

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

February 11, 2009

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:49 a.m.

Roll call showed 34 members present. Representative Kerttula had been excused from a call of the House until plane time today. Representatives Austerman, Foster, Ramras, and Wilson were absent and their presence was noted later.

Representative Johansen moved and asked unanimous consent that Representative Hawker be excused from a call of the House from today to morning plane time, February 17. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Kenneth Chadwick of Glacier Valley Baptist Church. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Heavenly Father, I lift my prayer to you, the maker of heaven and earth. I thank you for blessings received.

Thank you for these men and women present in this Chamber that serve the people of Alaska. Bless their families who love and support them. Thank you for the wisdom that you have given to them. I ask that you will give to all strength for the doing of what needs to be done this day in order to fully represent their constituency. I ask that you give to them discernment in the doing of their work. I pray that you will

give them wisdom in dealing with the business of this day. Help them represent well the people of Alaska and do what is best for all our people. Help them make wise decisions.

I pray for all persons in places of political leadership in our nation and state. I pray for Governor Palin and her family.

I pray for the unemployed in our state and nation. I pray that they will find work soon. Give us a generous spirit to share with others in their hour of need; give wisdom to us so we can know how best to help them. Help us today to live up to the trust that others have placed in us.

I ask all these petitions in the name of Jesus, my Savior and my Lord. Amen.

The Pledge of Allegiance was led by Representative Dahlstrom.

CERTIFICATION OF THE JOURNAL

Representative Johansen moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease to allow members of the Senate to enter the Chamber; and so, the House stood at ease at 10:53 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:01 a.m.

**The presence of Representatives Wilson, Foster, Ramras, and Austerman was noted.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Chenault turned the gavel over to President Stevens who called the joint session to order at 11:01 a.m.

The purpose of the joint session was to hear the State of the Judiciary Address by the Honorable Dana Fabe, Chief Justice of the Alaska Supreme Court.

Senator Ellis moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Johansen moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Stevens appointed Representative Ramras and Senator Wielechowski to escort the Honorable Dana Fabe to the joint session.

The Senate Sergeant-at-Arms announced the Chief Justice's entrance into the House Chamber.

Chief Justice Fabe was escorted to the rostrum and welcomed by President Stevens.

The Chief Justice delivered her address, and it is published in Senate and House Joint Journal Supplement No. 3.

Chief Justice Fabe received a standing ovation and was escorted from the Chamber by Representative Ramras and Senator Wielechowski.

Senator Ellis moved and asked unanimous consent that the joint session adjourn. There being no objection, President Stevens adjourned the joint session at 11:32 a.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 11:37 a.m.

COMMUNICATIONS

The following were received:

Dept. of Administration
Violent Crimes Compensation Board
Thirty-Fifth Annual Report 2008
(as required by AS 18.67.170)

Dept. of Environmental Conservation
Alaska Drinking Water and Clean Water Loan Funds
Annual Report FY 2008
(as required by AS 37.05.035)

REPORTS OF STANDING COMMITTEES**HB 49**

The Judiciary Committee considered:

HOUSE BILL NO. 49

"An Act relating to the prohibition of the exercise of the power of eminent domain against a recreational structure for the purposes of developing a recreational facility or project."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 49(JUD)
(same title)

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

Do pass (6): Lynn, Gruenberg, Coghill, Dahlstrom, Gatto, Ramras

The following fiscal note(s) apply to CSHB 49(JUD):

1. Zero, Dept. of Transportation & Public Facilities

HB 49 was referred to the Rules Committee for placement on the calendar.

HB 64

The Labor & Commerce Committee considered:

HOUSE BILL NO. 64

"An Act relating to gift certificates and gift cards, and to unclaimed property; and making a violation of certain gift card prohibitions an unlawful trade practice."

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

Do pass (2): Lynn, Buch

No recommendation (4): Coghill, Neuman, Chenault, Olson

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Revenue

HB 64 was referred to the Finance Committee.

HB 100

The Transportation Committee considered:

HOUSE BILL NO. 100

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

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

Do pass (6): Johansen, Munoz, Gruenberg, Johnson, Doogan, Wilson

The following fiscal note(s) apply:

1. Zero, House Transportation Committee/Dept. of Transportation & Public Facilities

HB 100 was referred to the Rules Committee for placement on the calendar.

HB 104

The Labor & Commerce Committee considered:

HOUSE BILL NO. 104

"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."

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

Do pass (4): Buch, Coghill, Neuman, Olson

No recommendation (2): Lynn, Chenault

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

HB 104 was referred to the Rules Committee for placement on the calendar.

HB 109

The Education Committee considered:

HOUSE BILL NO. 109

"An Act relating to eligibility for the Alaska supplemental education loan program and to the interest rate for a loan made under the Alaska family education loan program; and providing for an effective date."

