

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

January 26, 2011

#### Ninth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:33 a.m.

Roll call showed 35 members present. Representatives Gatto and Hawker had been excused from a call of the House today. Representative Joule was absent and his presence was noted later.

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 Gara – from today to 10:30 a.m., January 31

Representative Gruenberg – from today to 8:00 a.m., January 27

The invocation was offered by the Chaplain, the Reverend Bob Stevens of St. Brendan's Episcopal 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.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer:

Lord God, Creator God:

Make us mindful today of who we are and how we fit into your universe. This day is a gift given only once; may we be mindful of how we use it because we don't know what

tomorrow might bring. We thank you for our family, friends, and all the good things you have given us. I pray that the work done here today is our very best and that we honor the people we represent. And tonight when our work is over may we look back and know that we did the very best we could.

All these things I ask in your name. Amen.

The Pledge of Allegiance was led by Representative Doogan.

### **CERTIFICATION OF THE JOURNAL**

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

### **COMMUNICATIONS**

The following was received:

Dept. of Transportation & Public Facilities  
Alaska Marine Highway System Fund  
Annual Financial Report  
Fiscal Year 2010  
(as required by AS 19.65.070)

### **REPORTS OF STANDING COMMITTEES**

#### **HB 16**

The Health & Social Services Committee considered:

HOUSE BILL NO. 16  
"An Act extending senior benefits."

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

Do pass (6): Millett, Dick, Seaton, Miller, Herron, Keller

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

HB 16 was referred to the Finance Committee.

**HB 21**

The State Affairs Committee considered:

HOUSE BILL NO. 21

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 21(STA)  
(same title)

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

Do pass (6): Johansen, P. Wilson, Keller, Seaton, Petersen, Lynn

The following fiscal note(s) apply to CSHB 21(STA):

1. Fiscal, Dept. of Health & Social Services

HB 21 was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Bill Legere

By Senator Egan; Representatives Kerttula, Munoz

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - 2011 Inductees, Alaska Sports Hall of Fame  
By Representative Joule

In Memoriam - Specialist Amy Renee Sinkler  
By Senator Davis

In Memoriam - Marlene Andrea Benavides Fleming  
By Senator Davis

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

**HB 71**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 71 by  
Representatives SEATON, GRUENBERG, EDGMON, and Cissna,  
entitled:

"An Act relating to the duration of a regular session of the  
legislature."

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

**HB 122**

HOUSE BILL NO. 122 by Representative Munoz, entitled:

"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."

was read the first time and referred to the Labor & Commerce, Health  
& Social Services, and Finance Committees.

**HB 123**

HOUSE BILL NO. 123 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 124**

HOUSE BILL NO. 124 by Representatives Millett and Chenault, entitled:

"An Act requiring a person who commences a cause of action seeking to delay a project on state or private land to provide security equal to 10 percent of the value of the project to protect a person who is wrongfully delayed."

was read the first time and referred to the Labor & Commerce and Judiciary Committees.

**HB 125**

HOUSE BILL NO. 125 by the House Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act moving the Alcoholic Beverage Control Board to the Department of Commerce, Community, and Economic Development and relating to duties of that department; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

**HB 126**

HOUSE BILL NO. 126 by the House Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

"An Act extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, the Regulatory Commission of Alaska, and the Alcoholic Beverage Control Board; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

**HB 127**

HOUSE BILL NO. 127 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, distribution of indecent material to minors, and misconduct involving confidential information; relating to probation; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Public Safety
2. Zero, Dept. of Law
3. Indeterminate, Dept. of Administration
4. Indeterminate, Dept. of Corrections

The Governor's transmittal letter dated January 24, 2011, follows:

"Dear Speaker Chenault:

Together, we can better protect Alaska's children against abuse, exploitation, harm, and fear. To that end, and under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, distribution of indecent material to minors, and misconduct involving confidential information and probation.

The bill would strengthen Alaska laws related to sexual exploitation of children and domestic violence. The bill prohibits the creation of indecent images of children, online enticement of a child, and using a computer to solicit or entice a minor to engage in sexual behavior.

The bill would expand the crime of stalking to include those acts of following or monitoring the victim with a global positioning device, and using or installing a device to record or photograph events in the victim's home, workplace, vehicle, or on the victim's telephone or computer. These changes are in response to technologies that stalkers have available to terrorize victims.

Also, the bill would prohibit graphic texting, commonly known as "sexting." Perpetrators would be punished for distributing a sexually explicit image of a child under 16 years old.

The bill clarifies that conduct by predators outside the state that harm victims in Alaska may be prosecuted in this state. The bill also clarifies that a child under 16 years old may not be left with an individual who must register as a child kidnapper.

Finally, the bill would clarify that a court may order active supervision for probationers who are on felony probation. Active supervision in particular cases enhances public safety by requiring close supervision of certain offenders. Active supervision could also be provided to certain misdemeanants in the discretion of the commissioner of corrections.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Sean Parnell  
Governor"

**HB 67**

The Speaker added a House Special Committee on Economic Development, Trade, & Tourism referral to precede the Labor & Commerce Committee referral for the following:

**HOUSE BILL NO. 67**

"An Act relating to transferable film production tax credits; and providing for an effective date by amending the effective dates of secs. 3 and 4, ch. 63, SLA 2008."

HB 67 was removed from the Labor & Commerce Committee and referred to the House Special Committee on Economic Development, Trade, & Tourism.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **LEGISLATIVE CITATIONS**

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

Honoring - 2010 Eagle Scouts

By Representatives Pruitt, Chenault, Austerman, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

\*\*The presence of Representative Joule was noted.

#### **SPECIAL ORDER OF BUSINESS**

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - 2011 Inductees, Alaska Sports Hall of Fame, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

Honoring - 2011 Inductees, Alaska Sports Hall of Fame

By Representatives Joule, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

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

Representative Austerman 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 - Specialist Amy Renee Sinkler

By Senator Davis; Representatives Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

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

Representative Austerman 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 - Marlene Andrea Benavides Fleming

By Senator Davis; Representatives Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

**UNFINISHED BUSINESS****HB 16**

Representatives Herron, Kawasaki, and Johnson added their names as cosponsors to:

HOUSE BILL NO. 16

"An Act extending senior benefits."

**HB 63**

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 63

"An Act relating to flame retardants and to the manufacture, sale, and distribution of products containing flame retardants; relating to bioaccumulative toxic chemicals; and providing for an effective date."

**HB 79**

Representative Holmes added her name as cosponsor to:

HOUSE BILL NO. 79

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

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Austerman moved and asked unanimous consent that the House adjourn until 10:30 a.m., January 28, 2011. There being no objection, the House adjourned at 10:50 a.m.

Suzi Lowell  
Chief Clerk