

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

March 23, 2009

#### Sixty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:36 a.m.

Roll call showed 30 members present. Representative Edgmon had been excused from a call of the House today.

Representative Johansen moved and asked unanimous consent that Representatives Dahlstrom, Hawker, Millett, Neuman, Gara, Kawasaki, Salmon, Herron, and Crawford be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered in American Sign Language and English by the Chaplain, the Reverend Sue Bahleda of Resurrection Lutheran Church. Representative Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With respect to the diversity of voices, beliefs, and practices that call out to a power beyond our individual selves, I offer the following prayer:

Almighty One,

We thank you for the men and women gathered here today. Bless these public servants working for all people of this great state, that they may do the work before them in a spirit of wisdom, charity, and justice. Help them to use their authority to serve faithfully and to promote our common life. Give

them courage, patience, and visions, that their work may be productive. We pray these things in hope, anticipation, and confidence. Amen.

The Pledge of Allegiance was led by Representative Holmes.

### **CERTIFICATION OF THE JOURNAL**

Representative Johansen moved and asked unanimous consent that the journal for the 59<sup>th</sup>, 60<sup>th</sup>, 61<sup>st</sup>, and 62<sup>nd</sup> legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Munoz introduced Bethany Cummins and Emily Cummins, Guest Pages, from Juneau.

Representative Kerttula introduced Nathaniel Webber, Guest Page, from Juneau.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 23, 2009, was received correcting the following term expiration in the letter of appointment dated December 11, 2008 (page 50):

#### **Board of Game**

Stanley "Stosh" Hoffman

Appointed: 11/13/2008

Term Expires: 6/30/2011

The appointment is in the Resources Committee.

### **MESSAGES FROM THE SENATE**

A message dated March 18, 2009, was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 3**

SENATE BILL NO. 3 by Senator Olson, entitled:

"An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource."

was read the first time and referred to the House Special Committee on Fisheries and the Community & Regional Affairs and Finance Committees.

**REPORTS OF STANDING COMMITTEES****HCR 1**

The Labor & Commerce Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 1  
Encouraging the installation of fire sprinkler systems in residences.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(L&C)  
Encouraging the voluntary installation of fire sprinkler systems in residences.

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

Do pass (2): Lynn, Olson

No recommendation (2): Coghill, Holmes

The following fiscal note(s) apply to CSHCR 1(L&C):

1. Zero, House Labor & Commerce Committee

HCR 1 was referred to the Rules Committee for placement on the calendar.

**HB 15**

The Judiciary Committee considered:

## HOUSE BILL NO. 15

"An Act relating to prohibiting the use of cellular telephones by minors when driving a motor vehicle; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 15(JUD)  
(same title)

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

Do pass (3): Gruenberg, Gatto, Ramras

Do not pass (1): Lynn

No recommendation (3): Coghill, Dahlstrom, Holmes

The following fiscal note(s) apply to CSHB 15(JUD):

1. Zero, Dept. of Public Safety

HB 15 was referred to the Finance Committee.

**HB 101**

The Judiciary Committee considered:

## HOUSE BILL NO. 101

"An Act exempting the full value of life insurance and annuity contracts from levy to satisfy unsecured debt, and amending the description of earnings, income, cash, and other assets relating to garnishment of life insurance proceeds payable upon the death of an insured."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 101(JUD)

"An Act exempting the full value of life insurance and annuity contracts from levy to satisfy a debt, and amending the description of earnings, income, cash, and other assets relating to garnishment of life insurance proceeds payable upon the death of an insured."

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

Do pass (6): Lynn, Gruenberg, Coghill, Dahlstrom, Gatto, Ramras

The following fiscal note(s) apply to CSHB 101(JUD):

1. Zero, House Labor & Commerce Committee

HB 101 was referred to the Rules Committee for placement on the calendar.

**HB 132**

The Transportation Committee considered:

## 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."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 132(TRA)

"An Act authorizing municipalities and nonprofit organizations to sponsor a program to encourage the safe use of bicycles as a mode of transportation, and amending the duties of the Department of Transportation and Public Facilities to include administration of state funds appropriated for that purpose."

