

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

**Juneau, Alaska**

**Friday**

**April 15, 2011**

**Eighty-eighth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:40 a.m.

Roll call showed 37 members present. Representatives Herron, Stoltze, and Thomas were absent and their presence was noted later.

The invocation was offered by the Chaplain, Elijah Verhagen, 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 deepest respect for the religious beliefs of all Alaskans, I offer this prayer:

Our loving Heavenly Father, we thank thee for this beautiful day. We thank thee for this opportunity to be gathered here together in the service of our fellowmen. [Offered in Korean and English]

We ask a blessing to be upon all the representatives today. We ask that they may be guided by thy spirit to make these important decisions for the state of Alaska and for the gift of discernment as they do so.

Please bless our troops and the military to be safe as they serve our country, and please help their families. We thank thee for the freedoms we have in our country and state and for all the blessings that thou hast given us. We thank thee for our families and loved ones and ask thee to please bless them.

I ask and say all these things in thy son's name, Jesus Christ.  
Amen.

The Pledge of Allegiance was led by Representative Dick.

### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 87<sup>th</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HCR 3**

A message dated April 14, 2011, was read stating the Senate passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO.  
3(HSS) am  
Relating to promoting the safety and protection of older Alaskans.

CSHCR 3(HSS) am was referred to the Chief Clerk for enrollment.

#### **HJR 27**

A message dated April 14, 2011, was read stating the Senate passed:

HOUSE JOINT RESOLUTION NO. 27  
Supporting the relocation of the home port of the Coastal Villages  
Region Fund fishing fleet from Seattle to Alaska.

HJR 27 was referred to the Chief Clerk for enrollment.

#### **HB 105**

A message dated April 14, 2011, was read stating the Senate passed:

HOUSE BILL NO. 105  
"An Act relating to the Southeast State Forest; and providing for  
an effective date."

HB 105 was referred to the Chief Clerk for enrollment.

#### **SB 31**

A message dated April 14, 2011, was read stating the Senate concurred in the House amendment to CSSB 31(JUD), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 31(STA) am H  
"An Act relating to the counting of write-in votes."

### REPORTS OF STANDING COMMITTEES

#### **HB 104**

The Rules Committee considered:

##### HOUSE BILL NO. 104

"An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; establishing the Alaska performance scholarship investment fund and the Alaska performance scholarship award fund and relating to the funds; making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

##### CS FOR HOUSE BILL NO. 104(RLS)

"An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; establishing an account and fund for those purposes; making conforming amendments; and providing for an effective date."

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

Do pass (1): Gatto

No recommendation (5): Chenault, Austerman, Tuck, Olson, Johnson

Amend (1): Gruenberg

The following fiscal note(s) apply to CSHB 104(RLS):

3. Indeterminate, Dept. of Education & Early Development
4. Zero, Dept. of Revenue
5. Zero, Dept. of Revenue
6. Indeterminate, Dept. of Education & Early Development

HB 104 is on today's calendar.

**HB 115**

The Transportation Committee considered:

**HOUSE BILL NO. 115**

"An Act designating a portion of Minnesota Drive in Anchorage the Walter J. Hickel Expressway."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 115(TRA)**

"An Act designating a portion of Minnesota Drive and a portion of O'Malley Road in Anchorage the Walter J. Hickel Expressway."

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

Do pass (4): Feige, Gruenberg, Munoz, Pruitt

The following fiscal note(s) apply to CSHB 115(TRA):

1. Fiscal, Dept. of Transportation & Public Facilities

HB 115 was referred to the Finance Committee.

**SB 1**

The Rules 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."

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 1(RLS)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature; and establishing a joint legislative task force on theme-based education."

(HCR 15 - title change resolution)

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

Do pass (7): Tuck, Austerman, Chenault, Gruenberg, Olson, Gatto, Johnson

The following fiscal note(s) apply to HCS CSSB 1(RLS):

1. Zero, Dept. of Education & Early Development

CSSB 1(EDC) is on today's calendar.

