

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

Juneau, Alaska

Thursday

January 31, 2008

Seventeenth Day

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

Roll call showed 35 members present. Representatives Foster, Gruenberg, Joule, LeDoux, and Lynn had been excused from a call of the House today.

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.

Eternal God, as we listen each day to reports from around the world of elections and governments being challenged by mobs and guns and bombs, let us give thanks for the orderly institutions of government we have inherited and here carry on.

If pride is a sin, may we be forgiven our pride in the customs of respect and deference which govern our deliberations and our making of decisions. As we take pride in the underlying strength of our compact with each other and with the people we represent, may we also acknowledge the imperfections and human failures in what we achieve.

In this balance of pride and humility we may rededicate ourselves, as we take up the tasks of this day and the days before us, knowing that our work is important, and the issues are complex, and we are human. Amen.

The Pledge of Allegiance was led by Representative Hawker.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 16th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated January 30, 2008, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation to the boards and commissions noted.

The Speaker referred the following to the Finance Committee:

Alaska Mental Health Trust Authority Board of Trustees

Ms. Paula P. Easley - Anchorage

Appointed: 3/28/2006

Reappointed: 1/28/2008

Term Expires: 3/1/2013

Mr. Larry G. Norene - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2013

Mr. Timothy A. Schuerch - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2013

The Speaker referred the following to the Health, Education & Social Services Committee:

Board of Education and Early Development

Ms. Geraldine C. "Geri" Benshoof - North Pole

Appointed: 1/28/2008

Term Expires: 3/1/2013

Mr. Philip E. Schneider – Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2013

State Medical Board

Dr. John Cullen - Valdez

Appointed: 1/29/2008

Term Expires: 3/1/2012

Dr. William W. Resinger - Palmer

Appointed: 9/21/2007

Term Expires: 3/1/2010

Dr. Lawrence W. "Larry" Stinson, Jr. - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2012

Mr. Michael J. Tauriainen - Soldotna

Appointed: 5/28/2003

Reappointed: 1/16/2004

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Dr. Jean Tsigonis - Fairbanks

Appointed: 11/15/2006

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Board of Certified Direct-Entry Midwives

Ms. Cheryl A. Corrick - Fairbanks

Appointed: 1/28/2008

Term Expires: 3/1/2012

Dr. Peggy A. Downing - Palmer

Appointed: 5/31/2007

Term Expires: 3/1/2011

Ms. Holly M. Steiner - Wasilla

Appointed: 6/3/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Board of Nursing

Ms. Denise Ekstrom - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2012

Ms. Agnes M. "Aggie" Jack - Kotzebue

Appointed: 6/12/2007

Term Expires: 3/1/2011

Board of Examiners in Optometry

Dr. Jill Matheson - Juneau

Appointed: 4/30/2004

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Board of Pharmacy

Ms. Kathe Boucha - Anchorage

Appointed: 3/1/2008

Term Expires: 3/1/2012

Mr. Robert Young - Sitka

Appointed: 3/1/2008

Term Expires: 3/1/2012

Professional Teaching Practices Commission

Mr. Richard Lum - Eagle River

Appointed: 1/29/2008

Term Expires: 3/1/2011

Mr. George Troxel - Palmer

Appointed: 1/29/2008

Term Expires: 3/1/2011

The Speaker referred the following to the Judiciary Committee:

Board of Governors of the Alaska Bar

Mr. Carl Ekstrom - Anchorage

Appointed: 1/29/2008

Term Expires: 3/1/2011

Commission on Judicial Conduct

Mr. Joseph W. Miller - Fairbanks

Appointed: 1/28/2008

Term Expires: 3/1/2012

Mr. Thomas G. Nave - Juneau

Appointed: 3/24/2004

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Mr. Robert Sheldon - Anchorage

Appointed: 1/29/2008

Term Expires: 3/1/2012

Violent Crimes Compensation Board

Mr. LeRoy J. Barker - Anchorage

Appointed: 2/19/2003

Reappointed: 3/23/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2011

The Speaker referred the following to the Labor & Commerce Committee:

Alaska State Board of Public Accountancy

Mr. Max E. Mertz - Juneau

Appointed: 8/3/2004

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Alcoholic Beverage Control Board

