

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

Juneau, Alaska

Wednesday

February 6, 2008

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:06 a.m.

Roll call showed 34 members present. Representatives Foster, Gruenberg, Lynn, and Roses had been excused from a call of the House today. Representative Gara was absent and his presence was noted later.

Representative Samuels moved and asked unanimous consent that Representative Wilson be excused from a call of the House from today to 8:00 a.m., February 7. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Dr. John Zimmerman of Chapel by the Lake Presbyterian Church. Representative LeDoux 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 invite you into a time of prayer and personal reflection. Let us pray.

Gracious and Eternal God, on this day of introspection grant that each member of this House may care for his or her inner life: a sense of peace that permeates all the pressures of office, a sense of order that sorts through the maze of conflicting demands, a sense of integrity that protects from

the peddlers of undue influence, personal values that provide a tower of strength, a passion for right relationships that will not tolerate brokenness. May the bond of friendships formed in this chamber be strengthened by little acts of kindness and sincere words of gratitude and thanks. In the pressure cooker of this session, may family members receive the support they need to carry on at home.

Grant that each one may be able to sort through the mountain of paper that has crossed their desks to discover the core issues that must be faced and the major problems that must be solved. May they work together to move legislation forward in the exercise of good governance.

At the end of this day may each one know the blessing that comes when they have contributed their very best. Amen.

The Pledge of Allegiance was led by Representative Fairclough.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease for a meeting of the Committee on Committees; and so, the House stood at ease at 10:23 a.m.

AFTER AT EASE

The Speaker called the House back to order at 10:32 a.m.

MESSAGES FROM THE SENATE

HB 37

A message dated February 4, 2008, was read stating the Senate passed:

HOUSE BILL NO. 37(efd add)

"An Act establishing the first Saturday of every March as Susan Butcher Day; and providing for an effective date."

HB 37(efd add) was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

HB 305

The Rules Committee considered:

HOUSE BILL NO. 305

"An Act relating to campaign fund raising by a legislator, legislative employee, or candidate for election to the legislature during a regular or special legislative session."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 305(RLS)

"An Act relating to campaign fund raising during a regular or special legislative session; and providing for an effective date."

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

Do pass (5): Fairclough, Harris, Kerttula, Samuels, Coghill

Amend (2): Guttenberg, Johnson

The following fiscal note(s) apply to CSHB 305(RLS):

1. Zero, Dept. of Administration

HB 305 was returned to the Rules Committee for placement on the calendar.

**The presence of Representative Gara was noted.

HB 315

The Finance 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 Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (3): Kelly, Joule, Thomas

No recommendation (5): Crawford, Hawker, Stoltze, Meyer, Chenault

The following fiscal note(s) apply:

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

HB 315 was referred to the Rules Committee for placement on the calendar.

HB 325

The Health, Education & Social Services Committee considered:

HOUSE BILL NO. 325

"An Act relating to the teachers' and nurses' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 325 was referred to the Finance Committee.

HB 334

The Finance Committee considered:

HOUSE BILL NO. 334

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

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

Do pass (8): Crawford, Hawker, Joule, Nelson, Kelly, Stoltze, Meyer, Chenault

The following fiscal note(s) apply:

1. Fiscal, Dept. of Public Safety

HB 334 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

A report of the Committee on Committees dated February 6, 2008, was read submitting amendments to the January 16, 2007, report (page 9). Additional reports are on pages 93, 186, 1154, and 1545. The amendments follow:

Finance: Harris replaces Foster

Judiciary: Doogan replaces Gruenberg

The report was signed by Representative Harris, Chair; and Representatives Coghill, Samuels, Chenault, Meyer, Kerttula, and Guttenberg.

Representative Samuels moved and asked unanimous consent that the House adopt the Committee on Committees report. There being no objection, it was so ordered.

