

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

Juneau, Alaska

Wednesday

February 2, 2011

Sixteenth Day

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

Roll call showed 38 members present. Representatives Gatto and Hawker had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend Sue Bahleda of Resurrection Lutheran 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 respect to the diversity of voices, beliefs, and practices that call out to a power beyond our individual selves, I offer the following prayer:

Guiding One:

It is difficult and mighty work that these men and women gather to do this day. It is work that matters. And so, we thank you for their strength and commitment to serve all the people of this great land. We ask you to prepare their hearts and minds as they act on all that lies before them. Give them your wisdom that they may faithfully speak. Give them your courage that they may faithfully stand firm. Give them your creativity that they may faithfully seek alternatives. Give them your energy that they may faithfully persevere. Give them your justice that they may faithfully provide for those in need. Give them your vision that they may faithfully see

possibilities. Give them your truth that they may faithfully strive for what is right and good. Give them, we pray, all that they need that they may faithfully serve. Bless them with your hope and fill them with your love, this day and always. Amen.

The Pledge of Allegiance was led by Representative Feige.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 14th and 15th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated January 31, 2011, was read stating that, in accordance with Chapter No. 83, SLA 10, sec. 40, the Governor submits the *Energy Report to the Legislature*.

The Speaker referred the report to the House Special Committee on Energy.

A copy of the report is on file in the Chief Clerk's office.

A letter dated February 1, 2011, was read stating that, in accordance with art. III, sec. 25, Constitution of the State of Alaska and AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Judiciary Committee:

Attorney General

John Burns
Appointed: 11/30/2010

The Speaker referred the following to the State Affairs Committee:

Commissioner – Department of Administration

Becky Hultberg
Appointed: 11/18/2010

The Speaker referred the following to the House Special Committee on Economic Development, Trade, & Tourism and the Community & Regional Affairs Committee:

Commissioner – Department of Commerce, Community, and Economic Development

Susan Bell
Appointed: 7/8/2010

The Speaker referred the following to the House Special Committee on Fisheries and the Resources Committee:

Commissioner – Department of Fish and Game

Cora Campbell
Appointed: 12/22/2010

The Speaker referred the following to the Health & Social Services Committee:

Commissioner – Department of Health and Social Services

William Streur
Appointed: 2/1/2011

The Speaker referred the following to the Resources Committee:

Commissioner – Department of Natural Resources

Dan Sullivan
Appointed: 11/18/2010

The Speaker referred the following to the Finance Committee:

Commissioner – Department of Revenue

Bryan Butcher
Appointed: 11/24/2010

The Speaker referred the following to the Transportation Committee:

Commissioner – Department of Transportation and Public Facilities

Marc Luiken
Appointed: 11/18/2010

The letter further stated that in accordance with art. III, sec. 26, Constitution of the State of Alaska and AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Education Committee:

Board of Education and Early Development

Patrick Shier – Juneau
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2016

Professional Teaching Practices Commission

Stephen Atwater – Soldotna
Appointed: 3/1/2011 Term Expires: 3/1/2014

Richard Lum – Eagle River
Appointed: 1/29/2008
Reappointed: 3/1/2011 Term Expires: 3/1/2014

The Speaker referred the following to the Finance Committee:

Alaska Mental Health Trust Authority Board of Trustees

Mike Barton – Douglas
Appointed: 12/9/2010 Term Expires: 3/1/2014

Russell Webb – Anchorage
Appointed: 12/9/2010 Term Expires: 3/1/2013

The Speaker referred the following to the House Special Committee on Fisheries and the Resources Committee:

Alaska Commercial Fisheries Entry Commission

Benjamin Brown – Juneau
Appointed: 3/1/2011 Term Expires: 3/1/2015

Board of Fisheries

Michael Smith – Fairbanks
Appointed: 4/23/2010 Term Expires: 6/30/2012

The Speaker referred the following to the Judiciary Committee:

