

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Thursday

February 8, 2007

Twenty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:13 a.m.

Roll call showed 36 members present. Representatives Cissna, Dahlstrom, Kerttula, and LeDoux had been excused from a call of the House today.

The invocation was offered by the Chaplain, Pastor Mike Rose of Juneau Christian Center. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

It is with great respect for the religious beliefs of all Alaskans that I offer this prayer today.

Heavenly Father, thank you for this beautiful day in which to praise and worship your glorious name. You are great and greatly to be praised. May our praise extend beyond the words of our mouths and into the way we live our lives and the way we respond to other people.

Lord, I ask today that your presence and blessing will be upon the House. May your hedge of protection surround the leaders and their families today. I also ask that you would grant wisdom, understanding, and discernment to the House for all decisions made for the people of Alaska. I pray that we will be in alignment with your word, your will, and your way. Thank you for hearing and answering this prayer given in your name. Amen.

The Pledge of Allegiance was led by Representative Gatto.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 23rd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Gruenberg introduced Aaron Cohen, Guest Page, from Juneau.

MESSAGES FROM THE SENATE

A message dated February 7, 2007, was read stating the Senate passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 46

CS FOR SENATE BILL NO. 46(RES) by the Senate Resources Committee, entitled:

"An Act relating to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003, as amended by sec. 21, ch. 31, SLA 2005; and providing for an effective date."

was read the first time and referred to the Resources Committee.

COMMUNICATIONS

The following was received:

Alaska Railroad Corporation
Report to the State of Alaska
January 2007

REPORTS OF STANDING COMMITTEES**HB 18**

The Finance Committee considered:

HOUSE BILL NO. 18

"An Act amending the functions and powers of the Alaska Commission on Postsecondary Education; and relating to the repayment provisions for medical education and postsecondary degree program participants."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 18(HES)
(same title)

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

Do pass (9): Hawker, Kelly, Gara, Crawford, Nelson, Thomas, Stoltze, Meyer, Chenault

No recommendation (1): Joule

The following fiscal note(s) apply to CSHB 18(HES):

1. Fiscal, Dept. of Education & Early Development
2. Zero, House Finance Committee/University of Alaska

HB 18 was referred to the Rules Committee for placement on the calendar.

HB 34

The Finance Committee considered:

HOUSE BILL NO. 34

"An Act relating to sales of wine by a winery licensee."

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

Do pass (7): Joule, Thomas, Gara, Crawford, Kelly, Meyer, Chenault

No recommendation (3): Hawker, Nelson, Stoltze

The following fiscal note(s) apply:

1. Zero, Dept. of Public Safety

HB 34 was referred to the Rules Committee for placement on the calendar.

The Speaker stated that the House would stand at ease for a meeting of the Committee on Committees; and so, the House stood at ease at 10:28 a.m.

AFTER AT EASE

The Speaker called the House back to order at 10:36 a.m.

REPORTS OF SPECIAL COMMITTEES

The following report of the Committee on Committees, dated February 8, 2007, was received submitting an amendment to the January 16, 2007, report (page 9):

House Special Committee on Fisheries: Seaton, Chair; Johansen, Johnson, LeDoux, Wilson, Edgmon, Holmes

House Special Committee on Military & Veterans' Affairs: Roses, Chair; Dahlstrom, Fairclough, LeDoux, Ramras, Buch, Kawasaki

Joint Armed Services Committee: Dahlstrom, Co-chair; Coghill, Lynn, Roses, Doll; Harris, Alternate

The report was signed by Representative Harris, Chair; and Representatives Coghill, Samuels, Chenault, Meyer, and Guttenberg.

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

HB 26

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 26

"An Act relating to aquatic farm permitting involving geoducks and to geoduck seed transfers between certified hatcheries and aquatic farms."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 26(FSH)
(same title)

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

Do pass (1): Seaton

No recommendation (4): LeDoux, Johansen, Holmes, Edgmon

The following fiscal note(s) apply to CSHB 26(FSH):

1. Zero, Dept. of Fish & Game

HB 26 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring – Alaska Permanent Fund Corporation Board of Trustees
By Representative Samuels

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

HB 125

HOUSE BILL NO. 125 by the House Special Committee on Ways and Means, entitled:

"An Act relating to budget planning and a long-range fiscal plan for the State of Alaska."

was read the first time and referred to the House Special Committee on Ways & Means and the Finance Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 21

The following was read the second time:

HOUSE BILL NO. 21

"An Act relating to the proper disposal of the state flag."

with the:

Journal Page

STA RPT CS(STA) NT 6DP

174

FN1: ZERO(ADM)

175

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

CS FOR HOUSE BILL NO. 21(STA)

"An Act relating to the state flag; and relating to the proper retirement of an official state flag."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 21(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 21(STA) was read the third time.

