

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Tuesday

January 22, 2013

Eighth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:00 a.m.

Roll call showed 37 members present.

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 Edgmon – from 11:00 a.m. to 1:20 p.m., today

Representative Feige – today

Representative Olson – today

The invocation was offered by the Chaplain, Rabbi Dov Gartenberg of Congregation Sukkat Shalom. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Thank you for the invitation to offer an invocation in the Alaska State House of Representatives. Following Jewish tradition, I will offer a prayer based on the weekly portion, the section of Jewish Scriptures that is read this coming Saturday in Jewish communities around the world. I offer this particular teaching with the deepest respect for the religious beliefs of all Alaskans.

In the Book of Exodus 13:17 we are told:

Now when Pharaoh let the people go, God did not lead them by way of the land of the Philistines, although it was nearer; for God said, "The people may have a change of heart when they see war, and return to Egypt." So God led the people roundabout, by way of the wilderness of the Sea of Reeds.

This verse has received much comment through the generations. I will share with you a couple of different insights on this verse this week as I offer an invocation before this legislative body.

Today I leave you with this insight from the Talmud a Jewish text edited 1500 years ago: "There is a long way which is short, and short way which is long." When something comes to us too easily instead of being hard earned, we may not gain the full benefit.

I am sure that there are many issues in a legislative session that are deliberated on over and over again. Yet this long process of deliberation and review is so essential for creating the long way which is short. May the results of this day of deliberations lead to hard-earned rewards for the citizens and the welfare of our great state. May you be blessed with wisdom, insight, and patience to make the hard decisions that will further the public good.

The Pledge of Allegiance was led by Representative Tuck.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the fourth, fifth, sixth, and seventh legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

OATH OF OFFICE

Speaker Chenault appointed Representatives P. Wilson and Kerttula to escort David Guttenberg to the rostrum.

Speaker Chenault administered the oath of office to David Guttenberg, District 38.

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Representative Munoz introduced Ariana Orford, Guest Page, from Juneau.

MESSAGES FROM THE GOVERNOR

A letter dated January 18, 2013, was read stating that, in accordance with art. VII, sec. 3, Constitution of the State of Alaska and AS 14.40.150, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Education Committee:

University of Alaska Board of Regents

Dale Anderson - Juneau

Appointed: 3/15/2012

Reappointed: 2/4/2013 Term Expires: 2/1/2021

Gloria O'Neill - Anchorage

Appointed: 2/4/2013 Term Expires: 2/1/2021

Resumes for the appointments are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

A message dated January 18, 2013, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., February 13 to hear the State of the Judiciary Address by Chief Justice Dana Fabe.

A message dated January 18, 2013, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., February 21 to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

A message dated January 18, 2013, was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., March 4 to hear an address by the Honorable Mark Begich, U.S. Senator.

COMMUNICATIONS

A letter dated January 16, 2013, was received from Dana Fabe, Chief Justice of the Alaska Supreme Court, stating that she nominated the following public members to serve on the Select Committee on Legislative Ethics pursuant to AS 24.60.130 and 24.60.131:

Antoinette "Toni" Mallott
H. Connor Thomas
Gary J. Turner
Janie Leask, Alternate

The Speaker referred the appointments to the Judiciary Committee.

The following were received:

Alaska Public Offices Commission
Biennial Report, 2011-2012
January 7, 2013
(as required by AS 15.13.030)

University of Alaska
Fisheries, Seafood & Maritime Initiative
Report to the Legislature by
Senator Hoffman & Representative Edgmon
January 20, 2013
(as required by Legislative Resolve No. 36, 2012)

REPORTS OF SPECIAL COMMITTEES

A report of the Committee on Committees dated January 22, 2013, was received submitting amendments to the January 15 report (page 10). The amendment follows:

Education Committee: Saddler replaced Nageak

HR 3

House Special Committee on Fisheries: Feige replaced Saddler

HR 4

House Special Committee on Military & Veterans' Affairs: Saddler replaced Isaacson

The following members were designated as Vice Chairs:

Education: Reinbold, Vice Chair

Health & Social Services: Keller, Vice Chair

Judiciary: Lynn, Vice Chair

Labor & Commerce: Reinbold, Vice Chair

Resources: P. Wilson, Vice Chair

State Affairs: Keller, Vice Chair

Transportation: Isaacson, Vice Chair

The report was signed by Representative Chenault, Chair; and Representatives Johnson, Austerman, Stoltze, P. Wilson, and Kerttula.

Representative Pruitt moved and asked unanimous consent that the House adopt the Committee on Committees report. There being no objection, it was so ordered.

INTRODUCTION OF CITATIONS

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - Rafael "Raffy" Castanos
By Representatives Munoz, Kerttula; Senator Egan

Honoring - Jenny Gomez Strickler
By Representatives Munoz, Kerttula; Senator Egan

Honoring - Vicky Roldan
By Representatives Munoz, Kerttula; Senator Egan

Honoring - Reynaldo Abella
By Representatives Munoz, Kerttula; Senator Egan

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

In Memoriam - Timothy John Collins
By Representative P. Wilson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 81

HOUSE BILL NO. 81 by the House Rules Committee by request of the Legislative Council, entitled:

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

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

HB 82

HOUSE BILL NO. 82 by Representative JOSEPHSON, entitled:

"An Act relating to probation and parole officers and the crime of sexual assault."

