

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

**Juneau, Alaska**

**Friday**

**February 11, 2011**

#### **Twenty-fifth Day**

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

Roll call showed 34 members present. Representatives Austerman, Edgmon, and Fairclough had been excused from a call of the House today. Representative Thomas was absent and later excused.

Representative P. Wilson, Acting Majority Leader, 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 Cissna – from today to 6:00 p.m., February 18

Representative Joule – from today to 9:30 p.m., February 12

Representative Millett – from 11:00 a.m., today to 10:30 p.m., February 13

The invocation was offered by the Chaplain, the Reverend Dr. Phil Campbell of Northern Light United Church. Representative Lynn moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

It has been said that when it comes down to it there really are only two prayers: "help" and "thank you," or as I have had the privilege of learning since being in Juneau, "Gunalchéesh." To say all prayer is either "help" and "thank

you" may overstate the case, but I believe it also reveals a simple yet profound insight. Thus in this spirit, I invite us to share this time of prayer and reflection.

Thank you, Gracious Creator, for another day. Thank you for the opportunity to serve. Thank you for the chance to make a difference. Thank you for the meaningful work and awesome responsibilities you place before us. Help us to make good use of these great gifts you bestow. Help us to show forth love for neighbor, respect for all people, and care for creation in all that we do. Help all those in this chamber to persevere and to remember in all things to give thanks. Amen.

The Pledge of Allegiance was led by Representative Herron.

### **CERTIFICATION OF THE JOURNAL**

Representative P. Wilson moved and asked unanimous consent that the journal for the 23<sup>rd</sup> and 24<sup>th</sup> legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Guttenberg introduced Ryan Anderson, Guest Page, from Fairbanks.

### **MESSAGES FROM THE SENATE**

A message dated February 9, 2011, was read stating the Senate passed the following, and it is transmitted for consideration:

#### **FIRST READING AND REFERENCE OF SENATE RESOLUTIONS**

##### **SJR 6**

CS FOR SENATE JOINT RESOLUTION NO. 6(TRA) by the Senate Transportation Committee:

Urging the United States Army and United States Air Force to extend the public comment period for the Joint Pacific Alaska

Range Complex Modernization and Enhancement Environmental Impact Statement, which is set to end February 18, 2011, for a minimum of 30 days to allow for effective communication and full state and user involvement during the comment period.

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

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

### COMMUNICATIONS

The following was received:

Alaska Court System  
Estimate of Fines Collected FY 2011  
(as required by AS 12.55.035)

### REPORTS OF STANDING COMMITTEES

#### **HB 64**

The State Affairs Committee considered:

#### HOUSE BILL NO. 64

"An Act relating to permanent motor vehicle registration; and providing for an effective date."

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

Do pass (2): Keller, Lynn

No recommendation (2): Johansen, Gruenberg

Amend (3): P. Wilson, Seaton, Petersen

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Environmental Conservation

HB 64 was referred to the Finance Committee.

### REPORTS OF SPECIAL COMMITTEES

#### HB 119

The House Special Committee on Economic Development, Trade, & Tourism considered:

#### HOUSE BILL NO. 119

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; and providing for an effective date."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 119(EDT)

"An Act relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of 'own' for the economic development account; relating to the definitions of 'development project', 'plant', 'facility', and 'project' for the Alaska Industrial Development and Export Authority; relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172; and providing for an effective date."

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

Do pass (4): Thompson, Munoz, Olson, Foster

No recommendation (3): Gardner, Tuck, Herron

The following fiscal note(s) apply to CSHB 119(EDT):

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

HB 119 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:

In Memoriam - Henry (Hank) T. Weil

By Senator Giessel

In Memoriam - F. Atlee Dodge

By Senator Giessel

In Memoriam - Robert Lloyd Dyer

By Senator Egan; Representative Hawker

In Memoriam - Edward Roy "Sonny" Hoffman, Jr.

By Senator Hoffman; Representative Herron

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Sharon Leon, Executive Director, Anchorage Youth Court

By Representatives Holmes, Costello

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

#### **HCR 5**

HOUSE CONCURRENT RESOLUTION NO. 5 by Representatives Seaton and Tuck:

Relating to prevention of disease and to vitamin D.

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

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

**HB 152**

HOUSE BILL NO. 152 by Representatives Gara and Kawasaki, entitled:

"An Act establishing a program in the Department of Commerce, Community, and Economic Development for payment of grants to health care providers for care of patients who are 65 years of age or older."

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

**HB 153**

HOUSE BILL NO. 153 by Representative Johansen, entitled:

"An Act relating to the scheduling and rescheduling of certain substances as controlled substances."

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

**HB 154**

HOUSE BILL NO. 154 by Representatives Kawasaki, Tuck, Gara, and Petersen, entitled:

"An Act providing for the establishment of a statewide early childhood education plan and guidelines."

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

**HB 155**

HOUSE BILL NO. 155 by the House Labor and Commerce Committee, entitled:

"An Act relating to public construction contracts."