HB 41

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 41

"An Act returning certain duties regarding habitat management from the Department of Natural Resources to the Department of Fish and Game; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 41(FSH)
(same title)

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

Do pass (3): Wilson, Holmes, Seaton

No recommendation (1): Johnson

The following fiscal note(s) apply to CSHB 41(FSH):

1. Fiscal, Dept. of Natural Resources

HB 41 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 – Donene Tweten
By Representative LeDoux; Senator Stevens

Honoring – The Don and Alice McKee Family
By Representative Kelly

Honoring – Chugiak High School Girls Soccer Team, 2007 State Champions
By Representatives Stoltze, Fairclough, Dahlstrom; Senators Dyson, Huggins, Bunde

In Memoriam – Leslie F. and Dorothy Florence Fetrow
By Representatives Stoltze, Dahlstrom, Fairclough; Senators Dyson,
Huggins, Bunde

In Memoriam – Natalie H. Brooks
By Representatives Stoltze, Dahlstrom, Fairclough; Senators Dyson,
Huggins, Bunde

In Memoriam – Stanley D. Brown
By Representatives Stoltze, Fairclough, Dahlstrom; Senators Dyson,
Huggins, Bunde

In Memoriam – Erik Alan Lochman
By Senator Stevens; Representative LeDoux

In Memoriam – Howard Hedges
By Senator Stevens; Representative LeDoux

In Memoriam – Beatrice K. Rose
By Senator Bunde; Representative Gruenberg

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

Honoring – 100th Anniversary of National Alpha Kappa Alpha, 25th
Anniversary of Alpha Kappa Alpha, Alaska Chapter
By Senator Davis

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 18

SPONSOR SUBSTITUTE FOR HOUSE CONCURRENT
RESOLUTION NO. 18 by Representatives Gardner, Kawasaki, and
LeDoux:

Proposing an amendment to the Uniform Rules of the Alaska State
Legislature relating to voting.

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

HCR 21

HOUSE CONCURRENT RESOLUTION NO. 21 by Representatives Stoltze, Samuels, Fairclough, Neuman, and Johnson:

Supporting the National Crime Victims' Rights Week of 2008.

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

HJR 32

HOUSE JOINT RESOLUTION NO. 32 by Representatives Stoltze and Johnson:

Supporting open and free competition within the broadcasting industry.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 348**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348 by Representative Keller, entitled:

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

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

HB 351

HOUSE BILL NO. 351 by Representative Coghill, entitled:

"An Act relating to submission of fingerprints by applicants for a concealed handgun permit; and providing for an effective date."

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

HB 352

HOUSE BILL NO. 352 by Representative Keller, entitled:

"An Act relating to the appointment of members of the Board of Game; and providing for an effective date."

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

HB 353

HOUSE BILL NO. 353 by Representative Keller, entitled:

"An Act relating to the blocking of certain Internet sites at public libraries and to library assistance grants."

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

HB 354

HOUSE BILL NO. 354 by Representative Coghill, entitled:

"An Act relating to subsidies for a hard-to-place child; relating to criminal sanctions for unlawful disclosure of confidential information pertaining to a child; relating to child support orders in child-in-need-of-aid and delinquency proceedings; and providing for an effective date."

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

HB 355

HOUSE BILL NO. 355 by Representatives Johansen and Johnson, entitled:

"An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or

in opposition to ballot initiatives and the aggregate amounts of significant contributions or expenditures made by those persons, groups, and nongroup entities."

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

HB 356

HOUSE BILL NO. 356 by Representatives Stoltze and Thomas, entitled:

"An Act relating to an exemption from municipal property taxes for certain real property that is exempt from levy and collection of real property taxes when conveyed by the federal government to implement the Alaska Native Claims Settlement Act or when conveyed under a land exchange authorized by that Act involving land or an interest in land that is made exempt from local property taxes by that Act; and providing for an effective date."

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

HB 357

HOUSE BILL NO. 357 by the House Labor and Commerce Committee by request, entitled:

"An Act requiring errors and omissions insurance for real estate licensees; renaming the real estate surety fund as the real estate recovery fund and relating to that fund, and redefining the procedures and criteria used by the Real Estate Commission to make an award from the fund to a person suffering a loss caused by certain misconduct of real estate licensees; requiring a real estate licensee to maintain an office in the state; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 260**

The following was read the second time:

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."

with the:

Journal Page

STA RPT CS(STA) 1DP 3NR 2AM	1760
FN1: (ADM)	1760
FIN RPT CS(STA) 2DP 2DNP 4NR 1AM	1845
FN1: (ADM)	1846

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. 260(STA)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 260(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 260(STA) was read the third time.

