

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE – SECOND SESSION**

**Juneau, Alaska**

**Wednesday**

**January 30, 2008**

**Sixteenth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 10:15 a.m.

Roll call showed 34 members present. Representatives Foster and Gruenberg had been excused from a call of the House today. Representatives Hawker and Kelly were absent.

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 Guttenberg – from today to 8:00 a.m., January 31

Representative Lynn – from today to evening plane time, February 6

The invocation was offered by the Chaplain, the Reverend Kenneth Torquil MacLean of the Juneau Unitarian Universalist Fellowship. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

From our many beliefs and traditions may we join together in a spirit of prayer.

Our thoughts and concerns this morning are with Max Gruenberg, Richard Foster, and Bob Lynn in their struggles for recovery from health problems.

Eternal God, our gratitude this morning is offered up for the human qualities which enable us to live and learn and grow and serve in a difficult and dangerous world: the courage of the men and women in our armed services who protect us at great risk; the dedication of the doctors and nurses and scientists who strive to cure and heal us; the patience of the teachers who labor to expand the understanding of our children and ourselves; the honesty of those who carry great responsibility with fidelity; the friendship and love of those who accept us as we are; the daring of those who offer themselves for public service and endure and survive the joys of campaigning. We give thanks for the blessing of all those, here and throughout our lives, who have shown us what it is to be human. Amen.

The Pledge of Allegiance was led by Representative Gara.

### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the 14<sup>th</sup> and 15<sup>th</sup> legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **COMMUNICATIONS**

The following were received:

Alaska Comprehensive Health Insurance Association  
2006 Annual Report  
January 14, 2008

Dept. of Commerce, Community, & Economic Development  
Division of Investments  
2007 Annual Report of Fisheries Enhancement Term Extensions  
January 25, 2008  
(as required by AS 16.10.510)

Dept. of Commerce, Community, & Economic Development  
Division of Investments  
Annual State Loan Report  
January 25, 2008  
(as required by AS 37.05.035 and AS 16.10.350)

Dept. of Environmental Conservation  
Alaska Drinking Water and Clean Water Loan Funds  
Annual Report FY 2007  
January 29, 2008  
(as required by AS 37.05.035 and AS 46.03.032)

### **REPORTS OF STANDING COMMITTEES**

#### **HCR 14**

The Health, Education & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 14  
Proposing an amendment to the Uniform Rules of the Alaska State  
Legislature relating to standing committees.

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

Do pass (5): Cissna, Fairclough, Gardner, Seaton, Roses

No recommendation (1): Keller

Amend (1): Wilson

The following fiscal note(s) apply:

1. Zero, House Health, Education & Social Services Committee

HCR 14 was referred to the Rules Committee for placement on the  
calendar.

#### **HCR 15**

The Judiciary Committee considered:

## HOUSE CONCURRENT RESOLUTION NO. 15

Urging the governor to direct the attorney general to file an amicus curiae brief with the United States Supreme Court in the case of Parker v. District of Columbia, supporting the individual right to keep and bear arms under the Second Amendment to the United States Constitution.

and recommends it be replaced with:

## CS FOR HOUSE CONCURRENT RESOLUTION NO. 15(JUD)

Urging the governor to direct the attorney general to file an amicus curiae brief with the United States Supreme Court in the case of District of Columbia v. Heller, supporting the individual right to keep and bear arms under the Second Amendment to the United States Constitution.

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

Do pass (5): Coghill, Dahlstrom, Samuels, Holmes, Ramras

The following fiscal note(s) apply to CSHCR 15(JUD):

1. Zero, House Judiciary Committee

HCR 15 was referred to the Rules Committee for placement on the calendar.

**HJR 29**

The Health, Education & Social Services Committee considered:

## HOUSE JOINT RESOLUTION NO. 29

Urging the President of the United States and the United States Congress to fulfill the federal obligation to provide adequate funding for special education in public schools.

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

Do pass (7): Cissna, Keller, Fairclough, Gardner, Seaton, Roses, Wilson

The following fiscal note(s) apply:

1. Zero, House Health, Education & Social Services Committee

HJR 29 was referred to the Rules Committee for placement on the calendar.

**HB 317**

The State Affairs Committee considered:

**HOUSE BILL NO. 317**

"An Act eliminating the limit on compassionate gifts that a legislator or legislative employee may solicit, accept, or receive under the Legislative Ethics Act; and providing for an effective date."

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

Do pass (4): Johnson, Coghill, Doll, Roses

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HB 317 was referred to the Judiciary Committee.

**REPORTS OF SPECIAL COMMITTEES****HB 289**

The House Special Committee on Fisheries considered:

**HOUSE BILL NO. 289**

"An Act exempting employers from paying unemployment tax for crewmembers on fishing vessels that respond or prepare to respond to, or that prepare for or engage in an emergency or

practice drill response to, an oil spill; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 289(FSH)

"An Act exempting employers from paying unemployment tax for temporary services provided by fishing vessel crewmembers and related to emergency oil spill training and response activities; and providing for an effective date."

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

Do pass (4): Holmes, Edgmon, Johansen, Seaton

The following fiscal note(s) apply to CSHB 289(FSH):

1. Indeterminate, Dept. of Labor & Workforce Development

HB 289 was referred to the Labor & Commerce Committee.

### **INTRODUCTION OF CITATIONS**

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam – Virginia Rose Hotch

By Representatives Thomas, Kerttula; Senator Kookesh

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HCR 19**

HOUSE CONCURRENT RESOLUTION NO. 19 by Representatives Doogan and Kawasaki:

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to abstention from voting; and providing for an effective date for the amendment.

