

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE**

**Juneau, Alaska**

**Thursday**

**March 1, 2007**

**Forty-fifth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 10:04 a.m.

Roll call showed 29 members present. Representatives Holmes, Kawasaki, and Nelson had been excused from a call of the House today. Representatives Crawford, Gara, Joule, Kelly, Seaton, and Thomas were absent and their presence was noted later. Representative Kohring was absent.

Representative Samuels moved and asked unanimous consent that Representative Dahlstrom be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend George Silides of Holy Trinity Episcopal Church. Representative LeDoux 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 beliefs of all Alaskans, I offer the following prayer.

Everliving, good, and gracious God, the same Creator of all humankind and all creation, your majesty is proclaimed by the marvels of earth and sky. Sun, moon, and stars testify of your power and wisdom. Day follows day in endless succession and the years vanish, but your sovereignty endures. Through all the trials, triumphs, and tribulations of this life and work, let us not forget you. Help us to become co-workers and co-

creators with you. Help us to discern how mercy, grace, and law are woven together in your perfect will, that we might reflect that enduring light upon our own path and the ways of all who travel with us through this mortal life. Upon this House here gathered, pour thy continual grace to the welfare of all whom you have made. Amen.

The Pledge of Allegiance was led by Representative Olson.

### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the 44<sup>th</sup> legislative day and House and Senate Joint Journal Supplement No. 3 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HB 120**

A message dated February 28, 2007, was read stating the Senate passed CSHB 120(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 120(FIN)

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

CSHB 120(FIN) is under Unfinished Business.

\*\*The presence of Representative Gara was noted.

A message dated February 28, 2007, was read stating the Senate passed the following and it is transmitted for consideration:

### **FIRST READING AND REFERENCE OF SENATE BILLS**

#### **SB 49**

CS FOR SENATE BILL NO. 49(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to commemorative license plates celebrating Alaska's 50th anniversary as a state; and providing for an effective date."

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

### COMMUNICATIONS

The following was received:

Alaska State Legislature  
Alaska Climate Impact Assessment Commission  
Preliminary Report to the Legislature  
Representative Samuels, Chair  
Representative Joule, Vice Chair  
March 1, 2007  
(as required by Legislative Resolve No. 49, 2006)

### REPORTS OF STANDING COMMITTEES

The Finance Committee reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Don (Marty) M. McGee

as a member of the State Assessment Review Board.

The report was signed by Representatives Meyer and Chenault, Co-chairs; and Representatives Gara, Hawker, Thomas, Crawford, Joule, Nelson, Kelly, Stoltze.

\*\*The presence of Representative Thomas was noted.

### HB 14

The Labor & Commerce Committee considered:

## HOUSE BILL NO. 14

"An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole and relating to fees for the marked license; and requiring the surrender and cancellation of driver's licenses under certain circumstances."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 14(L&amp;C)

"An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole and relating to fees for the marked license; relating to the information contained on driver's licenses; requiring the surrender and cancellation of driver's licenses under certain circumstances; and providing for an effective date."

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

Do pass (2): Gardner, LeDoux

No recommendation (5): Buch, Neuman, Ramras, Gatto, Olson

The following fiscal note(s) apply to CSHB 14(L&C):

1. Zero, Dept. of Law
2. Indeterminate, Dept. of Administration

HB 14 was referred to the Judiciary Committee.

**HB 35**

The Labor & Commerce Committee considered:

**HOUSE BILL NO. 35**

"An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date."

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

Do pass (7): Gardner, LeDoux, Buch, Neuman, Gatto, Ramras, Olson

The following fiscal note(s) apply:

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

HB 35 was referred to the Finance Committee.

\*\*The presence of Representative Kelly was noted.

