

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

January 30, 2012

Fourteenth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:03 a.m.

Roll call showed 37 members present. Representative Gatto had been excused from a call of the House today. Representatives Cissna and Edgmon were absent and their presence was noted later.

The invocation was offered by the Chaplain, Father Pat Travers, Pastor of St. Paul the Apostle Catholic 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.

In deepest respect for the religious beliefs of each person here,
I invite you to a time of prayer and reflection. Let us pray:

Almighty God, as our elected representatives gather this morning to determine the laws that should govern our state of Alaska, grant them the wisdom and strength to carry out their great responsibilities. Help our lawmakers to follow the example of you, the supreme lawmaker, enacting laws that are just and that foster the common good of all Alaskans. Grant them the patience, good will, and generosity that are so necessary in the lawmaking process. Bless also their family members and loved ones, who so generously share in their service to our people.

We ask your blessings upon all the government leaders of our state and nation and of our local communities. Help them to

exercise their authority in a spirit of service to those they have been chosen to govern. Bless also all of the men and women in our armed forces, all police officers, firefighters, and other first responders, especially those who find themselves in harm's way today. May they and their families always enjoy your strength and protection.

We ask your blessings also on all the people of our state. Grant us happiness and prosperity and inspire us to use the many gifts you have given us to build a better society and a better world. Bless and protect those who are most affected by the rigors of our winter weather. May all Alaskans work together for peace and justice here in our great land and throughout the world, especially for those peoples who have experienced war, violence, terror, and natural disasters. May our solidarity with them affirm our common humanity in a world in which we depend so much on one another.

We make this prayer in your holy name. Amen.

The Pledge of Allegiance was led by Representative Feige.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 11th, 12th, and 13th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated January 27, 2012, was read stating the Senate passed the following, and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 104

CS FOR SENATE BILL NO. 104(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to manufactured homes, including manufactured homes permanently affixed to land, to the conversion of manufactured homes to real property, to the severance of manufactured homes from real property, to the titling, conveyance, and encumbrance of manufactured homes, and to manufacturers' certificates of origin for vehicles; and providing for an effective date."

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

COMMUNICATIONS

The following were received:

Dept. of Environmental Conservation
Alaska Drinking Water and Clean Water Loan Funds
Annual Report Fiscal Year 2011
January 27, 2012
(as required by AS 37.05.035)

Dept. of Environmental Conservation
National Pollutant Discharge Elimination System
Annual Report
January 23, 2012
(as required by Chapter No. 95, SLA 2005)

REPORTS OF STANDING COMMITTEES

HB 282

The Education Committee considered:

HOUSE BILL NO. 282

"An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; and providing for a temporary occupational license for qualified military service members."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 282(EDC)

"An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; providing for a temporary occupational license for qualified military service members; and providing for an effective date."

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

Do pass (7): Cissna, P. Wilson, Pruitt, Seaton, Kawasaki, Feige, Dick

The following fiscal note(s) apply to CSHB 282(EDC):

1. Zero, Dept. of Education & Early Development
2. Zero, Dept. of Labor & Workforce Development
3. Zero, University of Alaska
4. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 282 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

In Memoriam - Alfred Skondovitch

By Representatives Guttenberg, Kawasaki

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

Honoring - Black History Month 2012

By Senator Davis

In Memoriam - Moses Malutin

By Senator Stevens; Representative Austerman

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 304**

HOUSE BILL NO. 304 by Representative Johnson, entitled:

"An Act relating to the membership of the Alaska Fire Standards Council."

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

HB 305

HOUSE BILL NO. 305 by Representatives Gardner and Holmes, entitled:

"An Act relating to a mandatory exemption for certain residences owned by a religious organization."

was read the first time and referred to the Community & Regional Affairs Committee.

HB 306

HOUSE BILL NO. 306 by Representatives Neuman and Millett, entitled:

"An Act providing that the tax rate applicable to the production of oil as the average production tax value of oil, gas produced in the Cook Inlet sedimentary basin, and gas produced outside of the Cook Inlet sedimentary basin and used in the state increases above \$30 shall be 0.4 percent multiplied by the number that represents the difference between that average monthly production tax value and \$30, or the sum of 25 percent and the product of 0.1 percent multiplied by the number that represents the difference between that average monthly production tax value and \$92.50, except that the total rate determined in the calculation may not exceed 50 percent; providing for an increase in the rate of tax on the production of gas as the average production tax value on a BTU equivalent barrel basis of gas produced outside of the Cook Inlet sedimentary basin and not used in the state increases above \$30;

relating to payments of the oil and gas production tax; relating to the lease expenditures that may be deducted when determining production tax value; relating to availability of a portion of the money received from the tax on oil and gas production for appropriation to the community revenue sharing fund; relating to the allocation of lease expenditures and adjustments to lease expenditures; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 247