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

**HJR 31**

HOUSE JOINT RESOLUTION NO. 31 by Representatives Keller, Wilson, and Johnson:

Opposing the enactment of the Protect America's Wildlife Act of 2007 that intends to prohibit aerial hunting of wildlife, which is essential for predator control in Alaska.

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

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 343**

HOUSE BILL NO. 343 by the House Rules Committee by request of the Governor, entitled:

"An Act making supplemental appropriations, capital appropriations, reappropriations, and other appropriations; amending certain appropriations; ratifying certain expenditures; making appropriations to capitalize funds; and providing for an effective date."

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

A spreadsheet from the Office of the Governor, Office of Management and Budget, pertaining to the supplemental requests accompanied the governor's transmittal letter and is on file in the Chief Clerk's office.

The Governor's transmittal letter dated January 28, 2008, follows:

"Dear Speaker Harris:

I am transmitting to you today a supplemental appropriation budget bill for Fiscal Year 2008 that totals \$20.8 million in general funds. The bill contains necessary program cost changes known as of this date for the remainder of the current fiscal year. The bill contains

items for which an early effective date is requested, along with items that can wait to be effective at the end of the legislative session.

The most significant general fund items include the \$125 million needed for oil and gas tax credits, \$18.5 million to implement the Senior Benefits Payment Program that was enacted in 2007, \$17.1 million to replace the Medicaid federal funds lost with the disallowance of the Private Hospital Proportionate Share Program, and \$13.3 million for the bargaining unit agreement reached with, and ratified by, the General Government Unit.

There will undoubtedly be additional supplemental funding requests submitted for consideration, primarily related to potential additional bargaining unit agreements, but my administration will limit the number of amendments as much as possible.

I look forward to working with the Legislature to secure passage of this bill.

Sincerely,

/s/

Sarah Palin  
Governor"

**HB 344**

HOUSE BILL NO. 344 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to distribution of the Alaska Administrative Code and Alaska Administrative Register; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Office of the Governor



The Governor's transmittal letter dated January 28, 2008, follows:

"Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to change the Alaska Administrative Procedure Act to provide for better and more cost-effective access to administrative information.

The bill stems from requests of some local governments to stop receiving paper copies of the Alaska Administrative Code and the Alaska Administrative Register. Space in some local government offices is limited and the storage and disposal of these documents can be problematic.

Under current law, the Lieutenant Governor, at state expense, is required to supply a complete set of the Alaska Administrative Code, the Alaska Administrative Register, and each supplement to the code or register to the clerk of each local government unit. Many local governments have indicated that paper copies of these publications are neither utilized nor desired.

The bill allows the clerk of a local governmental unit to choose to forego receipt of the paper copies. Paper copies would continue to be supplied to governmental units that do not request cessation of the deliveries.

Because electronic access to the Alaska Administrative Code is currently available through the Legislature's website, and through links to that website from various state agency websites, we anticipate that many local governments would prefer this "no-cost" option for electronic access to the information, and paper copies would not be needed.

The bill also provides an easy method for the local government to "opt back in" to start receiving paper copies of the documents if the local government's needs changed.

I urge your prompt consideration and passage of this bill.

Sincerely,  
/s/  
Sarah Palin  
Governor"

**HB 345**

HOUSE BILL NO. 345 by Representatives Kelly and Kawasaki, entitled:

"An Act amending the certificate of need requirements to exclude expenditures for diagnostic imaging equipment in certain circumstances."

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

**HB 346**

HOUSE BILL NO. 346 by Representatives Doll and Kerttula, entitled:

"An Act amending the boundaries of the Stan Price State Wildlife Sanctuary and relating to bear viewing in the sanctuary."

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

**CONSIDERATION OF THE DAILY CALENDAR****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 – Julie Cain-Hill, Outstanding Teacher and Alaskan  
By Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Stevens

Honoring – Dottie Pinkney

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

In Memoriam – Beth Scheen

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

In Memoriam – LCDR Robin Royce Starrett, USCG (Ret)

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

#### **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 Edgmon – from 10:30 a.m., January 31 to evening plane time, February 1

Representative Hawker – from 11:30 a.m., February 1 to afternoon plane time, February 3

Representative Joule – from 8:00 a.m. to 7:00 p.m., January 31

Representative LeDoux – from 6:00 a.m., January 31 to morning plane time, February 3

**SPECIAL ORDER OF BUSINESS**

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam – Virginia Rose Hotch, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam – Virginia Rose Hotch

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

**UNFINISHED BUSINESS****HB 317**

The Speaker waived the Judiciary Committee referral for the following at the request of Representative Ramras, Chair:

**HOUSE BILL NO. 317**

"An Act eliminating the limit on compassionate gifts that a legislator or legislative employee may solicit, accept, or receive under the Legislative Ethics Act; and providing for an effective date."

HB 317 was removed from the Judiciary Committee and referred to the Rules Committee for placement on the calendar.

**HJR 28**

Representative Lynn added his name as cosponsor to:

**HOUSE JOINT RESOLUTION NO. 28**

Proposing an amendment to the Constitution of the State of Alaska relating to the production tax revenue fund, dedicating a

portion of the petroleum production tax to the fund, and limiting appropriations from the fund.

**HB 200**

Representatives Gara and Keller 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 293**

Representative Buch removed his name as cosponsor to:

**HOUSE BILL NO. 293**

"An Act relating to the location of the convening of the legislature in session and to the relocation of functions of state government; and providing for an effective date."

**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., January 31, 2008. There being no objection, the House adjourned at 10:57 a.m.

Suzi Lowell  
Chief Clerk