

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

February 8, 2012

Twenty-third Day

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

Roll call showed 39 members present. Representative Tuck had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend George Silides of Holy Trinity Episcopal 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.

With deepest respect for the religious traditions of all Alaskans, I offer this prayer:

We praise thee, O God, and thank thee for all the blessings of this life: for health and strength; for home, love, and friendship; for the discipline of our trials and temptations; for the happiness of our success and prosperity. We pray that this gratitude makes us remember those who struggle. Help us to remember how fleeting our joy can be when dependent upon our own strength and look always to a greater strength than our own by faith, by perseverance, and by acceptance of the help of others. Assist also, we pray, these men and women here gathered to be that same help to all who call Alaska home; whether great in the eyes of some or least in the eyes of others; may the laws and statutes considered here make possible equal security and opportunity for all.

We pray for the very poor, the chronically ill, those old and alone, for addicts, for prisoners in our several jails, and those held far from home. And as we ask great things of those who serve here, guide us who ask it to offer our help and prayers to accomplish them.

And on this February 8 it is our privilege to remember, 67 years ago, that woman who by character and courage called us to remember our best selves and the highest ideals of government for the whole people of this state, thy servant Elizabeth Peratrovich. May each here grow in wisdom and grace and strengthen their trust in one another as they seek the greater good. By thy grace for our comfort. Amen.

The Pledge of Allegiance was led by Representative Cissna.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Hawker introduced Casmir Lorenz, Guest Page, from Anchorage.

Representative Guttenberg introduced Michaela Cameron, House Page, from Fairbanks.

Representative Neuman introduced Javonna Boitnott, Guest Page, from Houston.

COMMUNICATIONS

The following were received:

Alaska Energy Authority
Annual Capital Project Status Report
Bradley Lake Hydroelectric Project
Alaska Intertie Project
(as required by AS 44.83.950)

Dept. of Health & Social Services
Alaska Children's Trust (ACT)
Supported Programs and Services FY 11
(as required by AS 37.14.230)

REPORTS OF STANDING COMMITTEES

HB 180

The Finance Committee considered:

HOUSE BILL NO. 180

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 180(FIN)

"An Act authorizing the Department of Administration to note a person's status as a retired veteran or a veteran discharged under honorable conditions on the person's driver's license or identification card, to provide certain information to the Department of Military and Veterans' Affairs, and to charge a fee for replacing a valid driver's license or identification card with a new license or card that includes the veteran designation; and providing for an effective date."

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

Do pass (10): Fairclough, T. Wilson, Neuman, Costello, Edgmon, Guttenberg, Gara, Joule, Stoltze, Thomas

The following fiscal note(s) apply to CSHB 180(FIN):

3. Fiscal, Dept. of Administration

HB 180 was referred to the Rules Committee for placement on the calendar.

HB 248

The Transportation Committee considered:

HOUSE BILL NO. 248

"An Act naming the Al Wright Airport at Minto."

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (6): Gruenberg, Munoz, Pruitt, Johnson, Feige, P. Wilson

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

HB 248 was referred to the Finance Committee.

HB 249

The Transportation Committee considered:

HOUSE BILL NO. 249

"An Act naming the Koyukuk Station Veterans' Airport at Koyukuk."

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (6): Gruenberg, Munoz, Pruitt, Johnson, Feige, P. Wilson

The following fiscal note(s) apply:

1. Fiscal, Dept. of Transportation & Public Facilities

HB 249 was referred to the Finance Committee.

HB 267

The Labor & Commerce Committee considered:

HOUSE BILL NO. 267

"An Act relating to the Real Estate Commission; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 267(L&C)

(same title)

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

Do pass (4): Chenault, Thompson, Holmes, Olson

The following fiscal note(s) apply to CSHB 267(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development

HB 267 was referred to the Rules Committee for placement on the calendar.

