

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 19, 2014

Fifty-eighth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:35 a.m.

Roll call showed 33 members present. Representatives Drummond, Higgins, and LeDoux had been excused from a call of the House today. Representatives Feige and Neuman were absent and their presence was noted later.

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 Hawker – today

Representative Gara – today

The invocation was offered by the Chaplain, Lieutenant Lance P. Walters of The Salvation Army. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Father God, maker of heaven and earth and everything in them. May your name be lifted today and every day here in the hearts of the men and women who make decisions for the great state of Alaska.

I ask for your spirit of wisdom and understanding to be given to all who are present here today in this capitol, a place set apart for your will to be done. I pray all would be heard in the exchange that takes place on behalf of the people of the state

of Alaska, and if minds are persuaded to change, they would without obstruction.

Father, I ask that your will would be done, and that all would hear of your fame throughout our state. Thank you for your kindness, your grace, and your blessings for this day, in the name above every name in heaven and earth, in the name of Jesus, Amen.

The Pledge of Allegiance was led by Representative Munoz.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the 57th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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

Representative Kawasaki introduced Dorothy Braden, Guest Page, from Fairbanks.

MESSAGES FROM THE SENATE

HB 298

A message dated March 18, 2014, was read stating the Senate passed:

HOUSE BILL NO. 298

"An Act relating to confidentiality of performance review records and reports of the legislature audit division."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to confidentiality of performance review records and reports of the legislative audit division; and providing for an effective date."

(technical title change)

HB 298 is under Unfinished Business.

A message dated March 18, 2014, was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 138

CS FOR SENATE BILL NO. 138(FIN) am by the Senate Finance Committee, entitled:

"An Act relating to the purposes, powers, and duties of the Alaska Gasline Development Corporation; relating to an in-state natural gas pipeline, an Alaska liquefied natural gas project, and associated funds; requiring state agencies and other entities to expedite reviews and actions related to natural gas pipelines and projects; relating to the authorities and duties of the commissioner of natural resources relating to a North Slope natural gas project, oil and gas and gas only leases, and royalty gas and other gas received by the state including gas received as payment for the production tax on gas; relating to the tax on oil and gas production, on oil production, and on gas production; relating to the duties of the commissioner of revenue relating to a North Slope natural gas project and gas received as payment for tax; relating to confidential information and public record status of information provided to or in the custody of the Department of Natural Resources and the Department of Revenue; relating to apportionment factors of the Alaska Net Income Tax Act; amending the definition of gross value at the 'point of production' for gas for purposes of the oil and gas production tax; clarifying that the exploration incentive credit, the oil or gas producer education credit, and the film production tax credit may not be taken against the gas production tax paid in gas; relating to the oil or gas producer education credit; requesting the governor to establish an interim advisory board to advise the governor on municipal involvement in a North Slope natural gas project; relating to the development of a plan by the Alaska Energy Authority for developing infrastructure to deliver affordable

energy to areas of the state that will not have direct access to a North Slope natural gas pipeline and a recommendation of a funding source for energy infrastructure development; establishing the Alaska affordable energy fund; requiring the commissioner of revenue to develop a plan and suggest legislation for municipalities, regional corporations, and residents of the state to acquire ownership interests in a North Slope natural gas pipeline project; making conforming amendments; and providing for an effective date."

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

A Senate letter of intent was attached (Senate Journal page 1958).

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement between the State and the Alaska
Vocational Technical Center Teachers' Association
March 18, 2014
(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

REPORTS OF STANDING COMMITTEES

HB 282

The Labor & Commerce Committee considered:

HOUSE BILL NO. 282

"An Act relating to the rights and obligations of residential landlords and tenants; and relating to the taking of a permanent fund dividend for rent and damages owed to a residential landlord."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 282(L&C)
(same title)

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

Do pass (1): Josephson

No recommendation (6): Millett, Chenault, Herron, Reinbold, Saddler, Olson

The following fiscal note(s) apply to CSHB 282(L&C):

1. Zero, Dept. of Revenue

HB 282 was referred to the Judiciary Committee.

HB 361

The Health & Social Services Committee considered:

HOUSE BILL NO. 361
"An Act relating to licensing of behavior analysts."

