

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

Juneau, Alaska

Thursday

March 13, 2008

Fifty-ninth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:38 a.m.

Roll call showed 33 members present. Representatives Foster, Johansen, Joule, Lynn, Salmon, and Samuels had been excused from a call of the House today.

Representative Coghill, Acting Majority Leader, moved and asked unanimous consent that Representative Stoltze be excused from a call of the House from today to 8:00 a.m., March 14. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Nancy Campbell. Representative Coghill 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 each person here,
I offer this prayer.

Dear Heavenly Father, I invoke your blessing on these legislators as they meet together this day. Grant them your wisdom and guidance in all they do. Keep them healthy and strong as they debate the issues facing our state.

I pray they would be able to accomplish all the tasks set before them in a timely manner. Give them peace in the midst of turmoil and strategy for the decisions that lie ahead.

May you bless them and keep them; cause your face to shine upon them. In Jesus' name. Amen.

The Pledge of Allegiance was led by Representative Cissna.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 58th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Dahlstrom introduced Seth Drake, Guest Page, from Anchorage.

Representative Coghill introduced Monica Edwards, Guest Page, from Tok.

Representative Coghill introduced Megan Hanks, Guest Page, from Fairbanks.

Representative Thomas introduced Brandi Patterson, Guest Page, from Metlakatla.

MESSAGES FROM THE SENATE

HB 197

A message dated March 12, 2008, was read stating the Senate passed:

HOUSE BILL NO. 197 am

"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 am was referred to the Chief Clerk for enrollment.

Messages dated March 12, 2008, were read stating the Senate passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 211

SENATE BILL NO. 211 by Senator Davis, entitled:

"An Act relating to an aggravating factor at sentencing for crimes directed at a victim because of the victim's homelessness."

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

SB 216

CS FOR SENATE BILL NO. 216(TRA) by the Senate Transportation Committee, entitled:

"An Act designating the Alaska Highway and portion of the Richardson Highway as the Purple Heart Trail."

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

SB 229

SENATE BILL NO. 229 by Senator Thomas, entitled:

"An Act relating to the Tanana Valley State Forest and to assignment of certain forest land to the Minto Flats State Game Refuge; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

HJR 19

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 19
Relating to opposition to the Real ID Act of 2005.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 19(STA)
Encouraging repeal of the Real ID Act of 2005.

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

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

The following fiscal note(s) apply to CSHJR 19(STA):

1. Zero, House State Affairs Committee

HJR 19 was referred to the Rules Committee for placement on the calendar.

HJR 38

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 38
Recognizing the State of Israel on the 60th anniversary of its founding.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 38(STA)
(same title)

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

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

The following fiscal note(s) apply to CSHJR 38(STA):

1. Zero, House State Affairs Committee

HJR 38 was referred to the Rules Committee for placement on the calendar.

HB 331

The Judiciary Committee considered:

HOUSE BILL NO. 331

"An Act relating to mandatory motor vehicle insurance, license suspensions, mandatory impoundments of vehicles used in certain offenses, and notices relating to motor vehicles and driver's licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 331(L&C)

"An Act relating to motor vehicle insurance, license suspensions, and notices relating to motor vehicles and notices relating to driver's licenses."

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

Do pass (3): Coghill, Dahlstrom, Ramras

No recommendation (3): Gruenberg, Samuels, Holmes

The following fiscal note(s) apply to CSHB 331(L&C):

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

HB 331 was referred to the Rules Committee for placement on the calendar.

HB 338

The Finance Committee considered:

HOUSE BILL NO. 338

"An Act relating to the power project fund and the bulk fuel revolving loan fund; authorizing the Alaska Energy Authority to borrow money from the power project fund for the bulk fuel revolving loan fund and to repay money borrowed; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 338(FIN)

"An Act relating to the bulk fuel bridge loan fund and program, power project fund, and the bulk fuel revolving loan fund; authorizing the Alaska Energy Authority to borrow money from the power project fund for the bulk fuel revolving loan fund and to repay money borrowed; and providing for an effective date."

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

Do pass (9): Hawker, Gara, Crawford, Nelson, Stoltze, Thomas, Kelly, Meyer, Chenault

The following fiscal note(s) apply to CSHB 338(FIN):

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

HB 338 was referred to the Rules Committee for placement on the calendar.

HB 400

The Judiciary Committee considered:

HOUSE BILL NO. 400

"An Act relating to a person who seeks medical assistance for a person experiencing a drug overdose."

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

Do pass (2): Holmes, Ramras

No recommendation (4): Gruenberg, Coghill, Dahlstrom, Samuels

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 400 was referred to the Finance Committee.