**HB 77**

The Labor & Commerce Committee considered:

**HOUSE BILL NO. 77**

"An Act relating to marriage brokers and advertisers and to dating and social referral services."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 77(L&C)  
(same title)

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

Do pass (2): Buch, LeDoux

No recommendation (4): Gardner, Ramras, Neuman, Olson

The following fiscal note(s) apply to CSHB 77(L&C):

1. Zero, Dept. of Public Safety
2. Indeterminate, Dept. of Commerce, Community, & Economic Development

HB 77 was referred to the Finance Committee.

**HB 88**

The Judiciary Committee considered:

**HOUSE BILL NO. 88**

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; and providing for an effective date."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 88(JUD)**

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; relating to the definition of physical injury for the Alaska Uniform Vehicle Code; and providing for an effective date."

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

Do pass (2): Gruenberg, Lynn

No recommendation (4): Coghill, Dahlstrom, Samuels, Ramras

The following fiscal note(s) apply to CSHB 88(JUD):

1. Zero, Dept. of Law

HB 88 was referred to the Finance Committee.

**HB 117**

The Judiciary Committee considered:

## HOUSE BILL NO. 117

"An Act relating to proclamations issued by the governor calling the legislature into special session."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 117(JUD)  
(same title)

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

Do pass (6): Gruenberg, Lynn, Coghill, Dahlstrom, Holmes, Ramras

The following fiscal note(s) apply to CSHB 117(JUD):

1. Zero, Dept. of Law

HB 117 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:

In Memoriam - Jerry Purser  
By Representatives Gatto, Neuman

In Memoriam - Doris Mary Daniels  
By Representative Gatto

In Memoriam - Don Dessieux Moore Sr.  
By Representative Gatto

In Memoriam - Barbara Louise Kunkel  
By Representative Gatto

In Memoriam - Andrew Lee  
By Representative Gruenberg

\*\*The presence of Representative Joule was noted.

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

**HB 169**

HOUSE BILL NO. 169 by Representative Gardner, entitled:

"An Act relating to municipal impoundment and forfeiture."

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

**HB 170**

HOUSE BILL NO. 170 by the House Labor and Commerce Committee by request, entitled:

"An Act relating to annual audit reports by insurers, to custodians of insurer assets, to writing workers' compensation insurance by surplus lines insurers, to reports by surplus lines insurers, to the definition of 'wet marine and transportation insurance,' to false or misleading financial statements concerning insurance audits, and to the membership of the Alaska Life and Health Insurance Guaranty Association; and providing for an effective date."

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

**HB 171**

HOUSE BILL NO. 171 by the House Rules Committee, entitled:

"An Act relating to the terms of legislators, the date and time for convening regular legislative sessions, adoption of uniform rules of the legislature and to certain of those rules, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be delivered to the legislature or filed; prohibiting bonuses for legislative employees; and providing for an effective date."

was read the first time and referred to the State Affairs Committee.



\*\*The presence of Representative Crawford was noted.

## CONSIDERATION OF THE DAILY CALENDAR

### SECOND READING OF HOUSE BILLS

#### HB 102

The following was read the second time:

#### HOUSE BILL NO. 102

"An Act relating to vacating lanes or slowing down for certain vehicles stopped along the side of a road."

with the:	Journal Page
TRA RPT 4DP	263
FN1: ZERO(ADM)	264
FN2: ZERO(LAW)	264
FN3: ZERO(DPS)	264
JUD RPT 6DP	338
FN1: ZERO(ADM)	338
FN2: ZERO(LAW)	338
FN3: ZERO(DPS)	338

Representative Samuels moved and asked unanimous consent that HB 102 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 102 was read the third time.

The question being: "Shall HB 102 pass the House?" The roll was taken with the following result:

HB 102

Third Reading

Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 2**

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

Excused: Dahlstrom, Holmes, Kawasaki, Nelson

Absent: Kohring, Seaton

And so, HB 102 passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### HCR 3

The following was read the second time:

#### HOUSE CONCURRENT RESOLUTION NO. 3

Relating to proclaiming April of 2007 as Sexual Assault Awareness Month.

with the:

Journal Page

HES RPT 7DP

337

The Rules Committee submitted the following fiscal note:

1. Zero, House Rules Committee

\*\*The presence of Representative Seaton was noted.

