

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

January 23, 2012

Seventh Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:01 a.m.

Roll call showed 36 members present. Representatives Gara, Gruenberg, Holmes, and Johansen were absent and their presence was noted later.

The invocation was offered by the Chaplain, Pastor Steve Evenson of the Seventh-day Adventist Churches of Juneau and Sitka. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O Heavenly Father:

Today I come before you asking for your guidance for the representatives of the people of the great state of Alaska. I ask that you would bless the people in this meeting today. Pour out your grace upon this assembly that wisdom may abound in these halls.

Happy is the man who finds wisdom, and the man who gains understanding; for her proceeds are better than the profits of silver, and her gain than fine gold. She is more precious than rubies, and all the things you may desire cannot compare with her. Length of days is in her right hand, in her left hand riches and honor. Her ways are ways of pleasantness, and all her paths are peace.
(Proverbs 3:13-17)

Give each one in this hall strength; give each one courage;
give each one clearness of mind; give each one patience.

I ask this in the name of Jesus. Amen.

The Pledge of Allegiance was led by Representative Edgmon.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the fourth, fifth, and sixth legislative days and House and Senate Joint Journal Supplement No. 10 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated January 20, 2012, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 10:00 a.m., February 23 to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

A message dated January 20, 2012, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., February 29 to hear the State of the Judiciary Address by Chief Justice Carpeneti.

**The presence of Representatives Gruenberg, Gara, Johansen, and Holmes was noted.

COMMUNICATIONS

The following were received:

Alaska Energy Authority
Susitna-Watana Hydroelectric Project
January 17, 2012
(as required by AS 44.83.085)

Dept. of Revenue
Permanent Fund Dividend Division
Report of 2011 Charitable Contributions through
Permanent Fund Dividends
January 12, 2012
(as required by AS 43.23.062)

HB 108

Pursuant to:

CONFERENCE CS FOR HOUSE BILL NO. 108

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, amending appropriations, and making reappropriations; and providing for an effective date."

Chapter No. 3, FSSLA 11

The following were received:

Dept. of Administration
Alaska Land Mobile Radio (ALMR)
Presentation to the Alaska State Legislature
January 20, 2012

Dept. of Administration
ALMR Feasibility Study
October 2011

SB 1

Pursuant 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."

Chapter No. 14, SLA 11

The following was received:

Joint Legislative Task Force on Theme-Based Education
Recommendations to Improve Curriculum in the State
January 19, 2012

REPORTS OF STANDING COMMITTEES

HB 182

The State Affairs Committee considered:

HOUSE BILL NO. 182

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 182(STA)

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

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

Do pass (4): P. Wilson, Petersen, Johansen, Lynn

Amend (3): Keller, Gruenberg, Seaton

The following fiscal note(s) apply to CSHB 182(STA):

1. Indeterminate, Office of the Governor/All Depts.

HB 182 was referred to the Finance Committee.

HB 279

The Labor & Commerce Committee considered:

HOUSE BILL NO. 279

"An Act extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, the Big Game Commercial Services Board, the

Alcoholic Beverage Control Board, and the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

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

Do pass (5): Thompson, Saddler, Johnson, Miller, Olson

The following fiscal note(s) apply:

1. Fiscal, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources
3. Fiscal, Dept. of Public Safety

HB 279 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Robert B. Hoekzema
By Senator Giessel

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

Honoring - Captain Rodini Igtanloc Roldan, Captain of the *Matanuska*
By Representatives Munoz, Kerttula; Senator Egan

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 31

HOUSE JOINT RESOLUTION NO. 31 by Representatives Johansen, Fairclough, Olson, Millett, Feige, and Chenault:

Urging the President of the United States and the United States Congress to acquire the area commonly known as Central Park on Manhattan in New York City on behalf of the federal government;

urging the United States Congress to declare Central Park to be a wilderness area and to prohibit any further improvement or development of Central Park unless authorized by an Act of Congress.

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

CONSIDERATION OF THE DAILY CALENDAR

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 - Jim Nygaard, 2012 Alaska Superintendent of the Year

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

Honoring - Cara Heitz, 2012 Alaska Teacher of the Year

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

Honoring - Beatriz Abella, Award-Winning Performer at Carnegie Hall

By Representatives Munoz, Kerttula, Chenault, Cissna, Costello, Dick, 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; Senator Egan

Honoring - City of Kake, 100 Year Anniversary, January 8, 2012

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

Honoring - City of Hydaburg, 100 Year Anniversary, November 26, 2012

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

Honoring - Steven C. Borell

By Senator Giessel; Representatives Hawker, Chenault, Austerman, Cissna, Costello, Dick, 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, Tuck, P. Wilson, T. Wilson

Honoring - Marilyn Crockett

By Senator Giessel; Representatives Hawker, Chenault, Cissna, Costello, Dick, 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, Tuck, P. Wilson, T. Wilson

Honoring - Marlys Tedin

By Senator Stedman; Representatives P. Wilson, Chenault, Cissna, Costello, Dick, 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, T. Wilson

Honoring - Rabbit Creek Elementary School

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

In Memoriam - Lawrence James Albecker

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

In Memoriam - Harold "Hap" Symmonds

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

In Memoriam - Peter Kent Lapham

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

In Memoriam - William C. "Bill" Noll

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

In Memoriam - Ben Grussendorf

By Senator Stedman; Representatives P. Wilson, Chenault, Austerman, Cissna, Costello, Dick, 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, T. Wilson

In Memoriam - Henry Clay Keene, Jr.