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

Do pass (2): Gruenberg, Wilson

No recommendation (3): Johansen, Munoz, Doogan

The following fiscal note(s) apply to CSHB 132(TRA):

1. Zero, Dept. of Transportation & Public Facilities

HB 132 was referred to the Finance Committee.

### **HB 137**

The Education Committee considered:

#### HOUSE BILL NO. 137

"An Act relating to an interstate compact on educational opportunity for military children; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (5): Munoz, Wilson, Gardner, Buch, Seaton

No recommendation (1): Keller

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

HB 137 was referred to the Judiciary Committee.

### **HB 141**

The Health & Social Services Committee considered:

## HOUSE BILL NO. 141

"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."

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

Do pass (4): Coghill, Seaton, Cissna, Keller

No recommendation (3): Holmes, Lynn, Herron

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

HB 141 was referred to the Judiciary Committee.

**HB 149**

The Judiciary Committee considered:

## HOUSE BILL NO. 149

"An Act allowing appropriations to the civil legal services fund from court filing fees."

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

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

Do not pass (1): Gatto

No recommendation (1): Coghill

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 149 was referred to the Finance Committee.

**HB 152**

The Judiciary Committee considered:

## HOUSE BILL NO. 152

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; providing for an effective date by repealing the effective date of sec. 33, ch. 122, SLA 1977; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 152(JUD)

(same title)

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

Do pass (2): Coghill, Ramras

No recommendation (4): Lynn, Dahlstrom, Gatto, Holmes

The following fiscal note(s) apply to CSHB 152(JUD):

1. Zero, Dept. of Law

HB 152 was referred to the Rules Committee for placement on the calendar.

**SB 72**

The Transportation Committee considered:

## CS FOR SENATE BILL NO. 72(STA)

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

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 72(TRA)

(same title)



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

Do pass (3): Doogan, Gruenberg, Wilson

No recommendation (2): Johansen, Munoz

The following fiscal note(s) apply to HCS CSSB 72(TRA):

1. Zero, Dept. of Transportation & Public Facilities

CSSB 72(STA) was referred to the State Affairs Committee.

### **SB 111**

The Transportation Committee considered:

#### SENATE BILL NO. 111

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

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

Do pass (5): Johansen, Munoz, Doogan, Gruenberg, Wilson

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

SB 111 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 - Frank Kirk, Red Cross "Real Heroes of Alaska"  
By Representatives Keller, Stoltze, Neuman, Gatto; Senators Huggins,  
Menard

Honoring - Jeremy Manley, Red Cross "Real Heroes of Alaska"  
By Representatives Keller, Stoltze, Neuman, Gatto; Senators Huggins,  
Menard

Honoring - Dr. James Scott, DVM  
By Senator Bunde

In Memoriam - Andrew "Andy" John Hope III  
By Representatives Kerttula, Wilson, Munoz

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

#### **HCR 13**

HOUSE CONCURRENT RESOLUTION NO. 13 by the House Rules  
Committee:

Certifying that the State of Alaska requests and will use any funds  
provided to the state, a state agency, a municipality, or a political  
subdivision of the state under the American Recovery and  
Reinvestment Act of 2009.

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

#### **HJR 28**

HOUSE JOINT RESOLUTION NO. 28 by Representative Johnson:

Urging the President of the United States and the United States  
Congress not to adopt any policy, rule, or administrative action or  
enact legislation that would restrict energy exploration,  
development, and production in federal and state waters around  
Alaska, the outer continental shelf within 50 miles of shore, and  
elsewhere in the continental United States; urging the President of  
the United States and the United States Congress to encourage and  
promote continued exploration, development, and production of  
domestic oil and gas resources.

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

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

**HB 195**

HOUSE BILL NO. 195 by Representative Doogan, entitled:

"An Act relating to official action by electronic mail and to public records."

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

**HB 196**

HOUSE BILL NO. 196 by the House Special Committee on Energy, entitled:

"An Act relating to the alternative energy revolving loan fund; and providing for an effective date."

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

**HB 197**

HOUSE BILL NO. 197 by Representative Keller, entitled:

"An Act establishing minimum standards for open enrollment virtual charter schools; and relating to student count estimates and facilities constituting a school."

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

**HB 198**

HOUSE BILL NO. 198 by Representative Gara, entitled:

"An Act relating to access to fishing waterways."

