

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

Juneau, Alaska Monday March 12, 2012

Fifty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:02 a.m.

Roll call showed 36 members present. Representatives Gatto and Kerttula had been excused from a call of the House today. Representative Thomas was absent.

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

The invocation was offered by the Chaplain, David Dierdorff of Juneau Unitarian Universalist Church of the Larger Fellowship. Representative T. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Please join me in reverence.

Spirit of Life, known by many names yet by no name fully known, we turn our minds and hearts again toward thee. Awaken us again to the mysteries that humble us, the realities that orient us, the truths that judge and guide us, the beauty that informs and ravishes us, the love that nurtures us, the fellowship that sustains us, the creativity that heightens and deepens and reorders our living, that we may give ourselves in honesty and openness to the larger life before us. In the name

of all that is holy, and in all holy names that have ever been uttered, let us say Blessed be, Shalom, and Amen.

The Pledge of Allegiance was led by Representative Munoz.

CERTIFICATION OF THE JOURNAL

Representative Austerman moved and asked unanimous consent that the journal for the 50th, 51st, 52nd, 53rd, 54th, and 55th legislative days be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

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Representative Munoz introduced Summer Smith, Guest Page, from Juneau.

Representative Olson introduced Duncan Brewer and Savaya Bieber, Guest Pages, from Kenai.

Representative Stoltze introduced John Paul Harris, Guest Page, from Anchorage.

MESSAGES FROM THE GOVERNOR

HB 19

The following letter dated March 7, 2012, was received:

"Dear Speaker Chenault:

On this date, I have signed the following bill passed by the second session of the Twenty-Seventh Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CONFERENCE CS FOR HOUSE BILL NO. 19

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

Chapter No. 2, SLA 2012

[Effective Date: March 8, 2012]

This bill is an expansion of existing statute allowing the Department of Administration, Division of Motor Vehicles to design and create additional special request motor vehicle license plates. Although I have signed this bill, I am concerned that continuing multiplication of new license plate categories may become a challenge. If the practice continues, it could detract from legitimate State functions and purposes like public safety and license registration.

Sincerely,

/s/

Sean Parnell
Governor"

MESSAGES FROM THE SENATE

A message dated March 6, 2012, was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 83

CS FOR SENATE BILL NO. 83(EDC) by the Senate Education Committee, entitled:

"An Act providing for payment and loan incentives to public school teachers for national board certification."

was read the first time and referred to the Education and Finance Committees.

SB 130

CS FOR SENATE BILL NO. 130(STA) by the Senate State Affairs Committee, entitled:

"An Act establishing the Alaska Native Language Preservation and Advisory Council and relating to the preservation, restoration, and revitalization of Alaska Native languages."

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

SB 140

CS FOR SENATE BILL NO. 140(JUD) by the Senate Judiciary Committee, entitled:

"An Act classifying certain substances as schedule IIA controlled substances and providing penalties relating to those substances; and providing for an effective date."

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

INTRODUCTION OF CITATIONS

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

Honoring - George and Joanne Nelson, 50th Wedding Anniversary
By Representative Edgmon; Senator Hoffman

Honoring - Valerie Davidson, 2012 Luminary Distinguished Provider Award
By Senators Hoffman, McGuire; Representative Herron

Honoring - Ada Johnson on the Occasion of Her 80th Birthday
By Senator Davis

Honoring - Never Sets Film Festival
By Senator Ellis

In Memoriam - Buddy Tabor
By Senator Egan; Representatives Kerttula, Munoz

In Memoriam - Yvette Byes
By Senator Davis

In Memoriam - Jesse LeRoy Hayden Jr.
By Senator Davis

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HR 11**

HOUSE RESOLUTION NO. 11 by the House State Affairs Committee:

In support of providing TRICARE program health care benefits to United States military retirees as promised.

was read the first time and referred to the State Affairs Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 363**

HOUSE BILL NO. 363 by the House Health and Social Services Committee, entitled:

"An Act prohibiting the use of public funds for abortion."

was read the first time and referred to the Health & Social Services, Judiciary, and Finance Committees.

HB 364

HOUSE BILL NO. 364 by the House Community and Regional Affairs Committee, entitled:

"An Act relating to a credit against the net income tax for a contribution made by a taxpayer to a nonprofit organization that provides an emergency shelter for the homeless or a facility for alcohol or drug detoxification."

was read the first time and referred to the Community & Regional Affairs and Finance Committees.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 224**

The following was read the second time:

HOUSE BILL NO. 224

"An Act relating to the prohibition of selling or giving tobacco or a product containing nicotine to a minor unless prescribed by a licensed physician."

with the:	Journal Page
JUD RPT CS(JUD) NT 4DP 3NR	987
FN1: ZERO(DHS)	987
FN2: ZERO(LAW)	987
FIN RPT CS(FIN) NT 9DP 1AM	1730
FN3: ZERO(DHS)	1730
FN4: ZERO(LAW)	1730

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. 224(FIN)

"An Act prohibiting the sale or gift of a product containing nicotine to a minor under certain conditions."