The question being: "Shall CSHB 21(STA) pass the House?" The roll was taken with the following result:

CSHB 21(STA)

Third Reading

Final Passage

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

Yeas: Buch, Chenault, Coghill, Crawford, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kohring, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Cissna, Dahlstrom, Kerttula, LeDoux

And so, CSHB 21(STA) passed the House and was referred to the Chief Clerk for engrossment.

HB 76

The following was read the second time:

HOUSE BILL NO. 76

"An Act relating to the creation of a civil legal services fund."

with the:

Journal Page

JUD RPT CS(JUD) 3DP 3NR	106
FN1: ZERO(ADM)	107
FIN RPT CS(JUD) 6DP 3NR 2AM	162
FN1: ZERO(ADM)	162

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

CS FOR HOUSE BILL NO. 76(JUD)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Gara:

Page 1, line 9, following "AS 09.17.020(j)":

Insert "and \$75 of the amount collected from each filing fee set out in Rule 9(b)(1), Alaska Rules of Administration"

Page 1, following line 14:

Insert new bill sections to read:

"* **Sec. 3.** The uncoded law of the State of Alaska is amended by adding a new section to read:

INDIRECT COURT RULE AMENDMENT. The provisions of AS 09.60.250, added by sec. 1 of this Act, have the effect of amending Rule 9, Alaska Rule of Administration, by requiring the court to collect a surcharge.

* **Sec. 4.** The uncoded law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. Section 1 of this Act applies to civil actions filed on or after the effective date of this Act."

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

Representative Ramras objected.

Representative Coghill rose to a point of order.

The Speaker reminded members to confine their remarks to the amendment.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 76(JUD)

Second Reading

Amendment No. 1

YEAS: 12 NAYS: 23 EXCUSED: 4 ABSENT: 1

Yeas: Buch, Crawford, Doll, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Nelson

Nays: Chenault, Coghill, Doogan, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Kelly, Kohring, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Cissna, Dahlstrom, Kerttula, LeDoux

Absent: Salmon

And so, Amendment No. 1 was not adopted.

Representative Samuels moved and asked unanimous consent that CSHB 76(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 76(JUD) was read the third time.

The question being: "Shall CSHB 76(JUD) pass the House?" The roll was taken with the following result:

CSHB 76(JUD)

Third Reading

Final Passage

YEAS: 29 NAYS: 7 EXCUSED: 4 ABSENT: 0

Yeas: Buch, Chenault, Doll, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Kawasaki, Kohring, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Salmon, Samuels, Seaton, Stoltze, Thomas

Nays: Coghill, Crawford, Doogan, Hawker, Kelly, Roses, Wilson

Excused: Cissna, Dahlstrom, Kerttula, LeDoux

And so, CSHB 76(JUD) passed the House.

Representative Gruenberg gave notice of reconsideration of the vote on CSHB 76(JUD).

LEGISLATIVE CITATIONS

Representative Samuels 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:

In Memoriam – Alan M. Bishop

By Representatives Olson, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Wagoner

In Memoriam – Joseph W. Dilley

By Representatives Olson, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Wagoner

In Memoriam – Elsie Rose Perrin Mellott "Dash to Aan"

By Representatives Thomas, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Wilson; Senator Kookesh

In Memoriam – Annie Cessnun

By Representatives Johansen, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Stedman

In Memoriam – Howard Anderson

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kerttula, Kohring, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam – Stanton Oswald Katchatag

By Senator Olson; Representatives Foster, Harris, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

UNFINISHED BUSINESS

Representative Samuels 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 Fairclough - from 7:00 a.m., February 12 to morning plane time, February 13

Representative Harris - from 7:00 a.m., February 9 to evening plane time, February 11

Representative Meyer - from 12:30 p.m., February 9 to morning plane time, February 12

Representative Olson - from 2:00 p.m., February 9 to evening plane time, February 12

Representative Roses - from 2:00 p.m., February 10 to evening plane time, February 11

HJR 8

Representative Gruenberg added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 8

Opposing the enactment by the Washington State Legislature of a bill proposing to impose a fee on the processing of shipping containers in the State of Washington because of the negative impact of the fee on the people and the economy of this state.

HB 21

Representatives Johnson, Meyer, and Johansen added their names as cosponsors to:

CS FOR HOUSE BILL NO. 21(STA)

"An Act relating to the state flag; and relating to the proper retirement of an official state flag."

HB 34

Representative Thomas added his name as cosponsor to:

HOUSE BILL NO. 34

"An Act relating to sales of wine by a winery licensee."

HB 76

Representative Johnson added his name as cosponsor to:

CS FOR HOUSE BILL NO. 76(JUD)

"An Act relating to the creation of a civil legal services fund."

HB 120

Representatives Kerttula and Guttenberg added their names as cosponsors to:

HOUSE BILL NO. 120

"An Act extending the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

ENGROSSMENT**HB 21**

CSHB 21(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meeting today was changed:

Labor & Commerce Committee

CANCELED

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 12, 2007. There being no objection, the House adjourned at 11:30 a.m.

Suzi Lowell
Chief Clerk