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

Do pass (7): Keller, Munoz, Buch, Gardner, Edgmon, Wilson, Seaton

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

HB 109 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**HJR 12**

The House Special Committee on Military & Veterans' Affairs considered:

HOUSE JOINT RESOLUTION NO. 12

Relating to the Ground-based Midcourse Defense System.

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

Do pass (5): Olson, Lynn, Buch, Ramras, Gatto

The following fiscal note(s) apply:

1. Zero, House Special Committee on Military & Veterans' Affairs

HJR 12 was referred to the State Affairs Committee.

INTRODUCTION OF CITATIONS

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

Honoring - NAACP 100th Anniversary
By Senator Davis; Representative Gara

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 7**

HOUSE CONCURRENT RESOLUTION NO. 7 by Representatives Dahlstrom, Stoltze, Lynn, Johnson, Ramras, and Millett:

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

HJR 17

HOUSE JOINT RESOLUTION NO. 17 by Representatives Harris, Stoltze, Chenault, Coghill, Foster, Johnson, Lynn, Neuman, Kawasaki, Keller, Ramras, Millett, and Wilson:

Urging the United States Congress to reject H.R. 45, the Blair Holt's Firearm Licensing and Record of Sale Act of 2009.

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

HJR 18

HOUSE JOINT RESOLUTION NO. 18 by Representatives Millett, Stoltze, Lynn, Johnson, Neuman, Keller, Ramras, and Wilson:

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 123**

HOUSE BILL NO. 123 by Representatives Fairclough, Lynn, and Wilson, entitled:

"An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

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

HB 124

HOUSE BILL NO. 124 by Representative Crawford, entitled:

"An Act repealing a prohibition against classified state employees participating in the management of political parties above the precinct level."

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

HB 125

HOUSE BILL NO. 125 by Representatives Petersen and Gara, entitled:

"An Act increasing the minimum hourly wage and creating an annual adjustment to the minimum hourly wage based on the rate of inflation; and providing for an effective date."

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

HB 126

HOUSE BILL NO. 126 by Representatives Gara and Crawford, entitled:

"An Act relating to continuing the secondary public education of a homeless student; relating to the purpose of certain laws as they relate to children; relating to tuition waivers, loans, and medical assistance for a child placed in out-of-home care by the state; relating to foster care; relating to children in need of aid; relating to foster care transition to independent living; and relating to juvenile programs and institutions."

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

CONSIDERATION OF THE DAILY CALENDAR**LEGISLATIVE CITATIONS**

Representative Johansen moved and asked unanimous consent that the House approve the citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Colony High School Marching Band
By Senator Menard; Representatives Gatto, Keller, Neuman, Stoltze, Harris, Chenault, Austerman, Cissna, Coghill, Crawford, Dahlstrom,

Doogan, Edgmon, Fairclough, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Lynn, Millett, Munoz, Olson, Petersen, Ramras, Salmon, Seaton, Thomas, Tuck, Wilson

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 Herron – from 7:00 a.m., February 13 to evening plane time, February 15

Representative Austerman – from 7:00 a.m., February 13 to evening plane time, February 16

Representative Dahlstrom – from 7:00 a.m., February 13 to evening plane time, February 15

Representative Crawford – from evening plane time, February 13 to morning plane time, February 16

Representative Salmon – from 1:00 p.m., February 12 to morning plane time, February 16

Representative Harris – from afternoon plane time, February 13 to morning plane time, February 16

Representative Kawasaki – from 7:00 a.m., February 13 to morning plane time, February 16

Representative Ramras – from evening plane time, February 13 to evening plane time, February 15

Representative Cissna – from noon, February 12 to evening plane time, February 15

SPECIAL ORDER OF BUSINESS

Representative Johansen moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - NAACP 100th Anniversary, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Johansen 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 - NAACP 100th Anniversary

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

UNFINISHED BUSINESS

The Speaker made the following appointments:

House Members on Boards and Commissions, 2009-2010

Alaska Aerospace Development Corporation Board of Directors
(AS 14.40.826)

Representative Austerman
Representative Guttenberg (Alternate)

Alaska Statehood Celebration Commission
(Chapter No. 122, SLA 2004)

Representative Neuman
Representative Guttenberg

Alaska Seafood Marketing Institute Board of Directors

Representative Stoltze
Representative Thomas (Alternate)

Alaska Commission on Postsecondary Education
(AS 14.42.015)

Representative Gatto
Representative Gardner (Alternate)

Education Commission of the States
(AS 14.44.060)

Representative Gatto
Representative Buch (Alternate)

Exxon Valdez Oil Spill Trustee Council

Representative Seaton
Representative Thomas (Alternate)