Board of Governors of the Alaska Bar

William Granger – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2014

Commission on Judicial Conduct

Amy Demboski – Chugiak
Appointed: 3/1/2011 Term Expires: 3/1/2015

Alaska Judicial Council

Donald Haase – Valdez
Appointed: 3/1/2011 Term Expires: 3/1/2017

Violent Crimes Compensation Board

Nora Barlow – Anchorage
Appointed: 3/1/2010
Reappointed: 3/1/2011 Term Expires: 3/1/2014

The Speaker referred the following to the Labor & Commerce Committee:

Alaska State Board of Public Accountancy

Andre Horton – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

Jeffrey Johnson – Fairbanks
Appointed: 3/1/2011 Term Expires: 3/1/2015

Alcoholic Beverage Control Board

Robert Klein – Anchorage
Appointed: 1/29/2008
Reappointed: 3/1/2011 Term Expires: 3/1/2014

Marvin Yoder – Palmer
Appointed: 3/1/2011 Term Expires: 3/1/2014

Board of Barbers and Hairdressers

Michael Bolivar – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2012

Board of Dental Examiners

Cheryl Fellenberg – Wasilla
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Dr. Thomas Kovaleski – Chugiak
Appointed: 3/1/2011 Term Expires: 3/1/2015

Dr. Paul Silveira – Valdez
Appointed: 3/1/2011 Term Expires: 3/1/2015

Dr. Robert Warren – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

Alaska Labor Relations Agency

Willard Askren – Anchorage
Appointed: 6/9/2008
Reappointed: 3/1/2011 Term Expires: 3/1/2014

Aaron Isaacs, Jr. – Klawock
Appointed: 1/18/2002
Reappointed: 3/1/2011 Term Expires: 3/1/2014

Board of Marine Pilots

David Arzt – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

Robert Richmond – Anchorage
Appointed: 1/1/2011 Term Expires: 3/1/2012

Tylan Schrock – Seward
Appointed: 1/1/2011 Term Expires: 3/1/2015

Board of Marital and Family Therapy

Dr. Leon Webber – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

JoAnn Young – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2014

Board of Certified Direct-Entry Midwives

Dr. Peggy Downing – Wasilla
Appointed: 5/31/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Board of Nursing

Jennifer "Robin" Allen – Palmer
Appointed: 3/1/2011 Term Expires: 3/1/2015

Beth Farnstrom – Anchorage
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Julie Gillette – Wasilla
Appointed: 3/1/2011 Term Expires: 3/1/2015

Erin Pringle – Anchorage
Appointed: 8/26/2010 Term Expires: 3/1/2014

Board of Examiners in Optometry

Dr. Paul Barney – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

Board of Pharmacy

Lori DeVito – Soldotna
Appointed: 3/1/2011 Term Expires: 3/1/2012

Dirk White – Sitka
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

State Physical Therapy and Occupational Therapy Board

Valerie Phelps – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2013

Board of Psychologist and Psychological Associate Examiners

Dr. John DeRuyter – Fairbanks
Appointed: 6/6/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Board of Certified Real Estate Appraisers

L. April Moore – Trapper Creek
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Real Estate Commission

Marianne Burke – Anchorage
Appointed: 3/1/2010
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Brad Cole – Wasilla
Appointed: 3/1/2007
Reappointed: 3/1/2011 Term Expires: 3/1/2015

Charlene Flyum – Homer
Appointed: 10/29/2010
Reappointed: 3/1/2011 Term Expires: 3/1/2015

PeggyAnn McConnochie – Juneau
Appointed: 3/1/2011 Term Expires: 3/1/2015

Board of Social Work Examiners

Jen Syzdek – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2015

Workers' Compensation Appeals Commission

Jim Robison – Eagle River
Appointed: 11/18/2005 Reappointed: 4/3/2006
Reappointed: 3/1/2011 Term Expires: 3/1/2016