**SB 84**

The Finance Committee considered:

## CS FOR SENATE BILL NO. 84(FIN)

"An Act relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to the base student allocation; relating to education tax credits; providing for an effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 84(FIN)

"An Act amending the funding for statewide residential educational programs; relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to education tax credits; creating a pilot project in the Iditarod Area School District; providing for an

effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

(HCR 16 - title change resolution)

The report was signed by Representatives Stoltze and Thomas, Co-chairs, with the following individual recommendations:

Do pass (9): Neuman, Edgmon, Fairclough, Guttentberg, T. Wilson, Joule, Costello, Stoltze, Thomas

No recommendation (1): Doogan

Amend (1): Gara

The following fiscal note(s) apply to HCS CSSB 84(FIN):

- 5. Fiscal, Dept. of Education & Early Development
- 6. Fiscal, Dept. of Education & Early Development
- 7. Fiscal, Dept. of Education & Early Development

CSSB 84(FIN) was referred to the Rules Committee for placement on the calendar.

#### **SB 94**

The State Affairs Committee considered:

SENATE BILL NO. 94

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

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

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

No recommendation (1): Seaton

Amend (2): P. Wilson, Keller

The following fiscal note(s) apply:

## 3. Zero, Senate Finance Committee

SB 94 was referred to the Judiciary Committee.

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

**SB 108**

The Transportation Committee considered:

## SENATE BILL NO. 108

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (5): Feige, Munoz, Gruenberg, Pruitt, P. Wilson

The following fiscal note(s) apply:

## 1. Fiscal, Dept. of Transportation &amp; Public Facilities

SB 108 was referred to the Finance Committee.

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

**INTRODUCTION OF CITATIONS**

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

Honoring – Ashton Compton, 2009-2011 UA Student Regent  
By Representative Guttenberg; Senator Thomas

Honoring – Janet Athanas, Alaska Recreation & Parks Association,  
2010 Distinguished Service Award  
By Representative Herron; Senator Hoffman

Honoring – Filipino Community of Anchorage, Alaska, Inc.,  
46<sup>th</sup> Annual Founders' Day Banquet and Ball  
By Senator Meyer

In Memoriam – Peter Mumessaq John  
By Representative Herron; Senator Hoffman

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

**HCR 15**

HOUSE CONCURRENT RESOLUTION NO. 15 by the House Rules  
Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of  
the Alaska State Legislature, concerning Senate Bill No. 1,  
requiring the state Board of Education and Early Development to  
provide an annual report to the legislature.

was read the first time is on today's calendar.

**HCR 16**

HOUSE CONCURRENT RESOLUTION NO. 16 by Representative  
Stoltze:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of  
the Alaska State Legislature, concerning Senate Bill No. 84,  
relating to funding for high school vocational and technical  
instruction as a component of funding for public schools; relating  
to the base student allocation; and relating to education tax credits.

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 104**

The following was read the second time:



## HOUSE BILL NO. 104

"An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; establishing the Alaska performance scholarship investment fund and the Alaska performance scholarship award fund and relating to the funds; making conforming amendments; and providing for an effective date."

with the:

Journal Page

EDC RPT CS(EDC) NT 2DP 4AM	545
FN3: INDETERMINATE(EED)	546
FIN RPT CS(FIN) NT 2DP 7NR 2AM	949
FN3: INDETERMINATE(EED)	949
FN4: ZERO(REV)	949
FN5: ZERO(REV)	949
FN6: INDETERMINATE(EED)	949
RLS RPT CS(RLS) NT 1DP 5NR 1AM	1005
FN3: INDETERMINATE(EED)	1005
FN4: ZERO(REV)	1005
FN5: ZERO(REV)	1005
FN6: INDETERMINATE(EED)	1005

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. 104(RLS)

"An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; establishing an account and fund for those purposes; making conforming amendments; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gara and Kawasaki:

Page 3, following line 8:

Insert a new bill section to read:

"\* **Sec. 4.** AS 14.43.820, as enacted by sec. 5, ch. 14, SLA 2010, is amended by adding new subsections to read:

(c) Notwithstanding the eligibility requirements in (a)(2) - (4) of this section, the department shall adopt regulations to provide for

(1) the eligibility of a student who has resided in the state for 12 months or more and has attained a general education development certificate in the state; and

(2) waiver or delay of a portion of the core academic curriculum requirements in (a)(3) of this section if that portion of the curriculum is not available to a student who attended a public school in a district in the state in which the student resides.