The question being: "Shall HCR 3 pass the House?" The roll was taken with the following result:

HCR 3

Second Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1**

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

Excused: Dahlstrom, Holmes, Kawasaki, Nelson

Absent: Kohring

And so, HCR 3 passed the House and was referred to the Chief Clerk for engrossment.

### 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:

Honoring - The Juneau Raptor Center's 20<sup>th</sup> Anniversary

By Representatives Doll, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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, Thomas, Wilson

Honoring - Miss Ethyl Peasgood on Her 100<sup>th</sup> Birthday

By Senator Thomas; Representatives Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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

In Memoriam - Gordon Wright

By Senator Thomas; Representatives Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, 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, Thomas, Wilson

**CONCUR IN SENATE AMENDMENTS****HB 120**

Representative Samuels moved and asked unanimous consent that the House consider the Senate message (page 356) on the following:

CS FOR HOUSE BILL NO. 120(FIN)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 120(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Samuels moved that the House concur in the Senate amendment to CSHB 120(FIN), thus adopting SCS CSHB 120(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 120(FIN)?" The roll was taken with the following result:

SCS CSHB 120(FIN)

Concur

**YEAS: 30 NAYS: 5 EXCUSED: 4 ABSENT: 1**

Yeas: Buch, Chenault, Coghill, Doll, Doogan, Edgmon, Fairclough, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Johansen, Joule, Kelly, Kerttula, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Cissna, Crawford, Gara, Hawker, Johnson

Excused: Dahlstrom, Holmes, Kawasaki, Nelson

Absent: Kohring

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 120(FIN).

Representative Samuels 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 120(FIN) was referred to the Chief Clerk for enrollment.

### **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 Harris - from 6:00 a.m., March 2 to morning plane time, March 5

Representative Kelly - from 6:00 a.m., March 4 to evening plane time, March 6

### **HCR 3**

Representatives Doll, Lynn, Kerttula, Samuels, Johansen, and Gardner added their names as cosponsors to:

#### **HOUSE CONCURRENT RESOLUTION NO. 3**

Relating to proclaiming April of 2007 as Sexual Assault Awareness Month.

### **HB 2**

Representative Samuels added his name as cosponsor to:

#### **HOUSE BILL NO. 2**

"An Act relating to the vocational education account and appropriations from that account; and providing for an effective date."

### **HB 40**

Representative Hawker added his name as cosponsor to:

**HOUSE BILL NO. 40**

"An Act relating to voluntary land trades, purchases, and leases to enhance public access to certain streams for fishing, hunting, and recreational activities."

**HB 74**

Representative Doll added her name as cosponsor to:

**HOUSE BILL NO. 74**

"An Act prohibiting mixing zones in freshwater spawning waters."

**HB 147**

Representative Kelly added his name as cosponsor to:

**HOUSE BILL NO. 147**

"An Act relating to matching funds in state tourism marketing contracts with trade associations."

**HB 152**

Representative Guttenberg added his name as cosponsor to:

**HOUSE BILL NO. 152**

"An Act establishing a renewable energy fund and describing its uses and purposes."

**HB 156**

Representative Doll added her name as cosponsor to:

**HOUSE BILL NO. 156**

"An Act relating to mining licenses, to the mining license tax, and to production royalties on minerals and rents for property involved in mining; and providing for an effective date."

**HB 167**

Representative Kelly added his name as cosponsor to:

**HOUSE BILL NO. 167**

"An Act making special appropriations for a contract with a qualified trade association and for a marketing program; and providing for an effective date."

**ENGROSSMENT**

**HCR 3**

HCR 3 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 102**

HB 102 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.

**ADJOURNMENT**

Representative Samuels moved and asked unanimous consent that the House adjourn until 11:00 a.m., March 5, 2007. There being no objection, the House adjourned at 10:51 a.m.

Suzi Lowell  
Chief Clerk