

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

February 23, 2009

#### Thirty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:02 a.m.

Roll call showed 40 members present.

The invocation was offered by the Chaplain, the Reverend Doctor Douglas Dye of Chapel by the Lake Community Presbyterian Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I am grateful for the opportunity to pray for you and with the Alaska State House of Representatives. If you share my faith in Jesus Christ, I invite you to pray with me. And to all of you, I offer this prayer for your blessing and benefit.

Dear God, my Heavenly Father: You are the creator and ruler of all the peoples of the earth. And so we thank you for this good and beautiful land that you have called us to nurture and sustain.

Forgive us our shortcomings when we put ourselves before the service of others and the benefit of this state, which you have entrusted to our care.

Bless Alaska with honest industry and sound learning. Save us from our pride and arrogance that we may humbly and compassionately serve the people of this fair land. Protect us

from harm and destructive forces and bind us together as a people who love and respect each other.

And I pray you will bless these who hold office as state representatives, that they may do their work in a spirit of wisdom and kindness and justice. Grant them the ability - in the midst of the many competing claims they encounter - to discern what is the good and the right. Fill them with patience and courage to follow paths that will bless our people. Help them to use their authority to serve faithfully and to promote the well being of all Alaskans. And give to them joy and satisfaction in the work they do this day.

All of this I pray in the strong and saving name of Jesus Christ, my Lord and Savior. Amen.

The Pledge of Allegiance was led by Representative Crawford.

### **CERTIFICATION OF THE JOURNAL**

Representative Johansen moved and asked unanimous consent that the journal for the 30<sup>th</sup>, 31<sup>st</sup>, 32<sup>nd</sup>, 33<sup>rd</sup>, and 34<sup>th</sup> legislative days and House and Senate Joint Journal Supplement No. 4 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated February 20, 2009, was read stating that, in accordance with AS 44.19.040 and art. III, sec. 13, Constitution of the State of Alaska, the Governor submits the following name for legislative confirmation of appointment to the position noted:

The Speaker referred the following to the Judiciary Committee:

#### **Lieutenant Governor Successor**

Joseph D. Schmidt

**COMMUNICATIONS**

The following were received:

Dept. of Administration  
Office of the Commissioner  
Monetary Terms of Agreement between the State and the International  
Organization of Masters, Mates and Pilots  
February 17, 2009  
(as required by AS 23.40.215)

Dept. of Administration  
Office of the Commissioner  
Monetary Terms of Agreement between the State and the Alaska State  
Employees Association representing the General Government  
Bargaining Unit and  
Alaska Public Employees Association representing the Supervisory  
Bargaining Unit and the Confidential Bargaining Unit  
February 17, 2009

The Speaker referred the monetary terms of agreements to the Finance  
Committee.

**REPORTS OF STANDING COMMITTEES**

The House and Senate Judiciary Committees jointly reviewed the  
qualifications of the following and recommend the appointments be  
forwarded to a joint session for consideration:

Dr. David L. Eichler

as a member of the Board of Governors of the Alaska Bar.

Jan S. Ostrovsky

as a member of the Commission on Judicial Conduct.

William F. Clarke  
Kathleen R. Tompkins-Miller

as members of the Alaska Judicial Council.

Dr. Regina C. Chennault

as a member of the Violent Crimes Compensation Board.

The report was signed by Representatives Coghill, Gruenberg, Lynn, and Holmes; and Senators French (Chair), Elton, Wielechowski, and Therriault.

**HB 90**

The Labor & Commerce Committee considered:

HOUSE BILL NO. 90

"An Act relating to bonding limitations and confidentiality of records and information of the Alaska Industrial Development and Export Authority; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 90(L&C)  
(same title)

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

Do pass (5): Holmes, Coghill, Buch, Lynn, Olson

The following fiscal note(s) apply to CSHB 90(L&C):

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

HB 90 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 - University of Alaska Fairbanks Trio Programs  
By Senator Paskvan; Representative Guttenberg

In Memoriam - Dr. Roger Gollub  
By Representative Gardner; Senator Ellis

In Memoriam - Chief Philip Rounds  
By Representatives Kawasaki, Guttenberg

In Memoriam - Llewellyn "Lew" M. Williams Jr.  
By Representative Johansen; Senator Stedman

In Memoriam - Walt Sheridan  
By Senator Elton; Representatives Kerttula, Munoz

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

#### **HR 7**

HOUSE RESOLUTION NO. 7 by Representatives Fairclough and Wilson:

Requesting the United States Congress to permanently repeal the federal unified gift and estate tax.

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

#### **HJR 19**

HOUSE JOINT RESOLUTION NO. 19 by Representatives Austerman, Harris, and Gara:

Recognizing the 20th anniversary of the Exxon Valdez oil spill and supporting the continued practice of accompanying each oil tanker through Prince William Sound with at least a two vessel escort.