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

Do pass (1): Tarr

No recommendation (3): Pruitt, Reinbold, Keller

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Health & Social Services
2. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 361 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring – Richard Brodsky, M.D.
By Representative Josephson; Senator Gardner

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Commemorating – Tenth U.S. Conference on Earthquake Engineering,
Anchorage, Alaska
By Senator Dyson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 378

HOUSE BILL NO. 378 by the House Transportation Committee by request, entitled:

"An Act relating to motor vehicle registration; relating to drivers' licenses; relating to instruction permits; relating to commercial motor vehicles and commercial motor carriers; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 301

The following was read the second time:

HOUSE BILL NO. 301

"An Act relating to duties and procedures of the state medical examiner and the Department of Health and Social Services; and relating to death certificates."

with the:

Journal Page

HSS RPT CS(HSS) NT 7DP

1845

FN1: ZERO(DHS)

1845

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

CS FOR HOUSE BILL NO. 301(HSS)

"An Act relating to duties and procedures of the state medical examiner and the Department of Health and Social Services."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 301(HSS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 301(HSS) was read the third time.

**The presence of Representative Neuman was noted.

The question being: "Shall CSHB 301(HSS) pass the House?" The roll was taken with the following result:

CSHB 301(HSS)

Third Reading

Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 5 ABSENT: 2

Yeas: Austerman, Chenault, Costello, Edgmon, Foster, Gattis, Gruenberg, Guttenberg, Herron, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, Kreiss-Tomkins, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Seaton, Stoltze, Tarr, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Drummond, Gara, Hawker, Higgins, LeDoux

Absent: Feige, Saddler

And so, CSHB 301(HSS) passed the House.

Representative Tuck later gave notice of reconsideration of the vote on HB 301, and reconsideration was taken up then.

THIRD READING OF HOUSE BILLS

HB 284

The following, which was advanced to third reading from the March 18, 2014, calendar (page 1956), was read the third time:

HOUSE BILL NO. 284

"An Act relating to an interstate compact on a balanced federal budget."

**The presence of Representative Feige was noted.

The question being: "Shall HB 284 pass the House?" The roll was taken with the following result:

HB 284

Third Reading

Final Passage

YEAS: 22 NAYS: 12 EXCUSED: 5 ABSENT: 1

Yeas: Austerman, Chenault, Costello, Feige, Foster, Gattis, Hughes, Isaacson, Johnson, Keller, Lynn, Millett, Munoz, Neuman, Olson, Pruitt, Reinbold, Saddler, Stoltze, Thompson, P.Wilson, T.Wilson

Nays: Edgmon, Gruenberg, Guttenberg, Holmes, Josephson, Kawasaki, Kito III, Kreiss-Tomkins, Nageak, Seaton, Tarr, Tuck

Excused: Drummond, Gara, Hawker, Higgins, LeDoux

Absent: Herron

And so, HB 284 passed the House and was referred to the Chief Clerk for engrossment.

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 – William Leonard Lelake

By Senator Ellis; Representatives Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, 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 Hughes – from 12:50 p.m., March 28 to 1:30 p.m., March 30

Representative Tarr – from 1:00 p.m., March 22 to 10:00 p.m., March 23; and from 6:00 a.m. to 10:00 p.m., March 25

CONCUR IN SENATE AMENDMENTS**HB 298**

Representative Pruitt moved and asked unanimous consent that the House consider the Senate message (page 1966) on the following:

HOUSE BILL NO. 298

"An Act relating to confidentiality of performance review records and reports of the legislature audit division."

and

SENATE CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to confidentiality of performance review records and reports of the legislative audit division; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

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

Representative Pruitt moved that the House concur in the Senate amendment to HB 298, thus adopting SCS HB 298(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 298?" The roll was taken with the following result:

SCS HB 298(FIN)

Concur

YEAS: 32 NAYS: 0 EXCUSED: 6 ABSENT: 2

Yeas: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gattis, Gruenberg, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, Kreiss-Tomkins, Lynn, Millett, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Drummond, Gara, Guttenberg, Hawker, Higgins, LeDoux

Absent: Herron, Munoz

And so, the House concurred in the Senate amendment.