(d) To demonstrate high academic performance for eligibility under (c) of this section, the department may require a student to

(1) provide alternative minimum standardized test scores established under this section;

(2) complete, while residing in the state, some or all of the core curriculum requirements in (a)(3) of this section after graduation; or

(3) provide a measure of academic achievement equivalent to (2) of this subsection."

Renumber the following bill sections accordingly.

Page 3, following line 24:

Insert a new bill section to read:

"\* **Sec. 7.** AS 14.43.825, as enacted by sec. 5, ch. 14, SLA 2010, is amended by adding a new subsection to read:

(g) Notwithstanding the grade-point average requirements in (a) of this section, the department shall adopt regulations to provide for the eligibility of a student who has resided in the state 12 months or more before attaining a general education development certificate in the state."

Renumber the following bill sections accordingly.

Page 8, following line 13:

Insert a new bill section to read:

"\* **Sec. 18.** The uncodified law of the State of Alaska is amended by adding a new section to read:

PERFORMANCE SCHOLARSHIP; ALTERNATIVE PATHWAY RESIDENCY REQUIREMENT. If, after the effective date of this section, a court having jurisdiction over the matter finds that the 12-month residency requirement for a student who has attained a general education development certificate required under AS 14.43.420(c), added by sec. 4 of this Act, and AS 14.43.825(g), added by sec. 7 of this Act, is unconstitutional, the residency requirement shall be the maximum constitutional limit allowable to serve the state interest in providing an incentive for rigorous academic standards in the state and in providing postsecondary funding for students who have demonstrated a commitment to the state."

Renumber the following bill sections accordingly.

Page 8, line 21:

Delete "Section 15"

Insert "Section 17"

Page 8, line 22:

Delete "sec. 6"

Insert "sec. 8"

Page 8, line 23:

Delete "sec. 6"

Insert "sec. 8"

Page 8, line 24:

Delete "Section 12"

Insert "Section 14"

Page 8, line 25:

Delete "secs. 17 - 19"

Insert "secs. 20 - 22"

Representative Gara moved and asked unanimous consent that Amendment No. 1 be adopted.

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

Representative Dick objected.

Representative Doogan rose to a point of order regarding confining remarks to Amendment No. 1.

The Speaker cautioned members to limit the debate to Amendment No. 1.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 104(RLS)  
Second Reading  
Amendment No. 1

**YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Cissna, Doogan, Gara, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Miller, Neuman, Petersen, Tuck

Nays: Chenault, Costello, Dick, Edgmon, Fairclough, Feige, Foster, Gardner, Gatto, Hawker, Herron, Johansen, Johnson, Joule, Keller, Lynn, Millett, Munoz, Olson, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, P.Wilson, T.Wilson

And so, Amendment No. 1 was not adopted.

Representative Austerman moved and asked unanimous consent that CSHB 104(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 104(RLS) was read the third time.

The question being: "Shall CSHB 104(RLS) pass the House?" The roll was taken with the following result:

CSHB 104(RLS)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, CSHB 104(RLS) passed the House.

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.

Representative Kerttula gave notice of reconsideration of the vote on CSHB 104(RLS).

### **RECONSIDERATION**

#### **HB 104**

Representative Kerttula moved and asked unanimous consent that reconsideration of CSHB 104(RLS) be taken up on the same day. There being no objection, it was so ordered.

CSHB 104(RLS) was again before the House in third reading.

