

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

February 12, 2014

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:34 a.m.

Roll call showed 38 members present. There was one vacancy.

Representative Pruitt moved and asked unanimous consent that Representative Reinbold be excused from a call of the House today (amended from page 1540).

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.

O Creator, we gather here in the middle of the week, but I pray that this body not feel stuck in an unproductive middle. Rather, I pray that in this midweek, the legislators find their creative center. Keep them grounded today, O Gracious One, that they not be overcome by impatience. Help them to stay focused in the middle of it all. Equip them to stay close to their source, that they may persevere with patience. No longer at the beginning, but not yet at the conclusion, keep them keeping on, O God, so that their deliberations and reflections, their actions and their decisions, will produce wise and compassionate results for this great state in which we live. In the center of this week, get them over the midweek hump, and keep them centered in their calling of service. In the name of all that is holy I pray, Amen.

The Pledge of Allegiance was led by Representative Gattis.

CERTIFICATION OF THE JOURNAL

Representative Pruitt 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.

MESSAGES FROM THE SENATE

A message dated February 10, 2014, was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 14

SENATE JOINT RESOLUTION NO. 14 by Senators COGHILL, Kelly, Bishop, French, Fairclough, Giessel, Egan, Stedman, Meyer, Dyson, Olson, Stevens, Micciche, Dunleavy, and Huggins:

Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base.

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

FIRST READING AND REFERENCE OF SENATE BILLS

SB 125

SENATE BILL NO. 125 by the Senate Finance Committee, entitled:

"An Act disapproving all recommendations of the State Officers Compensation Commission relating to the salaries of state officers; and providing for an effective date."

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

SB 148

SENATE BILL NO. 148 by Senators MICCICHE and Stevens, entitled:

"An Act excluding certain land from the Kachemak Bay Critical Habitat Area."

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

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 10:51 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:00 a.m.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Chenault turned the gavel over to President Huggins who called the joint session to order at 11:00 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 Coghill 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 Pruitt 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 Huggins appointed Representative Holmes and Senator Giessel 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 Huggins.

The Chief Justice delivered her address, and it is published in House and Senate Joint Journal Supplement No. 9.

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

Senator Coghill moved and asked unanimous consent that the joint session adjourn. There being no objection, President Huggins adjourned the joint session at 11:40 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 11:52 a.m.

REPORTS OF STANDING COMMITTEES

HJR 15

The Resources Committee considered:

HOUSE JOINT RESOLUTION NO. 15

Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 15(RES)
(same title)

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

Do pass (6): Hawker, Johnson, Seaton, Tarr, Olson, P. Wilson

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHJR 15(RES):

1. Zero, Legislative Agency

HJR 15 was referred to the Rules Committee for placement on the calendar.

HJR 18

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 18

Proposing amendments to the Constitution of the State of Alaska relating to the office of attorney general.

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

Do pass (2): Gattis, Keller

No recommendation (2): Kreiss-Tomkins, Lynn

Amend (2): Isaacson, Hughes

The following fiscal note(s) apply:

1. Zero, Legislative Agency
2. Fiscal, Office of the Governor

HJR 18 was referred to the Judiciary Committee.

HJR 20

The Health & Social Services Committee considered:

HOUSE JOINT RESOLUTION NO. 20

Urging the President of the United States and the United States Congress to repeal the excise tax on medical devices.

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

Do pass (3): Nageak, Keller, Higgins

No recommendation (2): Tarr, Seaton

The following fiscal note(s) apply:

1. Zero, Health & Social Services Committee

HJR 20 was referred to the Rules Committee for placement on the calendar.

HB 211

The Labor & Commerce Committee considered:

HOUSE BILL NO. 211

"An Act relating to the education and employment of individuals with disabilities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 211(L&C)
(same title)

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

Do pass (4): Millett, Josephson, Reinbold, Olson

No recommendation (1): Chenault

The following fiscal note(s) apply to CSHB 211(L&C):

1. Zero, Dept. of Administration
2. Zero, Dept. of Health & Social Services
3. Zero, Dept. of Labor & Workforce Development
4. Fiscal, Dept. of Education & Early Development

HB 211 was referred to the Finance Committee.

