

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

Juneau, Alaska

Thursday

March 20, 2008

Sixty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:23 a.m.

Roll call showed 28 members present. Representatives Foster, Kawasaki, LeDoux, Nelson, Seaton, and Wilson had been excused from a call of the House today. Representatives Buch, Chenault, Crawford, and Doll were absent and their presence was noted later. Representative Gardner was 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 Roses – from 11:30 a.m., today to evening plane time, March 24 (amended from page 2344)

Representative Holmes – from today to morning plane time, March 25 (amended from page 2368)

The invocation was offered by the Chaplain, the Reverend Dan Wanders of Aldersgate United Methodist Church. Representative Roses moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With deepest respect for the religious beliefs of all Alaskans, I offer the following prayer.

O God, may the work of this House lead the way to increased justice and peace for all throughout this great land.

God of the ages, source of all wisdom, acknowledging that we need one another in making wise decisions, help these representatives to speak with sensitivity and clarity and to listen with openness and humility.

So guide the deliberations of this body that the decisions here made can balance the needs and concerns of all our people and institutions and many will remember this session for the excellence of the work here done.

I pray for safe travel for House members and their constituents as they move between home cities and villages and this place of service to the people of Alaska. Amen.

The Pledge of Allegiance was led by Representative Neuman.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 65th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HJR 16

A message dated March 19, 2008, was read stating the Senate passed:

HOUSE JOINT RESOLUTION NO. 16
Opposing imposition of a milk tax on Alaskans.

HJR 16 was referred to the Chief Clerk for enrollment.

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A message dated March 19, 2008, was read stating the Senate passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 164

CS FOR SENATE BILL NO. 164(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to disclosures required for the sale of a used motor vehicle, including a trailer, by a motor vehicle dealer."

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

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**The presence of Representatives Doll and Crawford was noted.

SB 243

CS FOR SENATE BILL NO. 243(HES) by the Senate Health, Education and Social Services Committee, entitled:

"An Act relating to the duties and powers of the Alaska Commission on Aging and the Department of Health and Social Services."

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

SB 254

SENATE BILL NO. 254 by Senator Huggins, entitled:

"An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

The Resources Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. William S. Brown

Mr. John E. Jensen

Mr. Melvan E. Morris

as members of the Board of Fisheries.

The report was signed by Representatives Johnson and Gatto, Co-chairs, and Representatives Seaton, Fairclough, Edgmon, Roses, and Guttenberg.

HJR 37

The Judiciary Committee considered:

HOUSE JOINT RESOLUTION NO. 37

Proposing amendments to the Constitution of the State of Alaska to correct obsolete references to the office of secretary of state by substituting references to the office of lieutenant governor and to eliminate personal pronoun references in the sections proposed to be amended.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 37(JUD)

Proposing amendments to the Constitution of the State of Alaska to correct obsolete references to the office of secretary of state by substituting references to the office of lieutenant governor.

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

Do pass (5): Gruenberg, Coghill, Dahlstrom, Lynn, Ramras

No recommendation (1): Samuels

The following fiscal note(s) apply to CSHJR 37(JUD):

1. Fiscal, Office of the Governor

HJR 37 was referred to the Finance Committee.

HB 281

The Judiciary Committee considered:

HOUSE BILL NO. 281

"An Act extending the statute of limitations for the filing of complaints with the Alaska Public Offices Commission involving state election campaigns."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 281(JUD)

"An Act relating to the preservation of records required to be kept by candidates, groups, nongroup entities, or persons under AS 15.13; relating to records required to be kept by certain lobbyists and persons who employ, retain, or contract for the services of lobbyists; relating to complaints filed with the Select Committee on Legislative Ethics; relating to administrative complaints filed with the Alaska Public Offices Commission; relating to the statute of limitations for civil actions brought under AS 39.50; extending the statute of limitations for prosecutions of violations of the Alaska Election Code; and providing for an effective date."

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

Do pass (2): Lynn, Gruenberg

No recommendation (3): Coghill, Dahlstrom, Ramras

The following fiscal note(s) apply to CSHB 281(JUD):

1. Fiscal, Dept. of Administration

HB 281 was referred to the Finance Committee.

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**The presence of Representative Buch was noted.

HB 297

The Rules Committee considered:

HOUSE BILL NO. 297

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 297(RLS)

"An Act relating to student permits authorized by the Board of Veterinary Examiners; and relating to the application of certain statutes pertaining to veterinarians and veterinary practice to certain persons."

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

Do pass (3): Fairclough, Samuels, Coghill

No recommendation (2): Johnson, Harris

Amend (2): Kerttula, Guttenberg

The following fiscal note(s) apply to CSHB 297(RLS):

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

HB 297 is on today's calendar.

HB 366

The State Affairs Committee considered:

HOUSE BILL NO. 366

"An Act relating to an exemption from public disclosure of certain appropriations from the dividend fund; and providing for an effective date."

