

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

**Juneau, Alaska**

**Friday**

**May 13, 2011**

**Twenty-sixth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 2:07 p.m.

Roll call showed 37 members present. Representatives Gardner, Hawker, and Thomas had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend George Silides of Holy Trinity Episcopal Church. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With deepest respect for the religious traditions of all Alaskans, I offer this prayer:

Gracious, good and giving God, bless the lives of our leaders and grant them moments of renewal in the midst of demanding days. We remember before you the men and women of this assembly. We remember that they are flesh and blood with trials and temptations like any of us, with lives beyond these chambers which call for their attention which feed them and deplete them in circumstances unknown to us. May they turn to their source of strength and solace, may loved ones hold them dear, may peace be their hearts' consolation. Forgive us our trespasses as we forgive those who trespass against us.

We remember before you all poor and neglected persons, the homeless and the destitute, the old and the sick, and all who have none to care for them. Strengthen those who spend their lives establishing equal protection of the law and equal opportunities for all. Visit our jails and prisons with your pity and judgment. Remember all prisoners, give them amendment of life and hope for their future. When any are held unjustly, bring them release.

We are made aware of your majesty through the arts, in music, and nature's beauty which surrounds us. We ask your blessing upon those who sing and dance and play and write the music which lifts our souls and bodies. We seek your guidance for our work, for our decisions, and for our families. And we rely upon your mercy for our failures, for our greed, and for our selfish choices and give thanksgiving for successes beyond our own strength. For thine is the kingdom and the power and the glory. Amen.

The Pledge of Allegiance was led by Representative Olson.

### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 25<sup>th</sup> legislative day of the first special session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HB 106**

A message dated May 13, 2011, was read stating the Senate passed CSHB 106(FIN) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR 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."

CSHB 106(FIN) is under Unfinished Business.

### REPORTS OF STANDING COMMITTEES

#### **SB 46**

The Finance Committee considered:

CS FOR SENATE BILL NO. 46(FIN)

"An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 46(FIN)  
(same title)

The report was signed by Representative Stoltze, Co-chair, with the following individual recommendations:

Do pass (8): Fairclough, Guttenberg, T. Wilson, Joule, Neuman, Costello, Edgmon, Stoltze

No recommendation (2): Gara, Doogan

CSSB 46(FIN) is on today's calendar.

**INTRODUCTION OF CITATIONS**

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

Honoring – Ron Jordan  
By Representative Tuck; Senator Meyer

Honoring – Kerry Howard  
By Representatives Kerttula, Munoz; Senator Egan

Honoring – Fairbanks Ice Dogs, 2011 Robertson Cup Winners, USA  
Hockey Tier II Junior A National Championship  
By Representatives Kawasaki, Thompson

Honoring – Christopher Mandregan Jr., M.P.H.  
By Senator Giessel

In Memoriam – Jack Taub  
By Representatives Keller, Neuman

In Memoriam – Albert William Dick  
By Representative Thomas; Senator Kookesh

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF SENATE BILLS****SB 46**

The Speaker stated that, without objection, the following would be moved to the bottom of the calendar:

CS FOR SENATE BILL NO. 46(FIN)

"An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

**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 – Lathrop Robotics Team, Finalist in FIRST World Championships

By Representatives Thompson, Hawker, Chenault, Austerman, 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, Tuck, P. Wilson, T. Wilson

In Memoriam – Ron Miller

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

**CONCUR IN SENATE AMENDMENTS****HB 106**

Representative Austerman moved and asked unanimous consent that the House consider the Senate message (page 1238) on the following:

**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."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 106(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Austerman moved that the House concur in the Senate amendment to CSHB 106(FIN), thus adopting SCS CSHB 106(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 106(FIN)?" The roll was taken with the following result:

SCS CSHB 106(FIN)

Concur

**YEAS: 17 NAYS: 20 EXCUSED: 3 ABSENT: 0**

Yeas: Austerman, Cissna, Dick, Doogan, Edgmon, Foster, Gara, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Kerttula, Miller, Petersen, Seaton, Tuck

Nays: Chenault, Costello, Fairclough, Feige, Gatto, Herron, Johansen, Johnson, Keller, Lynn, Millett, Munoz, Neuman, Olson, Pruitt, Saddler, Stoltze, Thompson, P.Wilson, T.Wilson

Excused: Gardner, Hawker, Thomas

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Johnson, Chair  
Representative Herron  
Representative Kerttula

The Speaker stated that, without objection, the House would recess until 5:00 p.m.; and so, the House recessed at 2:35 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 5:33 p.m.

