

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

January 30, 2009

#### Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:00 a.m.

Roll call showed 38 members present. Representative Neuman had been excused from a call of the House today. Representative Hawker was absent and his presence was noted later.

The invocation was offered by the Chaplain, the Reverend Tom Matthews of Douglas Island Bible Church. Representative Buch moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With respect for the various beliefs represented here, I would like to offer up this prayer on your behalf.

Dear Lord:

Thank you for another day given to each of us who is here this morning. May we never forget that life itself is a fleeting thing. Help us to make good use of the time you have given us.

A walk down the hallway into this legislative hall is a reminder that each person here is simply a part of a long history of legislators who have represented their districts in this room. The pictures there remind us that it has taken the sacrifice and dedication of many people over the years, and that those here today are simply a part of the big picture of

who we are today and who we will be tomorrow as a state. I pray that each person here would see the honor of being a part of that picture. I pray that they would serve this state and their constituents with hearts of integrity; that each legislator would be known and remembered for their honesty and commitment to justice.

Lord, I thank you that these sessions are still started with prayer. I thank you that these legislators are reminded daily of the importance of seeking the counsel of God in the affairs of this state. Proverbs 19:21 tells us: *Many are the plans in a man's heart, but the counsel of the Lord, it will stand.*

I seek your face this morning for this body. I trust that you will lead them forward in your counsel. In the name of your Son, Jesus Christ, I lift this prayer. Amen.

The Pledge of Allegiance was led by Representative Austerman.

#### **CERTIFICATION OF THE JOURNAL**

Representative Johansen moved and asked unanimous consent that the journal for the ninth and tenth legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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

A message dated January 28, 2009, was read stating the Senate passed the following, and it is transmitted for consideration:

#### **FIRST READING AND REFERENCE OF SENATE BILLS**

##### **SB 77**

CS FOR SENATE BILL NO. 77(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to the Joint Armed Services Committee; and providing for an effective date."

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

### COMMUNICATIONS

The following were received:

Dept. of Administration  
Division of Finance  
Comprehensive Annual Financial Report  
July 1, 2007 - June 30, 2008  
(as required by AS 37.05.210)

Dept. of Labor & Workforce Development  
Office of the Commissioner  
FY 08 Achievement Report and  
FY 09 Annual Performance Plan under  
Strategic & Performance Plans  
Available at <http://www.labor.state.ak.us/lss/oshhome.htm>  
(as required by AS 18.60.040)

Dept. of Law  
2008 Annual Report  
(as required by AS 44.23.020)

Dept. of Natural Resources  
Citizens' Advisory Commission on Federal Areas  
2008 Annual Report  
(as required by AS 41.37.220)

Dept. of Natural Resources  
Division of Oil & Gas  
Five-Year Program of Proposed Oil and  
Gas Lease Sales  
(as required by AS 38.05.180)

### INTRODUCTION OF CITATIONS

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

Honoring - Chapman School of Anchor Point  
By Representative Seaton

In Memoriam - Jean Keene, "The Eagle Lady"  
By Representative Seaton

In Memoriam - Janet Sorensen  
By Senators Thomas, Paskvan; Representatives Coghill, Guttenberg,  
Kawasaki, Kelly, Ramras

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

#### **HR 5**

HOUSE RESOLUTION NO. 5 by Representatives Johnson, Kelly,  
and Coghill:

Opposing any federal legislation that seeks to eliminate the private  
election phase of union recognition campaigns or that seeks to  
impose compulsory and binding arbitration on employers.

was read the first time and referred to the Labor & Commerce  
Committee.

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

#### **HJR 10**

HOUSE JOINT RESOLUTION NO. 10 by Representatives  
Guttenberg, Kawasaki, Salmon, Kerttula, Gruenberg, and Cissna:

Urging the United States Congress to improve health care for  
veterans.

was read the first time and referred to the House Special Committee on  
Military & Veterans' Affairs and the State Affairs and Health & Social  
Services Committees.

#### **HJR 11**

HOUSE JOINT RESOLUTION NO. 11 by the House Finance  
Committee:

Relating to the federal stimulus package.