HB 274

The State Affairs Committee considered:

HOUSE BILL NO. 274

"An Act relating to public hearings on initiatives and referenda scheduled to appear on the ballot; and providing for an effective date."

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

Do pass (6): Gattis, Keller, Isaacson, Kreiss-Tomkins, Hughes, Lynn

The following fiscal note(s) apply:

1. Zero, Office of the Governor

HB 274 was referred to the Judiciary Committee.

HB 275

The State Affairs Committee considered:

HOUSE BILL NO. 275

"An Act relating to electronic publication of certain municipal notices and to publication and electronic distribution of reports by state agencies."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 275(CRA)
(same title)

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

Do pass (6): Gattis, Keller, Isaacson, Kreiss-Tomkins, Hughes, Lynn

The following fiscal note(s) apply to CSHB 275(CRA):

2. Zero, Office of the Governor
3. Zero, Office of the Governor/Various Depts.

HB 275 was referred to the Rules Committee for placement on the calendar.

HB 276

The Labor & Commerce Committee considered:

HOUSE BILL NO. 276

"An Act making the Alaska Wage and Hour Act inapplicable to certain employees of motor vehicle dealers; and providing for an effective date."

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

Do pass (3): Millett, Reinbold, Olson

No recommendation (2): Chenault, Josephson

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

HB 276 was referred to the Rules Committee for placement on the calendar.

HB 292

The Judiciary Committee considered:

HOUSE BILL NO. 292

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 292(JUD)
(same title)

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

Do pass (5): LeDoux, Foster, Lynn, Gruenberg, Keller

The following fiscal note(s) apply to CSHB 292(JUD):

1. Zero, Dept. of Law

HB 292 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 71

The 2d Conference Committee considering:

CS FOR HOUSE BILL NO. 71(FIN)

"An Act requiring the Department of Commerce, Community, and Economic Development to file an annual report to the legislature regarding statewide and regional economic development projects and regional development organizations; extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 71(FIN)

"An Act requiring the Commercial Fisheries Entry Commission to report biennially on the vessel-based limited entry fisheries system for the weathervane scallop and Bering Sea hair crab fisheries; requiring the Department of Commerce, Community, and Economic Development to file an annual report to the legislature regarding statewide and regional economic development projects

and regional development organizations; extending the termination date of the Alaska regional economic assistance program; extending the termination date of the authority of the Commercial Fisheries Entry Commission to maintain a vessel-based limited entry fisheries system for the weathervane scallop and Bering Sea hair crab fisheries; providing for an effective date by amending the effective date under sec. 28, ch. 137, SLA 2002; and providing for an effective date."

requests limited powers of free conference on the following specific point(s):

The following sections of SCS CSHB 71(FIN):
Section 1, Section 5(b), Sections 6 through 8

The request was signed by Representatives Pruitt (Chair), LeDoux, Kawasaki; and Senators Coghill (Chair), Gardner, Micciche.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

HJR 21

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

HOUSE JOINT RESOLUTION NO. 21

Opposing cuts to retirement benefits owed to members of the armed services of the United States; and urging the United States Congress to approve legislation allowing members of the armed services of the United States to receive promised retirement benefits.

The report was signed by Representatives Foster and LeDoux, Co-chairs, with the following individual recommendations:

Do pass (5): Higgins, Gruenberg, Hughes, Foster, LeDoux

The following fiscal note(s) apply:

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

HJR 21 was referred to the Rules Committee for placement on the calendar.

HB 212

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

HOUSE BILL NO. 212

"An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States."

The report was signed by Representatives Foster and LeDoux, Co-chairs, with the following individual recommendations:

Do pass (4): Higgins, Hughes, Foster, LeDoux

Amend (1): Gruenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 212 was referred to the State Affairs Committee.

