

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

Juneau, Alaska

Friday

March 12, 2010

Fifty-third Day

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

Roll call showed 37 members present. Representatives Cissna and Gruenberg had been excused from a call of the House today.

Representative Johansen moved and asked unanimous consent that Representative Harris be excused from a call of the House today. There being no objection, it was so ordered.

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.

Our God, who is ruler of all the universe, we come to you this day once again to seek your wisdom. It is you who loves us, who calls us your children. We desire your presence in this session today.

We ask for your wisdom as we seek solutions to life's challenges. We also ask for clarity of mind so that sound understanding and judgment in these matters before us may be clear and the decisions that are made will be just.

May we work together to benefit the lives of others, and as we work together may we be a blessing to those we serve.

In the name of our Lord Jesus. Amen.

The Pledge of Allegiance was led by Representative Johnson.

CERTIFICATION OF THE JOURNAL

Representative Johansen moved and asked unanimous consent that the journal for the 52nd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Kerttula introduced Nikki Box and Jake Marnon, Guest Pages, from Juneau.

Representative Munoz introduced Sarah Johnson, Guest Page, from Juneau.

Representative Joule introduced Mikey Scanlan, Guest Page, from Anchorage.

COMMUNICATIONS

The following were received:

Dept. of Natural Resources
Division of Geological & Geophysical Surveys
Alaska Seismic Hazards Safety Commission
Report to the Governor and State Legislature
February 2010
(as required by AS 44.37.067)

Dept. of Administration
Alaska Public Offices Commission
2008-2009 Biennial Report
March 2, 2010
(as required by AS 15.13.030)

REPORTS OF STANDING COMMITTEES

HJR 35

The Judiciary 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 Representative Ramras, Chair, with the following individual recommendations:

Do pass (3): Lynn, Gatto, Ramras

Do not pass (2): Gruenberg, Holmes

No recommendation (2): Herron, Dahlstrom

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 35 was referred to the Finance Committee.

HB 327

The Judiciary Committee considered:

HOUSE BILL NO. 327

"An Act relating to the scheduling and rescheduling of certain substances as controlled substances and to the sale of products containing dextromethorphan."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 327(JUD)
(same title)

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

Do pass (5): Lynn, Gruenberg, Herron, Gatto, Ramras

No recommendation (2): Dahlstrom, Holmes

The following fiscal note(s) apply to CSHB 327(JUD):

1. Zero, Dept. of Public Safety
2. Indeterminate, Dept. of Law

HB 327 was referred to the Rules Committee for placement on the calendar.

HB 354

The Transportation Committee considered:

HOUSE BILL NO. 354

"An Act relating to eligibility for loans from the Alaska capstone avionics revolving loan fund."

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

Do pass (7): Johansen, Munoz, Johnson, T. Wilson, Gruenberg, Petersen, P. Wilson

The following fiscal note(s) apply:

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

HB 354 was referred to the Rules Committee for placement on the calendar.

HB 366

The Transportation Committee considered:

HOUSE BILL NO. 366

"An Act relating to indemnification agreements that relate to motor carrier transportation contracts."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 366(TRA)
(same title)

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

Do pass (5): Johnson, T. Wilson, Gruenberg, Petersen, P. Wilson

No recommendation (1): Johansen

The following fiscal note(s) apply to CSHB 366(TRA):

1. Zero, Dept. of Transportation & Public Facilities

HB 366 was referred to the Judiciary Committee.

HB 409

The State Affairs Committee considered:

HOUSE BILL NO. 409

"An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the reporting and disclosure of expenditures and independent expenditures, the filing of reports, and the identification of certain communications in state election campaigns; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 409(STA)

"An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the making, reporting, and disclosure of contributions, expenditures, and independent expenditures, the prohibition of all anonymous expenditures, the filing of reports, and the identification of certain communications in state election campaigns; and providing for an effective date."

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

Do pass (4): Seaton, Gruenberg, Petersen, Lynn

Amend (3): Johnson, Gatto, P. Wilson

The following fiscal note(s) apply to CSHB 409(STA):

1. Fiscal, Dept. of Administration

HB 409 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Helmi Blank

By Representatives Neuman, Stoltze, Gatto, Keller; Senators Huggins, Menard

Honoring - Gail T. Voigtlander

By Representatives Kerttula, Munoz; Senator Egan

In Memoriam - Frank Dieckgraeff

By Senator Stevens; Representative Seaton

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 342

The following was read the second time:

HOUSE BILL NO. 342

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

with the:

Journal Page

L&C RPT 6DP 1NR

1597

FN1: (CED)

1598

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FIN RPT 6DP 5NR	1695
FN1: (CED)	1696

Representative Johansen moved and asked unanimous consent that HB 342 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 342 was read the third time.