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

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

**HB 100**

HOUSE BILL NO. 100 by Representative Johansen, entitled:

"An Act relating to the Joseph C. Williams, Sr., Coastal Trail."

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

**HB 101**

HOUSE BILL NO. 101 by Representative Coghill, entitled:

"An Act exempting the full value of life insurance and annuity contracts from levy to satisfy unsecured debt, and amending the description of earnings, income, cash, and other assets relating to garnishment of life insurance proceeds payable upon the death of an insured."

was read the first time and referred to the Labor & Commerce and Judiciary Committees.

**HB 102**

HOUSE BILL NO. 102 by the House Labor and Commerce Committee, entitled:

"An Act relating to the Uniform Commercial Code, to the general provisions of the Uniform Commercial Code, to documents of title under the Uniform Commercial Code, to the Uniform Electronic Transactions Act, and to lease-purchases of personal property; amending Rules 403 and 902, Alaska Rules of Evidence; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Judiciary Committees.

**HB 103**

HOUSE BILL NO. 103 by Representative Crawford, entitled:

"An Act relating to the temporary appointment of a United States senator."

was read the first time and referred to the State Affairs and Judiciary Committees.

**HB 104**

HOUSE BILL NO. 104 by the House Labor and Commerce Committee, entitled:

"An Act adjusting certain fees for treatment or services under the Alaska Workers' Compensation Act to reflect changes in the Consumer Price Index; and providing for an effective date."

was read the first time and referred to the Labor & Commerce Committee.

**HB 105**

HOUSE BILL NO. 105 by Representative Coghill, entitled:

"An Act relating to the state training and employment program; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR****LEGISLATIVE CITATIONS**

Representative Johansen 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 - Alev Kelter

By Senator Dyson; Representatives Stoltze, Chenault, Buch, Cissna, Coghill, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner,

Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Thomas, Tuck, Wilson

In Memoriam - Sally Rogers-Jantzi

By Representatives Seaton, Chenault, Buch, Cissna, Coghill, Dahlstrom, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Stoltze, Thomas, Tuck, Wilson

### **SENSE OF THE HOUSE**

The following Sense of the House, which was held from January 28, 2009, with a motion to adopt moved and pending (page 107), was read:

"It is the sense of the House of Representatives that the Administration should work with Congress and the President to explore ways for the economic stimulus package currently before them to encourage the Alaska Gas Pipeline.

Construction of the pipeline will provide many thousands of jobs for Alaskans, and providing materials would be a significant stimulus to the American steel and other manufacturing industries."

Amendment No. 1 was offered by Representative Johansen:

Delete all material.

Insert:

"It is the sense of the Alaska House of Representatives that the economic stimulus package should create an atmosphere that promotes jobs and economic growth. The economic stimulus package should include resource development to strengthen and diversify our economy. This development should be composed of: the promotion of an Alaska Gas Pipeline; an in-state gas pipeline; value-added resource products and industries; mining; timber; fishing and other resource development opportunities.

It is also the sense of the Alaska House of Representatives that any economic stimulus package adopted by Congress provides hiring opportunities for all Alaskans and makes training available through our University and vocational education centers which will create jobs for the Alaska workforce.

It is also the sense of the Alaska House of Representatives that the economic stimulus package includes means to move forward renewable energy projects that will address immediate and future needs; take into consideration viability and cost-effectiveness; and, be diversified and affordable. The economic stimulus package should also take into consideration transportation infrastructure, school facilities and other projects that will foster commerce and development opportunities within Alaska.

It is the sense of the Alaska House of Representatives that the Administration and the Alaska State Legislature, in conjunction with the Alaska Congressional delegation, work together to establish the structures and mechanisms necessary to comply with the various requirements of the federal economic stimulus package, including compliance, certification, reporting and reallocation of funds."

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

Representative Gruenberg objected.

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

Delete "Delete all material."

Delete "Insert:"

Insert "Add:"

Following the first instance of "It is":

Insert "also"



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

Representative Wilson objected.

\*\*Representative Herron, who was excused (page 68), left the Chamber.

