

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

February 27, 2012

#### Forty-second Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:03 a.m.

Roll call showed 35 members present. Representatives Cissna, Gatto, and Neuman had been excused from a call of the House today. Representative Gara was absent and his presence was noted later.

Representative Austerman moved and asked unanimous consent that Representative Holmes be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Dr. Phil Campbell of Northern Light United 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.

Let us be together in a way that is respectful of whatever your practice is of prayer and reflection as I offer this prayer today.

Spirit of Life and Source of Goodness, this morning I give thanks that these representatives have returned safely to this Chamber for another week of work. I offer gratitude also for staff members whose support makes the work of the legislature possible and gratitude for any who may be here to observe or participate in these proceedings.

This process is a grand endeavor to which you have called us. Grant to each the capacity to attend to his or her particular

roles and responsibilities with dedication and skill. Give to those who speak the gift of clarity, and grant all in this Chamber a spirit of wisdom. May the deliberations undertaken this day bear fruit for all Alaskans, and may the gifts of justice, mercy, and peace fill this place and guide and uphold all herein.

Spirit of Life and Source of Goodness, receive these and all the prayers offered this day. Amen.

The Pledge of Allegiance was led by Representative Johnson.

### **CERTIFICATION OF THE JOURNAL**

Representative Austerman moved and asked unanimous consent that the journal for the 39<sup>th</sup>, 40<sup>th</sup>, and 41<sup>st</sup> legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HB 307**

A letter dated February 24, 2012, was received regarding:

#### HOUSE BILL NO. 307

"An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date."

The Speaker referred the following letter to the Finance Committee:

"Dear Speaker Chenault:

There are two items in the FY 2012 supplemental bill I submitted to you on January 31 - HB 307 and SB 184 - that require your earliest consideration. I respectfully request expedited movement on disaster related supplemental funding and military force structure funding.

As you know, this past fall and winter in Alaska have been challenging. I issued disaster declarations for the 2011 West Coast

Storm, the 2011 Kenai Peninsula Windstorm, and the 2012 Prince William Sound Winter Storm. Initial expenditures have been limited in all three disasters to \$1,000,000 each per AS 26.23.020(k)(1).

State funding for these storms is currently estimated to be:

2011 West Coast Storm Disaster	\$4,621,435
2011 Kenai Peninsula Windstorm	\$2,303,464
2012 Prince William Sound Storm	\$3,633,029

While there are sufficient funds available within the Disaster Relief Fund (DRF) for the estimated costs of the disasters listed above, we are unable to make payments in excess of the \$1,000,000 for each storm until legislative approval is obtained through the supplemental request. We fully expect that there will be increased costs associated with these storms, as well as other events such as spring flooding, that will require additional resources. Our original supplemental request for the Disaster Relief Fund was \$3.0 million. Since that time, it has been estimated we will need another \$2.0 million to cover anticipated needs. Therefore, I am requesting your approval to increase the balance of the DRF by \$5.0 million in an early supplemental.

I am also requesting your early approval of \$300,000 for our efforts to support and sustain Alaska's current military facilities and statewide force structure. The U.S. military presence in Alaska represents ten percent of the state's economy. The Alaska Military Force Advocacy and Structure Team (AMFAST) recommends that the State provide resources to counter the U.S. Department of Defense plans to reduce military spending through a Base Realignment and Closure Commission. We must begin this work immediately, and these funds will be used to contract for specific expertise in this area from now through June of 2013.

I welcome your expedited consideration of these two supplemental requests.

Sincerely,

/s/

Sean Parnell  
Governor"

**MESSAGES FROM THE SENATE**

A message dated February 24, 2012, was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 173**

SENATE BILL NO. 173 by the Senate Rules Committee by request of the Legislative Council, entitled:

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

**COMMUNICATIONS**

The following was received:

Dept. of Natural Resources  
Citizens' Advisory Commission on Federal Areas  
2011 Annual Report  
(as required by AS 41.37.220)

**REPORTS OF STANDING COMMITTEES****HB 242**

The Education Committee considered:

HOUSE BILL NO. 242

"An Act relating to funding for digital learning as a component of public school funding."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 242(EDC)

(same title)

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

Do pass (3): Seaton, P. Wilson, Dick

No recommendation (1): Pruitt

The following fiscal note(s) apply to CSHB 242(EDC):

1. Fiscal, Dept. of Education & Early Development

HB 242 was referred to the Finance Committee.