The following was read the second time:

HOUSE BILL NO. 247

"An Act establishing July 30 each year as Alaska National Guard Day."

with the:

Journal Page

MLV RPT 6DP	1406
FN1: ZERO(ADM)	1406
FN2: ZERO(MVA)	1406
STA RPT 6DP	1419
FN1: ZERO(ADM)	1420
FN2: ZERO(MVA)	1420

Representative Austerman moved and asked unanimous consent that HB 247 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 247 was read the third time.

**The presence of Representatives Cissna and Edgmon was noted.

The question being: "Shall HB 247 pass the House?" The roll was taken with the following result:

HB 247

Third Reading

Final Passage

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

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, 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

Excused: Gatto

And so, HB 247 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 - Jujiro Wada

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, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Honoring - U.S. Coast Guard Cutter *Healy*

By Senator Olson; Representatives Foster, Chenault, Austerman, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, 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 - James C. Knapp

By Senator Huggins; Representatives Neuman, 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, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

In Memoriam - Theodore G. Smith

By Senator Huggins; Representatives Neuman, Stoltze, 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, Olson, Petersen, Pruitt, Saddler, Seaton, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

In Memoriam - Bruce Hall Babcock

By Senator Huggins; Representatives Neuman, 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, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

UNFINISHED BUSINESS

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 Tuck – from 6:00 p.m., February 3 to 10:15 a.m., February 6

Representative Hawker – from 11:00 a.m., February 2 to 8:30 p.m., February 5

Representative Herron – from 6:00 a.m., February 3 to 2:00 p.m., February 6

Representative Costello – from 11:30 a.m., February 3 to 9:35 p.m., February 5

Representative Seaton – from 11:30 a.m., February 3 to 10:00 p.m., February 5

SPECIAL ORDER OF BUSINESS

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring - Black History Month 2012 and In Memoriam - Moses Malutin, 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 citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Black History Month 2012

By Senator Davis; 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

In Memoriam - Moses Malutin

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

UNFINISHED BUSINESS

HJR 20

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE JOINT RESOLUTION NO. 20(ENE)

Urging the President of the United States, the United States Congress, and the Secretary of the United States Department of Agriculture not to implement protection of inventoried roadless areas under the "roadless rule" or otherwise restrict the development of necessary hydroelectric projects in the Tongass National Forest and the Chugach National Forest.

HB 194

Representative Cissna added her name as cosponsor to:

HOUSE BILL NO. 194

"An Act making a special appropriation to the Alaska permanent fund; making an appropriation under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

HB 241

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 241

"An Act relating to certain investments of the Alaska permanent fund, the state's retirement systems, the State of Alaska Supplemental Annuity Plan, and the deferred compensation program for state employees in certain companies that do business in Iran, and restricting those investments; and providing for an effective date."

HB 247

Representatives Kerttula, Guttenberg, Holmes, Tuck, Kawasaki, Hawker, Johnson, Gara, Chenault, Herron, Millett, Feige, and Gardner added their names as cosponsors to:

HOUSE BILL NO. 247

"An Act establishing July 30 each year as Alaska National Guard Day."

HB 250

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 250

"An Act relating to the renewable energy grant fund and recommendation program; and providing for an effective date."

HB 266

Representatives Keller and Miller added their names as cosponsors to:

HOUSE BILL NO. 266

"An Act relating to the practice of naturopathy; and providing for an effective date."

HB 274

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 274

"An Act relating to the exemption of certain acts and transactions from the provisions dealing with unfair methods of competition and unfair or deceptive acts or practices."

HB 275

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 275

"An Act requiring that a policy of group health insurance offered by the state and certain local governments include coverage for colorectal screening, allow retirees to choose between brand-name and generic drug products, and limit certain prescription drug benefit payments to an amount based on the cost of the generic drug product."

HB 276

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 276

"An Act providing for a credit against the oil and gas production tax for costs incurred in drilling certain oil or natural gas exploration wells in the Nenana Basin."

HB 302

Representative Austerman added his name as cosponsor to:

HOUSE BILL NO. 302

"An Act repealing certain audit requirements for entities receiving contributions from permanent fund dividends."

ENGROSSMENT

HB 247

HB 247 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., February 1, 2012. There being no objection, the House adjourned at 11:49 a.m.

Suzi Lowell
Chief Clerk