Alaska Workers' Compensation Board

Bradley Austin – Auke Bay
Appointed: 10/1/2010 Term Expires: 3/1/2013

HOUSE JOURNAL

February 2, 2011

165

Jeffrey Bizzarro – Two Rivers		
Appointed: 3/1/2010		
Reappointed: 3/1/2011	Term Expires: 3/1/2014	
Charles Collins, Jr. – Juneau		
Appointed: 6/1/2010	Term Expires: 3/1/2012	
David Kester – Anchorage		
Appointed: 4/12/2004	Reappointed: 1/29/2008	
Reappointed: 3/1/2011	Term Expires: 3/1/2014	
Krista Lord – Fairbanks		
Appointed: 3/1/2011	Term Expires: 3/1/2014	
David Robinson – Wasilla		
Appointed: 10/1/2005	Reappointed: 1/29/2008	
Reappointed: 3/1/2011	Term Expires: 3/1/2014	
Arylis Scates – Wasilla		
Appointed: 3/1/2011	Term Expires: 3/1/2014	
Zebulon Woodman – Fairbanks		
Appointed: 3/1/2011	Term Expires: 3/1/2014	

The Speaker referred the following to the Resources Committee:

Big Game Commercial Services Board

Karen Polley – Juneau		
Appointed: 3/1/2011	Term Expires: 3/1/2013	
Kelly Vrem – Sutton		
Appointed: 3/1/2011	Term Expires: 3/1/2015	

Board of Game

Nathan Turner – Nenana		
Appointed: 5/10/2010	Term Expires: 3/1/2013	

Alaska Oil and Gas Conservation Commission

Daniel Seamount, Jr. – Eagle River		
Appointed: 1/13/2000	Reappointed: 1/11/2005	
Reappointed: 3/1/2011	Term Expires: 3/1/2017	

The Speaker referred the following to the State Affairs Committee:

State Commission for Human Rights

Jerrad "Shea" Hutchings – Soldotna
Appointed: 3/1/2011 Term Expires: 3/1/2016

Board of Parole

Daniel Morris – Soldotna
Appointed: 3/1/2011 Term Expires: 3/1/2016

Alaska Police Standards Council

Kelly Alzaharna – Barrow
Appointed: 5/29/2009
Reappointed: 3/1/2011 Term Expires: 12/18/2014

Richard Burton – Ketchikan
Appointed: 12/18/2005
Reappointed: 4/2/2010 Term Expires: 12/18/2013

Rebecca Hamon – King Salmon
Appointed: 3/1/2011 Term Expires: 12/18/2014

Mark Mew – Eagle River
Appointed: 4/2/2010 Term Expires: 12/18/2013

Bernice Troglio – Anchorage
Appointed: 11/19/2008
Reappointed: 4/2/2010 Term Expires: 12/18/2014

Alaska Public Offices Commission

Kenneth Kirk – Anchorage
Appointed: 3/1/2011 Term Expires: 3/1/2016

Resumes for the appointments are on file in the Chief Clerk's office.

COMMUNICATIONS

The following were received:

Dept. of Administration
Office of Administrative Hearings
Seventh Annual Report to the Governor of Alaska
and the Alaska Legislature
January 31, 2011
(as required by AS 44.64.020)

Alaska Commercial Fishing and Agriculture Bank
2010 Annual Report
January 27, 2011
(as required by AS 44.81.200)

Alaska Court System
Status of Surcharge Revenue
Fiscal Year 2011
(as required by Chapter No. 56, SLA 1998)

Alaska Court System
Travel and Compensation Report, 2010
(as required by AS 22.20.037)

Dept. of Environmental Conservation
Alaska Drinking Water and Clean Water Loan Funds
Annual Report FY 2010
January 31, 2011
(as required by AS 37.05.035)

Dept. of Health & Social Services
Alaska Children's Trust (ACT)
2010 Annual Report
http://www.hss.state.ak.us/ocs/ChildrensTrust/pdf/2010_ACT_annual_report.pdf
(as required by AS 37.14.230)

REPORTS OF STANDING COMMITTEES

HJR 13

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 13
Honoring President Reagan on the 100th anniversary of his birth.

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

Do pass (7): Johansen, P. Wilson, Keller, Gruenberg, Seaton, Petersen, Lynn

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee

HJR 13 is on today's calendar.