### **REPORTS OF SPECIAL COMMITTEES**

#### **HJR 10**

The House Special Committee on Fisheries considered:

##### HOUSE JOINT RESOLUTION NO. 10

Supporting expanded research concerning the detrimental effects of ocean acidification.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 10(FSH)  
(same title)

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

Do pass (3): Austerman, Miller, Thompson

No recommendation (2): Pruitt, Herron

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHJR 10(FSH):

1. Zero, Legislative Agency

HJR 10 was referred to the Resources Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - Loretta M. Bullard  
By Senator Olson; Representative Foster

Honoring - Women in the Alaska Legislature  
By Senator Davis

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

Honoring - Dimond High School Hockey Team, 2012 First National Cup Hockey State Champions  
By Representative Costello

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 118**

The following was read the second time:

**HOUSE BILL NO. 118**

"An Act relating to a tax credit for corporate income taxes paid for qualified research and development expenditures; and providing for an effective date."

with the:

Journal Page

L&C RPT CS(L&C) 5DP 1NR	464
FN1: INDETERMINATE(REV)	465
FIN RPT CS(FIN) NT 2DP 4NR 3AM	1610
FN2: ZERO(LWF)	1611
FN3: INDETERMINATE(REV)	1611

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. 118(FIN)

"An Act relating to a tax credit for qualified research and development expenditures; and providing for an effective date."

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 118(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Kerttula objected.

CSHB 118(FIN) will advance to third reading on the February 29, 2012, calendar.

**HB 279**

The following was read the second time:

## 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."

with the:

Journal Page

L&C RPT 5DP	1388
FN1: (CED)	1389
FN2: (DNR)	1389
FN3: (DPS)	1389
FIN RPT CS(FIN) 7DP	1688
FN4: (CED)	1689
FN5: (CED)	1689
FN6: (CED)	1689
FN7: (CED)	1689
FN8: (DNR)	1689
FN9: (DPS)	1689

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

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. 279(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that CSHB 279(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 279(FIN) was read the third time.

The question being: "Shall CSHB 279(FIN) pass the House?" The roll was taken with the following result:

CSHB 279(FIN)  
Third Reading  
Final Passage

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

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

Excused: Cissna, Gatto, Holmes, Neuman

And so, CSHB 279(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.

CSHB 279(FIN) was referred to the Chief Clerk for engrossment.



**SECOND READING OF HOUSE RESOLUTIONS****HCR 18**

The following was read the second time:

**HOUSE CONCURRENT RESOLUTION NO. 18**

Relating to an examination of fisheries-related programs and resources in the state to determine how those programs and resources may best be strengthened and focused to facilitate the entry of young Alaskans into gainful, lifelong commercial fisheries careers and to the development of a systematic, aggressive, and sustained program to turn the tide on the graying of the fleet and to increase ownership of successful commercial fisheries operations by young Alaskans.

with the:	Journal Page
FSH RPT CS(FSH) NT 5DP	1593
FN1: ZERO(H.FSH)	1594

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

**CS FOR HOUSE CONCURRENT RESOLUTION NO. 18(FSH)**

Relating to an examination of fisheries-related programs to facilitate the entry of young Alaskans into commercial fisheries careers and to collaboration with the University of Alaska fisheries, seafood, and maritime initiative.

There being no objection, it was so ordered.

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

Page 4, following line 6, insert a new paragraph to read:

"**A COPY** of this resolution shall be sent to the Honorable Patrick Gamble, President of the University of Alaska."