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

Do pass (2): Doll, Lynn

No recommendation (4): Johnson, Johansen, Roses, Coghill

The following fiscal note(s) apply:

1. Zero, Dept. of Corrections
2. Zero, Dept. of Revenue

HB 366 was referred to the Finance Committee.

HB 388

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 388

"An Act establishing the Alaska Broadband Task Force; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 388(CRA)

(same title)

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

Do pass (3): Cissna, Salmon, LeDoux

No recommendation (3): Neuman, Dahlstrom, Fairclough

The following fiscal note(s) apply to CSHB 388(CRA):

1. Fiscal, Legislative Agency

HB 388 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:

Honoring – Florence Colyar in Celebration of Her 90th Birthday
Representative Gardner

Honoring – Jyotsna "Jo" Heckman, UAF Business Leader of the Year
By Representatives Kawasaki, Guttenberg

Honoring – Duane Taylor
By Representative Harris

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

HJR 39
HOUSE JOINT RESOLUTION NO. 39 by the House State Affairs
Committee:

Urging the United States Senate to ratify the Law of the Sea
Treaty.

was read the first time and referred to the State Affairs Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 297
The following was read the second time:

HOUSE BILL NO. 297
"An Act relating to the practice of veterinary medicine."

with the:	Journal Page
L&C RPT CS(L&C) 6DP 1NR	1957
FN1: ZERO(CED)	1957
RLS RPT CS(RLS) NT 3DP 2NR 2AM	2379
FN1: ZERO(CED)	2380

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. 297(RLS)
"An Act relating to student permits authorized by the Board of
Veterinary Examiners; and relating to the application of certain
statutes pertaining to veterinarians and veterinary practice to
certain persons."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 297(RLS) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 297(RLS) will advance to third reading on the March 25, 2008, calendar.

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**The presence of Representative Chenault was noted.

HB 326

The following was read the second time:

HOUSE BILL NO. 326

"An Act authorizing the governor to delegate to the adjutant general the authority to order the organized militia into active state service and authorizing the payment of Alaska National Guard called into active state service to fight wildfires at rates of pay established for certain emergency fire-fighting personnel; and providing for an effective date."

with the:

Journal Page

MLV RPT CS(MLV) NT 7DP	1959
FN1: ZERO(ADM)	1960
FN2: INDETERMINATE(MVA)	1960
FN3: INDETERMINATE(DNR)	1960
FIN RPT CS(FIN) NT 3DP 5NR	2188
FN1: ZERO(ADM)	2189
FN4: ZERO(MVA)	2189
FN5: INDETERMINATE(DNR)	2189

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. 326(FIN)

"An Act authorizing the governor to order the organized militia into active state service to fight wildland fire, authorizing the governor to delegate to the adjutant general the authority to order the organized militia into active state service to fight wildland fire, and authorizing the payment of Alaska National Guard called into active state service to fight wildland fire at rates of pay established for certain emergency fire-fighting personnel; and providing for an effective date."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 326(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 326(FIN) was read the third time.

The question being: "Shall CSHB 326(FIN) pass the House?" The roll was taken with the following result:

#AKH00490 03-20-2008 10:41:34

CSHB 326(FIN)

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 7 ABSENT: 1

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Stoltze, Thomas

Excused: Foster, Holmes, Kawasaki, LeDoux, Nelson, Seaton, Wilson

Absent: Gardner

#AKH00490 END

And so, CSHB 326(FIN) 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.

CSHB 326(FIN) was referred to the Chief Clerk for engrossment.

HB 344

The following was read the second time:

HOUSE BILL NO. 344

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

with the:

Journal Page

CRA RPT 7DP	2074
FN1: ZERO(GOV)	2074
FIN RPT 8DP	2195
FN1: ZERO(GOV)	2196

Representative Samuels moved and asked unanimous consent that HB 344 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 344 was read the third time.

The question being: "Shall HB 344 pass the House?" The roll was taken with the following result:

#AKH00491 03-20-2008 10:44:19

HB 344

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 7 ABSENT: 1

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Stoltze, Thomas

Excused: Foster, Holmes, Kawasaki, LeDoux, Nelson, Seaton, Wilson

Absent: Gardner

#AKH00491 END

And so, HB 344 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 344 was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 301

The following, which was advanced to third reading from the March 19, 2008, calendar (page 2361), was read the third time:

HOUSE BILL NO. 301

"An Act relating to partial-birth abortions."

The Speaker stated that, without objection, HB 301 would be held to the March 25, 2008, calendar.

SECOND READING OF HOUSE RESOLUTIONS

HJR 19

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 19

Relating to opposition to the Real ID Act of 2005.

with the:

Journal Page

STA RPT CS(STA) NT 4DP

2268

FN1: ZERO(H.STA)

2268

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

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

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHJR 19(STA) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHJR 19(STA) will advance to third reading on the March 25, 2008, calendar.

HJR 31

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 31
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.

with the:

Journal Page

RES RPT CS(RES) 6DP 1NR 1AM	2071
FN1: ZERO(H.RES)	2072

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

CS FOR HOUSE JOINT RESOLUTION NO. 31(RES)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHJR 31(RES) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHJR 31(RES) will advance to third reading on the March 25, 2008, calendar.