HB 298

The Finance Committee considered:

HOUSE BILL NO. 298

"An Act exempting sand and gravel and marketable earth mining operations from the mining license tax; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 298(FIN)

"An Act exempting quarry rock, sand and gravel, and marketable earth mining operations from the mining license tax; and providing for an effective date."

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

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

The following fiscal note(s) apply to CSHB 298(FIN):

1. Zero, Dept. of Natural Resources
3. Fiscal, Dept. of Revenue

HB 298 was referred to the Rules Committee for placement on the calendar.

SB 92

The Labor & Commerce Committee considered:

CS FOR SENATE BILL NO. 92(FIN)

"An Act relating to dental hygienists, dentists, dental assistants, dental hygiene, and dentistry."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 92(L&C)

(same title)

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

Do pass (4): Chenault, Thompson, Holmes, Olson

The following fiscal note(s) apply to HCS CSSB 92(L&C):

3. Fiscal, Dept. of Commerce, Community, & Economic Development

CSSB 92(FIN) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**HCR 19**

The House Special Committee on Economic Development, Trade, & Tourism considered:

HOUSE CONCURRENT RESOLUTION NO. 19

Acknowledging the lessons learned from the 2011 Norway Policy Tour and encouraging investment in the state's oil and gas industry.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(EDT)
(same title)

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

Do pass (8): Thompson, Tuck, Munoz, Joule, Olson, Keller, Foster, Herron

The following fiscal note(s) apply to CSHCR 19(EDT):

1. Zero, Legislative Agency

HCR 19 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Jason C. Caldarera
By Representative Millett; Senator Meyer

Honoring - Nancy DeWitt
By Representative Miller; Senator Thomas

Honoring - Service High School Football Team
By Representative Millett; Senator Meyer

Honoring - Service Boys Cross-Country Running Team, 2011 4A
State Champions
By Representative Millett; Senator Meyer

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

Honoring - The Juneau Arts and Culture Center
By Representatives Kerttula, Munoz; Senator Egan

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 315

HOUSE BILL NO. 315 by Representative Miller, entitled:

"An Act allowing certain teachers, public employees, and private
sector employees to take leave without pay for parent-teacher
conferences."

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

HB 316

HOUSE BILL NO. 316 by Representatives Thompson, Saddler, Feige,
Chenault, Herron, and T. Wilson, entitled:

"An Act relating to military facility zones in the state; relating to
the development of housing in military facility zones; relating to
the financing of projects in military facility zones; and providing
for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**HOUSE RESOLUTIONS IN SECOND READING****HCR 13**

The following, which was read a second time and held from the February 6, 2012, calendar (p. 1513), was before the House:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 13(FSH)
Requesting the governor to designate one seat on the North Pacific Fishery Management Council for a sport fish licensee and one seat on the North Pacific Fishery Management Council for an individual nominated by an Alaska Native organization that represents rural subsistence users.

Amendment No. 2 was offered by Representative Thompson:

Page 1, line 1 (title amendment):

Delete "**designate one**"

Insert "**nominate one resident sport fish licensee for a**"

Page 1, lines 2 – 3 (title amendment):

Delete "**for a sport fish licensee and one seat on the North Pacific Fishery Management Council for an**"

Insert "**and to nominate one**"

Page 1, line 4, following "**users**" (title amendment):

Insert "**for a seat on the North Pacific Fishery Management Council**"

Page 2, line 25:

Delete "designate one"

Insert "nominate one resident sport fish licensee for a"

Page 2, lines 25 - 26:

Delete "for a sport fish licensee and one seat on the North Pacific Fishery Management Council for an"

Insert "and to nominate one"

Page 2, line 27, following "users":

Insert "for a seat on the North Pacific Fishery Management Council"

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

Representative Stoltze objected and withdrew the objection. There being no further objection, Amendment No. 2 was adopted, and the new title follows:

CS FOR HOUSE CONCURRENT RESOLUTION NO.
13(FSH) am

Requesting the governor to nominate one resident sport fish licensee for a seat on the North Pacific Fishery Management Council and to nominate one individual nominated by an Alaska Native organization that represents rural subsistence users for a seat on the North Pacific Fishery Management Council.

