

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-EIGHTH LEGISLATURE - SECOND SESSION**

**Juneau, Alaska**

**Tuesday**

**March 25, 2014**

**Sixty-fourth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:36 a.m.

Roll call showed 36 members present. Representatives Drummond and Tarr had been excused from a call of the House today. Representative Stoltze was absent and his presence was noted later.

Representative Pruitt moved and asked unanimous consent that Representative Reinbold be excused from a call of the House until 11:30 a.m., today. There being no objection, it was so ordered.

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

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer:

Lord,

We are meeting today to conduct matters of business. Guide our hearts and our minds in the spirit of fairness, right thought and speech. Impart your supreme wisdom upon our activities so that our affairs may reach a successful conclusion. Thank you for being a source of guidance today. Amen.

The Pledge of Allegiance was led by Representative Olson.

**CERTIFICATION OF THE JOURNAL**

Representative Pruitt moved and asked unanimous consent that the journal for the 63<sup>rd</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE**

A message dated March 24, 2014, was read stating the Senate passed the following, and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 77**

CS FOR SENATE BILL NO. 77(RES) by the Senate Resources Committee, entitled:

"An Act relating to big game hunting with children."

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

**SB 137**

SENATE BILL NO. 137 by Senator BISHOP, entitled:

"An Act extending the termination date of the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

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

**SB 162**

SENATE BILL NO. 162 by Senator OLSON, entitled:

"An Act authorizing a licensed optometrist to prescribe a pharmaceutical agent containing hydrocodone."

was read the first time and referred to the Health & Social Services Committee.

**COMMUNICATIONS**

The following was received:

Dept. of Health & Social Services  
Office of the Commissioner  
Individuals with Developmental Disabilities  
Registration and Review Report  
Fiscal Year 2013  
(as required by AS 47.80.130)

**REPORTS OF STANDING COMMITTEES****HB 75**

The Finance Committee considered:

**HOUSE BILL NO. 75**

"An Act repealing certain audit requirements for entities receiving contributions from permanent fund dividends; requiring each campus of the University of Alaska to apply to be included on the contribution list for contributions from permanent fund dividends; and requiring a university to pay an application fee for each campus separately listed on the contribution list for contributions from permanent fund dividends."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 75(FIN)**

"An Act amending certain audit requirements for entities receiving contributions from permanent fund dividends; requiring the three main campuses of the University of Alaska to apply to be included on the contribution list for contributions from permanent fund dividends; and requiring the university to pay an application fee for each campus separately listed on the contribution list for contributions from permanent fund dividends."

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

Do pass (8): Guttenberg, Munoz, Thompson, Edgmon, T. Wilson, Costello, Stoltze, Austerman

The following fiscal note(s) apply to CSHB 75(FIN):

2. Indeterminate, Dept. of Revenue
3. Fiscal, University of Alaska

HB 75 was referred to the Rules Committee for placement on the calendar.

### **HB 127**

The Judiciary Committee considered:

#### **HOUSE BILL NO. 127**

"An Act clarifying that the Alaska Bar Association is an agency for purposes of investigations by the ombudsman; relating to compensation of the ombudsman and to employment of staff by the ombudsman under personal service contracts; providing that certain records of communications between the ombudsman and an agency are not public records; relating to disclosure by an agency to the ombudsman of communications subject to attorney-client and attorney work-product privileges; relating to informal and formal reports of opinions and recommendations issued by the ombudsman; relating to the privilege of the ombudsman not to testify and creating a privilege under which the ombudsman is not required to disclose certain documents; relating to procedures for procurement by the ombudsman; relating to the definition of 'agency' for purposes of the Ombudsman Act and providing jurisdiction of the ombudsman over persons providing certain services to the state by contract; and amending Rules 501 and 503, Alaska Rules of Evidence."

and recommends it be replaced with:

#### **CS FOR HOUSE BILL NO. 127(JUD)**

"An Act relating to compensation of the ombudsman and to employment of staff by the ombudsman under personal service contracts; relating to disclosure by an agency to the ombudsman of communications subject to attorney-client and attorney work-product privileges; relating to the privilege of the ombudsman not to testify and creating a privilege under which the ombudsman is

not required to disclose certain documents; relating to procedures for procurement by the ombudsman; and amending Rules 501 and 503, Alaska Rules of Evidence."

