

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

**Juneau, Alaska**

**Monday**

**February 4, 2008**

**Twenty-first Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 11:11 a.m.

Roll call showed 33 members present. Representatives Foster, Gara, Lynn, and Roses had been excused from a call of the House today.

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 Foster – from today to evening plane time, February 11 (amended from page 1757)

Representative Gruenberg – from today to evening plane time, February 11 (amended from page 1809)

Representative Thomas – to 3:00 p.m., today

Representative Salmon – to 3:00 p.m., today

The presence of Representative Salmon was noted later.

The invocation was offered by the Chaplain, the Reverend Dr. John Zimmerman of Chapel by the Lake Presbyterian 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 all Alaskans, I offer the following prayer.

Eternal and Gracious God, may we never take for granted the wonder of the freedoms that are ours as citizens of the United States: the freedom to choose our representatives, the freedom to be governed by majority vote, the freedom for minorities to be represented and to speak. May the exercise of our heritage be honored and valued this day in this chamber.

Grant that the members of this House, elected by the choice of the people of their districts, may do the people's work well this day. May they deliberate with integrity, speak with clarity, listen carefully, and discover creative solutions to the challenges confronting the state of Alaska.

May they never lose sight of the concerns of all of our citizens: those in distant villages, those in the urban core, our children, our seniors, the hidden people.

At the end of this day may they experience the satisfaction that comes when the docket has been completed and their work is done. Amen.

The Pledge of Allegiance was led by Representative Keller.

#### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE GOVERNOR**

##### **HB 343**

The following corrected letter dated January 31, 2008, was received replacing the letter dated January 28 (page 1827) regarding:

## HOUSE BILL NO. 343

"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."

"Dear Speaker Harris:

I am transmitting to you today a supplemental appropriation budget bill for Fiscal Year 2008 that totals \$205.3 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"

**MESSAGES FROM THE SENATE**

A message dated February 1, 2008, was read stating the Senate passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SCR 13**

CS FOR SENATE CONCURRENT RESOLUTION NO. 13(RES) by  
the Senate Resources Committee:

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.

was read the first time and is on today's calendar.

**COMMUNICATIONS**

The following were received:

Dept. of Administration  
Division of Finance  
Compensation and Travel Report of  
Executive Positions for 2007  
Available at [http://fin.admin.state.ak.us/dof/financial\\_reports/ctep\\_toc.jsp](http://fin.admin.state.ak.us/dof/financial_reports/ctep_toc.jsp)  
(as required by AS 37.05.210)

Dept. of Administration  
Office of Administrative Hearings  
Fourth Annual Report to the  
Governor of Alaska and the Alaska Legislature  
January 31, 2008  
(as required by AS 44.64.020)

Alaska Industrial Development & Export Authority  
Alaska Energy Authority  
Annual Capital Project Status Report  
(as required by AS 44.83.950)

Alaska Court System  
2007 Travel and Compensation Report  
January 30, 2008  
(as required by AS 22.20.037)

Dept. of Labor & Workforce Development  
Nonresidents Working in Alaska – 2006  
<http://almis.labor.state.ak.us>  
(as required by AS 36.10.130)

### REPORTS OF STANDING COMMITTEES

#### **HB 285**

The Community & Regional Affairs Committee considered:

#### HOUSE BILL NO. 285

"An Act relating to an optional exemption from municipal property taxes for residences of widows and widowers of certain members of the armed forces of the United States; and providing that this Act may be known as the Sergeant Irving Hernandez, Jr., Act."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 285(CRA)

"An Act relating to an optional exemption from municipal property taxes for residences of widows and widowers of certain members of the armed forces of the United States."

The report was signed by Representative Fairclough, Co-chair, with the following individual recommendations:

Do pass (5): Dahlstrom, Cissna, Salmon, Neuman, Fairclough

The following fiscal note(s) apply to CSHB 285(CRA):

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

HB 285 was referred to the Finance Committee.

**HB 286**

The Judiciary Committee considered:

HOUSE BILL NO. 286

"An Act relating to impersonating a public servant."

