

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

February 17, 2010

Thirtieth Day

Pursuant to adjournment the House was called to order by Speaker pro tempore Johansen at 10:35 a.m.

Roll call showed 37 members present. Representative Johnson had been excused from a call of the House today. Representative Joule was absent.

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

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

Again I am grateful for the opportunity to pray for you and with the Alaska State House of Representatives. I offer this prayer for your blessing and benefit.

Dear God, my Heavenly Father,

I thank you for the gift of this new day. I also thank you for the gift of living in a land of such stunning beauty – the snowcapped mountains, the forested hills, the sea with all its power and life, and the sweeping tundra call to mind your creative beauty and love.

I pray you would bless each of these legislators. I pray you fill their hearts and spirits with joy; grant to them a deep awareness of the ways you guide their lives. Protect and nurture them and their families. Keep them healthy and give them strength of body and mind to do their work well.

Thank you, O God, that you have called these men and women to serve the people of Alaska. We know the demands of public service are challenging: the hours long, the issues complex, and the demands of their constituents can be difficult. So I pray that you will watch over these women and men this day. Help them to serve with vigor, wisdom, and imagination, and bless them with a caring and respectful spirit – one for another.

I pray in your holy name. Amen.

The Pledge of Allegiance was led by Representative Harris.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 28th and 29th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Kelly introduced Michaella Rice, Guest Page, from Fairbanks.

Representative Olson introduced Cody Warfield, Guest Page, from Soldotna.

Representative T. Wilson introduced Hannah Graff, Guest Page, from North Pole.

Representative Stoltze introduced Mariah McCoy, Guest Page, from Chugiak.

Representative Buch introduced Alexis Mercil, Guest Page, from Anchorage.

COMMUNICATIONS

The following was received:

Dept. of Education & Early Development
Office of the Commissioner
Annual Report
February 8, 2010
(as required by AS 14.03.078)

REPORTS OF STANDING COMMITTEES

The Finance Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Laraine L. Derr
Mary Jane Michael
Carlton R. Smith

as members of the Alaska Mental Health Trust Authority Board of Trustees.

The report was signed by Representatives Stoltze and Hawker, Co-chairs; and Representatives Thomas, Gara, Kelly, Austerman, Salmon, N. Foster, and Fairclough.

HJR 35

The Health & Social Services Committee considered:

HOUSE JOINT RESOLUTION NO. 35

Proposing amendments to the Constitution of the State of Alaska prohibiting passage of laws that interfere with direct payments for health care services and the right to purchase health care insurance from a privately owned company, and that compel a person to participate in a health care system.

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

Do pass (3): T. Wilson, Lynn, Keller

No recommendation (1): Herron

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 35 was referred to the Judiciary Committee.

HB 168

The Health & Social Services Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 168(HSS)

"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 including a portion of the tax levy on alcohol as a source of money that may be appropriated to the trauma care fund; and providing for an effective date."

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

Do pass (5): T. Wilson, Seaton, Lynn, Herron, Keller

The following fiscal note(s) apply to CSHB 168(HSS):

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Revenue

HB 168 was referred to the Finance Committee.

HB 238

The Labor & Commerce Committee considered:

HOUSE BILL NO. 238

"An Act removing the number of persons under 18 years of age in the household as a reasonable ground for a landlord to reject a proposed sublease or assignment."

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

Do pass (6): Buch, Neuman, Chenault, Holmes, T. Wilson, Olson

No recommendation (1): Lynn

The following fiscal note(s) apply:

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

HB 238 was referred to the Judiciary Committee.

