

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Thursday

March 19, 2009

Fifty-ninth Day

Pursuant to adjournment the House was called to order by Speaker pro tempore Johansen at 10:34 a.m.

Roll call showed 32 members present. Representatives Chenault, Foster, and Salmon had been excused from a call of the House today. Representatives Edgmon, Gara, Joule, and Seaton were absent and their presence was noted later.

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

The invocation was offered by the Chaplain, Beverly Haywood of Juneau Unitarian Universalist Fellowship. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer, the words of W.E.B. DuBois:

Now is the accepted time, not tomorrow, not some more convenient season. It is today that our best work can be done and not some future day or future year. It is today that we fit ourselves for the greater usefulness of tomorrow. Today is the seed time, now are the hours of work, and tomorrow comes the harvest and the playtime. Amen.

The Pledge of Allegiance was led by Representative Harris.

CERTIFICATION OF THE JOURNAL

Representative Dahlstrom moved and asked unanimous consent that the journal for the 58th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Munoz introduced Jade Aldrighette, House Page, from Juneau.

Representative Gatto introduced Gabe LoRusso, Guest Page, from Palmer.

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the State and the Marine
Engineers Beneficial Association
March 12, 2009
(as required by AS 23.40.215)

Speaker pro tempore Johansen referred the monetary terms to the Finance Committee.

REPORTS OF STANDING COMMITTEES

HR 7

The Judiciary Committee considered:

HOUSE RESOLUTION NO. 7
Requesting the United States Congress to permanently repeal the federal unified gift and estate tax.

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

Do pass (4): Lynn, Gruenberg, Dahlstrom, Ramras

No recommendation (1): Gatto

HR 7 was referred to the Rules Committee for placement on the calendar.

HJR 2

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 2

Proposing amendments to the Constitution of the State of Alaska to avoid the use of personal pronouns and similar references that denote masculine or feminine gender in that document.

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

Do pass (6): Seaton, Gatto, Gruenberg, Wilson, Petersen, Lynn

No recommendation (1): Johnson

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 2 was referred to the Judiciary Committee.

HJR 21

The Resources Committee considered:

HOUSE JOINT RESOLUTION NO. 21

Requesting the North Pacific Fishery Management Council to cease consideration of an amendment package that would require

a Pacific cod endorsement for a license limitation program license holder to participate in the Pacific cod fisheries in the Gulf of Alaska.

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

Do pass (6): Olson, Tuck, Seaton, Wilson, Neuman, Johnson

No recommendation (3): Edgmon, Guttenberg, Kawasaki

The following fiscal note(s) apply:

1. Zero, House Special Committee on Fisheries

HJR 21 was referred to the Rules Committee for placement on the calendar.

HJR 22

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 22

Urging the United States Senate to ratify the United Nations Convention on the Law of the Sea (the Law of the Sea Treaty).

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

Do pass (6): Gatto, Seaton, Gruenberg, Wilson, Petersen, Lynn

No recommendation (1): Johnson

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee

HJR 22 was referred to the Rules Committee for placement on the calendar.

SB 29

The Community & Regional Affairs Committee considered:

SENATE BILL NO. 29

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

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

Do pass (5): Cissna, Harris, Keller, Herron, Munoz

The following fiscal note(s) apply:

1. Zero, Legislative Agency

SB 29 was referred to the State Affairs Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Andrew Eker

By Representative Doogan; Senator French

In Memoriam - Billy B. Patkotak

By Representatives Gardner, Joule

In Memoriam - Walter James Wilcox

By Representatives Coghill, Stoltze

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 27**

HOUSE JOINT RESOLUTION NO. 27 by Representatives Kelly and Keller:

Relating to sovereign powers of the state.

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE BILLS****SB 50**

The following was read the second time:

SENATE BILL NO. 50

"An Act relating to Iditarod finisher special request license plates."

with the:	Journal Page
FIN RPT 5DP 4NR	501
FN1: ZERO(ADM)	502

**The presence of Representative Joule was noted.

Representative Dahlstrom moved and asked unanimous consent that SB 50 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 50 was read the third time.

The question being: "Shall SB 50 pass the House?" The roll was taken with the following result:

SB 50

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 4 ABSENT: 4

Yeas: Austerman, Buch, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Fairclough, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Stoltze, Thomas, Tuck, Wilson

Excused: Chenault, Foster, Gardner, Salmon

Absent: Edgmon, Gara, Johnson, Seaton

And so, SB 50 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

SECOND READING OF SENATE RESOLUTIONS

SJR 5

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 5(FIN)

Urging the United States Department of Defense to continue to provide retirement benefits for members of the Alaska Territorial Guard who served during World War II.

with the:	Journal Page
MLV RPT 5DP	276
FN1: ZERO(S.FIN/ALL DEPTS)	276
STA RPT 4DP	396
FN1: ZERO(S.FIN/ALL DEPTS)	396

Representative Dahlstrom moved and asked unanimous consent that CSSJR 5(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 5(FIN) was read the third time.

**The presence of Representative Edgmon was noted.

The question being: "Shall CSSJR 5(FIN) pass the House?" The roll was taken with the following result:

CSSJR 5(FIN)

Third Reading

Final Passage

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

Yeas: Austerman, Buch, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Stoltze, Thomas, Tuck, Wilson

Excused: Chenault, Foster, Gardner, Salmon

Absent: Gara, Johnson, Seaton

And so, CSSJR 5(FIN) passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

**The presence of Representative Seaton was noted.

THIRD READING OF HOUSE RESOLUTIONS

HJR 7

The following, which was advanced to third reading from the March 18, 2009, calendar (page 506), was read the third time:

CS FOR HOUSE JOINT RESOLUTION NO. 7(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production.

