

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Thursday

April 5, 2007

Eightieth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:07 a.m.

Roll call showed 22 members present. Representatives Chenault, Crawford, Dahlstrom, Doll, Edgmon, Gara, Gardner, Holmes, Kawasaki, Kelly, Kerttula, LeDoux, Meyer, Olson, Salmon, Thomas, and Wilson had been excused from a call of the House today.

Representative Samuels moved and asked unanimous consent that Representative Joule be excused from a call of the House from today to evening plane time, April 9. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Norman Cohen of Congregation Sukkat Shalom. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following reflection by Albert Einstein.

Strange is our situation here upon earth.
Each of us comes for a short visit,
not knowing why,
yet sometimes seeming to divine a purpose.
From the standpoint of daily life, however,
there is one thing we do know:
that we are here for the sake of others;

above all, for those on whose smile and well-being our own
happiness depends;
and also for the countless unknown souls with whose fate we
are connected by a bond of sympathy.
Many times a day I realize how much my own outer and inner
life is built upon the labors of others,
both living and dead,
and how earnestly I must exert myself
in order to give in return
as much as I have received and am still receiving.

The Pledge of Allegiance was led by Representative Ramras.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 79th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated April 4, 2007, was read stating the Senate passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 85

SENATE BILL NO. 85 by Senator Davis, entitled:

"An Act extending the termination date for the State Medical Board; and providing for an effective date."

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

SB 121

CS FOR SENATE BILL NO. 121(L&C) by the Senate Labor and Commerce Committee, entitled:

"An Act relating to discharge from small commercial passenger vessels; relating to information-gathering requirements for small commercial passenger vessels; providing for an effective date by repealing the delayed effective date found in sec. 16, ch. 153, SLA 2004; and providing for an effective date."

was read the first time and referred to the Resources and Judiciary Committees.

SB 123

CS FOR SENATE BILL NO. 123(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the public employees' and teachers' defined benefit retirement plans; relating to the public employees' and teachers' defined contribution retirement plans; relating to the judicial retirement system; relating to the health reimbursement arrangement plan for certain teachers and public employees; relating to the supplemental employee benefit program; relating to the public employees' deferred compensation program; relating to group insurance for public employees and retirees; making conforming amendments; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES**HJR 4**

The Resources Committee considered:

HOUSE JOINT RESOLUTION NO. 4

Requesting the Federal Subsistence Board to reconsider its decision regarding the subsistence fishery priority given to Ninilchik residents.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 4(FSH)

Requesting the Federal Subsistence Board to reconsider its decisions regarding the subsistence fishery priority given to Ninilchik, Happy Valley, Hope, and Cooper Landing residents.

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

Do pass (5): Roses, Seaton, Kohring, Gatto, Johnson

Do not pass (1): Guttenberg

The following fiscal note(s) apply to CSHJR 4(FSH):

1. Zero, House Special Committee on Fisheries

HJR 4 was referred to the Rules Committee for placement on the calendar.

HB 132

The Resources Committee considered:

HOUSE BILL NO. 132

"An Act designating the first Tuesday of May as Alaska Agriculture Day."

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

Do pass (5): Roses, Kohring, Seaton, Gatto, Johnson

No recommendation (1): Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 132 was referred to the Rules Committee for placement on the calendar.

HB 170

The Labor & Commerce Committee considered:

HOUSE BILL NO. 170

"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."

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

Do pass (4): Buch, Neuman, Ramras, Olson

No recommendation (3): Gardner, LeDoux, Gatto

The following fiscal note(s) apply:

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

HB 170 was referred to the Finance Committee.

