

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

Juneau, Alaska

Wednesday

April 13, 2011

Eighty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:48 a.m.

Roll call showed 40 members present.

The invocation was offered by the Chaplain, Caulin Shattuck, House Page. 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.

Heavenly Father, we thank thee for this day; we thank thee for the opportunity to be here in this great state of Alaska. We thank thee for giving us the time we have here to help shape the future for all Alaskans.

We ask for thy guidance as we make decisions that will have a lasting effect on future generations. We ask for patience as we finish out this legislative session, and help us to remember that all good things come with time and perseverance. We ask thee to watch over our military and their families whether they are together or apart; keep them safe and comfort them as they protect this great nation.

We ask thee to help the leaders of this nation to feel thy spirit that they may lead with integrity and humility, to act selflessly as they make decisions throughout the day. We ask thee to

watch over our families – to bless them and keep them safe.
And may we remember that you are always there to help us in
our times of need.

I say these things in the name of Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative Cissna.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 85th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Stoltze introduced Richard Harris, Guest Page, from Palmer.

Representative Gatto introduced Logan Chapman, Caitlin Prichett, and Anahelene Taylor, Guest Pages, from Palmer.

Representative Foster introduced Faith Simon, Guest Page, from Hooper Bay.

INTRODUCTION OF CITATIONS

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

Honoring – Melba J. Piispanen
By Representatives Kawasaki, Miller

In Memoriam – Ritabell Wilson
By Representative Thomas; Senator Kookesh

In Memoriam – Marie A. Charles
By Representative Herron; Senator Hoffman

In Memoriam – Matthew Dean Tokuoka
By Senator Kookesh; Representative Thomas

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

Honoring – Susan Bramstedt
By Representatives Stoltze, Johnson

Honoring – William "Bill" MacKay
By Representatives Stoltze, Johnson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 14

HOUSE CONCURRENT RESOLUTION NO. 14 by the House State Affairs Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 93, relating to special request specialty organization registration plates.

was read the first time and referred to the Rules Committee for placement on the calendar.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 236

HOUSE BILL NO. 236 by Representatives Lynn, Munoz, Kerttula, Kawasaki, Miller, and Tuck, entitled:

"An Act relating to the public employees' retirement system and the teachers' retirement system; and providing for an effective date."

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

HB 237

HOUSE BILL NO. 237 by Representatives Edgmon, Chenault, Austerman, Thomas, Thompson, Joule, Gara, Munoz, Seaton, Herron, Foster, Kerttula, Dick, Kawasaki, Holmes, Millett, and Johansen, entitled:

"An Act establishing June 10 of each year as Alaska Wild Salmon Day."

was read the first time and referred to the House Special Committee on Fisheries.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 129**

The following was read the second time:

HOUSE BILL NO. 129

"An Act relating to providing a death certificate for a deceased veteran without charge."

with the:

Journal Page

MLV RPT CS(MLV) 3DP 1NR	319
FN1: (DHS)	319
FIN RPT CS(FIN) 11DP	898
FN1: (DHS)	899

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. 129(FIN)
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 129(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 129(FIN) was read the third time.

The question being: "Shall CSHB 129(FIN) pass the House?" The roll was taken with the following result:

CSHB 129(FIN)

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

Yeas: Austerman, 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, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Thomas

And so, CSHB 129(FIN) passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 31

The following was read the second time:

CS FOR SENATE BILL NO. 31(JUD)

"An Act relating to the counting of write-in votes."

with the:

Journal Page

STA RPT HCS(STA) 3DP 2AM

839

FN1: ZERO(GOV)

839

JUD RPT HCS(STA) 6DP

872

FN1: ZERO(GOV)

872

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

HOUSE CS FOR CS FOR SENATE BILL NO. 31(STA)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Fairclough, Gruenberg, Costello, and Thompson:

Page 2, line 11:

Delete "by"

Insert "for a"

Representative Fairclough moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that HCS CSSB 31(STA) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 31(STA) am H was read the third time.

The question being: "Shall HCS CSSB 31(STA) am H pass the House?" The roll was taken with the following result:

HCS CSSB 31(STA) am H

Third Reading

Final Passage

YEAS: 38 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

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971

Nays: Keller

Absent: Thomas

And so, HCS CSSB 31(STA) am H passed the House and was referred to the Chief Clerk for engrossment.

SB 90

The following was read the second time:

SENATE BILL NO. 90

"An Act classifying and setting a monthly salary for the executive secretary of the Board of Public Accountancy."

with the:

Journal Page

FIN RPT 9DP

917

FN1: ZERO(CED)

918

Representative Austerman moved and asked unanimous consent that SB 90 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 90 was read the third time.

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

The question being: "Shall SB 90 pass the House?" The roll was taken with the following result:

SB 90

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

Yeas: Austerman, 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, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Thomas

And so, SB 90 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

SECOND READING OF HOUSE RESOLUTIONS

HR 8

The following was read the second time:

HOUSE RESOLUTION NO. 8

Opposing the designation by the National Oceanic and Atmospheric Administration of 3,016 square miles of upper Cook Inlet and Kachemak Bay as critical habitat for beluga whales.