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

HB 83

HOUSE BILL NO. 83 by Representative KELLER, entitled:

"An Act relating to certain federal statutes, regulations, presidential executive orders, and secretarial orders; relating to the duties of the attorney general; and providing for an effective date."

was read the first time and referred to the Judiciary 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:

Honoring - Stephen J. Van Goor

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

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 Austerman – from 5:00 p.m., February 21 to 10:00 p.m., February 24

Representative Feige – from 6:00 p.m., January 25 to 10:30 a.m., January 28

Representative Foster – from 1:00 p.m., January 25 to 10:00 a.m., January 28

Representative Higgins – from noon, January 25 to 9:50 a.m., January 29

Representative Nageak – from 7:00 a.m., February 9 to midnight, February 17

Representative Neuman – from:

5:30 p.m., February 1 to 11:00 a.m., February 4;
5:30 p.m., February 15 to 11:00 a.m., February 18;
5:30 p.m., March 1 to 11:00 a.m., March 4; and
5:30 p.m., March 5 to 11:00 p.m., March 11

Representative Reinbold – from noon, January 25 to 10:00 p.m., January 27

Representative Seaton – from 11:30 a.m., February 8 to 2:00 p.m., February 11

HB 78

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 78

"An Act establishing authority for the state to evaluate and seek primacy for administering the regulatory program for dredge and fill activities allowed to individual states under federal law and relating to the authority; and providing for an effective date."

HB 78 is in the Resources Committee.

SPECIAL ORDER OF BUSINESS

Representative Pruitt moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring - Rafael "Raffy" Castanos, Honoring - Jenny Gomez Strickler, Honoring - Vicky Roldan, and Honoring - Reynaldo Abella, 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 citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Rafael "Raffy" Castanos

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

Honoring - Jenny Gomez Strickler

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

Honoring - Vicky Roldan

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

Honoring - Reynaldo Abella

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

UNFINISHED BUSINESS

HJR 3

Representative Saddler added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 3

Urging the President of the United States to seek and the United States Congress to approve adequate funding for land conveyance

activities for the State of Alaska, Alaska Native corporations, and Alaska Natives under the Alaska Statehood Act, the Alaska Native Claims Settlement Act, the Native Allotment Act of 1906, the Alaska Native Veterans Allotment Act of 1998, and the Alaska Land Transfer Acceleration Act.

HB 1

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 1

"An Act relating to issuance of drivers' licenses."

HB 5

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 5

"An Act relating to the Board of Registration for Architects, Engineers, and Land Surveyors and to the Department of Commerce, Community, and Economic Development."

HB 15

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 15

"An Act relating to commercial motor vehicle requirements."

HB 16

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 16

"An Act relating to citizenship requirements and an alcohol impairment and drug testing program for applicants for and recipients of specified cash assistance."

HB 27

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 27

"An Act relating to student counts, unreserved school operating fund balances, restrictions on school district money, and estimates for public school funding; and providing for an effective date."

HB 28

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 28

"An Act exempting solicitations or voluntary agreements to provide ambulance, emergency, or fire department services from regulation as insurance."

HB 29

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 29

"An Act requiring a party seeking a restraining order, preliminary injunction, or order vacating or staying the operation of a permit affecting an industrial operation to give security in an amount the court considers proper and requiring a court that determines the proper amount of the security to consider including an amount for the payment of wages and benefits for employees and payments to contractors and subcontractors that may be lost if the industrial operation is wrongfully enjoined."

HB 30

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 30

"An Act relating to performance reviews, audits, and termination of executive and legislative branch agencies, the University of Alaska, and the Alaska Court System; and providing for an effective date."

HB 33

Representative Gruenberg added his name as cosponsor to:

HOUSE BILL NO. 33

"An Act adding definitions of 'gravity knife' and 'switchblade' to the criminal law; and relating to reserving the authority to regulate knives to the state with limited exceptions for municipalities to regulate knives."

HB 34

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 34

"An Act making state compliance with a federal law, regulation, or presidential executive order contingent on receipt of certain information from the federal government."

HB 35

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 35

"An Act creating a low-interest loan program for homeowners who improve or replace their home heating systems; and providing for an effective date."

HB 40

Representative Herron added his name as cosponsor to:

HOUSE BILL NO. 40

"An Act establishing a municipal tax exemption for certain farm structures."

HB 45

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 45

"An Act relating to harassment, intimidation, or bullying by students attending a public school in the state."

HB 47

Representative Saddler added his name as cosponsor to:

HOUSE BILL NO. 47

"An Act requiring a party seeking a restraining order, preliminary injunction, or order vacating or staying the operation of a permit affecting an industrial operation to give security in the amount the court considers proper for costs incurred and damages suffered if the industrial operation is wrongfully enjoined or restrained."

HB 50

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 50

"An Act authorizing the Alaska Housing Finance Corporation to allow certain commercial uses in a multi-unit residential housing development owned or financed by the corporation and limiting the Alcoholic Beverage Control Board's issuance of certain licenses to premises in the residential housing development."

HB 54

Representative P. Wilson added her name as cosponsor to:

HOUSE BILL NO. 54

"An Act relating to the identification, location, and notification of specified family members of a child who is in state custody."

HB 69

Representative Hughes added her name as cosponsor to:

HOUSE BILL NO. 69

"An Act exempting certain firearms and firearm accessories in this state from federal regulation; providing criminal penalties for federal officials who enforce or attempt to enforce a federal law, regulation, rule, or order regulating certain firearms and firearm accessories in this state; and providing for an effective date."

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., January 24, 2013. There being no objection, the House adjourned at 11:20 a.m.

Suzi Lowell
Chief Clerk