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

Sense of the House

Amendment No. 1 to Amendment No. 1

**YEAS: 16 NAYS: 22 EXCUSED: 2 ABSENT: 0**

Yeas: Buch, Cissna, Crawford, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Kerttula, Petersen, Salmon, Tuck

Nays: Austerman, Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Millett, Munoz, Olson, Ramras, Seaton, Stoltze, Thomas, Wilson

Excused: Herron, Neuman

And so, Amendment No. 1 to Amendment No. 1 was not adopted.

Amendment No. 2 to Amendment No. 1 was offered by Representative Guttenberg:

Following "consideration transportation":

Insert "and broadband"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 2 to Amendment No. 1 be adopted. There being no objection, it was so ordered.

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

Sense of the House  
Amendment No. 1 as amended

**YEAS: 11 NAYS: 25 EXCUSED: 2 ABSENT: 2**

Yeas: Dahlstrom, Fairclough, Johansen, Lynn, Millett, Munoz, Olson, Ramras, Salmon, Seaton, Thomas

Nays: Austerman, Buch, Chenault, Coghill, Crawford, Doogan, Edgmon, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Joule, Kawasaki, Keller, Kelly, Kerttula, Petersen, Stoltze, Tuck, Wilson

Excused: Herron, Neuman

Absent: Cissna, Johnson

And so, Amendment No. 1 as amended was not adopted.

The question being: "Shall the Sense of the House be adopted?" The roll was taken with the following result:

Sense of the House  
Adopt

**YEAS: 15 NAYS: 23 EXCUSED: 2 ABSENT: 0**

Yeas: Buch, Cissna, Crawford, Doogan, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Lynn, Petersen, Salmon, Tuck

Nays: Austerman, Chenault, Coghill, Dahlstrom, Edgmon, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Millett, Munoz, Olson, Ramras, Seaton, Stoltze, Thomas, Wilson

Excused: Herron, Neuman

And so, the motion failed.

### **UNFINISHED BUSINESS**

Representative Johansen 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 Ramras – from evening plane time, January 30 to evening plane time, February 1; and from evening plane time, February 5 to morning plane time, February 9

Representative Johansen – from morning plane time, January 31 to evening plane time, February 1; and from afternoon plane time, February 6 to morning plane time, February 9

Representative Wilson – from morning plane time, January 31 to evening plane time, February 1

Representative Millett – from afternoon plane time, February 6 to morning plane time, February 9

**HB 16**

Representative Gara added his name as cosponsor to:

## HOUSE BILL NO. 16

"An Act relating to and increasing the municipal property tax exemption on residences of certain seniors and others; and providing for an effective date."

**HB 20**

Representatives Thomas, Wilson, and Munoz added their names as cosponsors to:

## HOUSE BILL NO. 20

"An Act relating to commercial fishing loans for energy efficiency upgrades."

**HB 26**

Representative Gara added his name as cosponsor to:

## HOUSE BILL NO. 26

"An Act repealing the repeal of preventative and restorative adult dental services reimbursement under Medicaid; providing for an effective date by repealing the effective date of sec. 3, ch. 52, SLA 2006; and providing for an effective date."

**HB 58**

Representative Kerttula added her name as cosponsor to:

## HOUSE BILL NO. 58

"An Act relating to a student loan repayment program for specified occupations or fields in which a shortage of qualified employees exists."

**HB 87**

Representatives Holmes and Munoz added their names as cosponsors to:

## HOUSE BILL NO. 87

"An Act waiving payment of premiums for major medical insurance under the defined benefit retirement plan for public employees for disabled peace officers who have at least 20 years of credited service as peace officers."

**HB 97**

Representative Kerttula added her name as cosponsor to:

## HOUSE BILL NO. 97

"An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries, establishing the Alaska veterans' cemetery fund in the general fund, and authorizing appropriation of income from fees for special request plates commemorating Alaska veterans to that cemetery fund."

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

The following meeting today has changed:

Judiciary Committee  
CHANGED TO:

1:30 p.m.

**ADJOURNMENT**

Representative Johansen moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 2, 2009. There being no objection, the House adjourned at 1:15 p.m.

Suzi Lowell  
Chief Clerk