The question to be reconsidered: "Shall CSHB 104(RLS) pass the House?" The roll was taken with the following result:

CSHB 104(RLS)

Third Reading

Final Passage

Reconsideration

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

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, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Cissna

And so, CSHB 104(RLS) passed the House on reconsideration.

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.

CSHB 104(RLS) was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would advance to:

### ANNOUNCEMENTS

The following meetings today were changed:

Judiciary Committee

CHANGED TO:

30 minutes after recess

Resources Committee

CHANGED TO:

2:00 p.m.

Finance Committee

CHANGED TO:

Call of the Chair

The Speaker stated that, without objection, the House would revert to Consideration of the Daily Calendar.

The Speaker stated that, without objection, the House would recess until 6:00 p.m.; and so, the House recessed at 1:14 p.m.

### AFTER RECESS

The Speaker called the House back to order at 6:12 p.m.

The Speaker stated that, without objection, the House would revert to:

**MESSAGES FROM THE SENATE**

**HCR 5**

A message dated April 15, 2011, was read stating the Senate passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(HSS)  
Relating to prevention of disease and to vitamin D.

CSHCR 5(HSS) was referred to the Chief Clerk for enrollment.

**HJR 17**

A message dated April 15, 2011, was read stating the Senate passed:

CS FOR HOUSE JOINT RESOLUTION NO. 17(CRA)  
Urging the United States Congress to pass legislation concerning  
regulation of drinking water and wastewater treatment by the  
United States Environmental Protection Agency.

CSHJR 17(CRA) was referred to the Chief Clerk for enrollment.

**HB 15**

A message dated April 15, 2011, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 15(JUD)  
"An Act relating to prevention and evaluation of and liability for  
concussions in student athletes."

CSHB 15(JUD) was referred to the Chief Clerk for enrollment.

**HB 213**

A message dated April 15, 2011, was read stating the Senate passed:

HOUSE BILL NO. 213  
"An Act naming the pathway parallel to the section of Eagle River  
Loop Road connecting Old Glenn Highway with North Parkview  
Terrace Loop the Mark Hufford Trail."

HB 213 was referred to the Chief Clerk for enrollment.

**HJR 9**

A message dated April 15, 2011, was read stating the Senate passed CSHJR 9(RES) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 9(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

CSHJR 9(RES) is under Unfinished Business.

**HB 16**

A message dated April 15, 2011, was read stating the Senate passed:

HOUSE BILL NO. 16

"An Act extending senior benefits."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 16(FIN)

"An Act extending the senior benefits payment program; and relating to income allowances for medical assistance recipients and Alaska Pioneers' Homes and Alaska Veterans' Homes residents."

(SCR 12 - title change resolution)

HB 16 is under Unfinished Business.

A message dated April 15, 2011, was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS**

**SCR 12**

SENATE CONCURRENT RESOLUTION NO. 12 by Senator Stedman:



Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, extending senior benefits.

was read the first time and held on the Clerk's desk.

### **REPORTS OF STANDING COMMITTEES**

#### **SB 15**

The Judiciary Committee considered:

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."

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

Do pass (4): Lynn, Keller, Thompson, Gatto

No recommendation (1): Holmes

The following fiscal note(s) apply:

- 2. Indeterminate, Dept. of Law
- 4. Indeterminate, Senate Finance Committee/Dept. of Corrections

CSSB 15(JUD) was referred to the Finance Committee.

#### **SB 95**

The Transportation Committee considered:

SENATE BILL NO. 95

"An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal."

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (5): Pruitt, Gruenberg, Johnson, Petersen, P. Wilson

The following fiscal note(s) apply:

2. Zero, Senate Finance Committee/Dept. of Transportation & Public Facilities

SB 95 was referred to the Finance Committee.

The House advanced to:

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

(continued)

### **SECOND READING OF SENATE BILLS**

#### **SB 1**

The following was read the second time:

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."

with the:

Journal Page

EDC RPT 6DP	707
FN1: ZERO(EED)	707
FIN RPT 9DP	917
FN1: ZERO(EED)	917
RLS RPT HCS(RLS) NT 7DP	1006
FN1: ZERO(EED)	1007

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. 1(RLS)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature; and establishing a joint legislative task force on theme-based education."