By Senator Stedman; Representatives Johansen, Chenault, Cissna, Costello, Dick, 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

In Memoriam - Grant H. Forsythe

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

In Memoriam - Carroll George Fader

By Senator Stedman; Representatives Johansen, Chenault, Cissna, Costello, Dick, 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

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 11:30 a.m. to 1:30 p.m., January 25

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Representative Guttenberg – from 6:00 a.m., January 25 to 8:00 p.m., January 28

Representative Millett – from noon, January 27 to 10:30 p.m., January 29

Representative Johnson – from noon, January 26 to 2:45 p.m., January 29

Representative Gatto – from 5:00 p.m., January 26 to 10:00 p.m., January 30

Representative Pruitt – from 1:00 p.m., January 27 to 10:30 p.m., January 29

Representative Fairclough – from 11:00 a.m., January 27 to 10:30 a.m., January 30

Representative Costello – from 11:30 a.m., January 27 to 10:30 a.m., January 30

HB 216

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 216

"An Act relating to deadlines in bills directing the adoption of regulations and to the informative summary required for the proposed adoption, amendment, or repeal of a regulation."

HB 216 is in the Judiciary Committee.

SB 66

The Speaker removed the Labor & Commerce Committee referral for the following:

CS FOR SENATE BILL NO. 66(L&C)

"An Act creating a new markets tax credit assistance guarantee and loan program within the Alaska Industrial Development and Export Authority and relating to the program; and providing for an effective date."

CSSB 66(L&C) was removed from the Labor & Commerce Committee and referred to the Finance Committee.

SPECIAL ORDER OF BUSINESS

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Captain Rodini Igtanloc Roldan, Captain of the *Matanuska*, 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 citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Captain Rodini Igtanloc Roldan, Captain of the *Matanuska*
By Representatives Munoz, Kerttula, 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; Senator Egan

UNFINISHED BUSINESS

HB 49

Representative Gardner added her name as cosponsor to:

HOUSE BILL NO. 49

"An Act establishing in the Department of Education and Early Development a voluntary parent and early childhood education program for pre-elementary aged children."

HB 77

Representative Petersen added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 77

"An Act establishing a top two nonpartisan blanket primary election system for elective state executive and state and national legislative offices; changing appointment procedures relating to

precinct watchers and members of precinct election boards, election district absentee and questioned ballot counting boards, and the Alaska Public Offices Commission; requiring certain written notices to appear in election pamphlets and polling places; relating to declarations of candidacy and letters of intent; and amending the definition of 'political party.'"

HB 190

Representative Lynn added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190

"An Act relating to allowable absences from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

HB 192

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 192

"An Act moving the Violent Crimes Compensation Board from the Department of Administration to the Department of Public Safety."

HB 194

Representatives Miller, Kerttula, Gruenberg, and Petersen added their names as cosponsors to:

HOUSE BILL NO. 194

"An Act making a special appropriation to the Alaska permanent fund; making an appropriation under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

HB 231

Representative Tuck added his name as cosponsor to:

HOUSE BILL NO. 231

"An Act relating to tax credits applicable to the oil and gas production tax based on capital expenditures, including capital expenditures incurred for a production facility for new oil and gas production; relating to the alternative tax credit for oil and gas exploration; and providing for an effective date."

HB 236

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 236

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

HB 244

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 244

"An Act providing that for-profit corporations and limited liability companies organized in this state are not persons for purposes of influencing the outcomes of public office elections, initiatives, referendums, or recalls."

HB 247

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 247

"An Act establishing July 30 each year as Alaska National Guard Day."

HB 271

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 271

"An Act relating to the state highway system and commercial motor vehicle requirements."

HB 281

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 281

"An Act establishing March 30 of each year as Welcome Home Vietnam Veterans Day."

HB 282

Representative Petersen added his name as cosponsor to:

HOUSE BILL NO. 282

"An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; and providing for a temporary occupational license for qualified military service members."

HB 292

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 292

"An Act relating to property exemptions for retirement plans; relating to pleadings, orders, liability, and notices under the Uniform Probate Code; relating to the Alaska Principal and Income Act; relating to the Alaska Uniform Transfers to Minors Act; relating to the disposition of human remains; relating to insurable interests for life insurance policies; relating to transfers of individual retirement plans; relating to the community property of married persons; and amending Rule 301(a), Alaska Rules of Evidence."

ANNOUNCEMENTS

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., January 25, 2012. There being no objection, the House adjourned at 11:41 a.m.

Suzi Lowell
Chief Clerk