HB 197

The Judiciary Committee considered:

HOUSE BILL NO. 197

"An Act relating to the issuance of shares of professional corporations to a trust, to trusts, to trustees, to the removal of a trustee, to the compensation of a trustee and a person employed by a trustee, to a trustee's accepting or rejecting a trusteeship, to co-trustees, to a vacancy in a trusteeship, to the resignation of a trustee, to delivery of trust property by former trustees, to the reimbursement of trustee expenses, to the certification of a trust, to the suitability of a trustee, to the place of administration of a trust, to a trustee's power to appoint property to another trust, to a change of the percentage of trust property to be considered principal, to the determination of the value of a trust, and to a settlor's intent when transferring property in trust; amending Rules 54 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (4): Gruenberg, Lynn, Holmes, Ramras

No recommendation (2): Coghill, Samuels

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 197 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:

Honoring - Ada Johnson's 75th Birthday
By Representative Cissna

Honoring - Cordova Wolverines Volleyball Team
By Representative Thomas

In Memoriam - Chief Franklin Madros, Sr.
By Senator Kookesh; Representative Salmon

In Memoriam - Kelly Ann Kompkoff
By Senator Kookesh; Representative Thomas

In Memoriam - James Duros
By Senator Stevens; Representative LeDoux

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 17

HOUSE JOINT RESOLUTION NO. 17 by Representatives Johnson and Johansen:

Encouraging Coeur Alaska, Inc., to pursue all legal options to resolve the issues presented in Southeast Alaska Conservation Council v. United States Army Corps of Engineers on behalf of itself and consistent with the state's efforts to enforce its rights as a state over its resources; and requesting the United States Court of Appeals for the Ninth Circuit to adjudicate those matters that come before the court in a fair and impartial manner so that the state's natural resources can be developed in a timely and lawful manner.

was read the first time and referred to the Resources and Judiciary Committees.

HJR 18

HOUSE JOINT RESOLUTION NO. 18 by Representative Johansen:

Opposing the enactment of the provisions in the Next Generation Transportation System Financing Reform Act of 2007 that increase aviation fuel and aviation gas taxes.

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 198**

The Speaker stated that, without objection, the following would be held to the April 10, 2007, calendar:

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."

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 - Norman D. Wooten, President, National School Boards Association

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

In Memoriam - Elspeth "Betts" Conable Johnson

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Joule, Kerttula, Kohring, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, 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 Cissna - from 11:00 p.m., April 6 to morning plane time, April 10

Representative Guttenberg - from noon, April 6 to evening plane time, April 8

Representative Hawker - from noon, April 5 to afternoon plane time, April 9

Representative Lynn - from 5:00 p.m., April 5 to morning plane time, April 9

HB 197

The Speaker removed the Finance Committee referral and added a Labor & Commerce Committee referral for the following:

HOUSE BILL NO. 197

"An Act relating to the issuance of shares of professional corporations to a trust, to trusts, to trustees, to the removal of a

trustee, to the compensation of a trustee and a person employed by a trustee, to a trustee's accepting or rejecting a trusteeship, to co-trustees, to a vacancy in a trusteeship, to the resignation of a trustee, to delivery of trust property by former trustees, to the reimbursement of trustee expenses, to the certification of a trust, to the suitability of a trustee, to the place of administration of a trust, to a trustee's power to appoint property to another trust, to a change of the percentage of trust property to be considered principal, to the determination of the value of a trust, and to a settlor's intent when transferring property in trust; amending Rules 54 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

HB 197 was removed from the Finance Committee and referred to the Labor & Commerce Committee.

HB 165

Representatives Foster and Lynn added their names as cosponsors to:

HOUSE BILL NO. 165

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

HB 166

Representatives Gara, Crawford, and Foster added their names as cosponsors to:

HOUSE BILL NO. 166

"An Act relating to contributions from permanent fund dividends to community foundations, to certain educational organizations, and to certain other charitable organizations that provide a positive youth development program, workforce development, aid to the arts, or aid and services to the elderly, low-income individuals, individuals in emergency situations, disabled individuals, or individuals with mental illness; and providing for an effective date."

HB 198

Representative LeDoux removed her name and Representatives Roses, Johnson, and Seaton added their names as cosponsors 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."

HB 200

Representatives Roses and Gruenberg added their names as cosponsors to:

HOUSE BILL NO. 200

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations."

HB 213

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 213

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

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 3:00 p.m., April 9, 2007, for a technical session. There being no objection, the House adjourned at 10:31 a.m.

Suzi Lowell
Chief Clerk