(HCR 15 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that HCS CSSB 1(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 1(RLS) was read the third time.

The question being: "Shall HCS CSSB 1(RLS) pass the House?" The roll was taken with the following result:

HCS CSSB 1(RLS)

Third Reading

Final Passage

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

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

Nays: Johansen

And so, HCS CSSB 1(RLS) passed the House and was referred to the Chief Clerk for engrossment.

**SB 78**

The following was read the second time:

## CS FOR SENATE BILL NO. 78(JUD)

"An Act relating to liability of certain limited liability organizations holding liquor licenses; and relating to accidents involving the vehicle of a person under the influence of alcoholic beverages."

with the:

Journal Page

JUD RPT 7DP

988

FN1: ZERO(DPS)

988

Representative Austerman moved and asked unanimous consent that CSSB 78(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 78(JUD) was read the third time.

The question being: "Shall CSSB 78(JUD) pass the House?" The roll was taken with the following result:

CSSB 78(JUD)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, CSSB 78(JUD) passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

## SECOND READING OF HOUSE RESOLUTIONS

### HCR 15

The following was read the second time:

**HOUSE CONCURRENT RESOLUTION NO. 15**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 1, requiring the state Board of Education and Early Development to provide an annual report to the legislature.

The question being: "Shall HCR 15 pass the House?" The roll was taken with the following result:

HCR 15

Second 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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

Absent: Stoltze

And so, HCR 15 passed the House and was referred to the Chief Clerk for engrossment.

**RECONSIDERATION****HB 183**

Representative Johnson brought up reconsideration of the vote on CSHB 183(FIN) (page 992).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 183(FIN)

"An Act relating to the Village Safe Water Act; and providing for an effective date."

Representative Seaton moved and asked unanimous consent that CSHB 183(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Seaton, Dick, Chenault, Austerman, Gatto, and Johnson:

Page 1, line 12:

Delete "a"

Page 1, line 13, following "(i)":

Insert "a"

Page 1, line 14:

Delete "or"

Page 1, line 15, following "(ii)":

Insert "a"

Page 2, line 2, following "Indians":

Insert "; or

(iii) an incorporated nonprofit entity or Native village council that the Department of Commerce, Community, and Economic Development, with advice from the Department of Law, has determined is eligible to receive and spend a community revenue sharing payment under AS 29.60.865, if the incorporated nonprofit entity or Native village council agrees to act as a village governing body for the purposes of this chapter."

Representative Seaton moved and asked unanimous consent that Amendment No. 1 be adopted.

There was objection.

Amendment to Amendment No. 1 was offered by Representative Seaton:

Under Page 2, line 2, following "chapter":

Insert "and provides for the ongoing maintenance of a project funded under this chapter"

Representative Seaton moved and asked unanimous consent that Amendment to Amendment No. 1 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment to Amendment No. 1 was adopted.

There being no further objection, Amendment No. 1 as amended was adopted.

CSHB 183(FIN) am was automatically in third reading.

The question to be reconsidered: "Shall CSHB 183(FIN) am pass the House?" The roll was taken with the following result:

CSHB 183(FIN) am

Third Reading

Final Passage

Reconsideration

**YEAS: 37 NAYS: 0 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Chenault, Cissna, Costello, Dick, Edgmon, Fairclough, Feige, 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

Absent: Doogan, Foster, Joule

And so, CSHB 183(FIN) am passed the House on reconsideration.

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.

CSHB 183(FIN) am was referred to the Chief Clerk for engrossment.

**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 – Ainslie Phillips

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

**CONCUR IN SENATE AMENDMENTS****HB 19**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 985) on the following:

HOUSE BILL NO. 19

"An Act relating to special request registration plates; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 19(STA)  
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent to withdraw the motion to consider the Senate message. There being no objection, it was so ordered.