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

**HB 199**

HOUSE BILL NO. 199 by the House Rules Committee by request of the Governor, entitled:

"An Act making supplemental appropriations and capital appropriations; amending appropriations; and providing for an effective date."

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

A spreadsheet from the Office of the Governor, Office of Management and Budget, entitled "Economic Stimulus March 19, 2009" accompanied the governor's transmittal letter and is on file in the Chief Clerk's office.

The Governor's transmittal letter dated March 19, 2009, follows:

"Dear Speaker Chenault:

I am transmitting a second appropriation bill to implement the \$787 billion American Recovery and Reinvestment Act of 2009 (ARRA). This bill contains authorization requests for capital projects designed to create jobs and promote economic growth within the State of Alaska. This appropriation bill does not include every ARRA program that runs to or through the State of Alaska.

Under the direction of the Office of Management and Budget, I have asked our departments to review the Federal spending package with jobs for Alaskans in mind. This is particularly important because I must certify that all the funds I am requesting on behalf of the state will create jobs and promote economic growth. However, because I cannot yet in good conscience certify that all funds in the Federal stimulus package will be used to create jobs and stimulate our economy, I am requesting only job-ready funding and am encouraging a public discussion through the legislative process.

There are three categories of funding that are not included in this legislation: programs with potential strings attached for receipt of the funds; competitive funding where the federal guidance and requirements are uncertain or unknown; and operating funds that increase existing federally funded programs above what is already included in the state budget to provide services to Alaskans.

Programs that have been left out of this bill include those with outstanding questions, such as the impact on Alaskans of "strings" Congress attached to the funding, and tenuous or unclear links to job creation or economic growth. Descriptions of the specific issues for each program that has not been included in this legislation are set out in more detail later in this letter.

My concerns about ARRA spending too much on operating programs that leave the state responsible to pay for expanded services after federal funding ends were stated even before it was passed by Congress. I was disappointed when the final bill cut billions in spending for infrastructure and jobs in favor of operating programs. Despite such changes to the final version of ARRA, Congress maintained a requirement for Governors to certify that ARRA funds will be used to create jobs and promote economic growth within their respective states.

I respectfully request your assistance and that of the entire Legislature to hold hearings for review, and allow public testimony and debate on the projects included for funding in the bill as well as programs that have not been included. I understand the amount of hard work this effort will require and that this approach is definitely not the easy way out. The easy way would be to blindly say "yes" to all ARRA federal funds without concern, review, or discussion for the consequences to the state, individual Alaskans, and the nation. Our efforts at review and discussion would likely be made easier by issuance of clear final guidance documents from all federal agencies and adequate answers to specific questions we have posed about certain programs.

The appropriation bill I am transmitting today contains capital projects requests totaling \$252.5 million, with all but \$1.0 million coming from economic stimulus funds. Capital projects requested include \$20.7 million for education and job training, \$68.6 million for water and

sewer projects and storage tank replacements, \$3.0 million for the Alaska Vocational Training Center, \$2.5 million for Fire Fuels and Forest Management, \$39.6 million for public housing projects through the Alaska Housing Finance Corporation, and \$116.0 million for the University of Alaska Fairbanks Research Vessel. We have also included two \$1.0 million placeholders for competitive grant opportunities for state agencies and the University.

After careful review of the assurances and requirements in ARRA under each title for receipt of federal economic stimulus funds, there are several items that are not included in this appropriation bill. Some items require statutory changes in order to receive and expend these funds, or, in some instances, we have not yet obtained sufficient information upon which to base recommendations to you. Following is a list of the items and policy questions for legislative consideration:

**Unemployment Insurance** - after review of the requirements to expand unemployment insurance benefits, I will not propose a revision to Alaska's current law to permanently change the calculation of unemployment insurance benefits that would result in a cost increase to employers and businesses. The statutory change would require that Alaskan businesses pick up this increased cost once the federal funds are no longer available. Increasing taxes on business is simply not the way to stimulate the economy. \$15 million would be available to the state if the legislature makes a statutory change to comply with the new requirement. Once those funds are no longer available, the Department of Labor estimates a \$2 million annual cost to the UI Trust Fund in the future.

