

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

March 11, 2010

Fifty-second Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:43 a.m.

Roll call showed 40 members present.

The invocation was offered by the Chaplain, Pastor Steve Evenson of Seventh-day Adventist 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.

In deepest respect for the religious beliefs of each person here, I invite you into a time of prayer. Let us pray.

O God of the universe, whose power is great, who is ever ready to hear from his children, who loves us, we come before you this day recognizing our need of you for guidance in the matters of state.

This day is a new day and the matters that are before us require us to be of sound mind and judgment. We ask today for wisdom, understanding, patience, so it is our desire this day for your presence in this session today.

Many have gone before us that have paved the way for where we are today. May we be faithful to all who have gone before us as we lead this great state.

The want of the world is for men and women to stand for the right and call wrong, wrong. May each one here today be of sober thought and actions.

In the name of our Lord Jesus. 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 51st legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Holmes introduced Mark Hansen, Guest Page, from Anchorage.

Representative Lynn introduced Griffin Logan, Guest Page, from Anchorage.

Representative Munoz introduced Katherine Kane and Gabrielle Duvernay, Guest Pages, from Juneau.

Representative Johnson introduced Ahmad Nasir, Guest Page, from Anchorage.

MESSAGES FROM THE SENATE

HB 276

A message dated March 10, 2010, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 276(CRA)

"An Act amending the description of parcels within the Fort Rousseau Causeway State Historical Park; and providing for an effective date."

CASHB 276(CRA) was referred to the Chief Clerk for enrollment.

#

A message dated March 10, 2010, was read stating the Senate passed the following, and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 43

SENATE BILL NO. 43 by Senators Menard, Egan, Hoffman, Paskvan, McGuire, Meyer, Stedman, Olson, Davis, Dyson, Coghill, Wagoner, Kookesh, and Stevens, entitled:

"An Act adding a second verse to the official Alaska state song."

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

SB 265

CS FOR SENATE BILL NO. 265(JUD) by the Senate Judiciary Committee, entitled:

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

HB 251

The State Affairs Committee considered:

HOUSE BILL NO. 251

"An Act relating to liens on vehicles; and providing for an effective date."

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

Do pass (1): Lynn

No recommendation (4): Johnson, Gatto, Gruenberg, Petersen

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Transportation & Public Facilities

HB 251 was referred to the Judiciary Committee.

HB 334

The Judiciary Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 334(JUD)

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

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

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

Amend (2): Gruenberg, Holmes

The following fiscal note(s) apply to CSHB 334(JUD):

1. Zero, Alaska Court System

HB 334 was referred to the Rules Committee for placement on the calendar.

HB 336

The State Affairs Committee considered:

HOUSE BILL NO. 336

"An Act relating to electronic voting procedures for electric and telephone cooperatives; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 336(STA)

(same title)

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

Do pass (5): Seaton, Petersen, P. Wilson, Gruenberg, Lynn

No recommendation (2): Johnson, Gatto

The following fiscal note(s) apply to CSHB 336(STA):

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

HB 336 was referred to the Rules Committee for placement on the calendar.

HB 342

The Finance Committee considered:

HOUSE BILL NO. 342

"An Act extending the termination date of the Board of Certified Real Estate Appraisers; and providing for an effective date."

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

Do pass (6): Thomas, Gara, Joule, Kelly, Austerman, N. Foster

No recommendation (5): Doogan, Salmon, Fairclough, Hawker, Stoltze

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation

HB 342 was referred to the Rules Committee for placement on the calendar.

HB 349

The State Affairs Committee considered:

HOUSE BILL NO. 349

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

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

Do pass (5): Johnson, Gatto, Gruenberg, Petersen, Lynn

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services

HB 349 was referred to the Rules Committee for placement on the calendar.

HB 369

The Resources Committee considered:

HOUSE BILL NO. 369

"An Act relating to an in-state natural gas pipeline, the office of in-state gasline project manager, the Joint In-State Gasline Development Team, and the In-State Gasline Steering Committee; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 369(RES)

"An Act relating to an in-state natural gas pipeline, the office of in-state gasline project manager, and the Joint In-State Gasline Development Team; and providing for an effective date."

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

Do pass (4): Olson, P. Wilson, Johnson, Neuman

No recommendation (1): Seaton

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHB 369(RES):

1. Indeterminate, Office of the Governor
2. Fiscal, Dept. of Transportation & Public Facilities

HB 369 was referred to the Finance Committee.