The question being: "Shall HR 8 pass the House?" The roll was taken with the following result:

HR 8

Second Reading

Final Passage

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

Yeas: Austerman, Chenault, Costello, 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, Thompson, Tuck, P.Wilson, T.Wilson

Nays: Cissna

Absent: Holmes, Thomas

And so, HR 8 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

SECOND READING OF SENATE RESOLUTIONS

SCR 7

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 7

Proclaiming September 9, 2011, as Fetal Alcohol Spectrum Disorders Awareness Day.

with the:

Journal Page

HSS RPT 6DP

838

FN1: ZERO(S.HSS)

838

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

SCR 7

Second Reading

Final Passage

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

Yeas: Austerman, Chenault, Costello, 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

Absent: Cissna, Holmes

And so, SCR 7 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

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 – Tom Nealeigh

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

Honoring – Monica Moore

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; Senator Meyer

Honoring – John Steiner

By Representatives Tuck, Hawker, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, 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 – Joan Roberts

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

In Memoriam – Horace D. Johnson

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

CONCUR IN SENATE AMENDMENTS**HB 28**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 913) on the following:

CS FOR HOUSE BILL NO. 28(FIN)

"An Act relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 28(L&C)

"An Act relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces; authorizing temporary licenses for pawnbrokers not currently licensed by a municipality; and providing for an effective date."

(SCR 10 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 28(FIN), thus adopting SCS CSHB 28(L&C), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 28(FIN)?" The roll was taken with the following result:

SCS CSHB 28(L&C)

Concur

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

Yeas: Austerman, Chenault, Costello, 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

Absent: Cissna, Holmes

And so, the House concurred in the Senate amendment.

Representative Austerman 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.

The Chief Clerk notified the Senate.

SCS CSHB 28(L&C) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 10

Representative Austerman moved and asked unanimous consent that the following be taken up as a Special Order of Business:

SENATE CONCURRENT RESOLUTION NO. 10

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 28, relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces.

There being no objection, it was so ordered.

The question being: "Shall SCR 10 pass the House?" The roll was taken with the following result:

SCR 10

Special Order of Business

YEAS: 36 NAYS: 0 EXCUSED: 0 ABSENT: 4

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

Absent: Cissna, Herron, Holmes, Kawasaki

And so, SCR 10 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

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 Miller – from 8:00 a.m. to 2:00 p.m., April 14

Representative Gardner – from:

8:00 a.m., April 28 to 10:00 p.m., May 2;
8:00 a.m., May 7 to 10:00 p.m., May 17;
8:00 a.m., June 1 to 10:00 p.m., June 5;
8:00 a.m., June 29 to 10:00 p.m., July 23; and
8:00 a.m., August 7 to 10:00 p.m., August 22

Representative Gatto – from:

6:00 a.m., April 25 to midnight, May 12;
all day May 16, June 6, and June 27;
6:00 a.m., July 5 to midnight, July 8;
6:00 a.m., July 16 to midnight, July 29;
6:00 a.m., July 29 to midnight, August 2; and
6:00 a.m., August 7 to midnight, August 11

SPECIAL ORDER OF BUSINESS

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring – Susan Bramstedt and Honoring – William "Bill" MacKay, 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 – Susan Bramstedt

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

Honoring – William "Bill" MacKay

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

UNFINISHED BUSINESS**HR 8**

Representatives Feige, Neuman, and Pruitt added their names as cosponsors to:

HOUSE RESOLUTION NO. 8

Opposing the designation by the National Oceanic and Atmospheric Administration of 3,016 square miles of upper Cook Inlet and Kachemak Bay as critical habitat for beluga whales.

HB 28

Representatives Gara, Costello, Fairclough, and Pruitt added their names as cosponsors to:

SENATE CS FOR CS FOR HOUSE BILL NO. 28(L&C)

"An Act relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces; authorizing temporary licenses for pawnbrokers not currently licensed by a municipality; and providing for an effective date."

HB 129

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

CS FOR HOUSE BILL NO. 129(FIN)

"An Act relating to providing a death certificate for a deceased veteran without charge."

HB 182

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 182

"An Act relating to distribution of annual reports by state agencies."

SCR 7

Representatives Gara, Costello, Johnson, and Guttenberg added their names as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 7

Proclaiming September 9, 2011, as Fetal Alcohol Spectrum Disorders Awareness Day.

SB 15

Representatives Lynn and Petersen added their names as cross sponsors to:

CS FOR SENATE BILL NO. 15(JUD)

"An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by certain sex offenders or child kidnappers."

SB 31

Representatives Kawasaki, Guttenberg, Cissna, and Gara added their names as cross sponsors to:

HOUSE CS FOR CS FOR SENATE BILL NO. 31(STA) am H

"An Act relating to the counting of write-in votes."

SB 94

Representative Kerttula added her name as cross sponsor to:

SENATE BILL NO. 94

"An Act adding a second verse to the official Alaska state song."

ENGROSSMENT**HB 129**

CSHB 129(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 31

HCS CSSB 31(STA) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 6, 2011.

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., April 14, 2011. There being no objection, the House adjourned at 12:33 p.m.

Suzi Lowell
Chief Clerk