I would like to note that Alaska has already moved forward on accepting the additional \$25 a week for unemployment benefits provided in ARRA. The additional weekly benefit is 100 percent federally funded and will benefit unemployed Alaskans and support the stability of Alaska's economy. The \$25 additional benefit is payable for weeks of unemployment beginning February 22, 2009 and continuing through the end of 2009 with a phase out for existing claims through July 3, 2010.

**Energy** – three assurances that present challenges for Alaska are required in order to receive energy funds: (1) implementation of a

general policy that ensures that electric and gas utility financial incentives are aligned with helping customers use energy more efficiently; (2) implementation of a statewide building energy code; and (3) an implementation plan for both pieces in order to achieve 90% compliance on new or renovated buildings within eight years. Without these assurances, the state will not qualify for \$28.6 million for the State Energy Program, \$18.5 million for Weatherization, and \$8.5 million for Energy Efficiency and Conservation Block Grants.

This administration is taking a proactive approach to address areas where federal requirements in the economic stimulus bill create significant hurdles for receipt of funds, such as the adoption of a statewide building energy code. We currently are working with the U.S. Department of Energy to determine possible solutions that will allow Alaska to receive these funds.

**Air Quality Grants** - Granting authority is needed by the Department of Environmental Conservation (DEC) to receive and expend approximately \$2 million from the Environmental Protection Agency (EPA) for the Diesel Emission Reduction Program. The goal of the program is to reduce diesel emissions with new technologies and to further advance these technologies to a larger audience.

This is not a new program; DEC currently has a grant award from EPA and is already spending this funding on diesel emission reduction projects. Current funding is distributed to other government agencies such as the Alaska Energy Authority to increase the fuel efficiency of stationary source diesel power generation, the Alaska Railroad, and the Department of Transportation & Public Facilities for diesel equipment retrofit. Statutory language would be necessary for DEC to identify grantees beyond government agencies, such as smaller private sector businesses, that are looking to forward more efficient diesel fuel usage.

**Broadband and health information technology grants** – These are two other areas that are not included in the appropriation bill. Gaining sufficient guidance from the federal agencies and a clear understanding of the requirements for receipt of the funds require additional time in order to develop the requests for these significant program areas. These programs fall under the long-range economic

development strategies in the economic stimulus legislation. The administration is closely monitoring the evolution of guidelines in the relevant federal agencies in order to determine the benefits and timing of these funds.

Other competitive grant funds for state agencies are also not included in this appropriation bill due to lack of information regarding the application process, amounts available, requirements, and other needed guidance. The Legislative Budget & Audit (LB&A) Committee process is certainly an option for legislative consideration of funding requests during the interim or the FY2010 supplemental process is another option once more information on these programs becomes available. We have included a statewide placeholder for capital project grants for state agencies and also for the University to allow for LB&A consideration should agencies be successful in obtaining grant funds for capital projects.

ARRA also provides competitive grant funding to non-state entities, communities, and organizations through the discretion of federal agencies that will flow directly to project applicants. We are communicating information to interested parties and guiding them to <Recovery.gov>, <Grants.gov>, and federal department websites. We are also posting information on the state website at [alaska.gov/recovery](http://alaska.gov/recovery).

In conclusion I am required to certify that the requests I am forwarding for legislative approval will meet the requirements of the ARRA to create jobs and promote economic growth in Alaska. We are open to discussions on the operating funds that are not included in this appropriation bill. These program increases should be fully debated as part of the ongoing budget process. The Legislature has been working diligently on the operating budget for the next fiscal year to provide for the needs of Alaskans. Simply expanding these programs based on receipt of economic stimulus funds does not meet the ARRA certification requirement and creates an unrealistic expectation that the state will continue these programs when the federal funds are no longer available.

The federal economic stimulus package will have profound implications for Alaska and the nation. The legislative process to



consider proposed ARRA spending is crucial to developing a responsible approach to use of these funds. When the final tally of spending and borrowing is added up, current and future generations of Alaskans and all Americans will be required to pay what amounts to the biggest credit card bill in history.

I appreciate your consideration of this legislation.

Sincerely,  
/s/  
Sarah Palin  
Governor"

**HB 200**

HOUSE BILL NO. 200 by Representative Seaton, entitled:

"An Act relating to the Alaska clean water fund."