Knik Arm Bridge and Toll Authority
(AS 19.75.031)

Representative Neuman
Representative Harris (Alternate)

Pacific Fisheries Legislative Task Force
(Legislative Resolve No. 38, SLA 1986)

Representative Seaton
Representative Austerman
Representative Edgmon (Alternate)

Pacific NorthWest Economic Region (PNWER)

Representative Coghill
Representative Edgmon
Representative Wilson (Alternate)
Representative Holmes (Alternate)

Statewide Suicide Prevention Council
(AS 44.29.300)

Representative Gardner
Representative Salmon

Western Legislative Forestry Task Force
(Legislative Resolve No. 1, SLA 1978)

Representative Thomas
Representative Johansen

Anchorage Economic Development Corporation
Representative Johnson
Representative Crawford

National Conference of State Legislatures (NCSL)

Standing Committees

Agriculture and Energy

Representative Gatto
Representative Neuman
Representative Johnson
Representative Joule
Representative Kawasaki
Representative Kerttula
Representative Crawford
Representative Salmon
Representative Herron
Representative Millett
Representative Tuck
Representative Edgmon

Budgets and Revenue

Representative Chenault
Representative Fairclough

Communications, Financial Services and Interstate Commerce

Representative Guttenberg

Education

Representative Gatto
Representative Gardner
Representative Joule
Representative Petersen
Representative Buch

Health

Representative Cissna
Representative Kawasaki

Human Services and Welfare
Representative Cissna

Labor and Economic Development
Representative Johnson
Representative Millett
Representative Ramras
Representative Fairclough
Representative Crawford
Representative Gardner
Representative Buch
Representative Salmon

Law and Criminal Justice
Representative Dahlstrom
Representative Lynn
Representative Coghill
Representative Holmes
Representative Millett

Legislative Effectiveness
Representative Gatto
Representative Lynn
Representative Gardner

Redistricting and Elections
Representative Olson
Representative Herron
Representative Holmes
Representative Tuck

Transportation
Representative Johansen
Representative Kawasaki
Representative Millett
Representative Crawford

The Council of State Governments (CSG)

Governing Board

Representative Chenault

Representative Guttenberg (Alternate)

Annual Meeting Committee

Representative Chenault

Associates Advisory Committee

Representative Chenault

Intergovernmental Affairs Committee

Representative Chenault

International Committee

Representative Munoz

Committee on Suggested State Legislation

Representative Lynn

Education Policy Task Force

Representative Seaton

Energy and Environmental Task Force

Representative Kerttula

Health Policy Task Force

Representative Cissna

Public Safety and Justice Task Force

Representative Dahlstrom

The Council of State Governments - West (CSG-WEST)

CSG West Executive Committee

Representative Johansen

Representative Kerttula

Representative Chenault

Representative Guttenberg

Energy and Environment Committee

Representative Gatto
Representative Austerman
Representative Edgmon
Representative Crawford
Representative Fairclough
Representative Johnson
Representative Johansen
Representative Kawasaki
Representative Olson
Representative Neuman
Representative Kerttula
Representative Holmes
Representative Millett
Representative Salmon

Fiscal Affairs Committee

Representative Fairclough

Western Legislatures Committee

Representative Coghill
Representative Holmes
Representative Gruenberg

Transportation and Trade Committee

Representative Thomas
Representative Wilson
Representative Johansen
Representative Ramras

Water and Public Lands Committee

Representative Johnson
Representative Buch

Education Committee

Representative Wilson
Representative Keller
Representative Seaton
Representative Gardner
Representative Tuck

Energy Council

Executive Committee

Representative Johnson

Representative Johansen

Energy Committee Members

Representative Coghill

Representative Olson

Representative Neuman

Representative Joule

Representative Fairclough

Representative Crawford

Representative Dahlstrom

Representative Gatto (Alternate)

Representative Millett (Alternate)

Representative Ramras (Alternate)

Representative Gardner (Alternate)

Representative Holmes (Alternate)

Representative Edgmon (Alternate)

Representative Lynn (Alternate)

HJR 12

Representatives Gatto, Lynn, Ramras, and Olson added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 12

Relating to the Ground-based Midcourse Defense System.

ENROLLMENT**HJR 11**

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 8:40 a.m., February 11, 2009:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO.
11(FIN)
Relating to the federal stimulus package.

Legislative Resolve No. 1

ANNOUNCEMENTS

House committee schedules are published under separate cover.

Public Office Expense Term (POET) Account
(as required by AS 15.13.110) due to APOC: 2/15

ADJOURNMENT

Representative Johansen moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 13, 2009. There being no objection, the House adjourned at 12:28 p.m.

Suzi Lowell
Chief Clerk