

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

April 20, 2015

Ninety-first Day

The House was called to order by Speaker Chenault at 5:17 p.m.

Roll call showed 40 members present.

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

In the final days of our legislative session, we are experiencing the pressing demands on our time and stresses to our hearts that our public duties so often bring. At such times, the words of American theologian, Reinhold Niebuhr, often come to my mind and bring me new perspective and comfort.

The prayer he wrote in the 1940s has found its way into common circulation and use by millions in a form known as the "Serenity Prayer." With the deepest respect for the religious beliefs of all Alaskans, I invite members to join me in it:

"God, grant me the serenity to accept the things I cannot change; courage to change the things I can; and wisdom to know the difference." Amen.

The Pledge of Allegiance was led by Representative Gara.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 90th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE**HCR 13**

A message dated April 19, 2015, was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 13

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Joint Resolution No. 16, expressing support for the Arctic Economic Council and the United States Arctic Economic Council delegation; requesting that the United States Congress express support for the Arctic Economic Council, for the chair of the Arctic Economic Council to be a resident of this state, and for the structure of the Arctic Economic Council leadership to mirror the rotation of the chair of the Arctic Council; and urging the United States Congress to empower residents of the state as partners in the Arctic Economic Council.

HCR 13 was referred to the Chief Clerk for enrollment.

HB 176

A message dated April 19, 2015, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 176(FIN)

"An Act repealing state employee salary schedule increases; and providing for an effective date."

CSHB 176(FIN) was referred to the Chief Clerk for enrollment.

SJR 16

A message dated April 19, 2015, was read stating the Senate concurred in the House amendment to:

CS FOR SENATE JOINT RESOLUTION NO. 16(ARC)

Expressing support for the Arctic Economic Council and the United States Arctic Economic Council delegation; requesting that the United States Congress express support for the Arctic Economic Council, for the chair of the Arctic Economic Council to be a resident of this state, and for the structure of the Arctic Economic Council leadership to mirror the rotation of the chair of the Arctic Council; and urging the United States Congress to empower residents of the state as partners in the Arctic Economic Council.

thus adopting:

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 16(RLS)

Expressing support for the Arctic Economic Council and the United States Arctic Economic Council delegation; requesting that the United States Congress express support for the Arctic Economic Council, for the chair of the Arctic Economic Council to be a resident of this state, and for the structure of the Arctic Economic Council leadership to mirror the rotation of the chair of the Arctic Council; and encouraging the United States Congress to cooperate with the state on matters related to and under consideration by the Arctic Economic Council.

(HCR 13 - title change resolution)

SB 39

A message dated April 19, 2015, was read stating the Senate concurred in the House amendment to CSSB 39(L&C), thus adopting:

CS FOR SENATE BILL NO. 39(L&C) am H

"An Act repealing the film production tax credit; providing for an effective date by repealing the effective dates of secs. 31 - 33, ch. 51, SLA 2012; and providing for an effective date."

INTRODUCTION OF CITATIONS

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

Honoring - Clark Gruening for His Lifetime Achievements
By Senator Egan; Representatives Kito, Munoz

In Memoriam - Charles L. Morrison
By Representative Tuck

In Memoriam - Cecilia (Cece) Marr
By Representative Ortiz

CONSIDERATION OF THE DAILY CALENDAR

THIRD READING OF SENATE BILLS

SB 26

The following, which was not taken up on the April 19, 2015, calendar (page 1091), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 26(FIN)

"An Act making and amending appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

Representative Gara moved and asked unanimous consent that HCS CSSB 26(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSB 26(FIN) would be returned to second reading for all amendments.

Amendment No. 1 was offered by Representatives Gara, Kito, Josephson, Kawasaki, Claman, Gruenberg, and Drummond:

Page 32, before line 1:

Insert a new bill section to read:

"* **Sec. 10. LEGISLATIVE INTENT.** It is the intent of the legislature to appropriate education funds at the same level as would be distributed through the foundation formula under AS 14.17.410 to keep school funding even with the fiscal year 2015 education

appropriation, including the one-time funds appropriated by sec. 32(b) and (c), ch. 18, SLA 2014, adjusted for inflation."

Renumber the following bill sections accordingly.

Page 41, following line 26:

Insert new subsections to read:

"(c) The sum of \$32,243,700 is appropriated from the general fund to the Department of Education and Early Development to be distributed as state aid to school districts according to the average daily membership for each district adjusted under AS 14.17.410(b)(1)(A) - (D) for the fiscal year ending June 30, 2016.