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

**HB 201**

HOUSE BILL NO. 201 by Representative Johnson, entitled:

"An Act relating to the expiration date of a concealed handgun permit."

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

**HB 202**

HOUSE BILL NO. 202 by Representatives Herron, Millett, Tuck, Stoltze, Johansen, Keller, Crawford, Munoz, Johnson, Foster, Ramras, and Wilson, entitled:

"An Act relating to state and municipal building code requirements for fire sprinkler systems in certain residential buildings."

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

**HB 203**

HOUSE BILL NO. 203 by Representative Gatto, entitled:

"An Act relating to expungement and sealing of certain criminal records and criminal history information."

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

**HB 204**

HOUSE BILL NO. 204 by Representative Dahlstrom, entitled:

"An Act increasing the number of students pursuing a medical education who are provided postsecondary educational services and programs; and providing for an effective date."

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

### CONSIDERATION OF THE DAILY CALENDAR

#### SECOND READING OF HOUSE BILLS

**HB 2**

The following was read the second time:

HOUSE BILL NO. 2

"An Act relating to the issuance of a certificate of birth resulting in a stillbirth."

with the:

Journal Page

HSS RPT CS(HSS) 4DP 2NR	459
FN1: ZERO(DHS)	459
JUD RPT CS(HSS) 5DP	482
FN1: ZERO(DHS)	482

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

CS FOR HOUSE BILL NO. 2(HSS)  
(same title)

There being no objection, it was so ordered.

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

CSHB 2(HSS) was read the third time.

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

CSHB 2(HSS)  
Third Reading  
Final Passage

**YEAS: 29 NAYS: 1 EXCUSED: 10 ABSENT: 0**

Yeas: Austerman, Chenault, Cissna, Coghill, Doogan, Fairclough, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Munoz, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Nays: Buch

Excused: Crawford, Dahlstrom, Edgmon, Gara, Hawker, Herron, Kawasaki, Millett, Neuman, Salmon

And so, CSHB 2(HSS) passed the House and was referred to the Chief Clerk for engrossment.

**HB 19**

The following was read the second time:

HOUSE BILL NO. 19

"An Act exempting the state and its political subdivisions from daylight saving time."

with the:	Journal Page
CRA RPT 1DP 3NR	459
FN1: ZERO(GOV/ALL DEPTS)	460
L&C RPT CS(L&C) NT 1DP 6NR	496
FN1: ZERO(GOV/ALL DEPTS)	496

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

CS FOR HOUSE BILL NO. 19(L&C)

"An Act exempting the state and its political subdivisions from daylight saving time; and providing for an effective date."

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHB 19(L&C) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Kerttula objected.

CSHB 19(L&C) will advance to third reading on the March 25, 2009, calendar.

### **HB 102**

The following was read the second time:

HOUSE BILL NO. 102

"An Act relating to the Uniform Commercial Code, to the general provisions of the Uniform Commercial Code, to documents of title under the Uniform Commercial Code, to the Uniform Electronic Transactions Act, and to lease-purchases of personal property; amending Rules 403 and 902, Alaska Rules of Evidence; and providing for an effective date."

with the:	Journal Page
L&C RPT 5NR	259
FN1: ZERO(CED)	260

JUD RPT CS(JUD) NT 3DP 4NR	496
FN1: ZERO(CED)	497

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

CS FOR HOUSE BILL NO. 102(JUD)

"An Act relating to the Uniform Commercial Code, to the general provisions of the Uniform Commercial Code, to documents of title under the Uniform Commercial Code, to the Uniform Electronic Transactions Act, to lease-purchases of personal property, to the contractual duty to act fairly and in good faith, and to carrier, warehouse, and animal care liens; amending Rules 403 and 902, Alaska Rules of Evidence; and providing for an effective date."

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHB 102(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 102(JUD) was read the third time.

The question being: "Shall CSHB 102(JUD) pass the House?" The roll was taken with the following result:

CSHB 102(JUD)

Third Reading

Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 10 ABSENT: 0**

Yeas: Austerman, Buch, Chenault, Cissna, Coghill, Doogan, Fairclough, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Munoz, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Excused: Crawford, Dahlstrom, Edgmon, Gara, Hawker, Herron, Kawasaki, Millett, Neuman, Salmon

And so, CSHB 102(JUD) passed the House.

