

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FIFTH LEGISLATURE – SECOND SESSION

Juneau, Alaska

Tuesday

April 8, 2008

Eighty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:25 a.m.

Roll call showed 39 members present.

Representative Samuels moved and asked unanimous consent that Representative Foster be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Representative Dahlstrom. Representative Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Our Father in heaven, we come before you today as an elected body with the goals and intent of serving our great state to the best of our ability.

We thank you for and value the freedom we enjoy. We ask for thy blessings on the men and women serving in our military today. We ask for thy blessings on the families left behind.

We thank you for the blessings of this earth and our great state and ask for thy guidance as we work on legislation in these final days of session. Father, bless us to be able to work together as we share our differences and share common ground. Give us extra patience, tolerance, and wisdom.

Again we are grateful for the bounties of the earth and accept willingly the responsibility we have to our state. We ask for thy blessings on the members of this body who have challenging health issues. Bless them with calmness and returned health. This prayer is offered in thy name, Father. Amen.

The Pledge of Allegiance was led by Representative Wilson.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 84th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Coghill introduced Nick DeWitt, Guest Page, from Dupont, Washington.

MESSAGES FROM THE SENATE

A message dated April 7, 2008, was read stating the Senate passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 218

CS FOR SENATE BILL NO. 218(FIN) by the Senate Finance Committee, entitled:

"An Act relating to use of child safety seats and seat belts."

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

REPORTS OF STANDING COMMITTEES

SB 230

The Finance Committee considered:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 230(FIN) am

"An Act establishing the film office in the Department of Commerce, Community, and Economic Development; creating a transferable tax credit applicable to certain film production expenditures incurred in the state; and providing for an effective date."

and recommends it be replaced with:

HCS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 230(FIN)

(same title)

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

Do pass (6): Nelson, Crawford, Gara, Joule, Thomas, Meyer

No recommendation (3): Hawker, Stoltze, Chenault

The following fiscal note(s) apply to HCS CSSSSB 230(FIN):

3. Indeterminate, Dept. of Revenue
4. Fiscal, Dept. of Commerce, Community, & Economic Development

CSSSSB 230(FIN) am was referred to the Rules Committee for placement on the calendar.

SB 260

The Finance Committee considered:

CS FOR SENATE BILL NO. 260(STA)

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 260(FIN)
(same title)

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

Do pass (4): Hawker, Stoltze, Thomas, Meyer

No recommendation (3): Nelson, Crawford, Joule

The following fiscal note(s) apply to HCS CSSB 260(FIN):

1. Zero, Legislative Agency

CSSB 260(STA) 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 – Jeanne Bradner
By Representative Meyer

Honoring – Edward K. Thomas
By Representatives Doll, Kerttula; Senator Elton

Honoring – Deborah Bicknell
By Representatives Doll, Kerttula; Senator Elton

Honoring – Travis Moyer
By Representative Buch; Senator McGuire

Honoring – Lamont Ellsworth Albertson
By Representative Nelson

Honoring – SPC Veronica M. Alfaro
By Representative Dahlstrom

Honoring – Jeffrey Herrmann
By Representatives Kerttula, Doll; Senator Elton

Honoring – Delta Huskies Hockey Team, 3A State Hockey
Champions
By Representative Salmon; Senator Kookesh

Honoring – Greater Fairbanks Community Hospital Foundation
By Representatives Kelly, Kawasaki

Honoring – Dr. Loren Halter
By Senator Stevens; Representative LeDoux

Honoring – Elena Ruddy, Achievement in Equitation
By Senators Elton, Dyson; Representatives Kerttula, Doll

Honoring – Superintendent Christopher Simon
By Senator Kookesh; Representative Salmon

Honoring – Sand Lake Elementary School 50th Anniversary
By Senator McGuire; Representative Buch

In Memoriam – Blunka Petla
By Representative Edgmon

In Memoriam – Charles E. Logsdon
By Representatives Kerttula, Doll, Stoltze; Senator Elton

In Memoriam – Gerald Daniel Cashen
By Representatives Kerttula, Doll; Senator Elton

In Memoriam – Lynn Robert Graham
By Representative Seaton; Senator Stevens

In Memoriam – George Hohman
By Representative Nelson

In Memoriam – Dorothy Titus
By Senator Kookesh

In Memoriam – Pamela Lynn Booth Sladky
By Senator Kookesh; Representative Thomas

In Memoriam – Vincent Alexander Madero
By Senator Kookesh

In Memoriam – Allan & Sophia Chase
By Senator Kookesh

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 257

The following was read the second time:

