

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Wednesday

March 21, 2007

Sixty-fifth Day

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

Roll call showed 39 members present. Representative Coghill was absent and his presence was noted later.

The invocation was offered by the Chaplain, the Reverend Bob Stevens of St. Brendan's Episcopal Church. Representative Dahlstrom 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 into a time of prayer and reflection. Let us pray.

God our Creator, guide these members today as they consider the important matters of Alaska. May they be mindful of all those they represent. May they be humbled by the responsibilities they possess. May their decisions be thoughtful and honorable. Bless the families they have left behind to do this work. Bless all the people of this great state. Be with us today and every day. Amen.

The Pledge of Allegiance was led by Representative Samuels.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 63rd and 64th legislative days and House and Senate Joint Journal Supplement No. 4 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Foster introduced Ramsey Foster, Guest Page, from Nome.

MESSAGES FROM THE GOVERNOR**HR 1**

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 1

Establishing a House Special Committee on Economic Development, Trade, and Tourism.

House Resolve No. 1

HR 2

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 2

Establishing a House Special Committee on Fisheries.

House Resolve No. 2

HR 3

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 3

Establishing a House Special Committee on Military and Veterans' Affairs.

House Resolve No. 3

HR 4

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 4

Establishing a House Special Committee on Oil and Gas.

House Resolve No. 4

HR 5

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 5

Establishing a House Special Committee on Ways and Means.

House Resolve No. 5

SCR 2

A message dated March 19, 2007, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 2

Relating to establishing March 2007 as brain injury awareness month.

Legislative Resolve No. 2

MESSAGES FROM THE SENATE**HB 18**

A message dated March 19, 2007, was read stating the Senate passed CSHB 18(HES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 18(FIN)

"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."

CSHB 18(HES) is under Unfinished Business.

REPORTS OF STANDING COMMITTEES

The Labor & Commerce Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. Emil Notti

as Commissioner of the Department of Commerce, Community, and Economic Development.

Mr. Clark "Click" Bishop

as Commissioner of the Department of Labor and Workforce Development.

The reports were signed by Representative Olson, Chair; and Representatives Gardner, Neuman, Buch, Gatto.

HB 136

The Labor & Commerce Committee considered:

HOUSE BILL NO. 136

"An Act relating to dental hygienists."

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

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

The following fiscal note(s) apply:

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

HB 136 was referred to the Finance Committee.

**The presence of Representative Coghill was noted.

HB 149

The Resources Committee considered:

HOUSE BILL NO. 149

"An Act relating to the authority of the Department of Environmental Conservation to require certain monitoring, sampling, and reporting and to require permits for certain discharges of pollutants; relating to criminal penalties for violations of the permit program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 149(RES)
(same title)

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

Do pass (4): Wilson, Roses, Johnson, Gatto

Do not pass (1): Seaton

No recommendation (4): Kawasaki, Guttenberg, Edgmon, Kohring

The following fiscal note(s) apply to CSHB 149(RES):

1. Zero, Dept. of Environmental Conservation

HB 149 was referred to the Judiciary Committee.

HB 165

The Resources Committee considered:

HOUSE BILL NO. 165

"An Act relating to providing field accommodations for big game hunters."

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

Do pass (8): Wilson, Roses, Guttenberg, Edgmon, Kohring, Seaton, Gatto, Johnson

No recommendation (1): Kawasaki

The following fiscal note(s) apply:

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

HB 165 was referred to the Rules Committee for placement on the calendar.

HB 182

The Labor & Commerce Committee considered:

HOUSE BILL NO. 182

"An Act making the offering of certain promotional checks an unfair or deceptive act or practice."

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. Zero, Dept. of Law

HB 182 was referred to the Judiciary Committee.

REPORTS OF SPECIAL COMMITTEES

HB 147

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

HOUSE BILL NO. 147

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

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

Do pass (2): Johansen, Neuman

Do not pass (1): Gatto

No recommendation (3): Doogan, Doll, Lynn

The following fiscal note(s) apply:

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

HB 147 was referred to the Finance Committee.

HB 167

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

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."

