

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

February 6, 2013

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:31 a.m.

Roll call showed 37 members present. Representative Hawker had been excused from a call of the House today.

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 Guttenberg – from today to 10:00 p.m., February 19

Representative Kerttula – from today through February 13

The invocation was offered by the Chaplain, the Reverend Dr. Douglas Dye of Chapel by the Lake Presbyterian Church. Representative P. Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Loving and gracious God, today as the Alaska State House of Representatives convenes to do the work of this great state, we give you thanks for dedicated public servants who serve and have served the people of our state faithfully and well.

On this particular day – Ernest Gruening Day – we especially give you thanks for the life and work of this dedicated

servant, our longest serving territorial governor and one of our first United States senators.

And now dear Lord, as we face the future, I pray you will bestow on these dedicated servants wisdom and grace and courage as they build on the work of those who have gone before them to create an Alaska that is fair, just, and prosperous.

O God, the work they do is not easy, competing claims and complex decisions are before them. So grant them insight and understanding.

Many of them are far from home. Protect and bless their families and loved ones as great distances separate many of them.

Guard their health, great God. And at the end of this day may they retire to their homes to find refreshment and rest knowing they have served the people of Alaska well.

I pray all these things in the name of my Lord, Jesus. 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 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

RECONSIDERATION

HB 80

Representative Johnson brought up reconsideration of the vote on HB 80 (page 203).

The following was again before the House in third reading:

HOUSE BILL NO. 80

"An Act relating to the regulation of wastewater discharge from commercial passenger vessels in state waters; and providing for an effective date."

The question to be reconsidered: "Shall HB 80 pass the House?" The roll was taken with the following result:

HB 80

Third Reading

Final Passage

Reconsideration

YEAS: 27 NAYS: 10 EXCUSED: 3 ABSENT: 0

Yeas: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gattis, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Stoltze, Thompson, T.Wilson

Nays: Drummond, Gara, Gruenberg, Josephson, Kawasaki, Kreiss-Tomkins, Seaton, Tarr, Tuck, P.Wilson

Excused: Guttenberg, Hawker, Kerttula

P.Wilson changed from "Yea" to "Nay".

And so, HB 80 passed the House on reconsideration.

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.

HB 80 was referred to the Chief Clerk for engrossment.

COMMUNICATIONS

The following was received:

Alaska Court System
Estimate of Fines Collected FY 2013
(as required by AS 12.55.035)

INTRODUCTION OF CITATIONS

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

Honoring - Aaron Downing

By Representatives Gattis, Hughes, Reinbold, Keller, Stoltze, Feige, Neuman, Saddler; Senators Huggins, Dunleavy

In Memoriam - Sarah Daria Matthew

By Representatives Reinbold, Stoltze, Saddler; Senator Fairclough

In Memoriam - Arthur Lawrence Carlson

By Senator Stevens; Representative Austerman

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 3**

HOUSE CONCURRENT RESOLUTION NO. 3 by Representatives MILLETT and Austerman:

Establishing the Joint Committee on Federal Overreach.

was read the first time and referred to the State Affairs and Finance Committees.

HJR 7

HOUSE JOINT RESOLUTION NO. 7 by Representatives GATTIS, Nageak, Pruitt, Johnson, Thompson, Tuck, Herron, P. Wilson, Foster, T. Wilson, Lynn, Hughes, Higgins, Munoz, Holmes, Millett, Costello, Neuman, Austerman, Feige, Keller, Chenault, Gruenberg, Olson, Stoltze, Reinbold, Gara, and Saddler:

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 51**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 51 by
Representative SEATON, entitled:

"An Act relating to oil and gas; relating to the oil and gas corporate income tax; relating to the oil and gas production tax; relating to tax credits; allowing the Alaska Industrial Development and Export Authority to issue bonds for an oil processing facility; making conforming amendments; and providing for an effective date."

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

HB 103

HOUSE BILL NO. 103 by Representative MILLETT, entitled:

"An Act setting special registration fees for alternative fuel vehicles; and providing for an effective date."

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

HB 104

HOUSE BILL NO. 104 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to election practices and procedures; relating to the election of an advisory school board in a regional educational attendance area; and providing for an effective date."

was read the first time and referred to the State Affairs and Judiciary Committees.