**HJR 9**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1018) on the following:



## CS FOR HOUSE JOINT RESOLUTION NO. 9(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

and

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO.  
9(RES)

(same title)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHJR 9(RES), thus adopting SCS CSHJR 9(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHJR 9(RES)?" The roll was taken with the following result:

SCS CSHJR 9(RES)

Concur

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, the House concurred in the Senate amendment.

The Chief Clerk notified the Senate.

SCS CSHJR 9(RES) was referred to the Chief Clerk for enrollment.

**HB 16**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1018) on the following:

HOUSE BILL NO. 16

"An Act extending senior benefits."

and

SENATE CS FOR HOUSE BILL NO. 16(FIN)

"An Act extending the senior benefits payment program; and relating to income allowances for medical assistance recipients and Alaska Pioneers' Homes and Alaska Veterans' Homes residents."

(SCR 12 - title change resolution)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to HB 16, thus adopting SCS HB 16(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 16?" The roll was taken with the following result:

SCS HB 16(FIN)

Concur

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, the House concurred in the Senate amendment.

The Chief Clerk notified the Senate.

SCS HB 16(FIN) was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 12**

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

##### **SENATE CONCURRENT RESOLUTION NO. 12**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, extending senior benefits.

There being no objection, it was so ordered.

The question being: "Shall SCR 12 pass the House?" The roll was taken with the following result:

#### **SCR 12**

Special Order of Business

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, SCR 12 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 Kerttula – from 2:30 p.m. to 4:00 p.m., April 17

Representative P. Wilson – from:

6:00 a.m., May 13 to midnight, May 15;  
6:00 a.m., May 16 to midnight, June 5;  
6:00 a.m., July 18 to midnight, July 23; and  
6:00 a.m., August 6 to midnight, August 13

Representative Gara – from:

6:00 a.m., July 7 to 7:00 p.m., July 24 (amended from page 890);  
6:00 a.m., June 6 to 11:00 p.m., June 19;  
6:00 a.m., September 1 to 8:00 a.m., September 10;  
10:00 p.m., September 18 to 11:00 p.m., September 25; and  
6:00 a.m., October 1 to 11:00 p.m., October 6

Representative Thomas – from 8:00 a.m., April 20 to 10:00 p.m., April 24

Representative Herron – from 8:45 p.m., June 19 to 7:50 p.m., June 21 (amended from page 997)

Representative Thompson – from 8:00 a.m., June 7 to 5:00 p.m., June 11; and from 8:00 a.m., October 2 to 5:00 p.m., October 7

Representative Fairclough – from 6:00 a.m., September 8 to 11:00 p.m., September 22

Representative Saddler – from 5:00 p.m., June 3 to 8:00 a.m., June 13

Representative Foster – from 6:00 a.m., November 3 to midnight, November 7; and from 6:00 a.m., November 17 to midnight, November 22

Representative Keller – from midnight, August 2 to noon, August 8; and from midnight, October 2 to noon, October 10

The Speaker stated that, without objection, the House would revert to Reports of Standing Committees.

The Speaker stated that, without objection, the House would recess to a Call of the Chair; and so, the House recessed at 7:27 p.m.

**AFTER RECESS**

The Speaker called the House back to order at 11:41 p.m.

**REPORTS OF STANDING COMMITTEES****HB 106**

The Finance Committee considered:

**HOUSE BILL NO. 106**

"An Act extending the termination date of the Alaska coastal management program and relating to the extension; relating to the review of activities of the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 22, ch. 31, SLA 2005; and providing for an effective date."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 106(FIN)**

"An Act extending the termination date of the Alaska coastal management program and relating to the extension; relating to the review of activities and regulations of the Alaska coastal management program; establishing the Alaska Coastal Policy Board; relating to the development, review, and approval of district coastal management plans; relating to the duties of the Department of Natural Resources relating to the Alaska coastal management program; relating to the review of certain consistency determinations; providing for an effective date by amending the effective date of secs. 1 - 13 and 18, ch. 31, SLA 2005; and providing for an effective date."