HB 400

The State Affairs Committee considered:

HOUSE BILL NO. 400

"An Act relating to emergency compensation from the Violent Crimes Compensation Board."

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

Do pass (7): Johnson, Gatto, Seaton, Gruenberg, P. Wilson, Petersen, Lynn

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 400 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Palmer High School Boys Cross-Country Ski Team, 2010 Region III Champions
By Representatives Gatto, Stoltze

Honoring - The League of Women Voters, 90th Anniversary
By Representatives Kerttula, Munoz; Senator Egan

In Memoriam - Lewis Patrick Brooks
By Representatives Kerttula, Munoz; Senator Egan

In Memoriam - Donald "Donnie" Joseph Hill Jr.
By Representative Gatto

In Memoriam - Paul Douglas 'Doug' Erhart
By Senator Kookesh; Representative Salmon

In Memoriam - Arthur 'Art' W. Schaeffer
By Senator Stevens; Representative Austerman

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 300**

The following was read the second time:

HOUSE BILL NO. 300

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

March 11, 2010

1699

with the:

Journal Page

FIN RPT CS(FIN) NT 10DP

1673

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. 300(FIN)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Guttenberg, Gardner, Kawasaki, Gara, Cissna, and Petersen:

Page 43, line 16:

Delete "**846,968,700**"

Insert "**856,865,100**"

Delete "**639,717,200**"

Insert "**646,798,900**"

Delete "**207,251,500**"

Insert "**210,066,200**"

Page 43, line 22:

Delete "17,489,600"

Insert "25,766,600"

Page 43, following line 23:

Insert new material to read:

"It is the intent of the legislature that the appropriation to University of Alaska, budget reductions/additions - systemwide allocation, provide funding for the University of Alaska's priority programs. The University of Alaska's goal is to graduate an additional 640 students in high demand jobs by the fiscal year ending June 30, 2015, and increase student support services to retain an additional 50 students annually."

Page 43, line 29:

Delete "244,916,800"

Insert "246,256,800"

Page 44, line 6:

Delete "236,220,200"

Insert "236,499,600"

Adjust fund sources and totals accordingly.

Representative Guttenberg moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Hawker objected.

Representative Crawford declared a conflict of interest.

Representatives Kerttula and Fairclough moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

Representative Kerttula placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

#AKH00399 03-11-2010 11:55:41

CSHB 300(FIN)

Second Reading

Amendment No. 1

YEAS: 14 NAYS: 26 EXCUSED: 0 ABSENT: 0

Yeas: Buch, Cissna, Crawford, N.Foster, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Petersen, Salmon, Tuck

Nays: Austerman, Chenault, Dahlstrom, Doogan, Edgmon, Fairclough, Gatto, Harris, Hawker, Herron, Johansen, Johnson, Joule,

Keller, Kelly, Lynn, Millett, Munoz, Neuman, Olson, Ramras, Seaton, Stoltze, Thomas, P.Wilson, T.Wilson
#AKH00399 END
And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representatives Crawford, Guttenberg, Gara, Tuck, Kawasaki, Gruenberg, Gardner, Buch, Kerttula, Holmes, Petersen, and N. Foster:

Page 67, line 20:
Delete "\$750,000"
Insert "\$2,500,000"

Page 67, line 22:
Delete "1,265,250"
Insert "4,217,500"

Page 67, line 25:
Delete "465,000"
Insert "1,550,000"

Page 67, line 28, through page 68, line 13:
Delete all material and insert:
"(b) It is the intent of the legislature
(1) to enhance the state's ability to move a gas pipeline forward while also maintaining fiscal discipline; and
(2) that the Department of Natural Resources, the Department of Law, and the Department of Revenue shall provide detailed monthly reports to the legislature of the expenditures made under this section to the extent the information is not confidential under Alaska law and if reporting to the legislature does not harm the state's position in moving a natural gas pipeline project forward."

Page 84, lines 6 - 7:
Delete all material.

Renumber the following bill sections accordingly.

Page 84, line 9:

Delete "sec. 40"

Insert "sec. 39"

Representative Crawford moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Hawker objected.

Representative Kerttula placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

#AKH00400 03-11-2010 12:21:11

CSHB 300(FIN)

Second Reading

Amendment No. 2

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Buch, Cissna, Crawford, N.Foster, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Petersen, Tuck

Nays: Austerman, Chenault, Dahlstrom, Doogan, Edgmon, Fairclough, Gatto, Harris, Hawker, Herron, Johansen, Johnson, Joule, Keller, Kelly, Lynn, Millett, Munoz, Neuman, Olson, Ramras, Salmon, Seaton, Stoltze, Thomas, P.Wilson, T.Wilson

#AKH00400 END

And so, Amendment No. 2 was not adopted.

