

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

March 9, 2009

Forty-ninth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:32 a.m.

Roll call showed 29 members present. Representatives Gatto, Johansen, Kerttula, Millett, and Wilson had been excused from a call of the House today. Representatives Kelly, Stoltze, and Thomas were absent and their presence was noted later. Representatives Hawker and Salmon were absent.

Representative Dahlstrom, Acting Majority Leader, moved and asked unanimous consent that Representative Ramras be excused from a call of the House today. There being no objection, it was so ordered. His presence was noted later.

The invocation was offered by the Chaplain, the Reverend Bob Stevens of St. Brendan's Episcopal Church. Representative Buch 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.

God our Creator: We thank you today for the beauty of this state and those we share it with. As we come together this day with open minds and hearts to do the work we are given, let us remember those whom we represent.

Help us to understand that we are all here with a common purpose and make us of one mind and heart to make the decisions that will guide this state in the future.

Creator, this day is a gift we only have once - let us use it wisely in your honor. Let us begin this week with renewed energy and purpose for the benefit of all.

All this we ask in your name. Amen.

The Pledge of Allegiance was led by Representative Gara.

CERTIFICATION OF THE JOURNAL

Representative Dahlstrom moved and asked unanimous consent that the journal for the 42nd, 43rd, 44th, 45th, 46th, 47th, and 48th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Lynn introduced Nathan Rabang, Guest Page, from Anchorage.

MESSAGES FROM THE SENATE

A message dated March 2, 2009, was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 29

SENATE BILL NO. 29 by Senators Elton, Ellis, Therriault, Paskvan, Thomas, and Wielechowski, entitled:

"An Act naming the Capitol Annex the Thomas B. Stewart Legislative Office Building."

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

SB 111

SENATE BILL NO. 111 by Senator Olson, entitled:

"An Act relating to the duration of a certificate of compliance for an intrastate air service provider; and providing for an effective date."

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

**The presence of Representatives Thomas and Kelly was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Megan Gunyah, Boys and Girls Club of Alaska Student of the Year
By Representative Thomas; Senator Kookesh

Honoring - Wally Leask
By Representative Thomas; Senator Kookesh

Honoring - Ruth and Jack Jefford
By Representative Hawker

Honoring - Laura Beck
By Representative Seaton

Honoring - Superior Court Judge Mark I. Wood
By Representative Kawasaki

Honoring - Friends of the Anchorage Coastal Wildlife Refuge
By Representative Buch

Honoring - Lathrop High School, 4A State Hockey Champions
By Representative Kawasaki; Senator Paskvan

Honoring - First Lieutenant Diana Kostrna, 354th Operations Support Squadron, Eielson AFB Company Grade Officer of the Year
By Senator Therriault; Representative Harris

In Memoriam - Arne Olsson
By Representative Thomas; Senator Kookesh

In Memoriam - Nadia Mullan
By Senator Stevens; Representative Austerman

In Memoriam - Calvin Luther Luddington III
By Senator Davis

In Memoriam - Edward W. McDonald
By Senator Davis

In Memoriam - Jennifer Ann Stanberry
By Senator Davis

In Memoriam - Robert Earle Mason
By Senator Davis

In Memoriam - George Ralph Littles
By Senator Davis

In Memoriam - Estelita Pelayo Abello
By Senator Davis

In Memoriam - Gwendolyn L. Irby
By Senator Davis

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

HCR 11

HOUSE CONCURRENT RESOLUTION NO. 11 by Representatives
Fairclough, Holmes, Dahlstrom, and Herron:

Proclaiming the month of April 2009 to be Sexual Assault
Awareness Month.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 167**

HOUSE BILL NO. 167 by Representatives Coghill, Harris, and Holmes, entitled:

"An Act relating to a corporation income tax credit for contributions by a person owning or operating a commercial passenger vessel to a qualified trade association that was awarded a contract by the Department of Commerce, Community, and Economic Development, and used for planning and executing a destination tourism marketing campaign."

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

HB 168

HOUSE BILL NO. 168 by Representative Coghill, entitled:

"An Act relating to state certification and designation of trauma centers; creating the uncompensated trauma care fund to offset uncompensated trauma care provided at certified and designated trauma centers; and providing for an effective date."

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

HB 169

HOUSE BILL NO. 169 by Representative Coghill, entitled:

"An Act appropriating \$5,000,000 to the uncompensated trauma care fund; and providing for an effective date."

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

**The presence of Representative Stoltze was noted.

HB 170

HOUSE BILL NO. 170 by Representative Chenault, entitled:

"An Act repealing the authority for day fines."

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

HB 171

HOUSE BILL NO. 171 by Representative Dahlstrom, entitled:

"An Act authorizing the transfer of two parcels of land from the Alaska Railroad Corporation to the Municipality of Anchorage; and providing for an effective date."

