

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FIFTH LEGISLATURE – SECOND SESSION

Juneau, Alaska

Friday

March 28, 2008

#### Seventy-fourth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:05 a.m.

Roll call showed 31 members present. Representatives Foster, Johnson, and Nelson had been excused from a call of the House today. Representatives Chenault, Cissna, Johansen, Kelly, and LeDoux were absent and their presence was noted later. Representative Edgmon was absent.

The invocation was offered by the Chaplain, the Reverend Bob Stevens of St. Brendan's Episcopal 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 persons here, I invite you into a time of prayer and reflection. Let us pray.

O God, our Creator, it is dark in this room; it is hard to see the world around us. We only see outside through small windows. But out there today is a beautiful day, a gift from you. Also out there are the people we represent, some near, some far away. Help us to understand that as we make decisions about this land and its people. Help us to make the right decisions. We ask that you help us choose wisely what we do with the gifts you have bestowed on us and to remember that today is a gift we will never have again. May we live it completely in your honor. Amen.

The Pledge of Allegiance was led by Representative Gara.

\* \* \* \* \*

Representative Keller introduced his grandson, Vincent Sanderson, Guest Page, from Wasilla.

Representative Crawford introduced his sons, Andrew Crawford and Trevor Cole, Guest Pages, from Anchorage.

### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the 73<sup>rd</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HB 197**

A message dated March 27, 2008, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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."

Chapter No. 7, SLA 2008

Effective Date: March 28, 2008

**HB 273**

A message dated March 27, 2008, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 273(FIN)

"An Act relating to school funding, funding for student transportation services, the base student allocation, district cost factors, and the adjustments for intensive services and average daily membership calculations; and providing for an effective date."

Chapter No. 9, SLA 2008

Effective Date: See Chapter

**HB 321**

A message dated March 27, 2008, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 321(FSH)

"An Act relating to the salmon product development tax credit; providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003, as amended by sec. 4, ch. 3, SLA 2006; and providing for an effective date."

Chapter No. 8, SLA 2008

Effective Date: March 28, 2008

**MESSAGES FROM THE SENATE**

A message dated March 27, 2008, was read stating the Senate passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 201**

CS FOR SENATE BILL NO. 201(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the establishment and maintenance of an Internet website providing public finance information; and identifying the information to be available on the Internet website."

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

**SB 273**

CS FOR SENATE BILL NO. 273(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to cruelty to animals and promoting an exhibition of fighting animals."

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

**SB 303**

SENATE BILL NO. 303 by the Senate Rules Committee by request, entitled:

"An Act relating to certain grants awarded by the Department of Environmental Conservation."

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

**COMMUNICATIONS**

The following was received:

Dept. of Natural Resources  
Alaska Board of Forestry  
2007 Report to the Governor  
March 2008  
(as required by AS 41.17.047)

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

**REPORTS OF STANDING COMMITTEES****HJR 37**

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

Do pass (4): Crawford, Kelly, Thomas, Meyer

No recommendation (5): Hawker, Gara, Stoltze, Joule, Chenault

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

1. Fiscal, Office of the Governor

HJR 37 was referred to the Rules Committee for placement on the calendar.

**HB 50**

The Finance Committee considered:

**HOUSE BILL NO. 50**

"An Act relating to the Interstate Compact for the Placement of Children; establishing an interstate commission for the placement

of children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 50(JUD)

"An Act relating to the Interstate Compact for the Placement of Children; establishing an interstate commission for the placement of children; amending Rules 4 and 24(b), Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (4): Crawford, Gara, Joule, Thomas

No recommendation (3): Hawker, Kelly, Meyer

The following fiscal note(s) apply to CSHB 50(JUD):

1. Zero, Dept. of Administration
2. Fiscal, Dept. of Health & Social Services

HB 50 was referred to the Rules Committee for placement on the calendar.

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

### **HB 106**

The Transportation Committee considered:

HOUSE BILL NO. 106

"An Act repealing fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires; and providing for an effective date."

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

Do pass (5): Neuman, Salmon, Fairclough, Keller, Johansen

No recommendation (1): Doogan

The following fiscal note(s) apply:

2. Fiscal, Dept. of Revenue

HB 106 was referred to the Finance Committee.

**HB 294**

The Transportation Committee considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 294

"An Act establishing the division of marine transportation; establishing the Alaska Marine Transportation Authority Board and the position of director of the division of marine transportation, and assigning the powers and duties of each; making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
294(TRA)

"An Act establishing the Alaska Marine Transportation Advisory Board and setting out its powers and duties; making conforming amendments; and providing for an effective date."

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

Do pass (1): Keller

No recommendation (5): Neuman, Doogan, Salmon, Fairclough, Johansen

The following fiscal note(s) apply to CSSSHB 294(TRA):

1. Zero, Dept. of Transportation & Public Facilities

SSHB 294 was referred to the Finance Committee.