Representative Pruitt 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.

The Chief Clerk notified the Senate.

SCS HB 298(FIN) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS**HB 278**

Representative Reinbold moved and asked unanimous consent to change her recommendation on the Education Committee report (page 1844) from "do pass" to "amend" on the following:

HOUSE BILL NO. 278

"An Act increasing the base student allocation used in the formula for state funding of public education; repealing the secondary student competency examination and related requirements; relating to high school course credit earned through assessment; relating to a college and career readiness assessment for secondary students; relating to charter school application appeals and program budgets; relating to residential school applications; increasing the stipend for boarding school students; extending unemployment contributions for the Alaska technical and vocational education program; relating to earning high school credit for completion of vocational education courses offered by institutions receiving technical and vocational education program funding; relating to education tax credits; making conforming amendments; and providing for an effective date."

There being no objection, it was so ordered.

HB 278 is in the Finance Committee.

RECONSIDERATION**HB 301**

Representative Tuck gave notice of reconsideration of the vote on HB 301 (page 1971).

Representative Tuck moved and asked unanimous consent that reconsideration of HB 301 be taken up on the same day. There being no objection, it was so ordered.

The following was before the House in third reading:

CS FOR HOUSE BILL NO. 301(HSS)

"An Act relating to duties and procedures of the state medical examiner and the Department of Health and Social Services."

The question to be reconsidered: "Shall CSHB 301(HSS) pass the House?" The roll was taken with the following result:

CSHB 301(HSS)

Third Reading

Final Passage

Reconsideration

YEAS: 33 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gattis, Gruenberg, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, Kreiss-Tomkins, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P.Wilson, T.Wilson

Excused: Drummond, Gara, Guttenberg, Hawker, Higgins, LeDoux

Absent: Herron

And so, CSHB 301(HSS) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

Representative Pruitt moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring – Richard Brodsky, M.D., be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Pruitt 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 – Richard Brodsky, M.D.

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

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

UNFINISHED BUSINESS

HR 9

Representative Reinbold removed her name as cosponsor to:

HOUSE RESOLUTION NO. 9

Urging the commissioner of education and early development and the state Board of Education and Early Development to delay implementation of statewide education standards.

HB 116

Representatives Isaacson, Nageak, P. Wilson, Tuck, and Herron added their names as cosponsors to:

HOUSE BILL NO. 116

"An Act relating to the use of credited military service by retired peace officers and firefighters to meet certain requirements for major medical insurance coverage; and providing for an effective date."

HB 158

Representative Isaacson added his name as cosponsor to:

HOUSE BILL NO. 158

"An Act authorizing the commissioner of natural resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land."

HB 233

Representatives Nageak and Munoz added their names as cosponsors to:

HOUSE BILL NO. 233

"An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools."

HB 284

Representatives Stoltze, Olson, and Thompson added their names as cosponsors to:

HOUSE BILL NO. 284

"An Act relating to an interstate compact on a balanced federal budget."

HB 293

Representative Isaacson added his name as cosponsor to:

HOUSE BILL NO. 293

"An Act relating to motor vehicle registration plates; and providing for an effective date."

HB 298

Representative Tarr added her name as cosponsor to:

SENATE CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to confidentiality of performance review records and reports of the legislative audit division; and providing for an effective date."

HB 309

Representative Kreiss-Tomkins added his name as cosponsor to:

HOUSE BILL NO. 309

"An Act relating to a craft distillery license."

SCR 13

Representative Kawasaki added his name as cross sponsor to:

CS FOR SENATE CONCURRENT RESOLUTION NO. 13(HSS)

Urging the governor to establish and support programs designed to eradicate the occurrence of fetal alcohol spectrum disorder from the state.

SCR 14

Representative Kawasaki added his name as cross sponsor to:

CS FOR SENATE CONCURRENT RESOLUTION NO.
14(HSS)

Relating to health and social service best practice models and identifying citizen networks to achieve solutions to health and social problems in the state.

ENGROSSMENT

HB 284

HB 284 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 301

CSHB 301(HSS) 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 Pruitt moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 20, 2014. There being no objection, the House adjourned at 12:24 p.m.

Suzi Lowell
Chief Clerk