HB 3

The State Affairs Committee considered:

HOUSE BILL NO. 3

"An Act relating to issuance of driver's licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 3(STA)

(same title)

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

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

No recommendation (4): Johansen, Gruenberg, Seaton, Petersen

The following fiscal note(s) apply to CSHB 3(STA):

1. Zero, Dept. of Administration

HB 3 was referred to the Finance Committee.

HB 14

The State Affairs Committee considered:

HOUSE BILL NO. 14

"An Act authorizing state agencies to pay private legal fees and costs incurred by persons exonerated of alleged Alaska Executive Branch Ethics Act violations; allowing certain public officers and former public officers to accept state payments to offset private legal fees and costs related to defending against an Alaska Executive Branch Ethics Act complaint; and creating certain exceptions to Alaska Executive Branch Ethics Act limitations on the use of state resources to provide or pay for transportation of spouses and children of the governor and the lieutenant governor."

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

Do pass (3): Gruenberg, Seaton, Petersen

No recommendation (2): Johansen, Lynn

Amend (1): P. Wilson

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 14 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:

In Memoriam - Mary C. Krogstad
By Senators Huggins, Olson

In Memoriam - M. Celeste Toussaint
By Senator Davis

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 15**

HOUSE JOINT RESOLUTION NO. 15 by Representatives Herron and Kerttula:

Relating to collaboration with the Yukon and the Northwest Territories through the Pacific Northwest Economic Region and its Arctic Caucus to address common issues.

was read the first time and referred to the House Special Committee on Economic Development, Trade, & Tourism.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 137**

HOUSE BILL NO. 137 by the House Rules Committee by request of the Governor, entitled:

"An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date."

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

The Governor's transmittal letter dated January 31, 2011, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to supplemental appropriations for the State's operating and capital budgets for Fiscal Year 2011 (FY2011).

The supplemental budget reflects increases in delivering state services and programs that were not anticipated when the FY2011 budget was brought forward for consideration during the 2010 legislative session.

The FY2011 operating supplemental request corrects errors made in the original calculation of bargaining unit agreement costs and funding sources, and a one-time request to address cash-flow issues relating to the timing of industry receipts that support the Alaska Seafood Marketing Institute.

The FY2011 capital supplemental request includes increases in Federal highway and aviation funds available for specific projects that are ready to go out for bid this summer, emergency repairs to roads and bridges, and reductions that reflect available balances for specific projects.

Thank you for your consideration of this bill.

Sincerely,

/s/

Sean Parnell
Governor"

HB 138

HOUSE BILL NO. 138 by Representatives Guttenberg, Gardner, and Kerttula, entitled:

"An Act relating to regulation of certain oil and gas facilities by the Regulatory Commission of Alaska."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HJR 13

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 13

Honoring President Reagan on the 100th anniversary of his birth.

with the:

Journal Page

STA RPT 7DP	167
FN1: ZERO(H.STA)	168

Representative Austerman moved and asked unanimous consent that HJR 13 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 13 was read the third time.

The question being: "Shall HJR 13 pass the House?" The roll was taken with the following result:

HJR 13
Third Reading
Final Passage

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

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gruenberg, Guttenberg, 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

Excused: Gatto, Hawker

Absent: Joule

And so, HJR 13 passed the House and was referred to the Chief Clerk for engrossment.

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 Chenault – from 7:20 a.m., February 3 to 9:22 a.m., February 7

HOUSE JOURNAL

February 2, 2011

173

Representative Foster – from 6:00 a.m., February 4 to 10:00 p.m., February 6

HJR 13

Representative Herron added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 13

Honoring President Reagan on the 100th anniversary of his birth.

HB 3

Representatives Keller and P. Wilson added their names as cosponsors to:

HOUSE BILL NO. 3

"An Act relating to issuance of driver's licenses."

HB 78

Representative Edgmon added his name as cosponsor to:

HOUSE BILL NO. 78

"An Act establishing a loan repayment program and employment incentive program for certain health care professionals employed in the state; and providing for an effective date."

ENGROSSMENT

HJR 13

HJR 13 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 Austerman moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 4, 2011. There being no objection, the House adjourned at 11:32 a.m.

Suzi Lowell
Chief Clerk