

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SEVENTH LEGISLATURE**  
**THIRD SPECIAL SESSION**

**Juneau, Alaska**

**Thursday**

**April 19, 2012**

**Second Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:10 a.m.

Roll call showed 33 members present. Representatives Costello, Edgmon, Feige, Guttenberg, Olson, and Thomas had been excused from a call of the House today. There was one vacancy.

The invocation was offered by the Chaplain, Rabbi Dov Gartenberg of Congregation Sukkat Shalom. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Today is Holocaust Remembrance Day. I would like to read two passages:

In the presence of eyes  
which witnessed the slaughter,  
which saw the oppression  
the heart could not bear,  
and as witness the heart  
that once taught compassion  
until the days came to pass  
that crushed human feeling,  
I have taken an oath: To remember it all,  
to remember – not once to forget!  
Forget not one thing to the last generation

when degradation shall cease,  
to the last, to its ending,  
when the rod of instruction  
shall have come to conclusion.

An oath: Not in vain passed over the night of terror.

An oath: No morning shall see me at flesh-pots again.

An oath: Lest from this we learned nothing.

*--Abraham Shlonsky*

Fully Compassionate God on high:

To our six million brothers and sisters murdered because they  
were Jews, grant clear and certain rest with You in the lofty  
heights of the sacred and pure whose brightness shines like  
the very glow of heaven.

Source of mercy: Forever enfold them in the embrace of  
Your wings; secure their souls in eternity.

Adonai: they are Yours. They will rest in peace. Amen.

The Pledge of Allegiance was led by Representative Gruenberg.

#### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the first legislative day of the third special session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease; and so, the House stood at ease at 11:16 a.m.

\*\*Representative Austerman, who was excused (page 2590), left the Chamber.

#### **AFTER AT EASE**

The Speaker called the House back to order at 11:57 a.m.

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

### MESSAGES FROM THE SENATE

#### HB 359

A message dated April 19, 2012, was read stating the Senate passed CSHB 359(FIN) am with the following amendment, and it is transmitted for consideration:

CS FOR HOUSE BILL NO. 359(FIN) am S

"An Act relating to conspiracy to commit human trafficking in the first degree or sex trafficking in the first degree; relating to the crime of distribution of indecent material to minors, the crime of online enticement of a minor, the crime of prostitution, and the crime of sex trafficking; relating to forfeiture of property used in prostitution offenses; relating to testimony by video conference; adding Rule 38.3, Alaska Rules of Criminal Procedure; and providing for an effective date."

### CONCUR IN SENATE AMENDMENTS

#### HB 359

Representative P. Wilson, Acting Majority Leader, moved and asked unanimous consent that the House consider the Senate message. There being no objection, it was so ordered.

Representative P. Wilson moved that the House concur in the Senate amendment to CSHB 359(FIN) am, thus adopting CSHB 359(FIN) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 359(FIN) am?" The roll was taken with the following result:

CSHB 359(FIN) am S

Concur

**YEAS: 31 NAYS: 0 EXCUSED: 7 ABSENT: 1 VACANT: 1**

Yeas: Chenault, Cissna, Doogan, Fairclough, Foster, Gara, Gardner, Gruenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Austerman, Costello, Edgmon, Feige, Guttenberg, Olson, Thomas

Absent: Dick

And so, the House concurred in the Senate amendment.

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

Representative P. Wilson 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.

CSHB 359(FIN) am S was referred to the Chief Clerk for enrollment.

#### **UNFINISHED BUSINESS**

Representative P. Wilson 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 Joule – from 6:00 a.m., April 25 to 10:00 p.m., April 27

Representative Johnson – from 5:00 p.m., April 19 to 10:00 a.m., April 25 (amended from page 2589)

Representative Millett – from 11:45 a.m., April 23 to 10:00 p.m., April 25; and from 6:45 p.m., April 26 to 7:15 p.m., April 29

Representative Tuck – from 11:45 a.m., April 20 to 9:45 a.m., April 28

Representative P. Wilson – from 6:00 a.m., May 3 to 1:30 p.m., May 7  
(amended from page 2451)

### ENROLLMENT

#### **HB 258**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:03 a.m., April 19, 2012, with a Legislative letter of intent (Senate Journal page 2230):

#### SENATE CS FOR CS FOR HOUSE BILL NO. 258(FIN)

"An Act directing the Department of Transportation and Public Facilities to develop and implement standards and operating procedures, to evaluate site-specific use plans, and to designate project areas concerning gravel or other aggregate material containing naturally occurring asbestos; authorizing use on an interim basis of gravel or other aggregate material containing naturally occurring asbestos for certain transportation projects and public facilities; providing immunity for the state and for landowners, extractors, suppliers, transporters, and contractors for certain actions or claims arising in connection with the use of gravel or aggregate material containing naturally occurring asbestos in certain areas; requiring contractors to report certain asbestos-related data to the Department of Transportation and Public Facilities; and providing for an effective date."

The following memorandum dated April 18, 2012, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services.

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS CSHB 258(FIN), which have been corrected in enrolling:

Page 2, line 21:

Delete "AS 44.42.410(a) and (d)"

Insert "AS 44.42.410(a) and (e)"

Page 3, line 4:

Delete "AS 44.42.400(a) or (b)"

Insert "AS 44.42.400(b) or (c)"

Page 7, line 6, following "or":

Insert "other"

Page 8, line 14, following "containing":

Insert "naturally occurring"

Page 8, line 21, following "specific":

Insert "use"

Page 9, line 13, following "or":

Insert "other"

Page 10, line 20, following "in":

Insert "the"

Page 10, line 31, through page 11, line 1:

Delete "AS 44.42.400(a) and (b)"

Insert "AS 44.42.400(b) and (c)"

Page 11, line 21:

Delete "AS 44.42.400(a) and (b)"

Insert "AS 44.42.400(b) and (c)""

### **ANNOUNCEMENTS**

House committee schedules are published under separate cover.

### **ADJOURNMENT**

Representative P. Wilson moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 23, 2012. There being no objection, the House adjourned at 12:15 p.m.

Suzi Lowell  
Chief Clerk