

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

April 1, 2011

Seventy-fourth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:41 a.m.

Roll call showed 37 members present. Representatives Cissna and Neuman had been excused from a call of the House today. Representative Holmes was absent and her presence was noted later.

The invocation was offered by the Chaplain, Father Simeon Johnson of St. Nicholas Russian Orthodox 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.

Monday I mentioned that the summation of Orthodox spirituality was to acquire the spirit of peace. If we are to acquire this spirit of peace, we must learn to love. Today's quote is from St. Ambrose of Optina (1812-1891), who was the inspiration for the character of the Elder Zossima in Dostoevsky's novel *The Brothers Karamazov*:

There is no higher virtue than love, and there is no vice or passion worse than hatred, which, for someone not attentive to himself, seems of little importance, but in spiritual significance is likened to murder (I John 3:15). Kindness and [gentle humility] to your neighbors, and forgiveness of their shortcomings, is the shortest path to salvation.

Today's prayer is an Easter prayer from the Greek Orthodox tradition. It is sung at midnight as the priest exits the altar

into a darkened church with three lighted candles, which represent the light of Christ entering a darkened world. I will chant this piece in its traditional Byzantine/Greek melody:

Come, receive the light from the light that is never overtaken by night: and glorify Christ, who is risen from the dead.

The Pledge of Allegiance was led by Representative Seaton.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 73rd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

HB 180

The State Affairs Committee considered:

HOUSE BILL NO. 180

"An Act authorizing the Department of Administration to note a person's status as a veteran on the person's driver's license and to provide certain information to the Department of Military and Veterans' Affairs."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 180(STA)

"An Act authorizing the Department of Administration to note a person's status as a retired veteran or a veteran discharged under honorable conditions on the person's driver's license or identification card and to provide certain information to the Department of Military and Veterans' Affairs; and providing for an effective date."

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

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

Amend (2): Johansen, P. Wilson

The following fiscal note(s) apply to CSHB 180(STA):

2. Fiscal, Dept. of Administration

HB 180 was referred to the Finance Committee.

**The presence of Representative Holmes was noted.

SB 1

The Education Committee considered:

CS FOR SENATE BILL NO. 1(EDC)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature."

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

Do pass (6): P. Wilson, Pruitt, Seaton, Kawasaki, Feige, Dick

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

CSSB 1(EDC) 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 – Karimah B. Shine, 2011 Boys and Girls Club of America
Alaska Youth of the Year

By Representative Lynn; Senator Giessel

Honoring – Paul Gebhardt, 2011 Kuskokwim 300 Sled Dog Race Winner

By Senator Wagoner; Representative Olson

In Memoriam – LeRoy D. Dennis

By Senator Coghill; Representative T. Wilson

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

Honoring – The 1/25th Stryker Brigade Combat Team

By Senator Paskvan; Representative Thompson

In Memoriam – John Breckman Thompson, Sr.

By Senator Olson; Representative Foster

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 221

HOUSE BILL NO. 221 by Representative Chenault, entitled:

"An Act relating to the appointment of counsel for persons accused of crimes; and amending Rule 39.1, Alaska Rules of Criminal Procedure."

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

HB 222

HOUSE BILL NO. 222 by Representatives Austerman, Chenault, Johnson, Stoltze, Thomas, P. Wilson, and Herron, entitled:

"An Act establishing and relating to the Alaska Promotion and Marketing Board and the Alaska promotion and marketing fund; relating to marketing tourism contracts and campaigns; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 185**

The following was read the second time:

HOUSE BILL NO. 185

"An Act relating to an exemption from authorizations that may be required by the Department of Environmental Conservation for the firing or other use of munitions on active ranges."

with the:	Journal Page
RES RPT CS(RES) 7DP 1NR	616
FN1: ZERO(DEC)	616

Representative Austerman moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 185(RES)
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 185(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 185(RES) was read the third time.

Representative Kerttula moved and asked unanimous consent that she be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Kerttula was required to vote.

The question being: "Shall CSHB 185(RES) pass the House?" The roll was taken with the following result:

CSHB 185(RES)

Third Reading

Final Passage

YEAS: 36 NAYS: 2 EXCUSED: 2 ABSENT: 0

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

Nays: Doogan, Kerttula

Excused: Cissna, Neuman

Johansen changed from "Nay" to "Yea".

And so, CSHB 185(RES) passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONS

HJR 21

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 21

Urging the Secretary of the United States Department of the Interior to withdraw a secretarial order that creates a wild land classification and to administer federal lands in the state in accordance with existing statutes and agency guidelines; and urging the United States Congress to prohibit the use of appropriated funds by the United States Department of the Interior and the Bureau of Land Management to implement, administer, or enforce the secretarial order.

with the:	Journal Page
RES RPT 7DP	543
FN1: ZERO(LEG)	543

Representative Austerman moved and asked unanimous consent that HJR 21 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 21 was read the third time.