There being no objection, it was so ordered.

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

Page 2, following line 11:

Insert a new subsection to read:

"(c) An employer is legally accountable as provided in AS 11.16.110 for the conduct of an employee who violates (a) of this section if the employer negligently fails to advise the employee regarding the conduct prohibited in (a) of this section."

Reletter the following subsections accordingly.

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

Representative Austerman moved and asked unanimous consent that CSHB 224(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 224(FIN) am was read the third time.

The question being: "Shall CSHB 224(FIN) am pass the House?" The roll was taken with the following result:

CSHB 224(FIN) am

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 3 ABSENT: 1

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

Excused: Gatto, Kerttula, P. Wilson

Absent: Thomas

And so, CSHB 224(FIN) am passed the House and was referred to the Chief Clerk for engrossment.

HB 314

The following was read the second time:

HOUSE BILL NO. 314

"An Act extending the time period for which the Alaska Railroad Corporation may lease land without reserving the right to terminate the lease; and providing for an effective date."

with the:

Journal Page

L&C RPT 5DP

1633

FN1: ZERO(CED)

1634

FN2: ZERO(DNR)

1634

Representative Austerman moved and asked unanimous consent that HB 314 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 314 will advance to third reading on the March 14, 2012, calendar.

THIRD READING OF HOUSE BILLS

HB 229

The following, which was held from the March 6, 2012, calendar (page 1822), was read the third time:

CS FOR HOUSE BILL NO. 229(JUD)

"An Act relating to the duties of the Big Game Commercial Services Board; relating to activities, including violations and penalties, under the supervision of the Big Game Commercial Services Board; creating a retired status license for certain retired guides and outfitters; and providing for an effective date."

The question being: "Shall CSHB 229(JUD) pass the House?" The roll was taken with the following result:

CSHB 229(JUD)

Third Reading

Final Passage

YEAS: 33 NAYS: 3 EXCUSED: 3 ABSENT: 1

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

Nays: Doogan, Gardner, Guttenberg

Excused: Gatto, Kerttula, P.Wilson

Absent: Thomas

Gardner changed from "Yea" to "Nay".

And so, CSHB 229(JUD) 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 229(JUD) was referred to the Chief Clerk for engrossment.

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 - Chief James R. Inman on His Retirement from the United States Air Force

By Senator French; 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 - Melvin Glenn Coghill

By Representatives Edgmon, Chenault, Cissna, Costello, Dick, Doogan, 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; Senator Hoffman

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 Dick – from 11:30 a.m., March 14 to 10:30 p.m., March 15

Representative Austerman – from 11:30 a.m., March 15 to 3:00 p.m., March 18

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Representative Tuck – from 11:45 a.m., March 16 to 10:15 a.m., March 19

Representative Neuman – from 11:30 a.m., March 16 to 10:00 a.m., March 19

Representative Fairclough – from 11:00 a.m., March 16 to 10:30 a.m., March 19

Representative Costello – from 11:45 a.m., March 16 to 10:45 a.m., March 19

Representative Saddler – from 6:00 p.m., March 16 to 10:30 p.m., March 18

Representative Feige – from 6:30 p.m., March 16 to 10:00 p.m., March 18

HCR 24

Representative Guttenberg 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 224

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

CS FOR HOUSE BILL NO. 224(FIN) am

"An Act prohibiting the sale or gift of a product containing nicotine to a minor under certain conditions."

HB 229

Representative Pruitt added his name as cosponsor to:

CS FOR HOUSE BILL NO. 229(JUD)

"An Act relating to the duties of the Big Game Commercial Services Board; relating to activities, including violations and penalties, under the supervision of the Big Game Commercial

Services Board; creating a retired status license for certain retired guides and outfitters; and providing for an effective date."

SB 140

Representative Stoltze added his name as cross sponsor to:

CS FOR SENATE BILL NO. 140(JUD)

"An Act classifying certain substances as schedule IIA controlled substances and providing penalties relating to those substances; and providing for an effective date."

ENGROSSMENT**HB 224**

CSHB 224(FIN) am was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 229

CSHB 229(JUD) 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., March 14, 2012. There being no objection, the House adjourned at 11:53 a.m.

Stephanie Hall
Assistant Chief Clerk