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

#### **MESSAGES FROM THE SENATE**

##### **HB 106**

A message dated May 13, 2011, was read stating the Senate failed to recede from its amendment to:

##### **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."

namely:

**SENATE CS FOR CS FOR HOUSE BILL NO. 106(FIN)**  
(same title)

The President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Olson, Chair  
Senator Wielechowski  
Senator Kookesh

The House members of the Conference Committee are Representatives Johnson (Chair), Herron, and Kerttula (page 1242).

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

(continued)

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

#### **SB 46**

The following, which was moved to the bottom of the calendar (page 1240), was read the second time:

CS FOR SENATE BILL NO. 46(FIN)

"An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

with the:

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FIN RPT HCS(FIN) 8DP 2NR

1239

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. 46(FIN)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Doogan, Gruenberg, and Gara:

Page 159, following line 28:



Insert a new subsection to read:

"(g) The sum of \$2,200,000,000 is appropriated from the statutory budget reserve fund (AS 37.05.540) to the Alaska permanent fund (art. IX, sec. 15, Constitution of the State of Alaska)."

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

Representative Stoltze objected.

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

HCS CSSB 46(FIN)

Second Reading

Amendment No. 1

**YEAS: 11 NAYS: 26 EXCUSED: 3 ABSENT: 0**

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

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

Excused: Gardner, Hawker, Thomas

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representatives Cissna and Gara:

Page 20, line 13:

Under Appropriation Items:

Delete "37,500,000"

Insert "20,000,000"

Under General Funds:

Delete "37,500,000"

Insert "20,000,000"

Adjust fund sources and totals accordingly.

Representative Cissna moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Stoltze objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 46(FIN)

Second Reading

Amendment No. 2

**YEAS: 9 NAYS: 28 EXCUSED: 3 ABSENT: 0**

Yeas: Cissna, Doogan, Gara, Guttentberg, Kawasaki, Kerttula, Miller, Petersen, Tuck

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

Excused: Gardner, Hawker, Thomas

And so, Amendment No. 2 was not adopted.

Representative Austerman moved and asked unanimous consent that HCS CSSB 46(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 46(FIN) was read the third time.

The question being: "Shall HCS CSSB 46(FIN) pass the House?" The roll was taken with the following result:

HCS CSSB 46(FIN)

Third Reading

Final Passage

**YEAS: 30 NAYS: 7 EXCUSED: 3 ABSENT: 0**

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

Nays: Cissna, Doogan, Gara, Holmes, Kawasaki, Petersen, Tuck

Excused: Gardner, Hawker, Thomas

And so, HCS CSSB 46(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 Johnson gave notice of reconsideration of the vote on HCS CSSB 46(FIN).

### **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 Lynn – from:

6:00 a.m., June 23 to midnight, July 24;  
6:00 a.m., July 29 to midnight, August 8;  
6:00 a.m., October 2 to midnight, October 7; and  
6:00 a.m., November 22 to midnight, November 28

Representative Millett – from 7:40 a.m., May 14 to 9:45 p.m., May 15

### **ENROLLMENT**

#### **HB 18**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:00 p.m., May 13, 2011:

CS FOR HOUSE BILL NO. 18(STA) am  
"An Act establishing Alaska Public Gardens Day on the Saturday  
immediately preceding Memorial Day each year."

**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 noon, May 14, 2011. There being no objection, the House adjourned at 7:21 p.m.

Suzi Lowell  
Chief Clerk