

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

Juneau, Alaska

Wednesday

March 25, 2009

Sixty-fifth Day

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

Roll call showed 36 members present. Representatives Gatto and Holmes had been excused from a call of the House today.

Representative Johansen moved and asked unanimous consent that Representatives Petersen and Stoltze be excused from a call of the House today. There being no objection, it was so ordered. The presence of Representative Stoltze was noted later.

The invocation was offered by the Chaplain, the Reverend Sue Bahleda of Resurrection Lutheran Church. Representative Wilson 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:

Mighty One: We thank you for this day. May its light break into our preoccupations that we may be delighted by it and be renewed and strengthened for the work before us.

We pray this day for this body, this House. Fill it with all truth and peace. Where it is right, strengthen it. Where it is amiss, direct it. Where it is in need, provide for it. Where it is divided, reunite it. We ask these things in hope and

confidence for the sake of those gathered here who gladly serve and for the sake of the ones scattered throughout this state who trust in their service. Amen.

The Pledge of Allegiance was led by Representative Hawker.

CERTIFICATION OF THE JOURNAL

Representative Johansen moved and asked unanimous consent that the journal for the 63rd and 64th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Munoz introduced John Reid and Aaron Badilla, Guest Pages, from Juneau.

Representative Thomas introduced Misty Milligrock, Guest Page, from Metlakatla.

COMMUNICATIONS

The following was received:

Local Boundary Commission
Annual Report to the First Session of the
Twenty-Sixth Alaska State Legislature
February 2009

REPORTS OF STANDING COMMITTEES

HCR 13

The Finance Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 13
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.

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

Do pass (4): Joule, Austerman, Fairclough, Hawker

No recommendation (4): Thomas, Crawford, Kelly, Stoltze

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HCR 13 was referred to the Rules Committee for placement on the calendar.

HJR 9

The Transportation Committee considered:

HOUSE JOINT RESOLUTION NO. 9

Designating the Alaska Aviation Heritage Museum located at 4721 Aircraft Drive in Anchorage as the official headquarters for the State of Alaska's Centennial of Flight Celebration.

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

Do pass (6): Johansen, Munoz, Doogan, Johnson, Gruenberg, Wilson

The following fiscal note(s) apply:

1. Zero, House Transportation Committee

HJR 9 was referred to the Rules Committee for placement on the calendar.

HB 6

The Judiciary Committee considered:

HOUSE BILL NO. 6

"An Act relating to cruelty to animals."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 6(JUD)

"An Act relating to proscribing certain sexual conduct or sexual activities as cruelty to animals."

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

Do pass (4): Lynn, Gruenberg, Coghill, Gatto

No recommendation (1): Ramras

Amend (1): Holmes

The following fiscal note(s) apply to CSHB 6(JUD):

1. Zero, Dept. of Corrections
2. Zero, Dept. of Law

HB 6 was referred to the Finance Committee.

HB 43

The Resources Committee considered:

HOUSE BILL NO. 43

"An Act relating to aquatic farm permitting involving geoducks and to geoduck seed transfers between certified hatcheries and aquatic farms."

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

Do pass (3): Tuck, Seaton, Johnson

Do not pass (1): Kawasaki

No recommendation (2): Olson, Wilson

Amend (1): Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game

HB 43 was referred to the Rules Committee for placement on the calendar.

HB 73

The State Affairs Committee considered:

HOUSE BILL NO. 73

"An Act relating to honorary foreign consul license plates; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 73(STA)

"An Act relating to special fire fighter and emergency medical service provider license plates; and providing for an effective date."

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

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

The following fiscal note(s) apply to CSHB 73(STA):

1. Zero, Dept. of Administration

HB 73 was referred to the Finance Committee.

HB 78

The Finance Committee considered:

HOUSE BILL NO. 78

"An Act extending the termination date of the Board of Public Accountancy; and providing for an effective date."

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

Do pass (8): Thomas, Joule, Foster, Austerman, Fairclough, Kelly, Hawker, Stoltze

The following fiscal note(s) apply:

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

HB 78 was referred to the Rules Committee for placement on the calendar.

HB 86

The Finance Committee considered:

HOUSE BILL NO. 86

"An Act extending the termination date of the Board of Veterinary Examiners; and providing for an effective date."

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

Do pass (8): Thomas, Joule, Foster, Austerman, Kelly, Fairclough, Hawker, Stoltze

The following fiscal note(s) apply:

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

HB 86 was referred to the Rules Committee for placement on the calendar.

