

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

March 27, 2014

Sixty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:33 a.m.

Roll call showed 37 members present. Representatives Drummond, Millett, and Tuck had been excused from a call of the House today.

The invocation was offered by the Chaplain, Representative P. Wilson. Representative T. 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:

Our Dear Heavenly Father,

We thank thee for every new day that we are blessed to be here. We are aware of your love for us and are most grateful. We ask thee to please bless us with health, wisdom, and guidance of the spirit while we serve the Alaskan people and make important decisions on their behalf as representatives.

We thank you for the trust you have given us and the trust of our constituents and pray to know how to do thy will. Please help us as legislators meet the goals and priorities we have undertaken this session that will benefit our people and this great state. Please bless our military and their families; we are most grateful for them.

We thank thee and ask for all these blessings; in Jesus' name,
Amen.

The Pledge of Allegiance was led by Representative Reinbold.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the 65th 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 26, 2014, was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SCR 2

CS FOR SENATE CONCURRENT RESOLUTION NO. 2(JUD) by the Senate Judiciary Committee:

Urging the United States Congress to act on the request of the governor to acquire for the state additional land in the Tongass National Forest from the United States government by purchase or negotiation or by seeking amendment to the Alaska Statehood Act.

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

FIRST READING AND REFERENCE OF SENATE BILLS

SB 167

SENATE BILL NO. 167 by Senators HUGGINS BY REQUEST, Micciche, Fairclough, McGuire, Bishop, Giessel, Egan, Stedman, Meyer, and Dyson, entitled:

"An Act relating to the maximum amount of uninsured and underinsured coverage payable under multiple motor vehicle insurance policies issued by the same insurer in the same household."

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

SB 187

CS FOR SENATE BILL NO. 187(JUD)(title am) by the Senate Judiciary Committee, entitled:

"An Act relating to the crime of misconduct involving confidential information in the first degree; amending Rule 16, Alaska Rules of Criminal Procedure; amending Rule 8, Alaska Child in Need of Aid Rules; and providing for an effective date."

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

SB 194

CS FOR SENATE BILL NO. 194(FIN) by the Senate Finance Committee, entitled:

"An Act creating the Alaska Tourism Marketing Board; and relating to tourism marketing."

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

REPORTS OF STANDING COMMITTEES

HCR 15

The Finance Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 15
Relating to the continuation of the Task Force on Unmanned Aircraft Systems.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 15(FIN)
Relating to the Task Force on Unmanned Aircraft Systems.

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

Do pass (11): Guttenberg, Holmes, Neuman, Munoz, Thompson, Edgmon, T. Wilson, Gara, Costello, Stoltze, Austerman

The following fiscal note(s) apply to CSHCR 15(FIN):

2. Fiscal, Legislative Agency

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

HJR 18

The Finance Committee considered:

HOUSE JOINT RESOLUTION NO. 18
Proposing amendments to the Constitution of the State of Alaska relating to the office of attorney general.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 18(FIN)
(same title)

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

Do pass (5): Neuman, Thompson, T. Wilson, Stoltze, Austerman

No recommendation (6): Guttenberg, Holmes, Munoz, Edgmon, Gara, Costello

The following fiscal note(s) apply to CSHJR 18(FIN):

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

HJR 18 was referred to the Rules Committee for placement on the calendar.

HB 143

The Finance Committee considered:

HOUSE BILL NO. 143

"An Act relating to crewmember fishing licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 143(FIN)

"An Act relating to crewmember fishing licenses; and providing for an effective date."

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

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

No recommendation (1): Neuman

The following fiscal note(s) apply to CSHB 143(FIN):

3. Fiscal, Dept. of Fish & Game
Fiscal note(s) forthcoming.

HB 143 was referred to the Rules Committee for placement on the calendar.

HB 210

The Finance Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 210(FIN)

"An Act relating to crisis intervention training for school personnel; and relating to restraint and seclusion of students in public schools."

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

Do pass (11): Guttenberg, Holmes, T. Wilson, Munoz, Neuman, Thompson, Edgmon, Gara, Costello, Stoltze, Austerman

The following fiscal note(s) apply to CSHB 210(FIN):

1. Fiscal, Dept. of Education & Early Development

HB 210 was referred to the Rules Committee for placement on the calendar.

HB 250

The Judiciary Committee considered:

HOUSE BILL NO. 250

"An Act making an expression of apology, responsibility, liability, sympathy, commiseration, compassion, or benevolence by a health care provider inadmissible in a medical malpractice case; requiring a health care provider to advise a patient or the patient's legal representative to seek legal advice before making an agreement with the patient to correct an unanticipated outcome of medical treatment or care; and amending Rules 402, 407, 408, 409, and 801, Alaska Rules of Evidence."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 250(HSS)

"An Act making an expression of apology, responsibility, sympathy, commiseration, compassion, or benevolence by a health care provider inadmissible in a medical malpractice case; requiring a health care provider to advise a patient or the patient's

legal representative to seek legal advice before making an agreement with the patient to correct an unanticipated outcome of medical treatment or care; and amending Rules 402, 407, 408, 409, and 801, Alaska Rules of Evidence."