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

Do pass (3): Gruenberg, Lynn, Keller

No recommendation (2): LeDoux, Pruitt

The following fiscal note(s) apply to CSHB 127(JUD):

1. Zero, Dept. of Corrections
2. Indeterminate, Dept. of Administration
3. Fiscal, Dept. of Administration

HB 127 was referred to the Rules Committee for placement on the calendar.

#### **HB 140**

The Finance Committee considered:

##### **HOUSE BILL NO. 140**

"An Act relating to the information that must be included with certain notices provided for the proposed adoption, amendment, or repeal of a regulation."

and recommends it be replaced with:

##### **CS FOR HOUSE BILL NO. 140(FIN)**

"An Act relating to the proposed adoption, amendment, or repeal of a regulation; and relating to contact with agencies about regulations."

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

Do pass (10): Neuman, Thompson, Edgmon, Munoz, Gara, Holmes, T. Wilson, Costello, Stoltze, Austerman

The following fiscal note(s) apply to CSHB 140(FIN):

2. Indeterminate, Office of the Governor/Various Depts.

HB 140 was referred to the Rules Committee for placement on the calendar.

**SB 106**

The State Affairs Committee considered:

CS FOR SENATE BILL NO. 106(STA)

"An Act providing for certain individuals who have erected a building on land leased from the state to receive a preference right to purchase certain state land without competitive bid."

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

Do pass (5): Gattis, Keller, Isaacson, Kreiss-Tomkins, Lynn

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

CSSB 106(STA) was referred to the Rules Committee for placement on the calendar.

**SB 132**

The State Affairs Committee considered:

CS FOR SENATE BILL NO. 132(STA)

"An Act relating to exemptions from the payment of motor vehicle registration fees for residents 65 years of age or older; and providing for an effective date."

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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

CSSB 132(STA) was referred to the Rules Committee for placement on the calendar.

### INTRODUCTION OF CITATIONS

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

In Memoriam – Thomas Edward Schantz  
By Representatives Feige, Costello

### CONSIDERATION OF THE DAILY CALENDAR

### SECOND READING OF HOUSE BILLS

#### HB 220

The following was read the second time:

#### HOUSE BILL NO. 220

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

with the:

Journal Page

EDC RPT CS(EDC) 2DP 4NR	1696
FN1: (EED)	1697
FIN RPT CS(FIN) NT 11DP	1996
FN2: (EED)	1997

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. 220(FIN)

"An Act repealing the secondary student competency examination and related requirements; relating to an annual performance report

to the legislature by the Department of Education and Early Development; and providing for an effective date."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 220(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 220(FIN) was read the third time.

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

The question being: "Shall CSHB 220(FIN) pass the House?" The roll was taken with the following result:

CSHB 220(FIN)

Third Reading

Final Passage

**YEAS: 32 NAYS: 5 EXCUSED: 3 ABSENT: 0**

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

Nays: Hawker, LeDoux, Lynn, Olson, Saddler

Excused: Drummond, Reinbold, Tarr

And so, CSHB 220(FIN) passed the House.

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.

CSHB 220(FIN) was referred to the Chief Clerk for engrossment.

### **HB 268**

The following was read the second time:



## HOUSE BILL NO. 268

"An Act relating to big bull moose derbies."

with the:	Journal Page
RES RPT CS(RES) NT 6DP 1AM	1551
FN1: ZERO(REV)	1551
FIN RPT CS(FIN) NT 3DP 6NR	1726
FN2: ZERO(REV)	1726

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. 268(FIN)

"An Act relating to big bull moose derbies and the Snow Town Ice Classic; and relating to permits for games of chance and contests of skill."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 268(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 268(FIN) will advance to third reading on tomorrow's calendar.