HR 7

The following was read the second time:

HOUSE RESOLUTION NO. 7

Urging the United States Congress to support, work to pass, and vote for the immediate and permanent repeal of the federal estate tax.

Representative Gruenberg declared a conflict of interest.

The question being: "Shall HR 7 pass the House?" The roll was taken with the following result:

#AKH00492 03-20-2008 10:56:01

HR 7

Second Reading

Final Passage

YEAS: 23 NAYS: 8 EXCUSED: 7 ABSENT: 2

Yeas: Coghil, Dahlstrom, Edgmon, Fairclough, Gatto, Gruenberg, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Stoltze, Thomas

Nays: Buch, Cissna, Crawford, Doll, Doogan, Gara, Guttenberg, Kerttula

Excused: Foster, Holmes, Kawasaki, LeDoux, Nelson, Seaton, Wilson

Absent: Chenault, Gardner

#AKH00492 END

And so, HR 7 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

SECOND READING OF SENATE RESOLUTIONS**SJR 12**

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 12(STA)

Requesting that Alaska be exempt from changes to the interpretation of the Passenger Vessel Services Act of June 19, 1886, proposed by the United States Department of Homeland Security, Bureau of Customs and Border Protection, affecting cruise itineraries of foreign-flagged vessels transporting passengers to ports in Alaska; or, if Alaska is not exempted, opposing the proposed changes to the interpretation of that Act.

with the:

Journal Page

TRA RPT 6DP

2246

FN1: ZERO(S.STA)

2247

Representative Samuels moved and asked unanimous consent that CSSJR 12(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 12(STA) was read the third time.

Representative Ramras declared a conflict of interest.

The question being: "Shall CSSJR 12(STA) pass the House?" The roll was taken with the following result:

#AKH00493 03-20-2008 11:01:54

CSSJR 12(STA)

Third Reading

Final Passage

YEAS: 31 NAYS: 0 EXCUSED: 7 ABSENT: 2

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Stoltze, Thomas

Excused: Foster, Holmes, Kawasaki, LeDoux, Nelson, Seaton, Wilson

Absent: Chenault, Gardner

#AKH00493 END

And so, CSSJR 12(STA) 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 citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Lance Mackey

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

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 Cissna – from 11:00 a.m., March 21 to morning plane time, March 25

Representative Coghill – from 11:30 a.m., March 21 to evening plane time, March 24

Representative Fairclough – from 11:00 a.m., March 21 to morning plane time, March 24

Representative Gara – from 6:00 a.m., March 21 to morning plane time, March 25

Representative Hawker – from noon, today to evening plane time, March 23

Representative Harris – from 11:30 a.m., March 21 to evening plane time, March 24

Representative Johansen – from 6:00 a.m., March 21 to evening plane time, March 24

Representative Joule – from 6:00 p.m., today to evening plane time, March 24

Representative LeDoux – from 6:00 p.m., March 23 to evening plane time, March 24

Representative Meyer – from 6:00 p.m., today to evening plane time, March 24

Representative Ramras – from 6:00 p.m., today to evening plane time, March 24

Representative Salmon – from 6:00 p.m., today to evening plane time, March 24

Representative Samuels – from 6:00 a.m., March 21 to 10:00 p.m., March 24

Representative Thomas – from 9:00 a.m., March 21 to 8:00 p.m., March 24

SPECIAL ORDER OF BUSINESS

Representative Kerttula announced the birth of Nora Shine Ikamtuk Nelson, daughter of Representative Nelson.

UNFINISHED BUSINESS

HB 182

The following memorandum, dated March 19, 2008, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services, regarding:

CS FOR HOUSE BILL NO. 182(JUD)

"An Act making the offering of certain promotional checks an unfair or deceptive act or practice."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in CSHB 182(JUD), which has been corrected in enrolling:

Page 1, line 5:

Delete "(52)"

Insert "(53)""

HB 305

Representative Lynn removed his name as cosponsor to:

CS FOR HOUSE BILL NO. 305(RLS) am

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

SJR 12

Representative Thomas added his name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 12(STA)

Requesting that Alaska be exempt from changes to the interpretation of the Passenger Vessel Services Act of June 19, 1886, proposed by the United States Department of Homeland Security, Bureau of Customs and Border Protection, affecting cruise itineraries of foreign-flagged vessels transporting passengers to ports in Alaska; or, if Alaska is not exempted, opposing the proposed changes to the interpretation of that Act.

SB 211

Representative Kerttula added her name as cross sponsor to:

SENATE BILL NO. 211

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

SB 254

Representatives Stoltze and Neuman added their names as cross sponsors to:

SENATE BILL NO. 254

"An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

ENGROSSMENT**HB 326**

CSHB 326(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 344

HB 344 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 10:00 a.m., March 21, 2008, for a technical session. There being no objection, the House adjourned at 11:15 a.m.

Suzi Lowell
Chief Clerk