Representative Johansen moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes. There being no objection, it was so ordered.

Representative Johansen 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 102(JUD) was referred to the Chief Clerk for engrossment.

**HB 172**

The following was read the second time:

HOUSE BILL NO. 172

"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."

with the:	Journal Page
EDC REFERRAL WAIVED	449
FIN RPT CS(FIN) 5DP 3NR 1AM	501
FN3: INDETERMINATE(EED)	501
FN4: INDETERMINATE(REV)	501

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

CS FOR HOUSE BILL NO. 172(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill placed a call of the House.

The Speaker stated the call was satisfied.

Representative Johansen moved and asked unanimous consent that CSHB 172(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 172(FIN) was read the third time.

The question being: "Shall CSHB 172(FIN) pass the House?" The roll was taken with the following result:

CSHB 172(FIN)

Third Reading

Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 10 ABSENT: 0**

Yeas: Austerman, Buch, Chenault, Cissna, Coghill, Doogan, Fairclough, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Munoz, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Excused: Crawford, Dahlstrom, Edgmon, Gara, Hawker, Herron, Kawasaki, Millett, Neuman, Salmon

And so, CSHB 172(FIN) passed the House.

Representative Johansen 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 172(FIN) was referred to the Chief Clerk for engrossment.

## **SECOND READING OF HOUSE RESOLUTIONS**

### **HJR 21**

The following was read the second time:

#### **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.

with the:	Journal Page
FSH RPT 4DP 3NR	433
FN1: ZERO(H.FSH)	433
RES RPT 6DP 3NR	519
FN1: ZERO(H.FSH)	520

Representative Johansen moved and asked unanimous consent that HJR 21 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 21 was read the third time.

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

The question being: "Shall HJR 21 pass the House?" The roll was taken with the following result:

HJR 21  
Third Reading  
Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 10 ABSENT: 0**

Yeas: Austerman, Buch, Chenault, Cissna, Coghill, Doogan, Fairclough, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Johansen, Johnson, Joule, Keller, Kelly, Kerttula, Lynn, Munoz, Olson, Petersen, Ramras, Seaton, Stoltze, Thomas, Tuck, Wilson

Excused: Crawford, Dahlstrom, Edgmon, Gara, Hawker, Herron, Kawasaki, Millett, Neuman, Salmon

And so, HJR 21 passed the House and was referred to the Chief Clerk for engrossment.



**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 - Andrew Eker

By Representatives Doogan, Chenault, Buch, Cissna, Coghill, Crawford, Dahlstrom, Edgmon, 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 French

In Memoriam - Billy B. Patkotak

By Representatives Gardner, Joule, Chenault, Buch, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, 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

In Memoriam - Walter James Wilcox

By Representatives Coghill, Stoltze, 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, 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 Gatto – from 7:30 p.m., today to evening plane time, March 29

Representative Holmes – from morning plane time, March 25 to evening plane time, March 29

**HB 141**

The Speaker added a Finance Committee referral for the following:

## HOUSE BILL NO. 141

"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."

HB 141 is in the Judiciary Committee.

**HR 9**

Representative Wilson added her name as cosponsor to:

## HOUSE RESOLUTION NO. 9

Relating to sovereign powers of the state.

**HJR 21**

Representative Johansen added his name as cosponsor to:

## 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.

**HB 2**

Representative Keller added his name as cosponsor to:

## CS FOR HOUSE BILL NO. 2(HSS)

"An Act relating to the issuance of a certificate of birth resulting in a stillbirth."

**HB 161**

Representatives Harris and Ramras added their names as cosponsors 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 168**

Representative Kerttula added her name as cosponsor to:

## HOUSE BILL NO. 168

"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."

**HB 169**

Representative Kerttula added her name as cosponsor to:

## HOUSE BILL NO. 169

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

**SB 72**

Representative Gruenberg added his name as cross sponsor to:

## CS FOR SENATE BILL NO. 72(STA)

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

**ENGROSSMENT****HJR 21**

HJR 21 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 2**

CSHB 2(HSS) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 102**

CSHB 102(JUD) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 172**

CSHB 172(FIN) 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 Johansen moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 25, 2009. There being no objection, the House adjourned at 12:18 p.m.

Suzi Lowell  
Chief Clerk