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

Do pass (2): Johansen, Neuman

Do not pass (1): Gatto

No recommendation (3): Doll, Doogan, Lynn

HB 167 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Commemorating - Law Enforcement Memorial Day, May 11, 2007
By Representatives Harris, Dahlstrom

Honoring - Alberta Schenck
By Representative Foster

Honoring - James Atwood 'Jim' Sampson
By Representatives Guttenberg, Kawasaki, Crawford

In Memoriam - William 'Ungursraq' Andy
By Representative Nelson; Senator Hoffman

In Memoriam - Herbert "Herbie" Nayokpuk
By Representative Joule

In Memoriam - Morris Bennett Young
By Representative Foster; Senator Olson

In Memoriam - Gary Phillip Kompkoff
By Senator Kookesh; Representative Thomas

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 210**

HOUSE BILL NO. 210 by Representative Dahlstrom, entitled:

"An Act relating to the appointment and qualifications of the adjutant general."

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

HB 211

HOUSE BILL NO. 211 by Representatives Ramras, Stoltze, and Doll, entitled:

"An Act imposing a fee on homeowner's insurance policies issued or renewed in the state; requiring an insurer issuing or renewing a homeowner's insurance policy to collect the fee; and creating a special account in the general fund, allowing money in the fund to be appropriated to the Department of Public Safety for the Alaska Fire Standards Council, and repealing the Alaska fire services personnel fund."

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

HB 212

HOUSE BILL NO. 212 by Representatives Stoltze and Fairclough, entitled:

"An Act authorizing the transfer of land from the Alaska Railroad Corporation to Eklutna, Inc.; and providing for an effective date."

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

HB 213

HOUSE BILL NO. 213 by Representatives Doll, Coghill, Kerttula, Lynn, Nelson, Wilson, Gardner, Roses, Holmes, Gruenberg, Edgmon, Gara, Fairclough, Dahlstrom, and Gatto, entitled:

"An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities."

was read the first time and referred to the Health, Education & Social Services and Judiciary Committees.

HB 214

HOUSE BILL NO. 214 by Representative Fairclough, entitled:

"An Act naming the state parking garage being constructed in Anchorage north of the Robert B. Atwood Building as the Carolyn 'Linny' Pacillo Parking Garage."

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

HB 215

HOUSE BILL NO. 215 by Representatives Fairclough, Stoltze, Meyer, Nelson, Kerttula, Joule, Lynn, Salmon, and Gatto, entitled:

"An Act relating to the establishment of a task force to review the Council on Domestic Violence and Sexual Assault."

was read the first time and referred to the Health, Education & Social Services and Finance Committees.

HB 216

HOUSE BILL NO. 216 by Representatives Doogan, Gara, and Crawford, entitled:

"An Act making a special appropriation for a public opinion poll regarding a constitutional amendment concerning benefits for same-sex partners; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 126**

The following was read the second time:

HOUSE BILL NO. 126

"An Act relating to driver's licenses and permits, commercial driver's licenses, and other motor vehicle laws; relating to the driver's license compact; and providing for an effective date."

with the:

Journal Page

STA RPT 6DP 1NR	284
FN1: ZERO(ADM)	284
FN2: ZERO(DOT)	284
JUD RPT CS(JUD) 2DP 4NR 1AM	450
FN1: ZERO(ADM)	451
FN3: ZERO(DOT)	451

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. 126(JUD)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 (title amendment) was offered by Representative Johansen:

Page 1, lines 1 - 3:

Delete all material and insert:

""An Act relating to access to criminal justice information for certain employees of the Department of Administration; relating to the procedure for changes to certificates, registration, titles, licenses, permits, and other forms relating to driving and motor vehicles; relating to requirements for, cancellations of, renewals of, reinstatements of, expirations of, disqualifications of,

withdrawals of, suspensions or revocations of, and exemptions from commercial and other driver's licenses, permits, or privileges to drive; relating to records concerning motor vehicles and their drivers; relating to penalties for violating commercial driver licensing requirements; relating to the driver's license compact; and providing for an effective date."

Representative Johansen moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered and the new title follows:

CS FOR HOUSE BILL NO. 126(JUD)(title am)

"An Act relating to access to criminal justice information for certain employees of the Department of Administration; relating to the procedure for changes to certificates, registration, titles, licenses, permits, and other forms relating to driving and motor vehicles; relating to requirements for, cancellations of, renewals of, reinstatements of, expirations of, disqualifications of, withdrawals of, suspensions or revocations of, and exemptions from commercial and other driver's licenses, permits, or privileges to drive; relating to records concerning motor vehicles and their drivers; relating to penalties for violating commercial driver licensing requirements; relating to the driver's license compact; and providing for an effective date."