Representative Johansen moved and asked unanimous consent that CSHB 300(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 300(FIN) was read the third time.

Representative Thomas moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest.

Objection was heard, and Representative Thomas was required to vote.

The question being: "Shall CSHB 300(FIN) pass the House?" The roll was taken with the following result:

#AKH00401 03-11-2010 12:47:40

CSHB 300(FIN)

Third Reading

Final Passage

YEAS: 34 NAYS: 6 EXCUSED: 0 ABSENT: 0

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

Nays: Buch, Crawford, Guttenberg, Kawasaki, Petersen, Tuck

#AKH00401 END

And so, CSHB 300(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 300(FIN) was referred to the Chief Clerk for engrossment.

HB 302

The following was read the second time:

HOUSE BILL NO. 302

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) 10DP

1673

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. 302(FIN)
(same title)

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHB 302(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 302(FIN) was read the third time.

The question being: "Shall CSHB 302(FIN) pass the House?" The roll was taken with the following result:

#AKH00402 03-11-2010 12:50:51

CSHB 302(FIN)

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Buch, Chenault, 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

#AKH00402 END

And so, CSHB 302(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 302(FIN) 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 - Brigadier General (Ret.) George J. Cannelos, AICP

By Representatives Petersen, 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, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, P. Wilson, T. Wilson; Senator Wielechowski

Honoring - Judge Sigurd Murphy and Judge Jack Smith, Alaska Veterans Court

By Representatives Thomas, 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, Tuck, P. Wilson, T. Wilson; Senator Huggins

Honoring - Alaska Committee for Employer Support of the Guard and Reserve

By Representatives Thomas, 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, Tuck, P. Wilson, T. Wilson; Senator Huggins

Honoring - Service High School Girls Swim Team, 2009 Region IV State Champions

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, Thomas, Tuck, P. Wilson, T. Wilson; Senator Meyer

Honoring - Esther Smith

By Senator Dyson; Representatives Fairclough, Stoltze, Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, 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, Thomas, Tuck, P. Wilson, T. Wilson

Honoring - Valley Veterans Coalition

By Senator Huggins; Representatives Stoltze, 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, Thomas, Tuck, P. Wilson, T. Wilson

In Memoriam - Alan L. Gage

By Representatives Lynn, 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, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, P. Wilson, T. Wilson

In Memoriam - James L. Bowles

By Senator Bunde; 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 - John 'Johnny' C. Gonzales

By Senators Thomas, Coghil; Representatives Guttenberg, Chenault, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. Foster, Gara, Gardner, Gatto, Gruenberg, 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 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 Johansen – from afternoon plane time, March 12 to evening plane time, March 14

Representative Petersen – from afternoon plane time, March 12 to evening plane time, March 14

Representative Harris – from noon plane time, March 12 to morning plane time, March 15

Representative Gruenberg – from 9:00 a.m., March 12 to evening plane time, March 14 (amended from page 1684)

HJR 45

Representative Johnson added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 45

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

HJR 49

Representative Olson added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 49

Urging the United States Congress to enact S.J. Res. 26, a resolution disapproving the Environmental Protection Agency's imposition of climate regulations that would harm Alaska's economy and the livelihoods of the state's citizens.

HB 73

Representative Neuman 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 115

Representative Holmes added her name as cosponsor to:

HOUSE BILL NO. 115

"An Act establishing a permanent absentee voting option for qualified voters; and providing for an effective date."

HB 187

Representative Olson added his name as cosponsor 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 334

Representative Herron 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."

SB 13

Representative Kawasaki added his name as cross sponsor to:

SENATE BILL NO. 13

"An Act relating to eligibility requirements for medical assistance for certain children and pregnant women; and providing for an effective date."

SB 43

Representative Kerttula added her name as cross sponsor to:

SENATE BILL NO. 43

"An Act adding a second verse to the official Alaska state song."

ENGROSSMENT**HB 300**

CASHB 300(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 302

CSHB 302(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.

The following meetings today were changed:

Judiciary Committee

CHANGED TO:

1:30 p.m.

Transportation Committee

CHANGED TO:

15 minutes upon adjournment

ADJOURNMENT

Representative Johansen moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 12, 2010. There being no objection, the House adjourned at 1:06 p.m.

Suzi Lowell
Chief Clerk