Mr. Joseph DelDonno - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2011

Mr. Robert Klein - Anchorage

Appointed: 1/29/2008

Term Expires: 3/1/2011

State Board of Registration for Architects, Engineers, and Land Surveyors

Mr. Frank Abegg - Fairbanks

Appointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Clifford E. Baker - Kenai

Appointed: 3/24/2004

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Mr. George Davidson - Juneau

Appointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Daniel E. Walsh - Fairbanks

Appointed: 12/12/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Board of Barbers and Hairdressers

Ms. Lorenda Britten - Fairbanks

Appointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Vern Hurlbert - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2012

Ms. Kelley Sherman - Wasilla

Appointed: 1/29/2008

Term Expires: 3/1/2012

Board of Chiropractic Examiners

Mr. James Heston - Homer

Appointed: 1/29/2008

Term Expires: 3/1/2012

Board of Marine Pilots

Mr. Robert J. Arts - Anchorage

Appointed: 10/31/2002

Reappointed: 3/24/2004

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Board of Marital and Family Therapy

The Very Rev. John Downing - Eagle River

Appointed: 1/28/2008

Term Expires: 3/1/2012

Occupational Safety and Health Review Board

Mr. James Montgomery, Jr. - Kenai

Appointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Timothy O. Sharp - Fairbanks

Appointed: 10/12/1995

Reappointed: 6/23/1999

Reappointed: 1/23/2006

Reappointed: 1/29/2008

Term Expires: 3/1/2012

State Physical Therapy and Occupational Therapy Board

Ms. Joyce Barnett - Anchorage

Appointed: 1/29/2008

Term Expires: 3/1/2012

Dr. Julius S. Brecht - Anchorage

Appointed: 10/18/2005

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Gary W. Burleson - Anchorage

Appointed: 4/14/2005

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Ms. Kathleen Lind - Anchorage

Appointed: 1/29/2008

Term Expires: 3/1/2012

Board of Professional Counselors

Mr. James R. "Randy" Morton - Nome

Appointed: 4/14/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Board of Psychologist and Psychological Associate Examiners

Ms. Camille O. "Cam" Carlson - Fairbanks

Appointed: 3/9/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Dr. John R. DeRuyter - Fairbanks

Appointed: 6/6/2007

Term Expires: 3/1/2011

Ms. Lisa C. Turner - Kenai

Appointed: 3/8/2006

Reappointed: 1/28/2008

Term Expires: 3/1/2012

Real Estate Commission

Ms. Christina E. Swires - Anchorage

Appointed: 1/28/2008

Term Expires: 3/1/2012

Regulatory Commission of Alaska (RCA)

Mr. Robert M. "Bob" Pickett - Wasilla

Appointed: 1/28/2008

Term Expires: 3/1/2014

Board of Veterinary Examiners

Dr. Timothy L. Bowser - Soldotna

Appointed: 2/19/2003

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Mr. Martin Buser - Big Lake

Appointed: 3/1/2007

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Dr. Cynthia A. Trout - Anchorage

Appointed: 3/23/2005

Reappointed: 1/29/2008

Term Expires: 3/1/2012

Workers' Compensation Appeals Commission

Mr. David Richards - Eagle River

Appointed: 1/28/2008

Term Expires: 3/1/2013

Alaska Workers' Compensation Board

Mr. Don L. Gray - Anchorage

Appointed: 12/26/2007

Term Expires: 3/1/2010

Mr. Howard A. Hansen - Wasilla

Appointed: 12/26/2007

Term Expires: 3/1/2009

Mr. David Kester - Anchorage

Appointed: 4/12/2004

Reappointed: 1/29/2008

Term Expires: 3/1/2011

Ms. Debra G. Norum - Fairbanks

Appointed: 1/23/2006

Reappointed: 1/29/2008

Term Expires: 3/1/2011

Mr. Michael J. Notar - Juneau

Appointed: 12/26/2007

Term Expires: 3/1/2010

Mr. Douglas L. Orcutt - Anchorage

Appointed: 12/26/2007

Term Expires: 3/1/2010

Mr. Jeffrey P. Pruss - Fairbanks

Appointed: 1/23/2006

Reappointed: 1/29/2008

Term Expires: 3/1/2011

Mr. David B. Robinson - Wasilla

Appointed: 10/1/2005

Reappointed: 1/29/2008

Term Expires: 3/1/2011

Mr. Marc D. Stemp - Bethel

Appointed: 12/26/2007

Term Expires: 3/1/2010

Mr. Damian J. Thomas - Fairbanks

Appointed: 1/23/2006

Reappointed: 1/29/2008

Term Expires: 3/1/2011

The Speaker referred the following to the Resources Committee:

Big Game Commercial Services Board

Ms. Brenda Rebne - Cantwell

Appointed: 1/28/2008

Term Expires: 3/1/2012

Alaska Commercial Fisheries Entry Commission (CFEC)

Mr. Frank M. Homan - Juneau

Appointed: 9/2/2003

Reappointed: 10/30/2007

Term Expires: 3/1/2011

Board of Game

Mr. Lewis D. "Lew" Bradley - Palmer

Appointed: 1/28/2008

Term Expires: 3/1/2011

Ms. Teresa Sager-Albaugh - Tok

Appointed: 1/28/2008

Term Expires: 3/1/2011

Mr. Ted H. Spraker - Soldotna

Appointed: 1/21/2003

Reappointed: 4/11/2005

Reappointed: 1/28/2008

Term Expires: 3/1/2011

The Speaker referred the following to the State Affairs Committee:

State Commission for Human Rights

Mr. Mark S. Fish - Anchorage

Appointed: 6/11/2007

Term Expires: 3/1/2012

Ms. Grace Merkes - Sterling

Appointed: 2/19/2003

Reappointed: 1/28/2008

Term Expires: 3/1/2013

Mr. Robert B. Sawyer, Jr. - Fairbanks

Appointed: 2/19/2003

Reappointed: 1/29/2008

Term Expires: 3/1/2013

Personnel Board

Ms. Debra E. English - Anchorage

Appointed: 1/8/2004

Reappointed: 1/29/2008

Term Expires: 3/1/2014

Alaska Public Offices Commission (APOC)

Ms. Kathleen Frederick - Juneau

Appointed: 1/29/2008

Term Expires: 3/1/2013

Resumes for the appointments are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

A message dated January 30, 2008, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., March 17 to hear an address by the Honorable Lisa Murkowski, U.S.Senator.

HCR 17

A message dated January 30, 2008, was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 17

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 139, relating to limitations on liability for certain airfield owners or operators.

HCR 17 was referred to the Chief Clerk for enrollment.

SB 139

A message dated January 30, 2008, was read stating the Senate concurred in the House amendment to:

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139

"An Act repealing a limitation on the liability of certain airfield owners or operators."

thus adopting:

HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139(JUD)

"An Act modifying the criteria used to limit liability for certain airfield owners or operators."

(HCR 17 - title change resolution)

COMMUNICATIONS

The following audit report was received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

Dept. of Environmental Conservation
Division of Water
Village Safe Water Program
December 5, 2007

HCR 8

Pursuant to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 8(L&C)
Establishing a legislative task force to make recommendations regarding job descriptions and salary changes for the commissioners and support staff and the possible need for additional support staff of the Regulatory Commission of Alaska.

Legislative Resolve No. 11

The following was received:

Alaska State Legislature
Legislative Regulatory Commission of Alaska Task Force
Report to the Legislature
January 30, 2008

REPORTS OF STANDING COMMITTEES**HB 260**

The Finance Committee considered:

HOUSE BILL NO. 260

"An Act relating to a State Officers Compensation Commission and establishing how legislators, the governor, the lieutenant governor, and executive department heads shall be compensated; providing for an effective date by repealing the effective dates of

certain sections of ch. 124, SLA 1986; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 260(STA)
(same title)

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

Do pass (2): Crawford, Nelson

Do not pass (2): Stoltze, Kelly

No recommendation (4): Gara, Thomas, Meyer, Chenault

Amend (1): Hawker

The following fiscal note(s) apply to CSHB 260(STA):

1. Fiscal, Dept. of Administration

HB 260 was referred to the Rules Committee for placement on the calendar.

HB 284

The Finance Committee considered:

HOUSE BILL NO. 284

"An Act relating to participation in certain student fellowships as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 284(FIN)
(same title)

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

Do pass (5): Crawford, Hawker, Thomas, Nelson, Chenault

No recommendation (4): Gara, Stoltze, Kelly, Meyer

The following fiscal note(s) apply to CSHB 284(FIN):

1. Zero, Dept. of Revenue

HB 284 was referred to the Rules Committee for placement on the calendar.