HB 129

The Rules Committee considered:

HOUSE BILL NO. 129

"An Act providing authority to the Real Estate Commission to revoke real estate salesperson licenses of persons convicted of certain crimes."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 129(RLS)

"An Act relating to the authority of the Real Estate Commission to revoke licenses of persons convicted of certain crimes."

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

Do pass (4): Kerttula, Gardner, Olson, Coghill

No recommendation (2): Millett, Herron

The following fiscal note(s) apply to CSHB 129(RLS):

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

HB 129 was returned to the Rules Committee for placement on the calendar.

HB 184

The Education Committee considered:

HOUSE BILL NO. 184

"An Act relating to the debt authorization of the University of Alaska."

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

Do pass (5): Wilson, Keller, Edgmon, Gardner, Seaton

No recommendation (1): Buch

The following fiscal note(s) apply:

1. Zero, University of Alaska

HB 184 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**HJR 25**

The House Special Committee on Energy considered:

HOUSE JOINT RESOLUTION NO. 25

Urging the United States Congress to classify hydroelectric power as a renewable and alternative energy source.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 25(ENE)

(same title)

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

Do pass (5): Ramras, Dahlstrom, Tuck, Johansen, Millett

The following fiscal note(s) apply to CSHJR 25(ENE):

1. Zero, House Special Committee on Energy

HJR 25 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Lieutenant Ray Ellis

By Representative Austerman; Senator Stevens

Honoring - Jon Van Zyle

By Representatives Dahlstrom, Stoltze

Honoring - U.S. Coast Guard Personnel in the Rescue of 42 Crew from F/V *Alaska Ranger*

By Representative Austerman; Senator Stevens

Honoring - Kodiak Island Search and Rescue Team
By Representative Austerman; Senator Stevens

Honoring - Christina Ellingson
By Senator Ellis; Representative Gara

In Memoriam - Jean Schmitt
By Representative Coghill

In Memoriam - Raymond Russell Boyd
By Representative Coghill

In Memoriam - Linda K. Manns
By Representative Coghill

In Memoriam - Janet Ruth Baird
By Representative Coghill

In Memoriam - Richard Lee Waugaman
By Senator Thomas; Representative Guttenberg

In Memoriam - Cindy Lee Rehm
By Senator Wagoner; Representative Olson

In Memoriam - Effie A. Holloway-Lathan
By Senator Davis

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam - Joseph Sonneman
By Representative Kerttula

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 29

HOUSE JOINT RESOLUTION NO. 29 by Representatives Gatto, Dahlstrom, Lynn, Johnson, and Thomas:

Designating 2009 as the Year of the Noncommissioned Officer Corps of the United States Army.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee.

**The presence of Representative Stoltze, who was excused (page 573), was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 36

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 36 by Representatives JOHANSEN, MILLETT, WILSON, and Johnson, entitled:

"An Act relating to ballot initiative proposal applications and to ballot initiatives."

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

HB 205

HOUSE BILL NO. 205 by Representative Crawford, entitled:

"An Act relating to the permanent fund dividend of an otherwise qualified individual who dies during the qualifying year; and providing for an effective date."

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

HB 206

HOUSE BILL NO. 206 by the House Education Committee, entitled:

"An Act establishing a career assessment requirement in public schools; and relating to postsecondary courses for secondary school students."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 10**

The following was read the second time:

HOUSE BILL NO. 10

"An Act authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property; and providing for an effective date."

with the:	Journal Page
CRA RPT CS(CRA) 2DP 4NR	346
FN1: ZERO(CED)	346
FIN RPT CS(FIN) 3DP 3NR 2AM	495
FN1: ZERO(CED)	495

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. 10(FIN)
(same title)

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHB 10(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 10(FIN) was read the third time.

The question being: "Shall CSHB 10(FIN) pass the House?" The roll was taken with the following result:

CSHB 10(FIN)
Third Reading
Final Passage

YEAS: 31 NAYS: 6 EXCUSED: 3 ABSENT: 0

Yeas: Austerman, Buch, Chenault, Cissna, Crawford, Dahlstrom, Edgmon, Fairclough, Foster, Gara, Gardner, Gruenberg, Guttenberg, Harris, Herron, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Ramras, Salmon, Seaton, Stoltze, Thomas, Wilson

Nays: Coghill, Doogan, Hawker, Johansen, Kelly, Tuck

Excused: Gatto, Holmes, Petersen

And so, CSHB 10(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.

Representative Johansen gave notice of reconsideration of the vote on CSHB 10(FIN).

THIRD READING OF HOUSE BILLS

HB 19

The following, which was advanced to third reading from the March 23, 2009, calendar (page 560), was read the third time:

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."