HOUSE BILL NO. 257

"An Act transferring duties relating to aquatic farming and hatchery operations from the Department of Fish and Game to the Department of Natural Resources, eliminating certain permit requirements applicable to aquatic farming and hatchery operations, and directing the Department of Natural Resources to administer and supervise promotional and marketing work for aquatic farm products; and providing for an effective date."

with the:	Journal Page
FSH RPT CS(FSH) NT 1DP 3NR	1999
FN1: (DFG)	2000
FN2: (DNR)	2000
FN3: (DNR)	2000
RES RPT CS(FSH) NT 7DP 1AM	2119
FN2: (DNR)	2120
FN4: ZERO(DFG)	2120
FIN RPT CS(FIN) NT 5DP 3NR	2356
FN4: ZERO(DFG)	2356
FN5: ZERO(H.FIN/DNR)	2356
FN6: (DNR)	2356

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. 257(FIN)

"An Act directing the Department of Natural Resources to administer and supervise promotional and marketing work for aquatic farm products."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Thomas:

Page 1, line 2, following "**products**" (title amendment):

Insert "**; relating to fisheries enhancement loans; and providing for an effective date**"

Page 1, line 6:

Delete "This Act"

Insert "Sections 2 and 4 of this Act"

Page 2, following line 23:

Insert a new bill section to read:

"* **Sec. 3.** AS 16.10.520 is amended by adding a new subsection to read:

(g) A borrower may not use money from a loan under AS 16.10.510 for investment purposes. The commissioner shall ensure that interest or other income earned by a borrower on loan amounts before those amounts are used for a fisheries enhancement project or activity shall be promptly delivered by the borrower to the department and deposited into the fisheries enhancement revolving loan fund."

Renumber the following bill section accordingly.

Page 2, following line 30:

Insert a new bill section to read:

"* **Sec. 5.** Section 3 of this Act takes effect immediately under AS 01.10.070(c)."

Representative Thomas moved and asked unanimous consent that Amendment No. 1 be adopted.

There was objection.

Representative Thomas moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

New Amendment No. 1 was offered by Representative Thomas:

Page 1, line 2, following "**products**" (title amendment):

Insert "**; relating to fisheries enhancement loans; and providing for an effective date**"

Page 1, line 6:

Delete "This Act"

Insert "Sections 2 and 4 of this Act"

Page 2, following line 23:

Insert a new bill section to read:

"* **Sec. 3.** AS 16.10.520 is amended by adding a new subsection to read:

(g) The commissioner shall ensure that interest or other income earned by a borrower on loan amounts under AS 16.10.510 before those amounts are used for a fisheries enhancement project or activity shall be promptly delivered by the borrower to the department and deposited into the fisheries enhancement revolving loan fund."

Renumber the following bill section accordingly.

Page 2, following line 30:

Insert a new bill section to read:

"* **Sec. 5.** Section 3 of this Act takes effect immediately under AS 01.10.070(c)."

Representative Thomas moved and asked unanimous consent that New Amendment No. 1 be adopted. There being no objection, it was so ordered and the new title follows:

CS FOR HOUSE BILL NO. 257(FIN) am

"An Act directing the Department of Natural Resources to administer and supervise promotional and marketing work for aquatic farm products; relating to fisheries enhancement loans; and providing for an effective date."

Representative Samuels moved and asked unanimous consent that CSHB 257(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 257(FIN) am was read the third time.

The question being: "Shall CSHB 257(FIN) am pass the House?" The roll was taken with the following result:

CSHB 257(FIN) am

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Foster

Absent: Meyer

And so, CSHB 257(FIN) am 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 Thomas gave notice of reconsideration of the vote on CSHB 257(FIN) am.

RECONSIDERATION**HB 257**

Representative Thomas moved and asked unanimous consent that reconsideration of CSHB 257(FIN) am be taken up on the same day. There being no objection, it was so ordered.

CSHB 257(FIN) am was again before the House in third reading.

The question to be reconsidered: "Shall CSHB 257(FIN) am pass the House?" The roll was taken with the following result:

CSHB 257(FIN) am--RECONSIDERATION

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Foster

Absent: Meyer

And so, CSHB 257(FIN) am passed the House on reconsideration.