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

Do pass (3): Foster, Gruenberg, Keller

No recommendation (2): LeDoux, Lynn

The following fiscal note(s) apply to CSHB 250(HSS):

1. Zero, Dept. of Corrections

HB 250 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

The House Special Committee on Fisheries reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Bruce Twomley

as a member of the Alaska Commercial Fisheries Entry Commission.

The report was signed by Representative Seaton, Chair; and Representatives Johnson, Feige, and Gattis.

INTRODUCTION OF CITATIONS

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

Honoring – Conway Seavey, 2014 Junior Iditarod Champion
By Representative Chenault; Senators Giessel, Micciche

Honoring – Elizabeth Barry
By Senators Ellis, Gardner

Honoring – Lance B. Nelson
By Senator McGuire

Honoring – Jimmie Lockhart and the Montford Point Marines
By Senator Ellis

In Memoriam – Robert Piser
By Senator Coghill

In Memoriam – Donald Alvin Herning
By Senator Coghill; Representative T. Wilson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 26

HOUSE CONCURRENT RESOLUTION NO. 26 by the House Rules
Committee by request:

Commending the State of Israel for its cordial and mutually
beneficial relationship with the United States and Alaska; and
supporting the right of the State of Israel to self-governance and
self-defense.

was read the first time and referred to the Rules Committee for
placement on the calendar.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 217

The following was read the second time:

HOUSE BILL NO. 217

"An Act establishing November 14 each year as Dr. Walter
Soboleff Day."

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with the:

Journal Page

STA RPT 5DP

1651

FN1: ZERO(ADM)

1651

Representative Pruitt moved and asked unanimous consent that HB 217 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 217 was read the third time.

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

The question being: "Shall HB 217 pass the House?" The roll was taken with the following result:

HB 217

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1

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

Excused: Drummond, Millett, Nageak, Tuck

Absent: Hawker

And so, HB 217 passed the House and was referred to the Chief Clerk for engrossment.

HB 369

The following was read the second time:

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."

with the:	Journal Page
JUD RPT CS(JUD) NT 5DP 1AM	2017
FN1: ZERO(ADM)	2018
FN2: ZERO(ADM)	2018
FN3: ZERO(LAW)	2018

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. 369(JUD)

"An Act relating to restrictions on the criminal prosecution for certain offenses for a person who seeks medical assistance for a person experiencing a drug overdose."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 369(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 369(JUD) was read the third time.

The question being: "Shall CSHB 369(JUD) pass the House?" The roll was taken with the following result:

CSHB 369(JUD)
Third Reading
Final Passage

YEAS: 28 NAYS: 4 EXCUSED: 4 ABSENT: 4

Yeas: Austerman, Chenault, Costello, Feige, Foster, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Hughes, Kawasaki, Keller, Kito III, Kreiss-Tomkins, LeDoux, Lynn, Munoz, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Tarr, Thompson, P.Wilson

Nays: Higgins, Josephson, Stoltze, T. Wilson

Excused: Drummond, Millett, Nageak, Tuck

Absent: Edgmon, Gara, Isaacson, Johnson

And so, CSHB 369(JUD) passed the House.

Representative Josephson gave notice of reconsideration of the vote on CSHB 369(JUD).

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 – Teri Rofkar

By Representatives Kreiss-Tomkins, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P. Wilson, T. Wilson

Honoring – Ann and Colette Ohotnicky

By Senator Wielechowski; Representatives LeDoux, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, 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

In Memoriam – Lloyd Ferdan Hames

By Representatives Kreiss-Tomkins, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senator Stedman

In Memoriam – Margo McCabe

By Senator Giessel; 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

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 11:42 a.m.

AFTER RECESS

The Speaker called the House back to order at 4:36 p.m.

Representative Edgmon was excused (page 1987).

UNFINISHED BUSINESS

HB 116

Representatives Edgmon and Feige 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 216

Representative Kawasaki added his name as cosponsor to:

HOUSE BILL NO. 216

"An Act adding the Inupiaq, Siberian Yupik, Central Alaskan Yup'ik, Alutiiq, Unangax, Dena'ina, Deg Xinag, Holikachuk, Koyukon, Upper Kuskokwim, Gwich'in, Tanana, Upper Tanana, Tanacross, Hän, Ahtna, Eyak, Tlingit, Haida, and Tsimshian languages as official languages of the state."

HB 217

Representatives Gruenberg, Kawasaki, Josephson, Guttenberg, Saddler, LeDoux, Stoltze, and Johnson added their names as cosponsors to:

HOUSE BILL NO. 217

"An Act establishing November 14 each year as Dr. Walter Soboleff Day."

HB 369

Representatives Lynn and Olson added their names as cosponsors to:

CS FOR HOUSE BILL NO. 369(JUD)

"An Act relating to restrictions on the criminal prosecution for certain offenses for a person who seeks medical assistance for a person experiencing a drug overdose."

ENGROSSMENT**HB 217**

HB 217 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 28, 2014. There being no objection, the House adjourned at 4:36 p.m.

Suzi Lowell
Chief Clerk