The question being: "Shall CSHCR 13(FSH) am pass the House?"
The roll was taken with the following result:

CSHCR 13(FSH) am

Second Reading

Final Passage

YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2

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

Nays: Austerman

Excused: Tuck

Absent: Gara, Gruenberg

And so, CSHCR 13(FSH) am passed the House.

Representative Kerttula later gave notice of reconsideration of the vote on CSHCR 13(FSH) am, and reconsideration was taken up then.

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 - Bernice Saupe

By Senators Dyson, Ellis; Representatives 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

In Memoriam - Dennis Mattingly

By Representatives Stoltze, 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, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

In Memoriam - Thomas Frost

By Senator Stevens; Representatives 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

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 Gara – from 6:30 p.m., February 10 to 10:30 a.m., February 13

Representative Costello – from 11:00 a.m., February 10 to 10:30 a.m., February 13

Representative Herron – from 6:00 a.m., February 10 to 11:00 a.m., February 13

RECONSIDERATION

HCR 13

Representative Kerttula gave notice of reconsideration of the vote on CSHCR 13(FSH) am (page 1534).

Representative Kerttula moved and asked unanimous consent that reconsideration of CSHCR 13(FSH) am be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in second reading:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 13(FSH) am

Requesting the governor to nominate one resident sport fish licensee for a seat on the North Pacific Fishery Management Council and to nominate one individual nominated by an Alaska Native organization that represents rural subsistence users for a seat on the North Pacific Fishery Management Council.

The question to be reconsidered: "Shall CSHCR 13(FSH) am pass the House?" The roll was taken with the following result:

CSHCR 13(FSH) am
Second Reading
Final Passage
Reconsideration

YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2

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

Nays: Austerman

Excused: Tuck

Absent: Joule, Kawasaki

And so, CSHCR 13(FSH) am passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - The Juneau Arts and Culture Center, 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 Juneau Arts and Culture Center

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

UNFINISHED BUSINESS

HB 30

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 30

"An Act relating to the transportation infrastructure fund, to local public transportation, to the municipal harbor facility grant fund, to motor fuel taxes, to the motor vehicle registration fee, to driver's license fees, to identification card fees, to the studded tire tax, and to the vehicle rental tax; and providing for an effective date."

HB 62

Representative Costello added her name as cosponsor to:

HOUSE BILL NO. 62

"An Act relating to excluding motorcycles and motor-driven cycles from the passenger vehicle rental tax."

HB 79

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 79

"An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a covered treatment plan for those disorders, and defining the covered treatment for those disorders; and providing for an effective date."

HB 180

Representatives Guttenberg, T. Wilson, Stoltze, Thomas, and Kerttula added their names as cosponsors to:

HOUSE BILL NO. 180

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

HB 250

Representative Cissna added her 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 253

Representative Keller added his name as cosponsor to:

HOUSE BILL NO. 253

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

HB 266

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 266

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

HB 298

Representatives Neuman, Costello, and Guttenberg added their names as cosponsors to:

HOUSE BILL NO. 298

"An Act exempting sand and gravel and marketable earth mining operations from the mining license tax; and providing for an effective date."

HB 299

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 299

"An Act allowing appropriations to the civil legal services fund from court filing fees."

SB 3

Representatives Seaton and Miller added their names as cross sponsors to:

CS FOR SENATE BILL NO. 3(FIN)

"An Act providing for funding for school lunch and breakfast; and providing for an effective date."

ENGROSSMENT**HCR 13**

CSHCR 13(FSH) am 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 10, 2012. There being no objection, the House adjourned at 11:32 a.m.

Suzi Lowell
Chief Clerk