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 257(FIN) am was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SECOND READING OF SENATE BILLS**SB 196**

The following was read the second time:

CS FOR SENATE BILL NO. 196(FIN) am
 "An Act relating to establishing a controlled substance
 prescription database."

with the:	Journal Page
JUD RPT HCS(JUD) 6NR	2097
FN2: (HSS)	2098
FN3: (CED)	2098
FIN RPT HCS(FIN) 4DP 6NR	2634
SENATE LETTER OF INTENT WITH FIN REPORT	2635
FN3: (CED)	2635
FN4: (HSS)	2635

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

HOUSE CS FOR CS FOR SENATE BILL NO. 196(FIN)
 (same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that HCS CSSB 196(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HCS CSSB 196(FIN) will advance to third reading on tomorrow's calendar.

SB 255

The following was read the second time:

SENATE BILL NO. 255
 "An Act relating to refunding of certain outstanding bonds issued by the Alaska Industrial Development and Export Authority concerning the Snettisham hydroelectric project and related assets; and providing for an effective date."

HOUSE JOURNAL

2728

April 8, 2008

with the:

Journal Page

L&C REFERRAL WAIVED	2154
FIN RPT 8DP	2602
FN1: ZERO(CED)	2603

Representative Samuels moved and asked unanimous consent that SB 255 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 255 was read the third time.

The question being: "Shall SB 255 pass the House?" The roll was taken with the following result:

SB 255
Third Reading
Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Foster

Absent: Meyer

And so, SB 255 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 Joule gave notice of reconsideration of the vote on SB 255.

SB 305

The following was read the second time:

SENATE BILL NO. 305

"An Act relating to recorking, sealing, or packaging of wine served with a meal and removal of recorked, sealed, or packaged wine from licensed premises."

with the:	Journal Page
L&C RPT 5DP 2NR	2698
FN1: ZERO(DPS)	2699

Representative Samuels moved and asked unanimous consent that SB 305 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

SB 305 will advance to third reading on tomorrow's calendar.

SECOND READING OF HOUSE RESOLUTIONS

HJR 2

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 2

Proposing an amendment to the Constitution of the State of Alaska requiring an affirmative vote of the people before any form of gambling for profit may be authorized in Alaska.

with the:	Journal Page
STA RPT 1DP 1NR 4AM	1062
FN1: ZERO(H.STA)	1062
JUD RPT CS(JUD) NT 3DP 4NR	1291
FN1: ZERO(H.STA)	1291
FN2: (GOV)	1291
FIN RPT CS(FIN) NT 2DP 1DNP 6NR	2047
FN3: (GOV)	2047

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

CS FOR HOUSE JOINT RESOLUTION NO. 2(FIN)

Proposing an amendment to the Constitution of the State of Alaska requiring an affirmative vote of the people before any form of gambling for profit may be authorized in Alaska and setting other requirements.

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHJR 2(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 2(FIN) was read the third time.

The question being: "Shall CSHJR 2(FIN) pass the House?" The roll was taken with the following result:

CSHJR 2(FIN)

Third Reading

Final Passage

YEAS: 33 NAYS: 6 EXCUSED: 1 ABSENT: 0

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

Nays: Chenault, Hawker, Joule, LeDoux, Nelson, Salmon

Excused: Foster

And so, CSHJR 2(FIN) passed the House.

Representative Dahlstrom gave notice of reconsideration of the vote on CSHJR 2(FIN).

Representative Dahlstrom moved and asked unanimous consent that reconsideration of CSHJR 2(FIN) be taken up on the same day.

There was objection.

Representative Dahlstrom moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

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 – Pete E. Payton

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

In Memoriam – William Anthony Joyce

By 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, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson; Senator Wagoner

In Memoriam – Melvin Allen Gamble, Kaa.ooshtí

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

In Memoriam – Sarah Wellington

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

UNFINISHED BUSINESS

HJR 2

Representatives Gardner and Guttenberg added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 2(FIN)

Proposing an amendment to the Constitution of the State of Alaska requiring an affirmative vote of the people before any form of gambling for profit may be authorized in Alaska and setting other requirements.

SB 196

Representative Lynn added his name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 196(FIN)

"An Act relating to establishing a controlled substance prescription database."

ENGROSSMENT

HB 257

CShB 257(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 314

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 314(FIN) am
"An Act providing for and relating to the issuance of general obligation bonds for the purpose of paying the cost of state transportation projects; and providing for an effective date."

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 3, 2008.

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., April 9, 2008. There being no objection, the House adjourned at 11:34 a.m.

Suzi Lowell
Chief Clerk