The question being: "Shall HJR 21 pass the House?" The roll was taken with the following result:

HJR 21

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

Yeas: Austerman, Chenault, 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, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Cissna, Neuman

And so, HJR 21 passed the House and was referred to the Chief Clerk for engrossment.

HR 7

The following was read the second time:

HOUSE RESOLUTION NO. 7

Establishing a House Special Committee on Fiscal Policy.

The question being: "Shall HR 7 pass the House?" The roll was taken with the following result:

HR 7

Second Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

Yeas: Austerman, Chenault, 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, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Cissna, Neuman

And so, HR 7 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

The Speaker appointed the following members to the House Special Committee on Fiscal Policy:

Representative Fairclough, Chair
Representative Austerman
Representative Herron
Representative Pruitt
Representative T. Wilson
Representative Doogan
Representative Tuck
Representative Johnson (Alternate)

LEGISLATIVE CITATIONS

Representative Austerman 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 – Patrick and Lorene Moore

By Representatives Dick, Tuck, 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, P. Wilson, T. Wilson; Senator Kookesh

Honoring – Donna Gilbert

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

Honoring – Aniak High School Halfbreeds, 2011 1A Boys State Basketball Champions

By Representatives Dick, Chenault, Austerman, 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; Senator Kookesh

Honoring – Hunter Park, 2011 Alaska State Spelling Bee Winner

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

Honoring – Daryn Colledge

By Senator Coghil; Representatives T. Wilson, 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

Honoring – Team Absolute Vorticity, Tsunami Bowl Champions

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

In Memoriam – Walter M. Sperl

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

In Memoriam – Emma Petluska Aloysius

By Representatives Herron, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, 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 Hoffman

In Memoriam – Mary Derendy Williams

By Representatives Herron, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, 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 Hoffman

In Memoriam – Anesia S. Hoover

By Representatives Herron, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, 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 Hoffman

In Memoriam – Gladys Prillman

By Representatives Tuck, 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, P. Wilson, T. Wilson

In Memoriam – George William Rogers

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

In Memoriam – Don McKee

By Senator Coghill; Representatives T. Wilson, 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

UNFINISHED BUSINESS

Representative Austerman moved and asked unanimous consent that Representative Cissna's excused absence (page 586) be extended to 8:00 p.m., April 7. There being no objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring – The 1/25th Stryker Brigade Combat Team and In Memoriam – John Breckman Thompson, Sr., 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 citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring – The 1/25th Stryker Brigade Combat Team

By Senator Paskvan; Representatives Thompson, 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, Tuck, P. Wilson, T. Wilson

In Memoriam – John Breckman Thompson, Sr.

By Senator Olson; Representatives Foster, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, 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**HJR 21**

Representatives Millett, Fairclough, Gardner, Austerman, and Pruitt added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 21

Urging the Secretary of the United States Department of the Interior to withdraw a secretarial order that creates a wild land classification and to administer federal lands in the state in accordance with existing statutes and agency guidelines; and urging the United States Congress to prohibit the use of appropriated funds by the United States Department of the Interior and the Bureau of Land Management to implement, administer, or enforce the secretarial order.

HB 11

Representative Holmes added her name as cosponsor to:

HOUSE BILL NO. 11

"An Act requiring that retiree health insurance coverage offered by the state and by certain local governments include coverage for colorectal screening, including colonoscopies."

HB 144

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

HOUSE BILL NO. 144

"An Act requiring the Department of Natural Resources annually to deliver to the legislature and the governor a report on fishing stream access."

HB 185

Representative Olson added his name as cosponsor to:

CS FOR HOUSE BILL NO. 185(RES)

"An Act relating to an exemption from authorizations that may be required by the Department of Environmental Conservation for the firing or other use of munitions on active ranges."

ENGROSSMENT**HJR 21**

HJR 21 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 110

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 110(FIN)

"An Act relating to the interest rate applicable to certain amounts due for fees, taxes, and payments made and property delivered to the Department of Revenue; relating to the oil and gas production tax rate; relating to monthly installment payments of the oil and gas production tax; relating to oil and gas production tax credits, including qualified capital credits for exploration, development, and production; relating to certain additional nontransferable oil and gas production tax credits; relating to the disclosure of certain tax information; making conforming amendments; and providing for an effective date."

HB 185

CSHB 185(RES) 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 11:00 a.m., April 4, 2011. There being no objection, the House adjourned at 11:28 a.m.

Suzi Lowell
Chief Clerk