HB 280

The Labor & Commerce Committee considered:

HOUSE BILL NO. 280

"An Act relating to natural gas; relating to a gas storage facility; relating to the Regulatory Commission of Alaska; relating to the participation by the attorney general in a matter involving the approval of a rate or a gas supply contract; relating to an income tax credit for a gas storage facility; relating to oil and gas production tax credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to production tax credits for certain losses and expenditures, including exploration expenditures; relating to the powers and duties of the director of the division of lands and to lease fees for

the storage of gas on state land; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 280(L&C)

"An Act relating to a gas storage facility; relating to the Regulatory Commission of Alaska; relating to the participation by the attorney general in a matter involving the approval of a rate or a gas supply contract; relating to an income tax credit for a gas storage facility; relating to oil and gas production tax credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to production tax credits for certain losses and expenditures, including exploration expenditures; relating to the powers and duties of the director of the division of lands and to lease fees for a gas storage facility on state land; and providing for an effective date."

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

Do pass (4): Lynn, Neuman, Chenault, Olson

No recommendation (2): Holmes, T. Wilson

Amend (1): Buch

The following fiscal note(s) apply to CSHB 280(L&C):

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

HB 280 was referred to the Resources Committee.

HB 310

The Education Committee considered:

HOUSE BILL NO. 310

"An Act extending the deadline for authorizing school construction debt reimbursed by the state."

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

Do pass (6): Munoz, P. Wilson, Edgmon, Gardner, Buch, Seaton

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

HB 310 was referred to the Finance Committee.

HB 315

The Labor & Commerce Committee considered:

HOUSE BILL NO. 315

"An Act relating to public accounting; and providing for an effective date."

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

Do pass (2): Lynn, Olson

No recommendation (4): Buch, Holmes, T. Wilson, Chenault

The following fiscal note(s) apply:

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

HB 315 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HJR 43

The House Special Committee on Fisheries considered:

HOUSE JOINT RESOLUTION NO. 43

Urging the federal government to provide funding for domestic seafood marketing and promotional activities.

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

Do pass (3): Millett, Munoz, Edgmon

No recommendation (2): Kawasaki, Keller

The following fiscal note(s) apply:

1. Zero, House Special Committee on Fisheries

HJR 43 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 - Miranda Rizzo
By Representatives Chenault, Olson; Senator Wagoner

Honoring - Vienna Schmitter-Schrier
By Representatives Chenault, Olson

Honoring - Yuut Elitnaurviat, The People's Learning Center
By Representative Herron; Senator Hoffman

Honoring - Bethel Warriors Cross-Country Running, 2009 Region I
Champions
By Representative Herron; Senator Hoffman

In Memoriam - Frank Anthony Roetman
By Representative Harris

In Memoriam - Kenneth M. Johnson
By Senator Bunde

In Memoriam - Marian Leman
By Senators Dyson, Wagoner

In Memoriam - Marie Ann Skonberg
By Senator Stevens; Representative Austerman

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

HR 14

HOUSE RESOLUTION NO. 14 by Representatives Chenault,
P. Wilson, Keller, and Kelly:

Urging the United States Congress to oppose federal health care
reform bills.

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

HCR 20

HOUSE CONCURRENT RESOLUTION NO. 20 by Representatives
Fairclough, P. Wilson, Holmes, and Austerman:

Proclaiming the month of April 2010 to be Sexual Assault
Awareness Month.

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

HJR 44

HOUSE JOINT RESOLUTION NO. 44 by Representative Kawasaki:

Proposing amendments to the Constitution of the State of Alaska
establishing and relating to a unicameral legislature; and providing
for an effective date for the amendments.

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

HJR 45

HOUSE JOINT RESOLUTION NO. 45 by Representatives Stoltze,
Millett, Chenault, Dahlstrom, Gatto, Keller, Olson, P. Wilson,
Hawker, Ramras, Lynn, and Neuman:

Urging the United States Congress not to enact Cap and Trade legislation.

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

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

HB 348

HOUSE BILL NO. 348 by Representative Lynn, entitled:

"An Act relating to the membership of the state personnel board."

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

HB 349

HOUSE BILL NO. 349 by Representatives Fairclough, Gardner, and P. Wilson, entitled:

"An Act relating to the Statewide Suicide Prevention Council."