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

Do pass (3): Samuels, Dahlstrom, Ramras

No recommendation (1): Coghill

Amend (1): Holmes

The following fiscal note(s) apply:

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

HB 286 was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES****HB 156**

The House Special Committee on Ways & Means considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 156(W&M)  
(same title)

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

Do pass (2): Seaton, Cissna

No recommendation (1): Roses

Amend (3): Fairclough, Wilson, Hawker

The following fiscal note(s) apply to CSHB 156(W&M):

1. Indeterminate, Dept. of Natural Resources
2. Indeterminate, Dept. of Revenue

HB 156 was referred to the Resources Committee.

### INTRODUCTION OF CITATIONS

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

Honoring – Claris Syren  
By Representative Gara; Senator Ellis

Honoring – Angeline and Jolene Edge  
By Senator Stevens; Representative LeDoux

Honoring – Kodiak High School Track Team, 2007 State Champions  
By Senator Stevens; Representative LeDoux

Honoring – Kodiak High School Boys Cross Country Team, 2007  
State Champions  
By Senator Stevens; Representative LeDoux

In Memoriam – Mabel Johnson  
By Representative Joule

In Memoriam – Wanda Marie Fields  
By Senator Stevens; Representative LeDoux

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

Honoring – Carter G. Woodson, 2008 Black History Month  
By Senator Davis

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

#### **HB 349**

HOUSE BILL NO. 349 by Representative Chenault, entitled:

"An Act relating to an award of attorney fees in frivolous, groundless, or vexatious actions, appeals, and cross-appeals; and amending Rule 82, Alaska Rules of Civil Procedure and Rule 508(e), Alaska Rules of Appellate Procedure."

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

#### **HB 350**

HOUSE BILL NO. 350 by Representative Harris, entitled:

"An Act providing for an amount to be deducted and retained for collecting and submitting the vehicle rental tax."

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

### **CONSIDERATION OF THE DAILY CALENDAR**

### **SECOND READING OF SENATE RESOLUTIONS**

#### **SCR 13**

The following was read the second time:



CS FOR SENATE CONCURRENT RESOLUTION NO.  
13(RES)

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 question being: "Shall CSSCR 13(RES) pass the House?" The roll was taken with the following result:

CSSCR 13(RES)

Second Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 7 ABSENT: 0**

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

Excused: Foster, Gara, Gruenberg, Lynn, Roses, Salmon, Thomas

And so, CSSCR 13(RES) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

**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:

In Memoriam – Liv Cheryl Gray, Yís Tu Du

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

In Memoriam – Frank Wallace

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

### **UNFINISHED BUSINESS**

Representative Samuels moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Nelson – from 9:00 a.m. to 1:00 p.m., February 5; and from 9:00 a.m. to 1:00 p.m., February 7

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

### **SPECIAL ORDER OF BUSINESS**

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring – Carter G. Woodson, 2008 Black History Month, 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:

Honoring – Carter G. Woodson, 2008 Black History Month

By Senator Davis; Representatives 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, LeDoux, Lynn, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

**UNFINISHED BUSINESS****HB 200**

Representatives Kawasaki, Guttenberg, and Doogan 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 287**

Representative Kerttula added her name as cosponsor to:

**HOUSE BILL NO. 287**

"An Act relating to certain investments of the Alaska permanent fund, the state's retirement systems, the State of Alaska Supplemental Annuity Plan, and the deferred compensation program for state employees in companies that do business in Sudan, and restricting those investments."

**HB 288**

Representative Gardner added her name as cosponsor to:

**HOUSE BILL NO. 288**

"An Act relating to net energy metering for retail electricity suppliers and customers."

**HB 302**

Representative Kerttula added her name as cosponsor to:

**HOUSE BILL NO. 302**

"An Act relating to the public's right to know certain information relating to water pollution, and requiring the Department of Environmental Conservation to collect and make available that information to the public."

**HB 303**

Representative Wilson removed her 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 308**

Representative Kerttula added her name as cosponsor to:

**HOUSE BILL NO. 308**

"An Act establishing a state heating assistance program in addition to the federal heating assistance program."

**SCR 13**

Representatives Harris, Stoltze, Johnson, Chenault, and LeDoux added their names as cross sponsors to:

**CS FOR SENATE CONCURRENT RESOLUTION NO. 13(RES)**

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.

**ENROLLMENT****HCR 17**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:21 a.m., February 4, 2008:

**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.

Legislative Resolve No. 27

**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., February 6, 2008. There being no objection, the House adjourned at 12:06 p.m.

Suzi Lowell  
Chief Clerk