The question being: "Shall CSHB 19(L&C) pass the House?" The roll was taken with the following result:

CSHB 19(L&C)
Third Reading
Final Passage

YEAS: 22 NAYS: 15 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Chenault, Coghill, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gruenberg, Harris, Hawker, Herron, Joule, Keller, Lynn, Millett, Munoz, Neuman, Olson, Salmon, Stoltze, Tuck

Nays: Austerman, Cissna, Crawford, Gara, Gardner, Guttenberg, Johansen, Johnson, Kawasaki, Kelly, Kerttula, Ramras, Seaton, Thomas, Wilson

Excused: Gatto, Holmes, Petersen

And so, CSHB 19(L&C) passed the House.

Representative Johansen moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 19(L&C)

Third Reading

Effective Date

YEAS: 35 NAYS: 2 EXCUSED: 3 ABSENT: 0

Yeas: Austerman, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gruenberg, Guttenberg, Harris, Hawker, Herron, Johansen, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Ramras, Salmon, Seaton, Stoltze, Tuck, Wilson

Nays: Johnson, Thomas

Excused: Gatto, Holmes, Petersen

And so, the effective date clause was adopted.

Representative Crawford gave notice of reconsideration of the vote on CSHB 19(L&C).

SECOND READING OF HOUSE RESOLUTIONS

HJR 10

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 10

Urging the United States Congress to improve health care for veterans.

with the:	Journal Page
MLV RPT CS(MLV) 6DP	319
FN1: ZERO(H.MLV)	319
STA REFERRAL WAIVED	385
HSS RPT CS(HSS) 7DP	426
FN1: ZERO(H.MLV)	426

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

CS FOR HOUSE JOINT RESOLUTION NO. 10(HSS)
(same title)

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHJR 10(HSS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 10(HSS) was read the third time.

The question being: "Shall CSHJR 10(HSS) pass the House?" The roll was taken with the following result:

CSHJR 10(HSS)
Third Reading
Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 3 ABSENT: 1

Yeas: Austerman, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gruenberg, Guttenberg, Harris, Herron, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson

Excused: Gatto, Holmes, Petersen

Absent: Hawker

And so, CSHJR 10(HSS) 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 - Frank Kirk, Red Cross "Real Heroes of Alaska"

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

Honoring - Jeremy Manley, Red Cross "Real Heroes of Alaska"

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

Honoring - Dr. James Scott, DVM

By Senator Bunde, Representatives Chenault, Buch, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, 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 - Andrew "Andy" John Hope III

By Representatives Kerttula, Wilson, Munoz, Chenault, Buch, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker,

Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Lynn, Millett, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck

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 Tuck – from 12:00 p.m., March 26 to evening plane time, March 27

Representative Olson – from morning plane time, March 27 to evening plane time, March 29

Representative Kawasaki – from afternoon plane time, March 27 to morning plane time, March 30

Representative Cissna – from 2:00 p.m., March 27 to 9:00 p.m., April 5

Representative Gara – from 5:00 p.m., March 27 to morning plane time, March 30

Representative Chenault – from 7:45 p.m., March 27 to 9:20 p.m., March 29

Representative Harris – from evening plane time, March 27 to morning plane time, March 30

Representative Ramras – from evening plane time, March 27 to evening plane time, March 29

SPECIAL ORDER OF BUSINESS

Representative Johansen moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - Joseph Sonneman, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam - Joseph Sonneman

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

UNFINISHED BUSINESS

HJR 10

Representatives Tuck, Dahlstrom, Doogan, Herron, Gara, Austerman, and Johnson added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 10(HSS)

Urging the United States Congress to improve health care for veterans.

HJR 26

Representative Kerttula added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 26

Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations.

HJR 28

Representative Millett added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 28

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.

HB 73

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 73

"An Act relating to honorary foreign consul license plates; and providing for an effective date."

HB 131

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 131

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

HB 177

Representative Wilson removed her name as cosponsor to:

HOUSE BILL NO. 177

"An Act relating to marine products and motorized recreational products; and providing for an effective date."

HB 185

Representative Coghill added his 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."

HB 187

Representatives Kerttula and Gara added their names as cosponsors to:

HOUSE BILL NO. 187

"An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a treatment plan for those disorders, and defining the treatment required for those disorders; and providing for an effective date."

HB 202

Representatives Kelly and Dahlstrom added their names as cosponsors to:

HOUSE BILL NO. 202

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

HB 204

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 204

"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."

ENGROSSMENT**HJR 10**

CSHJR 10(HSS) 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 27, 2009. There being no objection, the House adjourned at 12:12 p.m.

Suzi Lowell
Chief Clerk