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

HB 350

HOUSE BILL NO. 350 by the House Education Committee, entitled:

"An Act relating to the local contribution to public school funding; and providing for an effective date."

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

HB 351

HOUSE BILL NO. 351 by Representative Kelly, entitled:

"An Act relating to nontransferable credits that may be applied against a liability for an oil and gas production tax."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE RESOLUTIONS****HJR 16**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 16

Relating to federal procurement preferences for small businesses in the state that are owned and controlled by service-disabled veterans.

with the:	Journal Page
MLV RPT 6DP	320
FN1: ZERO(H.MLV)	320
L&C RPT CS(L&C) 3DP 2NR	742
FN1: ZERO(H.MLV)	743

The Rules Committee submitted the following updated fiscal note:

2. Zero, House Rules Committee

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

CS FOR HOUSE JOINT RESOLUTION NO. 16(L&C)
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHJR 16(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 16(L&C) was read the third time.

The question being: "Shall CSHJR 16(L&C) pass the House?" The roll was taken with the following result:

CSHJR 16(L&C)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Austerman, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N.Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, P.Wilson, T.Wilson

Excused: Chenault, Johnson

Absent: Joule

And so, CSHJR 16(L&C) passed the House and was referred to the Chief Clerk for engrossment.

HJR 24

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 24

Urging the United States Congress and the United States Department of Agriculture to extend the basic housing allowance exclusion to all military families for purposes of the school nutrition program.

with the:

Journal Page

MLV RPT 4DP	661
FN1: ZERO(H.MLV)	661
STA RPT 7DP	767
FN1: ZERO(H.MLV)	767

The Rules Committee submitted the following updated fiscal note:

2. Zero, House Rules Committee

Representative Austerman moved and asked unanimous consent that HJR 24 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 24 was read the third time.

The question being: "Shall HJR 24 pass the House?" The roll was taken with the following result:

HJR 24
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Austerman, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N.Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, P.Wilson, T.Wilson

Excused: Chenault, Johnson

Absent: Joule

And so, HJR 24 passed the House and was referred to the Chief Clerk for engrossment.

HR 13

The following was read the second time:

HOUSE RESOLUTION NO. 13
Encouraging the repeal of the Anchorage Vehicle Inspection and Management Program.

Speaker pro tempore Johansen stated that, without objection, HR 13 would be returned to the Rules Committee.

LEGISLATIVE CITATIONS

Representative Austerman 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 - Steve Borell

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

Honoring - Jan Edwards

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

Honoring - Dr. Robyn Rehmann

By Senator Davis; Representatives Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. 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, P. Wilson, T. Wilson

In Memoriam - Emma Jane Pease Burton

By Senator Davis; Representatives Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. 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, P. Wilson, T. Wilson

In Memoriam - Sandra Ness Nedrow

By Senator Stevens; Representatives Austerman, Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. 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, P. Wilson, T. Wilson

In Memoriam - Linda Joyce Dolph

By Senator Stevens; Representatives Austerman, Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. 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, P. Wilson, T. Wilson

UNFINISHED BUSINESS

Representative Austerman 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 Millett – from 2:00 p.m., today to morning plane time, February 19

Representative Holmes – from morning plane time, February 18 to evening plane time, February 21

Representative Dahlstrom – from noon, February 18 to evening plane time, February 21

Representative Neuman – from evening plane time, February 18 to morning plane time, February 22

Representative Gatto – from evening plane time, February 18 to evening plane time, February 21

Representative Ramras – from morning plane time, February 18 to morning plane time, February 22

HR 13

Representative Hawker added his name as cosponsor to:

HOUSE RESOLUTION NO. 13

Encouraging the repeal of the Anchorage Vehicle Inspection and Management Program.

HJR 16

Representatives Ramras, Kerttula, Olson, Petersen, and Gara added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 16(L&C)

Relating to federal procurement preferences for small businesses in the state that are owned and controlled by service-disabled veterans.