The report was signed by Representatives Stoltze and Thomas, Co-chairs, with the following individual recommendations:

Do pass (9): Guttenberg, Neuman, Fairclough, T. Wilson, Joule, Edgmon, Costello, Stoltze, Thomas

No recommendation (2): Gara, Doogan

The following fiscal note(s) apply to CSHB 106(FIN):

7. Fiscal, Dept. of Environmental Conservation
8. Fiscal, Dept. of Environmental Conservation
9. Fiscal, Dept. of Natural Resources

HB 106 is on today's first supplemental calendar.

### **CONSIDERATION OF THE FIRST SUPPLEMENTAL CALENDAR**

Representative Austerman moved and asked unanimous consent that the House adopt the following First Supplemental Calendar:

#### **HB 106-COASTAL MANAGEMENT PROGRAM**

There being no objection, it was so ordered.

### **SECOND READING OF HOUSE BILLS**

#### **HB 106**

The following was read the second time:

#### **HOUSE BILL NO. 106**

"An Act extending the termination date of the Alaska coastal management program and relating to the extension; relating to the review of activities of the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 22, ch. 31, SLA 2005; and providing for an effective date."

with the:

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RES RPT CS(RES) NT 7DP 2NR	748
LETTER OF INTENT WITH RES REPORT	749
FN(S) FORTHCOMING	749
FN3: (DEC) RECEIVED	930
FN4: (DEC) RECEIVED	930
FN5: (DEC) RECEIVED	930
FN6: (DNR) RECEIVED	930

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FIN RPT CS(FIN) NT 9DP 2NR	1031
FN7: (DEC)	1032
FN8: (DEC)	1032
FN9: (DNR)	1032

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. 106(FIN)

"An Act extending the termination date of the Alaska coastal management program and relating to the extension; relating to the review of activities and regulations of the Alaska coastal management program; establishing the Alaska Coastal Policy Board; relating to the development, review, and approval of district coastal management plans; relating to the duties of the Department of Natural Resources relating to the Alaska coastal management program; relating to the review of certain consistency determinations; providing for an effective date by amending the effective date of secs. 1 - 13 and 18, ch. 31, SLA 2005; and providing for an effective date."

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 106(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 106(FIN) was read the third time.

The question being: "Shall CSHB 106(FIN) pass the House?" The roll was taken with the following result:

CSHB 106(FIN)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson

And so, CSHB 106(FIN) passed the House.

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.

Representative Herron gave notice of reconsideration of the vote on CSHB 106(FIN).

### RECONSIDERATION

#### HB 106

Representative Herron moved and asked unanimous consent that reconsideration of CSHB 106(FIN) be taken up on the same day. There being no objection, it was so ordered.

CSHB 106(FIN) was again before the House in third reading.

The question to be reconsidered: "Shall CSHB 106(FIN) pass the House?" The roll was taken with the following result:

CSHB 106(FIN)

Third Reading

Final Passage

Reconsideration

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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, Thomas, Thompson, Tuck, P.Wilson, T.Wilson



And so, CSHB 106(FIN) passed the House on reconsideration.

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.

CSHB 106(FIN) was referred to the Chief Clerk for engrossment.

### UNFINISHED BUSINESS

#### HB 16

Representative Costello added her name as cosponsor to:

SENATE CS FOR HOUSE BILL NO. 16(FIN)

"An Act extending the senior benefits payment program; and relating to income allowances for medical assistance recipients and Alaska Pioneers' Homes and Alaska Veterans' Homes residents."

#### SB 1

Representative Costello added her name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 1(RLS)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature; and establishing a joint legislative task force on theme- based education."

### ENGROSSMENT

#### HCR 15

HCR 15 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

#### HB 104

CSHB 104(RLS) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 106**

CSHB 106(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 183**

CSHB 183(FIN) am was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 1**

HCS CSSB 1(RLS) 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 11:00 a.m., April 16, 2011. There being no objection, the House adjourned at 12:07 a.m., April 16, 2011.

Suzi Lowell  
Chief Clerk