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

HB 172

HOUSE BILL NO. 172 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to an investment in the education loan fund; relating to authority for the commissioner of revenue to enter into a bond purchase agreement and letter of credit with the Alaska Student Loan Corporation; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue
2. Fiscal, Dept. of Education & Early Development

The Governor's transmittal letter dated March 3, 2009, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to an investment in the education loan fund, and relating to the authority of the commissioner of the Department of Revenue (DOR) to enter into a bond purchase agreement and letter of credit to the Alaska Student Loan Corporation.

The bill would allow the DOR commissioner, during times when the education loan fund is unable to finance loan demand through the issuance of bonds, to invest money in the education loan fund for the purpose of financing education loans. The corporation would be allowed to pledge education loans to secure the investment of state funds. The bill would further require the corporation to repay the money received and cover the costs associated with the investment.

The bill also would allow the DOR commissioner to provide the corporation with a standby bond purchase agreement and a letter of credit when market conditions relating to credit enhancement mechanisms are uneconomical.

These measures are necessary to avoid a disruption in education loan services provided by the Alaska Student Loan Corporation.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Sarah Palin
Governor"

HB 173

HOUSE BILL NO. 173 by Representative Kawasaki, entitled:

"An Act authorizing the conveyance of certain land of the Alaska Railroad Corporation to the Department of Transportation and Public Facilities; and providing for an effective date."

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

HB 174

HOUSE BILL NO. 174 by Representatives Lynn, Coghill, Munoz, Keller, and Chenault, entitled:

"An Act relating to post-conviction DNA testing; and amending Rule 35.1, Alaska Rules of Criminal Procedure."

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

HB 175

HOUSE BILL NO. 175 by the House Labor and Commerce Committee, entitled:

"An Act relating to insurance, including treating as confidential certain information submitted to the director of insurance by the National Association of Insurance Commissioners; clarifying conditions for the release of insurer deposits; defining travel insurance that may be sold under a travel insurance limited producer license; establishing criteria for licensing of nonresident independent adjusters as resident adjusters; exempting rewards under a wellness program from treatment as insurance discrimination or rebating; making certain insurance required of the Comprehensive Health Insurance Association permissive rather than mandatory; providing for the administration of loss reimbursement policies and payments to guaranty associations during insolvency proceedings; making certain provisions relating to statements on applications and guaranteed renewability for individual health insurance applicable to hospital and medical service corporations; making public certain forms and related documents filed for approval by a hospital or medical service corporation after the filing becomes effective; relating to deposits of self-funded multiple employer welfare arrangements; repealing reasons that the director of insurance may use to deny or revoke a license; and providing for an effective date."

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

HB 176

HOUSE BILL NO. 176 by Representative Cissna, entitled:

"An Act relating to break times for employees who nurse a child."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE RESOLUTIONS****SCR 1**

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 1

Relating to establishing March 2009 as Brain Injury Awareness Month.

with the:

Journal Page

HSS RPT 5DP	396
FN1: ZERO(LEG)	396

The question being: "Shall SCR 1 pass the House?" The roll was taken with the following result:

SCR 1
Second Reading
Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 6 ABSENT: 2

Yea: Austerman, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gruenberg, Guttenberg, Harris, Herron, Holmes, Johnson, Joule, Kawasaki, Keller, Kelly, Lynn, Munoz, Neuman, Olson, Petersen, Seaton, Stoltze, Thomas, Tuck

Excused: Gatto, Johansen, Kerttula, Millett, Ramras, Wilson

Absent: Hawker, Salmon

And so, SCR 1 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

LEGISLATIVE CITATIONS

Representative Dahlstrom 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 - Maribeth Buechel

By Senator Hoffman; Representatives Edgmon, Chenault, Buch, Cissna, 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

In Memoriam - Ruth Tatqavin Sampson

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

**The presence of Representative Ramras, who was excused (page 405), was noted.

UNFINISHED BUSINESS

Representative Dahlstrom moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Ramras – from evening plane time, March 9 to evening plane time, March 10

HB 14

Representative Seaton added his name as cosponsor to:

HOUSE BILL NO. 14

"An Act designating the Alaskan malamute as the official state dog."

HB 105

Representative Munoz added her name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 105
"An Act relating to the state training and employment program; and providing for an effective date."

HB 161

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 161

"An Act relating to the Alaska Mental Health Trust Authority Subport Office Building; authorizing the issuance of certificates of participation for construction of the building and authorizing the use of up to \$25,000,000 from the mental health trust fund for construction of the building; approving leases of all or part of the building by the Department of Administration; and providing for an effective date."

HB 166

Representative Buch added his name as cosponsor to:

HOUSE BILL NO. 166

"An Act relating to the Southeast energy fund."

SCR 1

Representatives Gruenberg, Johnson, and Dahlstrom added their names as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 1

Relating to establishing March 2009 as Brain Injury Awareness Month.

SB 29

Representative Kerttula added her name as cross sponsor to:

SENATE BILL NO. 29

"An Act naming the Capitol Annex the Thomas B. Stewart Legislative Office Building."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Dahlstrom moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 12, 2009. There being no objection, the House adjourned at 11:27 a.m.

Suzi Lowell
Chief Clerk