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

The question being: "Shall CSHCR 18(FSH) am pass the House?"  
The roll was taken with the following result:

CSHCR 18(FSH) am  
Second Reading  
Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 2**

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

Excused: Cissna, Gatto, Holmes, Neuman

Absent: Feige, Foster

And so, CSHCR 18(FSH) am passed the House.

Representative Johnson later gave notice of reconsideration of the vote on CSHCR 18(FSH) am, and reconsideration was taken up then.

#### 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 - 2012 Inductees, Alaska Sports Hall of Fame  
By Representatives Joule, Chenault, Austerman, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, 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

Honoring - Service High School Wrestling Team, 2012 4A State Champions

By Representatives Millett, 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, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson; Senator Meyer

Honoring - AWARE Women of Distinction

By Representatives Kerttula, Munoz, Chenault, Austerman, 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

Honoring - Benjamin Peterson

By Senator Meyer; Representatives Millett, 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, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Commemorating - The 75<sup>th</sup> Anniversary of Rainy Pass Lodge, The Oldest Hunting Lodge in Alaska

By Senator Menard; 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 - Gibson Harvey Moto

By Senator Olson; Representatives Joule, Chenault, Cissna, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, 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

In Memoriam - Erling Nelson

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

### RECONSIDERATION

#### HCR 18

Representative Johnson gave notice of reconsideration of the vote on CSHCR 18(FSH) am (page 1716).

Representative Johnson moved and asked unanimous consent that reconsideration of CSHCR 18(FSH) am be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in second reading:

CS FOR HOUSE CONCURRENT RESOLUTION NO.  
18(FSH) am

Relating to an examination of fisheries-related programs to facilitate the entry of young Alaskans into commercial fisheries careers and to collaboration with the University of Alaska fisheries, seafood, and maritime initiative.

The question to be reconsidered: "Shall CSHCR 18(FSH) am pass the House?" The roll was taken with the following result:

CSHCR 18(FSH) am

Second Reading

Final Passage

Reconsideration

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

Yeas: Austerman, Chenault, Costello, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Herron, Johansen, Johnson, Joule, Kawasaki, Keller,

Kerttula, Lynn, Miller, Millett, Munoz, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

Excused: Cissna, Gatto, Holmes, Neuman

And so, CSHCR 18(FSH) am passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

### **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 Hawker – from 8:00 a.m. to 5:00 p.m., February 29

Representative Olson – from 6:00 p.m., February 29 to 11:00 a.m., March 5

### **SPECIAL ORDER OF BUSINESS**

Representative Austerman moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Dimond High School Hockey Team, 2012 First National Cup Hockey State Champions, 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 - Dimond High School Hockey Team, 2012 First National Cup Hockey State Champions  
By Representatives Costello, Chenault, Austerman, Cissna, Dick, Doogan, Edgmon, Fairclough, Feige, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Jole, Kawasaki, Keller, Kerttula, Lynn, Miller, Millett, Munoz, Neuman, Olson, Petersen, Pruitt, Saddler, Seaton, Stoltze, Thomas, Thompson, Tuck, P. Wilson, T. Wilson

**UNFINISHED BUSINESS****HCR 24**

Representative Joule added his name as cosponsor to:

**HOUSE CONCURRENT RESOLUTION NO. 24**

Relating to the establishment and operation of a state food resource development working group.

**HB 79**

Representative Herron added his name as cosponsor to:

**HOUSE BILL NO. 79**

"An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a covered treatment plan for those disorders, and defining the covered treatment for those disorders; and providing for an effective date."

**SB 74**

Representative Kawasaki added his name as cross sponsor to:

**SENATE BILL NO. 74**

"An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a covered treatment plan for those disorders, and defining the covered treatment for those disorders; and providing for an effective date."

**ENGROSSMENT****HCR 18**

CSHCR 18(FSH) am was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 279**

CSHB 279(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Austerman moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 29, 2012. There being no objection, the House adjourned at 12:00 p.m.

Suzi Lowell  
Chief Clerk