INTRODUCTION OF CITATIONS

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

Honoring – Ellen Frohlich, 2013 BP Teacher of Excellence
By Representative Millett; Senator Meyer

Honoring – Mary Maureen Mitchell
By Representative Kawasaki; Senator Kelly

Honoring – Bethel Regional High School Warriors, 2013 Class 1-2-3A
State Wrestling Champions
By Representative Herron; Senator Hoffman

Honoring – Art Mortvedt and the Flight of the Polar Pumpkin
By Senator Bishop

In Memoriam – John Thomas Kelsey
By Representative Feige

In Memoriam – Douglas F. Blossom
By Senator Micciche; Representative Seaton

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 17

HOUSE CONCURRENT RESOLUTION NO. 17 by Representative JOSEPHSON:

Requesting the Governor to enter into good-faith negotiations with the United States Secretary of the Interior to secure a permanent wildlife buffer conservation easement east of Denali National Park and Preserve, the creation of which may include the exchange of a state conservation easement in return for a transfer from the federal government of equal value in the form of an easement, other federal land, other interests in federal land, or compensation; and requesting the Governor to report the status of the negotiations to the public by July 1, 2014.

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

**Representative Johnson, who was excused (page 1498), left the Chamber.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 48**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 48 by Representatives GARA, TARR, JOSEPHSON, TUCK, Gruenberg, Kawasaki, and Kerttula, entitled:

"An Act bearing the short title of the 'New Business Development Act'; and reducing the corporate income tax by two-thirds for the first three years of profitability of a new corporation not owned by an existing corporation or a new corporation in a separate line of business owned by an existing corporation."

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

HB 303

HOUSE BILL NO. 303 by Representatives COSTELLO and Holmes, entitled:

"An Act establishing an exemption for the sale and offering of certain securities."

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

CONSIDERATION OF THE DAILY CALENDAR**LEGISLATIVE CITATIONS**

Representative Pruitt 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:

In Memoriam – Bernice Joseph

By Senator Bishop; Representatives Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz,

Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P. Wilson, T. Wilson

UNFINISHED BUSINESS

Representative Pruitt 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 Olson – from noon, February 13 to 9:30 p.m., February 16

Representative Kreiss-Tomkins – from 6:00 a.m., February 14 to noon, February 16

HJR 18

Representatives Keller and Gattis added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 18

Proposing amendments to the Constitution of the State of Alaska relating to the office of attorney general.

HB 32

Representatives Foster, Isaacson, LeDoux, Millett, and Gruenberg added their names as cosponsors to:

HOUSE BILL NO. 32

"An Act providing for the issuance of one business license for multiple lines of business; and providing for reissuance of a business license to correct a mistake on the license."

HB 199

Representative Gattis added her name as cosponsor to:

HOUSE BILL NO. 199

"An Act relating to Department of Public Safety regulations allowing village public safety officers to carry firearms."

HB 201

Representative Kreiss-Tomkins added his name as cosponsor to:

HOUSE BILL NO. 201

"An Act relating to the application of non-aerial pesticides and broadcast chemicals near fish habitat or water for human consumption, and in public places."

HB 211

Representative Saddler added his name as cosponsor to:

HOUSE BILL NO. 211

"An Act relating to the education and employment of individuals with disabilities."

HB 213

Representative Millett added her name as cosponsor to:

HOUSE BILL NO. 213

"An Act relating to golf course alcoholic beverage licenses."

HB 214

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 214

"An Act relating to mental health patient rights, notifications, and grievance procedures."

HB 244

Representative T. Wilson added her name as cosponsor to:

HOUSE BILL NO. 244

"An Act extending the termination date of the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

HB 275

Representatives Gattis and Kreiss-Tomkins added their names as cosponsors to:

HOUSE BILL NO. 275

"An Act relating to electronic publication of certain municipal notices and to publication and electronic distribution of reports by state agencies."

SJR 14

Representative Lynn added his name as cross sponsor to:

SENATE JOINT RESOLUTION NO. 14

Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

Personal Bill Deadline

4:00 p.m., 2/24

ADJOURNMENT

Representative Pruitt moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 14, 2014. There being no objection, the House adjourned at 12:16 p.m.

Suzi Lowell
Chief Clerk