The question being: "Shall CSHJR 7(RES) pass the House?" The roll was taken with the following result:

CSHJR 7(RES)

Third Reading

Final Passage

YEAS: 32 NAYS: 2 EXCUSED: 4 ABSENT: 2

Yeas: Austerman, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Nays: Cissna, Kerttula

Excused: Chenault, Foster, Gardner, Salmon

Absent: Gara, Johnson

And so, CSHJR 7(RES) passed the House.

Representative Kerttula later gave notice of reconsideration of the vote on CSHJR 7(RES), and reconsideration was taken up then.

HJR 18

The following, which was advanced to third reading from the March 18, 2009, calendar (page 507), was read the third time:

CS FOR HOUSE JOINT RESOLUTION NO. 18(RES)

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

The question being: "Shall CSHJR 18(RES) pass the House?" The roll was taken with the following result:

CSHJR 18(RES)

Third Reading

Final Passage

YEAS: 32 NAYS: 2 EXCUSED: 4 ABSENT: 2

Yeas: Austerman, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Nays: Cissna, Kerttula

Excused: Chenault, Foster, Gardner, Salmon

Absent: Gara, Johnson

And so, CSHJR 18(RES) passed the House and was referred to the Chief Clerk for engrossment.

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 - Alaska Supreme Court Justice Warren W. Matthews

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

Honoring - Jo Sanders

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

Honoring - Juneau Ski Club

By Representatives Kerttula, Munoz, Chenault, Austerman, Buch, Cissna, 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 - Bethel Regional High School Wrestling Team

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

In Memoriam - David L. Lacey

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

In Memoriam - George Sundborg, Sr.

By Representatives Coghill, Chenault, Buch, Cissna, 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; Senator Paskvan

In Memoriam - Lauramar "Lolly" McKerley

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

In Memoriam - Charles Phillip Johnson

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

In Memoriam - Grace "Billye" Routzahn

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

UNFINISHED BUSINESS**HB 189**

Speaker pro tempore Johansen added a House Special Committee on Energy referral to follow the Resources Committee referral and precede the Finance Committee referral for the following:

HOUSE BILL NO. 189

"An Act eliminating the concluding date that applies to calculate a producer's total lease expenditures for purposes of administration of the oil and gas production tax during the initial years of that tax, thereby allowing an indefinite continuation of a special formula to determine the amount of lease expenditures that may be taken as a deduction when computing the production tax value of oil and gas; and providing for an effective date."

HB 189 is in the Resources Committee.

Representative Dahlstrom 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 Thomas – from 8:00 a.m., March 20 to 8:00 p.m., March 22

Representative Crawford – from evening plane time, March 20 to morning plane time, March 23

Representative Johansen – from morning plane time, March 21 to evening plane time, March 22

Representative Johnson – from 6:00 p.m., March 19 to 2:00 p.m., March 22 (amended from page 510)

Representative Herron – from 7:25 a.m., March 20 to afternoon plane time, March 23 (amended from page 510)

Representative Dahlstrom introduced Michael Sutton, Guest Page, from Ninilchik and Jacie Johansen, Guest Page, from Ketchikan.

**The presence of Representative Gara was noted.

RECONSIDERATION

HJR 7

Representative Kerttula gave notice of reconsideration of the vote on CSHJR 7(RES) (page 524).

Representative Kerttula moved and asked unanimous consent that reconsideration of CSHJR 7(RES) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE JOINT RESOLUTION NO. 7(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production.

The question to be reconsidered: "Shall CSHJR 7(RES) pass the House?" The roll was taken with the following result:

CSHJR 7(RES)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 31 NAYS: 2 EXCUSED: 4 ABSENT: 3

Yeas: Austerman, Buch, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Keller, Kelly, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Seaton, Stoltze, Thomas, Tuck, Wilson

Nays: Cissna, Kerttula

Excused: Chenault, Foster, Gardner, Salmon

Absent: Harris, Johnson, Ramras

And so, CSHJR 7(RES) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

HR 7

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

HOUSE RESOLUTION NO. 7

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

HJR 7

Representative Fairclough added her name as cosponsor to:

CS FOR HOUSE JOINT RESOLUTION NO. 7(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production.

HB 132

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 132

"An Act authorizing municipalities and nonprofit organizations to sponsor a program to encourage the safe use of bicycles as an alternative or supplement to motor vehicles; amending the duties of the Department of Commerce, Community, and Economic Development to include administration of state funds appropriated for that purpose; and amending provisions of the program by which state and federal aid allocated for highways may be used to support bicycle paths."

HB 161

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 161

"An Act relating to the Alaska Mental Health Trust Authority Support 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 167

Representatives Munoz, Millett, and Wilson added their names as cosponsors to:

HOUSE BILL NO. 167

"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."

HB 183

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 183

"An Act relating to land management by the Board of Fisheries, Board of Game, and Department of Natural Resources for sport, subsistence, and commercial fishing, sport and subsistence hunting, and trapping."

HB 185

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 185

"An Act relating to the labor organization position of state agencies and others with regard to construction contracts paid for by state money."

SB 50

Representatives Foster and Lynn added their names as cross sponsors to:

SENATE BILL NO. 50

"An Act relating to Iditarod finisher special request license plates."

ENGROSSMENT

HJR 7

CSHJR 7(RES) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HJR 18

CSHJR 18(RES) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

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 23, 2009. There being no objection, the House adjourned at 11:27 a.m.

Suzi Lowell
Chief Clerk