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

**HB 156**

HOUSE BILL NO. 156 by Representatives Olson, Chenault, Johnson, Hawker, Thomas, Munoz, Neuman, T. Wilson, Saddler, Holmes, and Pruitt, entitled:

"An Act relating to the chair of the Regulatory Commission of Alaska."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 21**

The Speaker stated that, without objection, the following would be held to the February 14, 2011, calendar:

HOUSE BILL NO. 21

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

**SECOND READING OF HOUSE RESOLUTIONS****HJR 11**

The Speaker stated that, without objection, the following would be held to the February 14, 2011, calendar:

HOUSE JOINT RESOLUTION NO. 11

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

**LEGISLATIVE CITATIONS**

Representative P. Wilson 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 - Bruce Bartley

By Representatives Stoltze, 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, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

## Honoring - University of Alaska Trio Programs

By Representatives Guttenberg, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, 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; Senator Paskvan

## Commemorating - American Red Cross Month, March 2011

By Representatives Millett, 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, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator McGuire

## Commemorating - Law Enforcement Memorial Day, May 6, 2011

By Representatives 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, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Honoring - Florence and Harold Esmailka, 50<sup>th</sup> Wedding Anniversary

By Senator Kookesh; Representatives Dick, Chenault, Cissna, Costello, 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



In Memoriam - Andrew Lawrence Mullen

By Representatives Fairclough, Stoltze, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, 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, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Meyer

In Memoriam - Peter F. Mysing

By Representatives Chenault, Olson, 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, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Wagoner

In Memoriam - Averill Gay

By Representatives Gardner, Cissna, Chenault, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, 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

In Memoriam - Sylvia Carlsson

By Representatives Gardner, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, 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; Senator Ellis

In Memoriam - Foster "LeRoi" Heaven

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

In Memoriam - Terrence L. "Terry" Kruger

By Representatives Stoltze, 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, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

In Memoriam - John W. Billings, Sr.

By Senator Kookesh; Representatives Dick, Chenault, Cissna, Costello, 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

In Memoriam - Maurice Tyrone Mitchell

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

Representative P. Wilson 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 6:00 p.m., today to 10:00 p.m., February 13

Representative Foster – from 6:30 p.m., today to 10:00 p.m., February 13

Representative Olson – from 7:00 a.m., February 12 to 7:00 p.m., February 13

Representative Johansen – from 12:30 p.m., today to 5:30 p.m.,  
February 13

Representative Kawasaki – from noon, today to 8:00 a.m., February 14

Representative Kerttula – from 5:30 a.m., February 15 to 9:30 p.m.,  
February 20

**HB 64**

The Speaker added a Transportation Committee referral for the  
following:

**HOUSE BILL NO. 64**

"An Act relating to permanent motor vehicle registration; and  
providing for an effective date."

HB 64 was removed from the Finance Committee and referred to the  
Transportation Committee.

**SPECIAL ORDER OF BUSINESS**

Representative P. Wilson moved and asked unanimous consent that  
the notice and publication requirements be waived and the citation,  
Honoring - Sharon Leon, Executive Director, Anchorage Youth Court,  
be taken up as a Special Order of Business. There being no objection,  
it was so ordered.

Representative P. Wilson 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 - Sharon Leon, Executive Director, Anchorage Youth Court  
By Representatives Holmes, Costello, Chenault, Cissna, Dick,  
Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto,  
Gruenberg, Guttenberg, Hawker, Herron, 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****HJR 8**

Representatives Gara and Seaton added their names as cosponsor to:

**HOUSE JOINT RESOLUTION NO. 8**

Urging the United States Food and Drug Administration to deny an application to sell genetically engineered salmon in the United States; urging compliance with the provision of P.L. 110-85 (Food and Drug Administration Amendments Act of 2007) that requires the Commissioner of Food and Drugs to consult with the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration regarding a report on environmental risks associated with genetically engineered seafood products; and urging that product labeling requirements include the words "Genetically Modified" prominently displayed on the front of the package if the application is approved by the United States Food and Drug Administration.

**HJR 11**

Representative Johansen added his name as cosponsor to:

**HOUSE JOINT RESOLUTION NO. 11**

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

**HB 3**

Representative T. Wilson added her name as cosponsor to:

**HOUSE BILL NO. 3**

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

**HB 21**

Representatives Johansen and Petersen added their names as cosponsors to:

**HOUSE BILL NO. 21**

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

**HB 80**

Representative Thompson added his name as cosponsor to:

HOUSE BILL NO. 80

"An Act relating to self defense in any place where a person has a right to be."

**HB 93**

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 93

"An Act relating to school gardens, greenhouses, and farms."

**SB 33**

Representative Petersen added his name as cross sponsor to:

CS FOR SENATE BILL NO. 33(STA)

"An Act relating to the disposition of remains of a member of the armed forces if the member dies while in a duty status."

**ENGROSSMENT AND ENROLLMENT****HR 5**

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:03 a.m., February 10, 2011:

HOUSE RESOLUTION NO. 5 am

Urging the United States Congress to fund fully the essential air service program.

House Resolve No. 5

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative P. Wilson moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 14, 2011. There being no objection, the House adjourned at 11:05 a.m.

Suzi Lowell  
Chief Clerk