The question being: "Shall HB 342 pass the House?" The roll was taken with the following result:

HB 342
Third Reading
Final Passage

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

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

Excused: Cissna, Gruenberg, Harris

Absent: Salmon

And so, HB 342 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.

HB 342 was referred to the Chief Clerk for engrossment.

HB 349

The following was read the second time:

HOUSE BILL NO. 349
"An Act relating to the Statewide Suicide Prevention Council."

with the: Journal Page

STA RPT 5DP	1696
FN1: ZERO(DHS)	1696

Representative Johansen moved and asked unanimous consent that HB 349 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 349 was read the third time.

The question being: "Shall HB 349 pass the House?" The roll was taken with the following result:

HB 349
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

Yea: Austerman, Buch, Chenault, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N.Foster, Gara, Gardner, Gatto, Guttenberg, 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

Excused: Cissna, Gruenberg, Harris

And so, HB 349 passed the House and was referred to the Chief Clerk for engrossment.

HB 360

The following was read the second time:

HOUSE BILL NO. 360
"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

with the: Journal Page

EDC RPT CS(EDC) 4DP 2NR	1677
FN1: ZERO(EED)	1677

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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. 360(EDC)
(same title)

There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that CSHB 360(EDC) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 360(EDC) was read the third time.

The question being: "Shall CSHB 360(EDC) pass the House?" The roll was taken with the following result:

CSHB 360(EDC)
Third Reading
Final Passage

YEAS: 34 NAYS: 3 EXCUSED: 3 ABSENT: 0

Yea: Austerman, Buch, Chenault, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N.Foster, Gara, Gardner, Gatto, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Lynn, Millett, Munoz, Olson, Petersen, Ramras, Salmon, Seaton, Thomas, Tuck, P.Wilson, T.Wilson

Nay: Keller, Neuman, Stoltze

Excused: Cissna, Gruenberg, Harris

And so, CSHB 360(EDC) 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:

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Honoring - Palmer High School Boys Cross-Country Ski Team, 2010 Region III Champions

By Representatives Gatto, Stoltze, Chenault, Austerman, Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, N. Foster, Gara, Gardner, 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 - The League of Women Voters, 90th Anniversary

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

In Memoriam - Lewis Patrick Brooks

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

In Memoriam - Donald "Donnie" Joseph Hill Jr.

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

In Memoriam - Paul Douglas 'Doug' Erhart

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

In Memoriam - Arthur 'Art' W. Schaeffer

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, 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 Ramras – from evening plane time, March 12 to morning plane time, March 15

Representative Millett – from evening plane time, March 12 to evening plane time, March 14

Representative Neuman – from evening plane time, March 12 to morning plane time, March 15

Representative Dahlstrom – from evening plane time, March 12 to evening plane time, March 14

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

Representative P. Wilson – from 10:00 a.m., March 13 to evening plane time, March 14

HB 327

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 327

"An Act relating to the scheduling and rescheduling of certain substances as controlled substances and to the sale of products containing dextromethorphan."

HB 327 was removed from the Rules Committee and referred to the Finance Committee.

HB 409

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 409

"An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the reporting and disclosure of expenditures and independent expenditures, the filing of reports, and the identification of certain communications in state election campaigns; and providing for an effective date."

HB 409 is in the Judiciary Committee.

HR 14

Representative T. Wilson added her name as cosponsor to:

HOUSE RESOLUTION NO. 14

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

HJR 45

Representatives Fairclough, Austerman, and Thomas added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 45

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

HB 50

Representative T. Wilson added her 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 73

Representatives Stoltze, Fairclough, Gara, Doogan, Joule, Hawker, Thomas, and Austerman added their names as cosponsors to:

HOUSE BILL NO. 73

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

HB 342

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 342

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

HB 349

Representatives Cissna, Dahlstrom, Tuck, Kerttula, Johnson, and Chenault added their names as cosponsors to:

HOUSE BILL NO. 349

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

HB 357

Representative T. Wilson added her name as cosponsor to:

HOUSE BILL NO. 357

"An Act relating to the sale of land owned by the Alaska Railroad that is not needed for railroad purposes."

HB 360

Representatives Lynn and Chenault added their names as cosponsors to:

CS FOR HOUSE BILL NO. 360(EDC)

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

HB 381

Representatives T. Wilson and Olson added their names as cosponsors to:

HOUSE BILL NO. 381

"An Act relating to self defense."

SCR 12

Representative Lynn added his name as cross sponsor to:

SENATE CONCURRENT RESOLUTION NO. 12
Proclaiming September 9, 2010, as Fetal Alcohol Spectrum
Disorders Awareness Day.

SB 13

Representative Crawford 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."

ENGROSSMENT**HB 342**

HB 342 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 349

HB 349 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 360

CSHB 360(EDC) 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 11:00 a.m., March 15, 2010. There being no objection, the House adjourned at 11:11 a.m.

Suzi Lowell
Chief Clerk