HB 296

The Finance Committee considered:

HOUSE BILL NO. 296

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

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

Do pass (7): Gara, Crawford, Hawker, Nelson, Thomas, Stoltze, Meyer

No recommendation (2): Kelly, Chenault

The following fiscal note(s) apply:

2. Fiscal, House Finance Committee/Dept. of Corrections

HB 296 was referred to the Rules Committee for placement on the calendar.

HB 303

The Labor & Commerce Committee considered:

HOUSE BILL NO. 303

"An Act relating to marine products and motorized recreational products; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 303(L&C)
(same title)

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

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

Amend (3): Gardner, LeDoux, Gatto

The following fiscal note(s) apply to CSHB 303(L&C):

1. Zero, Dept. of Law

The Speaker added a Judiciary Committee referral, and so, HB 303 was referred to the Judiciary Committee.

HB 315

The Labor & Commerce Committee considered:

HOUSE BILL NO. 315

"An Act extending the termination date of the Big Game Commercial Services Board; and providing for an effective date."

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

Do pass (6): Gardner, LeDoux, Buch, Ramras, Gatto, Olson

No recommendation (1): Neuman

The following fiscal note(s) apply:

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

HB 315 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:

In Memoriam – Liv Cheryl Gray, Yís Tu Du
By Representative Thomas; Senator Kookesh

In Memoriam – Frank Wallace
By Representative Thomas; Senator Kookesh

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 20

HOUSE CONCURRENT RESOLUTION NO. 20 by Representative Seaton:

Encouraging the installation of fire sprinkler systems in residences.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 306

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 306 by REPRESENTATIVES GARA, KAWASAKI, NELSON, KERTTULA, GRUENBERG, Salmon, and Doll, entitled:

"An Act relating to providing a voluntary pre-elementary program within a school district; and providing for the establishment and implementation of a statewide early childhood education plan."

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

HB 347

HOUSE BILL NO. 347 by Representatives Thomas and Doll, entitled:

"An Act relating to the regional cruise ship impact fund; and establishing the Regional Cruise Ship Impact Fund Advisory Committee and prescribing its duties."

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

HB 348

HOUSE BILL NO. 348 by Representative Keller, entitled:

"An Act relating to the adoption of regulations by the Board of Fisheries and the Board of Game."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 317**

The following was read the second time:

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."

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with the:

Journal Page

STA RPT 4DP	1825
FN1: ZERO(LEG)	1825
JUD REFERRAL WAIVED	1832

Representative Samuels moved and asked unanimous consent that all members of the House be shown as cosponsors to HB 317. There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that HB 317 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 317 was read the third time.

The question being: "Shall HB 317 pass the House?" The roll was taken with the following result:

HB 317

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0

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

Excused: Foster, Gruenberg, Joule, LeDoux, Lynn

And so, HB 317 passed the House.

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.

HB 317 was referred to the Chief Clerk for engrossment.

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 Gara – from 8:00 a.m., February 2 to morning plane time, February 6

Representative Johansen – from 8:00 a.m., February 1 to evening plane time, February 3

Representative Ramras – from 6:00 p.m., February 1 to morning plane time, February 4

Representative Roses – from 5:00 p.m., February 1 to evening plane time, February 6

Representative Samuels – from 6:00 p.m., February 1 to evening plane time, February 3

Representative Thomas – from 10:30 a.m., February 1 to afternoon plane time, February 3

HB 200

Representative Wilson added her name as cosponsor 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 251

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 251

"An Act relating to the use of credited military service by retired peace officers and fire fighters to meet certain requirements for major medical insurance coverage benefits."

HB 303

Representative Olson added his name as cosponsor to:

HOUSE BILL NO. 303

"An Act relating to marine products and motorized recreational products; and providing for an effective date."

HB 317

Representative Meyer added his name as cosponsor to:

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 following were added as cosponsors (page 1851):

Representatives Harris, Cissna, Crawford, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Joule, Kawasaki, Keller, LeDoux, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

ENGROSSMENT**HB 317**

HB 317 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., February 4, 2008. There being no objection, the House adjourned at 11:03 a.m.

Suzi Lowell
Chief Clerk