HB 7**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1050) on the following:

CS FOR HOUSE BILL NO. 7(JUD)

"An Act classifying certain substances as schedule IIIA controlled substances; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 7(JUD)

"An Act classifying certain substances as schedule IIIA controlled substances and relating to penalties for possession of those substances; and providing for an effective date."

(SCR 8 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 7(JUD), thus adopting SCS CSHB 7(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 7(JUD)?" The roll was taken with the following result:

SCS CSHB 7(JUD)

Concur

**YEAS: 26 NAYS: 14 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Cissna, Dick, Edgmon, Feige, Foster, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kerttula, Miller, Munoz, Olson, Petersen, Saddler, Seaton, Thomas, Thompson, Tuck

Nays: Chenault, Costello, Doogan, Fairclough, Gatto, Herron, Keller, Lynn, Millett, Neuman, Pruitt, Stoltze, P.Wilson, T.Wilson

P.Wilson changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment.

Representative Austerman moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

SCS CSHB 7(JUD)

Effective Date

Concur

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, the effective date clause was adopted.

The Chief Clerk notified the Senate.

SCS CSHB 7(JUD) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 8**

Representative Austerman moved and asked unanimous consent that the following be taken up as a Special Order of Business:

##### **SENATE CONCURRENT RESOLUTION NO. 8**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 7, relating to classifying certain substances as schedule IIIA controlled substances.

There being no objection, it was so ordered.

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

#### **SCR 8**

Special Order of Business

**YEAS: 32 NAYS: 8 EXCUSED: 0 ABSENT: 0**

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

Nays: Costello, Doogan, Fairclough, Gatto, Keller, Pruitt, Stoltze, T.Wilson

Costello changed from "Yea" to "Nay".  
Keller changed from "Yea" to "Nay".  
Gatto changed from "Yea" to "Nay".  
Pruitt changed from "Yea" to "Nay".

And so, SCR 8 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

### CONCUR IN SENATE AMENDMENTS

#### HB 164

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1053) on the following:

#### CS FOR HOUSE BILL NO. 164(FIN)

"An Act relating to health care insurance, exemption of certain insurers, reporting, notice, and record-keeping requirements for insurers, biographical affidavits, qualifications of alien insurers assuming ceded insurance, risk-based capital for insurers, insurance holding companies, licensing, federal requirements for nonadmitted insurers, surplus lines insurance, insurance fraud, life insurance policies and annuity contracts, rate filings by health care insurers, long-term care insurance, automobile service corporations, guaranty fund deposits of a title insurer, joint title plants, fraternal benefit societies, multiple employer welfare arrangements, hospital and medical service corporations, health maintenance organizations, and alternate forms of payment to policyholders; and providing for an effective date."

and

#### SENATE CS FOR CS FOR HOUSE BILL NO. 164(L&C) (same title)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 164(FIN), thus adopting SCS CSHB 164(L&C), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 164(FIN)?" The roll was taken with the following result:

SCS CSHB 164(L&C)

Concur

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: 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

And so, the House concurred in the Senate amendment.

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.

The Chief Clerk notified the Senate.

SCS CSHB 164(L&C) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring – The House Floor Staff, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

Honoring – The House Floor Staff

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

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

**UNFINISHED BUSINESS**

**HB 145**

Representative Millett added her name as cosponsor to:

HOUSE BILL NO. 145

"An Act establishing the parental choice scholarship program to be administered by school districts for the purpose of paying the cost of attending grades kindergarten through 12 at public and private schools; and providing for an effective date."

**SB 15**

Representatives Gara, Guttenberg, Stoltze, Johnson, and Millett added their names as cross sponsors to:

CS FOR SENATE BILL NO. 15(JUD)

"An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by certain sex offenders or child kidnappers."

**SB 95**

Representatives Gara, T. Wilson, Guttenberg, Stoltze, Fairclough, Thomas, Johansen, and Kerttula added their names as cross sponsors to:

SENATE BILL NO. 95 am H

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Auke Bay Ferry Terminal."

**SB 108**

Representatives Costello, Doogan, Guttenberg, Gara, T. Wilson, Johnson, Millett, Tuck, and Petersen added their names as cross sponsors to:



**SENATE BILL NO. 108**

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

**ENGROSSMENT****HCR 16**

HCR 16 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HCR 17**

HCR 17 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 84**

HCS CSSB 84(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 95**

SB 95 am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 6, 2011.

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Austerman moved and asked unanimous consent that the House adjourn until 1:00 p.m., April 17, 2011. There being no objection, the House adjourned at 8:57 p.m.

Suzi Lowell  
Chief Clerk