**HB 400**

The Finance 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 Meyer, Co-chair, with the following individual recommendations:

Do pass (5): Gara, Crawford, Joule, Thomas, Meyer

No recommendation (3): Hawker, Stoltze, Kelly

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 400 was referred to the Rules Committee for placement on the calendar.

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

**SB 149**

The Labor & Commerce Committee considered:

CS FOR SENATE BILL NO. 149(L&C)

"An Act relating to redistribution of used eyeglasses and to the Board of Dispensing Opticians."

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

Do pass (5): Gardner, Buch, Gatto, Ramras, Olson



No recommendation (1): LeDoux

The following fiscal note(s) apply:

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

CSSB 149(L&C) was referred to the Rules Committee for placement on the calendar.

### INTRODUCTION OF CITATIONS

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

Honoring – Dale Forest Wanner  
By Representative Roses

Honoring – Douglas Mertz  
By Representatives Kerttula, Doll; Senator Elton

Honoring – Helen Pootoogooluk  
By Senator Olson

Honoring – Roy Jones  
By Senator Olson

In Memoriam – Sergeant Derek T. Stenroos  
By Representative Coghill

In Memoriam – Fred A. Pope  
By Representative Coghill

In Memoriam – Keith Heffner  
By Representative Harris

In Memoriam – Mary Ann Mullen  
By Representative Seaton; Senator Stevens

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

**HB 422**

HOUSE BILL NO. 422 by the House Health, Education and Social Services Committee, entitled:

"An Act repealing the Alaska children's trust; establishing conditions for a grant to a named recipient of the balance of the Alaska children's trust; designating certain receipts as available for a grant to a named recipient for child abuse and neglect prevention; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 406**

The following was read the second time:

HOUSE BILL NO. 406

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

with the:

Journal Page

STA RPT CS(STA) NT 4DP 1NR	2271
FN1: ZERO(GOV)	2271
FIN RPT CS(STA) NT 8DP	2330
FN1: ZERO(GOV)	2330

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. 406(STA)

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

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 406(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 406(STA) was read the third time.

The question being: "Shall CSHB 406(STA) pass the House?" The roll was taken with the following result:

CSHB 406(STA)

Third Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4**

Yeas: Buch, Chenault, Cissna, Coghill, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Joule, Kawasaki, Keller, Kerttula, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Foster, Johnson, Nelson

Absent: Crawford, Edgmon, Johansen, Kelly

And so, CSHB 406(STA) passed the House and was referred to the Chief Clerk for engrossment.

\* \* \* \* \*

Representative Samuels introduced Michael Sutton, Guest Page, from Nihilchik.

### **THIRD READING OF HOUSE RESOLUTIONS**

#### **HJR 24**

The following, which was advanced to third reading from the March 27, 2008, calendar (page 2474), was read the third time:

## HOUSE JOINT RESOLUTION NO. 24

Opposing any law that would establish a federal insurance regulatory system.

Representative Coghill moved and asked unanimous consent that HJR 24 be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gruenberg and Coghill:

Page 2, line 29, following "Act":

Insert "; and be it

**FURTHER RESOLVED** that the Alaska State Legislature opposes any attempt to weaken the current regulation of insurance by the State of Alaska"

Representative Coghill moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Representative Lynn moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Lynn was required to vote.

The question being: "Shall HJR 24 am pass the House?" The roll was taken with the following result:

HJR 24 am

Third Reading

Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4**

Yeas: Buch, Chenault, Cissna, Coghill, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Joule, Kawasaki, Keller, Kerttula, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Foster, Johnson, Nelson

Absent: Crawford, Edgmon, Johansen, Kelly

And so, HJR 24 am passed the House and was referred to the Chief Clerk for engrossment.

### 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:

In Memoriam – Dayton Lee Butters

By Senator Stevens; Representatives Seaton, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, 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 Harris – from 11:30 a.m., today to evening plane time, March 30

Representative Neuman – from 6:00 p.m., today to morning plane time, March 31

Representative Wilson – from 6:00 p.m., April 1 to 8:00 p.m., April 2

\*\*The presence of Representatives Kelly and Johansen was noted.

### HB 306

Representatives Roses, Seaton, Gardner, Wilson, and Fairclough added their names as cosponsors to:

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 306**

"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."

**HB 406**

Representatives Lynn, Roses, Dahlstrom, and Buch added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 406(STA)**

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

**ENGROSSMENT****HJR 24**

HJR 24 am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 406**

CSHB 406(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ENGROSSMENT AND ENROLLMENT****HR 7**

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:48 a.m., March 28, 2008:

**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.

House Resolve No. 7

**ENROLLMENT****HJR 16**

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 9:48 a.m., March 28, 2008, with a manifest error memorandum (page 2476):

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

Legislative Resolve No. 33

**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., March 31, 2008. There being no objection, the House adjourned at 10:39 a.m.

Suzi Lowell  
Chief Clerk