HJR 24

Representatives Dahlstrom, Kerttula, Crawford, Petersen, and Gara added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 24

Urging the United States Congress and the United States Department of Agriculture to extend the basic housing allowance exclusion to all military families for purposes of the school nutrition program.

HJR 35

Representatives Stoltze and Lynn added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 35

Proposing amendments to the Constitution of the State of Alaska prohibiting passage of laws that interfere with direct payments for health care services and the right to purchase health care insurance from a privately owned company, and that compel a person to participate in a health care system.

HJR 38

Representatives Herron and Thomas added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 38

Proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members of the house of representatives to forty-eight and the number of members of the senate to twenty-four.

HJR 41

Representative Stoltze added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 41

Proposing amendments to the Constitution of the State of Alaska relating to annexations of areas to and detachments of areas from cities and organized boroughs.

HJR 43

Representative Millett added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 43

Urging the federal government to provide funding for domestic seafood marketing and promotional activities.

HB 50

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 50

"An Act relating to limitations on mandatory overtime for registered nurses and licensed practical nurses in health care facilities; and providing for an effective date."

HB 70

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 70

"An Act establishing the farm-to-school program in the Department of Natural Resources, the Alaska grown fresh fruit and vegetable grant program in the Department of Education and Early Development, the farmers' market technology improvement pilot program in the Department of Environmental Conservation, and the farmers to food banks pilot program in the Department of Commerce, Community, and Economic Development."

HB 73

Representative N. Foster added his name as cosponsor to:

HOUSE BILL NO. 73

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

HB 168

Representatives Lynn, Cissna, Keller, and Herron added their names as cosponsors 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 187

Representatives Crawford, Holmes, N. Foster, and Salmon 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 282

Representative Austerman added his name as cosponsor to:

HOUSE BILL NO. 282

"An Act relating to naturopaths and to the practice of naturopathy; establishing an Alaska Naturopathic Medical Board; authorizing medical assistance program coverage of naturopathic services; amending the definition of 'practice of medicine'; and providing for an effective date."

HB 311

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 311

"An Act providing the Alaska State Council on the Arts the authority to adopt regulations relating to its statutory powers and duties; and providing for an effective date."

HB 318

Representative Seaton added his name as cosponsor to:

HOUSE BILL NO. 318

"An Act relating to public use of unregulated water systems."

HB 319

Representatives N. Foster, Thomas, and Stoltze added their names as cosponsors to:

HOUSE BILL NO. 319

"An Act relating to firearms."

HB 331

Representatives P. Wilson, Gatto, Seaton, and N. Foster added their names as cosponsors to:

HOUSE BILL NO. 331

"An Act relating to funding for youth courts; and relating to accounting for criminal fines."

HB 334

Representative Gatto added his name as cosponsor to:

HOUSE BILL NO. 334

"An Act establishing child custody, modification, and visitation standards for a military parent who is deployed; and amending Rule 99, Alaska Rules of Civil Procedure."

HB 344

Representative Austerman added his name as cosponsor to:

HOUSE BILL NO. 344

"An Act relating to the salmon product development tax credit; and providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003, as amended by sec. 4, ch. 3, SLA 2006, and by sec. 4, ch. 8, SLA 2008."

SB 171

Representative Crawford added his name as cross sponsor to:

CS FOR SENATE BILL NO. 171(FIN)

"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."

ENGROSSMENT**HJR 16**

CSHJR 16(L&C) was engrossed, signed by the Speaker pro tempore and Chief Clerk, and transmitted to the Senate for consideration.

HJR 24

HJR 24 was engrossed, signed by the Speaker pro tempore and Chief Clerk, and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

The following meeting today was changed:

Finance Committee

CANCELED

ADJOURNMENT

Representative Austerman moved and asked unanimous consent that the House adjourn until 10:45 a.m., February 18, 2010, for a joint session. There being no objection, the House adjourned at 11:25 a.m.

Suzi Lowell
Chief Clerk