The question being: "Shall CSHB 260(STA) pass the House?" The roll was taken with the following result:

CSHB 260(STA)

Third Reading

Final Passage

YEAS: 28 NAYS: 7 EXCUSED: 5 ABSENT: 0

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Kawasaki, Kerttula, LeDoux, Meyer, Nelson, Olson, Salmon, Samuels, Seaton, Thomas

Nays: Chenault, Hawker, Keller, Kelly, Neuman, Ramras, Stoltze

Excused: Foster, Gruenberg, Lynn, Roses, Wilson

And so, CSHB 260(STA) 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.

Representative Stoltze gave notice of reconsideration of the vote on CSHB 260(STA).

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 – Claris Syren

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

Honoring – Angeline and Jolene Edge

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, 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

Honoring – Kodiak High School Track Team, 2007 State Champions

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, 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

Honoring – Kodiak High School Boys Cross Country Team, 2007 State Champions

By Senator Stevens; Representatives LeDoux, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, 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

In Memoriam – Mabel Johnson

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

In Memoriam – Wanda Marie Fields

By Senator Stevens; 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

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 Chenault – from 6:00 p.m., February 9 to morning plane time, February 11

Representative Neuman – from 6:00 p.m., February 8 to morning plane time, February 11

Representative Samuels – from 6:00 p.m., February 8 to evening plane time, February 10

The Speaker stated that the House would stand at ease to allow members of the Senate to enter the Chamber; and so, the House stood at ease at 10:56 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:06 a.m.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Harris turned the gavel over to President Green who called the joint session to order at 11:07 a.m.

The purpose of the joint session was to hear the State of the Judiciary Address by the Honorable Dana Fabe, Chief Justice of the Alaska Supreme Court.

Senator Ellis moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Green appointed Representative Joule and Senator Stevens to escort the Honorable Dana Fabe to the joint session.

The Senate Sergeant-at-Arms announced the Chief Justice's entrance into the House Chamber.

Chief Justice Fabe was escorted to the rostrum and welcomed by President Green.

The Chief Justice delivered her address and it is published in House and Senate Joint Journal Supplement No. 12.

Chief Justice Fabe received a standing ovation and was escorted from the Chamber by Representative Joule and Senator Stevens.

Senator Ellis moved and asked unanimous consent that the joint session adjourn. There being no objection, President Green adjourned the joint session at 11:35 a.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 11:38 a.m.

SPECIAL ORDER OF BUSINESS

Representative Samuels moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring – 100th Anniversary of National Alpha Kappa Alpha, 25th Anniversary of Alpha Kappa Alpha, Alaska Chapter, 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 – 100th Anniversary of National Alpha Kappa Alpha, 25th Anniversary of Alpha Kappa Alpha, Alaska Chapter

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

UNFINISHED BUSINESS

HB 285

The Community & Regional Affairs Committee submitted the following corrected committee substitute to replace the committee substitute received February 4, 2008 (page 1865):

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."

CSHB 285(CRA) was reprinted today. HB 285 is in the Finance Committee.

HB 200

Representatives Harris and Nelson 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 260

Representative Dahlstrom added her name as cosponsor to:

CS FOR HOUSE BILL NO. 260(STA)

"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."

HB 267

Representative Fairclough added her name as cosponsor to:

HOUSE BILL NO. 267

"An Act relating to authorizing the state to join with other states entering into the Wildlife Violator Compact and authorizing the compact to supersede existing statutes by approving standards, rules, or other action under the terms of the compact; and directing the initiation of civil actions to revoke appropriate licenses in this state based on a resident licensee's violation of or failure to comply with the terms of a wildlife resource citation issued in another state that is a party to the compact."

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 8, 2008. There being no objection, the House adjourned at 11:52 a.m.

Suzi Lowell
Chief Clerk