(d) The sum of \$37,000,000 is appropriated from the general fund to the Department of Education and Early Development to be distributed as state aid to school districts according to the average daily membership for each district adjusted under AS 14.17.410(b)(1)(A) - (D) for the fiscal year ending June 30, 2016.

(e) The amount necessary to fund the base student allocation at \$5,880 under AS 14.17.470 is appropriated from the general fund to the Department of Education and Early Development for the fiscal year ending June 30, 2016."

Page 51, line 8:

Delete "sec. 27(a) and (b)"

Insert "sec. 28(a) and (b)"

Page 51, line 14:

Delete "sec. 25"

Insert "sec. 26"

Page 51, line 18:

Delete "sec. 35"

Insert "sec. 36"

Page 60, lines 22 - 23:

Delete "secs. 16, 23(2), 24, 25(b), 25(d), 27(a), 27(d), 28, 29(b), 31, 32, 34(a), 37(a), and 38(b)"

Insert "secs. 17, 24(2), 25, 26(b), 26(d), 28(a), 28(d), 29(a), 30(b), 32, 33, 35(a), 38(a), and 39(b)"

Page 60, line 25:

Delete "secs. 21, 23(1), 26, 27(b), 29(a), and 41"

Insert "secs. 22, 24(1), 27, 28(b), 30(a), and 42"

Page 61, line 1:

Delete "sec. 15"

Insert "sec. 16"

Page 61, line 4:

Delete "10 - 21, 42, 44(c), and 45"

Insert "11 - 22, 43, 45(c), and 46"

Page 61, line 5:

Delete "Sections 25, 26, 27(a), 27(b), 27(d), 28 - 39, 41, and 43"

Insert "Sections 10, 26, 27, 28(a), 28(b), 28(d), 29(a), 29(b), 30 - 40, 42, and 44"

Page 61, line 7:

Delete "secs. 46 and 47"

Insert "secs. 47 and 48"

Representative Gara moved and asked unanimous consent that Amendment No. 1 be adopted.

There was objection.

Representative Johnson moved and asked unanimous consent that Amendment No. 1 be tabled.

There was objection.

Representative Johnson moved and asked unanimous consent to withdraw the motion to table Amendment No. 1. There being no objection, it was so ordered.

Representative Gara offered Amendment to Amendment No. 1:

Delete

"(e) The amount necessary to fund the base student allocation at \$5,880 under AS 14.17.470 is appropriated from the general fund to

the Department of Education and Early Development for the fiscal year ending June 30, 2016."

Representative Gara moved and asked unanimous consent that Amendment to Amendment No. 1 be adopted.

There was objection.

Representative Gara moved and asked unanimous consent to withdraw Amendment to Amendment No. 1 and Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Gara, Josephson, Kawasaki, Claman, Gruenberg, Kito, Tarr, and Drummond:

Page 60, line 16:

Delete all material.

Representative Gara moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Thompson objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 26(FIN)

Second Reading

Amendment No. 2

YEAS: 13 NAYS: 25 EXCUSED: 0 ABSENT: 2

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Edgmon, Foster, Gattis, Hawker, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

Absent: Colver, Reinbold

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives Josephson, Kawasaki, Claman, Gruenberg, Kito, Tarr, Drummond, and Gara:

Page 14, line 9:

Delete all material.

Page 14, line 27:

Delete "84,920,000"

Insert "109,920,000"

Adjust fund sources and totals accordingly.

Page 60, following line 31:

Insert new subsections to read:

"(e) The unexpended and unobligated balances of the appropriations made in sec. 4, ch. 16, SLA 2013, page 105, lines 22 - 24, and sec. 4, ch. 18, SLA 2014, page 87, lines 10 - 11, lapse into the general fund on June 30, 2015.

(f) The unexpended and unobligated balance of the appropriation made in sec. 1, ch. 16, SLA 2013, page 12, lines 20 - 25, lapses into the general fund on June 30, 2015."

Page 61, line 5:

Delete "and 43"

Insert "43, 44(e), and 44(f)"

Representative Josephson moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Munoz objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 26(FIN)

Second Reading

Amendment No. 3

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Hawker, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Guttenberg, Josephson, Wool, Kawasaki, Gara, Claman, Gruenberg, Kito, and Drummond:

Page 51, following line 1:

Insert a new bill section to read:

"* **Sec. 40. UNIVERSITY OF ALASKA.** The unexpended and unobligated balances, not to exceed \$8,000,000, of the appropriations made in sec. 4, ch. 16, SLA 2013, page 105, lines 22 - 24 (Department of Commerce, Community, and Economic Development, Alaska Energy Authority, energy generation projects, Susitna-Watana hydroelectric project - \$95,200,000) and sec. 4, ch. 18, SLA 2014, page 87, lines 10 - 11 (Department of Commerce, Community, and Economic Development, Alaska Energy Authority, Susitna-Watana hydroelectric project - \$20,000,000) are reappropriated to the University of Alaska for continuing construction on the UAF engineering building."