HB 406

The State Affairs Committee considered:

HOUSE BILL NO. 406

"An Act relating to a requirement for competitive bidding on contracts for the preparation of election ballots."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 406(STA)

"An Act relating to contracts for the preparation of election ballots."

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

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

No recommendation (1): Gruenberg

The following fiscal note(s) apply to CSHB 406(STA):

1. Zero, Office of the Governor

HB 406 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 – Frank William Hill
By Senator Stevens; Representatives Seaton, Edgmon

In Memoriam – Frieda Rose Monson
By Senator Stevens; Representative Seaton

In Memoriam – Robert G. "Odie" Kohlbeck
By Senator Stevens; Representative Seaton

In Memoriam – James 'Jim' Roy Howard, Sr.
By Senator Stevens; Representative Seaton

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

In Memoriam – Walter William Dyakanoff
By Representative Edgmon

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 420

HOUSE BILL NO. 420 by the House Health, Education and Social Services Committee, entitled:

"An Act relating to the Uniform Anatomical Gift Act, to anatomical gifts, to donations to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 289**

The following was read the second time:

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."

with the:

Journal Page

FSH RPT CS(FSH) NT 4DP	1825
FN1: INDETERMINATE(LWF)	1826
L&C RPT CS(FSH) NT 4DP 2NR	1982
FN2: INDETERMINATE(LWF)	1982

The Rules Committee submitted the following updated fiscal note:

3. Zero, Dept. of Labor & Workforce Development

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 289(FSH) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 289(FSH) was read the third time.

The question being: "Shall CSHB 289(FSH) pass the House?" The roll was taken with the following result:

CSHB 289(FSH)

Third Reading

Final Passage

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

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

Excused: Foster, Johansen, Joule, Lynn, Salmon, Samuels, Stoltze

And so, CSHB 289(FSH) passed the House.

Representative Coghill 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.

CSHB 289(FSH) was referred to the Chief Clerk for engrossment.

HB 297

The following, which is on today's calendar, is in the Rules Committee:

HOUSE BILL NO. 297

"An Act relating to the practice of veterinary medicine."

HB 370

The following was read the second time:

HOUSE BILL NO. 370

"An Act relating to forested land management and protection from wildland fire and other destructive agents; changing the term 'forest fire' to 'wildland fire' where it appears in the Alaska Statutes; and providing for an effective date."

HOUSE JOURNAL

March 13, 2008

2275

with the:

Journal Page

RES RPT CS(RES) 5DP 1NR 2AM	2144
FN1: ZERO(LAW)	2145
FN2: ZERO(DNR)	2145

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 370(RES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 370(RES) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 370(RES) will advance to third reading on the March 17, 2008, calendar.

THIRD READING OF SENATE BILLS

SB 256

The following, which was advanced to third reading from the March 12, 2008, calendar (page 2257), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 256(FIN)

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

The Speaker stated that, without objection, HCS CSSB 256(FIN) would be held to the March 17, 2008, calendar.

LEGISLATIVE CITATIONS

Representative Coghill 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 – Anita J. Byers

By Senator Wagoner; Representatives Olson, Harris, Buch, 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, Meyer, Nelson, Neuman, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam – Clifford Allyn Massie

By Senator Wagoner; Representatives Olson, Chenault, Harris, Buch, 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, Meyer, Nelson, Neuman, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam – Morris Lee Porter Sr.

By Senator Wagoner; Representatives Chenault, Harris, Buch, 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, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

UNFINISHED BUSINESS

Representative Coghill 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 Nelson – from 6:00 a.m., March 17 to 6:00 p.m., April 1

Representative Seaton – from 6:00 a.m., March 14 to evening plane time, March 16

SPECIAL ORDER OF BUSINESS

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

Representative Coghill 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 – Walter William Dyakanoff

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

UNFINISHED BUSINESS

HJR 19

Representative Ramras added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 19

Relating to opposition to the Real ID Act of 2005.

HJR 28

Representative Keller 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 289

Representative Johnson added his name as cosponsor to:

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."

HB 404

Representatives Dahlstrom, Guttenberg, and Neuman added their names as cosponsors to:

HOUSE BILL NO. 404

"An Act establishing an Alaska Renewable Energy Task Force."

SB 216

Representative Stoltze added his name as cross sponsor to:

CS FOR SENATE BILL NO. 216(TRA)

"An Act designating the Alaska Highway and portion of the Richardson Highway as the Purple Heart Trail."

ENGROSSMENT**HB 289**

CSHB 289(FSH) 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 Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., March 17, 2008. There being no objection, the House adjourned at 11:31 a.m.

Suzi Lowell
Chief Clerk