Representative Samuels moved and asked unanimous consent that CSHB 126(JUD)(title am) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 126(JUD)(title am) will advance to third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS

HB 8

The following, which was advanced to third reading from the March 19, 2007, calendar (page 505), was read the third time:

HOUSE BILL NO. 8

"An Act naming the law enforcement training facility in Fairbanks the J. Kevin Lamm Law Enforcement Training Facility."

The question being: "Shall HB 8 pass the House?" The roll was taken with the following result:

HB 8

Third Reading

Final Passage

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

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

Nays: Gardner

And so, HB 8 passed the House and was referred to the Chief Clerk for engrossment.

RECONSIDERATION**HB 121**

Representative Wilson brought up reconsideration of the vote on CSHB 121(L&C) am(efd fld) (page 462).

The following, which was held on reconsideration (page 502), was again before the House in third reading:

CSHB 121(L&C) am

"An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

Representative Wilson placed a call of the House.

The call was satisfied.

Representative Wilson moved and asked unanimous consent that CSHB 121(L&C) am be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 1 as amended.

Representative Kerttula objected.

The question being: "Shall CSHB 121(L&C) am be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 1 as amended?" The roll was taken with the following result:

CSHB 121(L&C) am--RECONSIDERATION

Third Reading

Return to Second/rescind previous action/Am No. 1 as amended

YEAS: 20 NAYS: 20 EXCUSED: 0 ABSENT: 0

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

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Kerttula, LeDoux, Lynn, Nelson, Salmon

Roses changed from "Nay" to "Yea".

Doll changed from "Yea" to "Nay".

And so, the motion failed.

The question to be reconsidered: "Shall CSHB 121(L&C) am pass the House?" The roll was taken with the following result:

CSHB 121(L&C) am--RECONSIDERATION

Third Reading

Final Passage

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

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, Doll, Doogan, Edgmon, 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, Wilson

Nays: Dahlstrom, Harris, Stoltze, Thomas

And so, CSHB 121(L&C) am passed the House on reconsideration.

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.

CSHB 121(L&C) am 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 - Service High School Nordic Ski Teams, 2007 State Champions

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

In Memoriam - Henry Harris, Sr.

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

CONCUR IN SENATE AMENDMENTS**HB 18**

Representative Samuels moved and asked unanimous consent that the House consider the Senate message (page 514) on the following:

CS FOR HOUSE BILL NO. 18(HES)

"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

SENATE CS FOR CS FOR HOUSE BILL NO. 18(FIN)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved that the House concur in the Senate amendment to CSHB 18(HES), thus adopting SCS CSHB 18(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 18(HES)?" The roll was taken with the following result:

SCS CSHB 18(FIN)

Concur

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 18(FIN).

The Chief Clerk notified the Senate.

SCS CSHB 18(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 Cissna - from noon, March 23 to evening plane time, March 27

Representative Gara - from 6:00 p.m., March 23 to morning plane time, March 26

Representative Nelson - from 2:00 p.m., today to 5:00 p.m., March 22

Representative Olson - from 5:00 p.m., March 23 to evening plane time, March 26

Representative Ramras - from 6:00 a.m., March 24 to morning plane time, March 26

Representative Roses - from noon, today to morning plane time, March 26

Representative Thomas - from 3:00 p.m., March 22 to evening plane time, March 25

HB 18

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

SENATE CS FOR CS FOR HOUSE BILL NO. 18(FIN)

"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."

HB 101

Representatives Fairclough and LeDoux added their names as cosponsors to:

HOUSE BILL NO. 101

"An Act relating to uniform traffic laws."

HB 136

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 136

"An Act relating to dental hygienists."

HB 152

Representative LeDoux added her name as cosponsor to:

HOUSE BILL NO. 152

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

HB 182

Representatives Olson, Buch, Neuman, Ramras, Gardner, and LeDoux added their names as cosponsors to:

HOUSE BILL NO. 182

"An Act making the offering of certain promotional checks an unfair or deceptive act or practice."

HB 186

Representative Kelly added his name as cosponsor to:

HOUSE BILL NO. 186

"An Act relating to sharing with certain federal agencies records required of sport fishing guides."

HB 198

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 198

"An Act establishing the Alaska senior assistance payment program; repealing the senior care and longevity bonus payment programs; and providing for an effective date."

ENGROSSMENT**HB 8**

HB 8 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 121

CSHB 121(L&C) am 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 10:00 a.m., March 22, 2007. There being no objection, the House adjourned at 10:58 a.m.

Suzi Lowell
Chief Clerk