Renumber the following bill sections accordingly.

Page 60, line 23:

Delete "and 38(b)"

Insert "38(b), and 40"

Page 60, line 25:

Delete "41"

Insert "42"

Page 61, line 4:

Delete "42, 44(c), and 45"

Insert "43, 45(c), and 46"

Page 61, line 5:

Delete "41, and 43"

Insert "40, 42, and 44"

Page 61, line 7:

Delete "secs. 46 and 47"

Insert "secs. 47 and 48"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Wilson objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSB 26(FIN)

Second Reading

Amendment No. 4

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Hawker, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representatives Claman, Josephson, Drummond, and Gruenberg:

Page 47, following line 21:

Insert a new subsection to read:

"(d) The sum of \$1,500,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development for payment as a grant under AS 37.05.315 to the Municipality of Anchorage for repair and replacement of aging pedestrian bridges along major greenbelt trails."

Page 61, line 5:

Delete "28 - 39"

Insert "28 - 32, 33(a) - (c), 34 - 39"

Representative Claman moved and asked unanimous consent that Amendment No. 5 be adopted.

There was objection.

Representative Claman moved and asked unanimous consent to withdraw Amendment No. 5. There being no objection, it was so ordered.

Amendment No. 6 was offered by Representative Thompson:

Page 48, line 23:

Delete "\$725,000 of the estimated balance of"

Page 49, lines 1 - 2:

Delete "of the estimated balance of \$900,000"

Page 49, line 12:

Delete "\$900,000"

Insert "\$1,075,000"

Representative Thompson moved and asked unanimous consent that Amendment No. 6 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 6 was adopted.

Amendment No. 7 was offered by Representative Kito:

Page 41, line 29:

Delete "\$3,201,258"

Insert "\$3,034,391"

Page 44, lines 28 - 31:

Delete all material.

Renumber the following paragraphs accordingly.

Page 45, line 25:

Delete "(a)(1) - (33)"

Insert "(a)(1) - (32)"

Page 48, following line 16:

Insert a new subsection to read:

"(c) The unexpended and unobligated balance, estimated to be \$166,867, of the appropriation made in sec. 1, ch. 17, SLA 2012, page 113, lines 30 - 32, and allocated on page 114, lines 5 - 6, as amended by sec. 14(b), ch. 18, SLA 2014 (Department of Environmental Conservation, municipal water, sewage, and solid waste facilities grants, Haines, Barnett and Tower Road water tank replacement and infrastructure improvements - \$699,143) is reappropriated to the Department of Commerce, Community, and Economic Development for payment as a grant under AS 37.05.315 to the Haines Borough for upgrades to the wastewater treatment facility."

Representative Kito moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Thompson objected.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

HCS CSSB 26(FIN) am H

Second Reading

Amendment No. 7

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Hawker, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

And so, Amendment No. 7 was not adopted.

HCS CSSB 26(FIN) am H is automatically in third reading.

The Speaker stated that, without objection, HCS CSSB 26(FIN) am H would be held to tomorrow's calendar.

LEGISLATIVE CITATIONS

Representative Millett 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 - Brian Rogers

By Representatives Wool, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson; Senator Bishop

Honoring - The Armed Services YMCA

By Representatives LeDoux, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Wielechowski

Honoring - Amanda Moser

By Senator Ellis; Representatives Drummond, Chenault, Claman, Colver, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Adam Greenwald

By Representatives Kreiss-Tomkins, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito,

LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Gerald "Jerry" Wollen

By Representatives Kreiss-Tomkins, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Chris Fondell

By Representatives Kreiss-Tomkins, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Robert "Bud" William Peterson

By Representatives Kreiss-Tomkins, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

SPECIAL ORDER OF BUSINESS

Representative Tuck announced the birth of his daughter, Penelope Grace Tuck, born yesterday in Anchorage.

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 8, 2015.

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 21, 2015. There being no objection, the House adjourned at 7:55 p.m.

Suzi Lowell
Chief Clerk