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

#### **HJR 20**

HOUSE JOINT RESOLUTION NO. 20 by Representatives Fairclough and Keller:

Urging the United States Congress to end daylight saving time.

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

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

**HB 141**

HOUSE BILL NO. 141 by Representative Coghill, entitled:

"An Act relating to the Interstate Compact for Juveniles; relating to the State Council for Interstate Adult and Juvenile Offender Supervision; amending Rules 4 and 24(b), Alaska Rules of Civil Procedure; and providing for an effective date."

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

**HB 142**

HOUSE BILL NO. 142 by Representative Kerttula, entitled:

"An Act amending the boundaries of the Stan Price State Wildlife Sanctuary and relating to bear viewing in the sanctuary."

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

**HB 143**

HOUSE BILL NO. 143 by the House Special Committee on Fisheries, entitled:

"An Act repealing the termination of licensing and regulation of sport fishing operators and sport fishing guides and licensing and registration of sport fishing vessels; and providing for an effective date."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

**HB 144**

HOUSE BILL NO. 144 by Representative Ramras, entitled:

"An Act relating to the Uniform Probate Code, including wills, trusts, nonprobate transfers, augmented estates, personal representatives, and trustees; and amending Rules 3 and 8, Alaska Rules of Civil Procedure, Rule 1, Alaska Rules of Probate Procedure, and Rule 37.5, Alaska Rules of Administration."

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

**HB 145**

HOUSE BILL NO. 145 by Representative Lynn, entitled:

"An Act relating to the regulation of residential real property mortgage lending, including the licensing of mortgage lenders, mortgage brokers, and mortgage loan originators and compliance with certain federal laws relating to residential mortgage lending; and providing for an effective date."

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

**HB 146**

HOUSE BILL NO. 146 by Representative Ramras, entitled:

"An Act relating to transfer restrictions on trust interests."

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

**HB 147**

HOUSE BILL NO. 147 by the House Education Committee, entitled:

"An Act repealing the minimum expenditure for instruction requirements for public schools."

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

**HB 148**

HOUSE BILL NO. 148 by Representatives Gara, Thomas, Holmes, Salmon, Seaton, Wilson, Petersen, Kerttula, Buch, Tuck, Crawford, Kawasaki, and Gruenberg, entitled:

"An Act relating to a state energy use reduction plan and energy efficiency improvement contracts and to energy audits of public buildings conducted by the Department of Transportation and Public Facilities; relating to agency capital budget requests; establishing an energy efficiency grant fund in the Alaska Housing Finance Corporation; and providing for an effective date."

was read the first time and referred to the House Special Committee on Energy and the State Affairs and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR****LEGISLATIVE CITATIONS**

Representative Johansen 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 - Hjalmar "Ofi" Olson

By Representatives Edgmon, Chenault, Austerman, Buch, Coghill, Crawford, Dahlstrom, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson; Senator Hoffman

Honoring - Lynn Marie Barnes

By Senator Elton; Representatives Kerttula, Munoz, Chenault, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson



Honoring - Juneau-Douglas High School Home Builders 2009 National Regional Construction Competition

By Senator Elton; Representatives Kerttula, Munoz, Chenault, Austerman, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson

Honoring - Alaska Vocational Institute

By Senator Elton; Representatives Kerttula, Munoz, Chenault, Austerman, Buch, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson

In Memoriam - Dearl Wayne Gladden

By Representatives Chenault, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson

### **UNFINISHED BUSINESS**

Representative Johansen 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 Olson – from evening plane time, February 25 to evening plane time, March 2

Representative Dahlstrom – from 7:00 p.m., February 25 to 10:00 p.m., March 8

**HB 104**

Reconsideration of the following was not taken up on this legislative day and will be available February 25, 2009, pursuant to Uniform Rule 30(d):

## HOUSE BILL NO. 104

"An Act adjusting certain fees for treatment or services under the Alaska Workers' Compensation Act to reflect changes in the Consumer Price Index; and providing for an effective date."

**HR 6**

Representative Hawker added his name as cosponsor to:

## HOUSE RESOLUTION NO. 6

Encouraging the Alaska Mental Health Trust Authority to develop its land and resources to the fullest extent possible consistent with its legal and moral responsibility to provide jobs and protect and enhance the lives of those who benefit from the mental health trust.

**HJR 3**

Representative Seaton added his name as cosponsor to:

## HOUSE JOINT RESOLUTION NO. 3

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.

**HB 134**

Representative Hawker added his name as cosponsor to:

## HOUSE BILL NO. 134

"An Act relating to the terms and conditions of commercial vessel permits for the discharge of graywater, treated sewage, and other waste water; and providing for an effective date."

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Johansen moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 25, 2009. There being no objection, the House adjourned at 11:44 a.m.

Suzi Lowell  
Chief Clerk