### LEGISLATIVE CITATIONS

Representative Pruitt 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 – Post 33 Chugiak American Legion Baseball Team, 2013 State Champions

By Representatives Stoltze, Saddler, Reinbold, Chenault, Austerman, 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, Seaton, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senators Fairclough, Dyson

Honoring – Chugiak High School, 50th Anniversary

By Representatives Stoltze, Saddler, Reinbold, Chenault, Austerman, 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, Seaton, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senators Fairclough, Dyson

Honoring – Chugiak-Eagle River Chamber of Commerce, 2013 Chamber of the Year

By Representatives Stoltze, Saddler, Reinbold, Chenault, Austerman, 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, Seaton, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senators Fairclough, Dyson

In Memoriam – Richard Lobdell, Jr.

By Representatives Stoltze, 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, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senator Meyer

In Memoriam – Milton 'Tim' Markwood Routzahn

By Senator Stevens; Representatives Austerman, 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

In Memoriam – George Lynn Miller

By Senator Coghill; Representatives Isaacson, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, 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

In Memoriam – Edith Transtrom Holm Ward

By Senator Coghill; 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

In Memoriam – Gilbert Jean Andrews

By Senators Coghill, Kelly; 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

In Memoriam – Evolyn Melville

By Senator Coghill; Representatives Isaacson, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, 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 member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Gara – from 11:45 a.m. to 1:30 p.m., March 27

**HB 127**

The Speaker added a Finance Committee referral for the following:

**HOUSE BILL NO. 127**

"An Act clarifying that the Alaska Bar Association is an agency for purposes of investigations by the ombudsman; relating to compensation of the ombudsman and to employment of staff by the ombudsman under personal service contracts; providing that certain records of communications between the ombudsman and an agency are not public records; relating to disclosure by an agency to the ombudsman of communications subject to attorney-client and attorney work-product privileges; relating to informal and formal reports of opinions and recommendations issued by the ombudsman; relating to the privilege of the ombudsman not to testify and creating a privilege under which the ombudsman is not required to disclose certain documents; relating to procedures for procurement by the ombudsman; relating to the definition of 'agency' for purposes of the Ombudsman Act and providing jurisdiction of the ombudsman over persons providing certain services to the state by contract; and amending Rules 501 and 503, Alaska Rules of Evidence."

HB 127 was removed from the Rules Committee and referred to the Finance Committee.

**HB 116**

Representatives Gattis and Higgins 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 210**

Representatives Holmes and Guttenberg added their names as cosponsors to:

**HOUSE BILL NO. 210**

"An Act relating to the administration of psychiatric medication to a student; relating to crisis intervention training for school personnel; and relating to restraint, escort, and seclusion of students in public and private schools."

**HB 220**

Representatives Guttentberg, Munoz, Tuck, and Neuman added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 220(FIN)**

"An Act repealing the secondary student competency examination and related requirements; relating to an annual performance report to the legislature by the Department of Education and Early Development; and providing for an effective date."

**HB 362**

Representative Kito III added his name as cosponsor to:

**HOUSE BILL NO. 362**

"An Act relating to a prohibition on the offer, display, marketing, advertising for sale, or sale of illicit synthetic drugs."

**HB 369**

Representative Kito III added his name as cosponsor to:

**HOUSE BILL NO. 369**

"An Act relating to limited immunity from criminal prosecution for a person who seeks medical assistance for a person experiencing a drug overdose."

**SB 106**

Representatives Gattis, Isaacson, and Keller added their names as cross sponsors to:

**CS FOR SENATE BILL NO. 106(STA)**

"An Act providing for certain individuals who have erected a building on land leased from the state to receive a preference right to purchase certain state land without competitive bid."

**ENGROSSMENT****HB 220**

CSHB 220(FIN) 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 26, 2014. There being no objection, the House adjourned at 11:20 a.m.

Suzi Lowell  
Chief Clerk