The following fiscal note(s) apply:

1. Zero, Office of the Governor
2. Zero, Dept. of Education & Early Development

The Governor's transmittal letter dated February 4, 2013, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to election practices and procedures; and relating to the election of an advisory school board in a regional educational attendance area.

The bill would make a number of changes to the Election Code and related statutes. These good government changes are necessary to assure voter access to his or her ballot, and to maximize efficiency in conducting State-run elections while harmonizing certain provisions of State and federal election law.

The bill would also shift the date of the primary election and associated candidacy withdrawal and petition deadlines. The bill would move the date of the primary from the fourth Tuesday in August to the second Tuesday in August of every even-numbered year. The purpose of moving the date is to assure that the Division of Elections can timely comply with provisions of federal law requiring the Division to transmit ballots to military and overseas voters 45 days before a federal election. Candidates would be required to withdraw their name 52 days rather than 48 days before the primary, and judges up for retention would be required to withdraw 64 days rather than 48 days before a general election. Similarly, deadlines governing the nomination of candidates by party petition where an unopposed incumbent dies, is disqualified, or is incapacitated, and for filling vacancies by party petition, would change.

The bill would specify that the Division of Elections may conduct elections for advisory school boards in regional educational attendance areas. The Division already is required to conduct elections to regional educational attendance area boards, and this change would specify that the Division could – but would not be required – to do the same for local advisory boards.

The bill would allow a qualified voter residing outside the United States to register to vote absentee if the qualified voter's parent or guardian was domiciled in Alaska immediately before leaving the United States. This provision is aimed at voters who reach 18 years of age while living abroad with their parent or guardian.

The bill would allow the Division of Elections to designate municipal clerks to act as absentee voting officials to distribute absentee ballots to qualified voters and their representatives. This portion of the bill aims to resolve difficulties associated with finding individuals to act as absentee voting officials, particularly in more rural areas of the state, by allowing municipal clerks to act in this capacity and thereby reach greater numbers of absentee voters.

The bill would also streamline several aspects of the absentee voting process. The bill would clarify that voters (other than uniformed services voters or overseas voters) who apply to receive their ballots by electronic transmission must, by regulation, be required to comply with the same ballot application deadlines applicable to absentee voting in person. The bill would repeal the concept of the "special absentee ballot" and make official ballots for overseas and military voters available 45 days before a federal election. All regular statewide elections also have federal offices on the ballot. Federal law requires the Division of Elections to transmit ballots to military and overseas voters 45 days before an election. The purpose of the State change would be to eliminate the 60 day advance "special absentee ballot" and make a single, official ballot available to voters overseas, in the military, and in remote areas of the state available on a timeframe consistent with federal law. Sending two ballots often causes voter confusion.

Finally, the bill would harmonize State and federal law by adding definitions of "absent uniformed services voter" and "overseas voter" to the Election Code.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Sean Parnell
Governor"

HB 105

HOUSE BILL NO. 105 by Representative THOMPSON, entitled:

"An Act relating to theft and property offenses; and providing for an effective date."

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

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 Millett – from 6:00 p.m., February 8 to 10:30 a.m., February 11

HCR 2

Representative Kreiss-Tomkins added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 2

Proclaiming the state as a Purple Heart State to honor the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedom enjoyed by all Americans.

HJR 4

Representative Feige added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 4

Urging the President of the United States to rescind 23 executive orders related to regulation of firearms; and urging the United States Congress to refrain from passing legislation that restricts the right of individuals to keep and bear arms.

HB 24

Representatives Millett and Costello added their names as cosponsors to:

HOUSE BILL NO. 24

"An Act relating to self-defense in any place where a person has a right to be."

HB 40

Representatives Johnson, Austerman, Reinbold, and Keller added their names as cosponsors to:

HOUSE BILL NO. 40

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

HB 46

Representative Kreiss-Tomkins added his name as cosponsor to:

HOUSE BILL NO. 46

"An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience."

HB 75

Representatives Kawasaki and Thompson added their names as cosponsors to:

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."

HB 84

Representative Kreiss-Tomkins added his name as cosponsor to:

HOUSE BILL NO. 84

"An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary

education and employment training requirements; providing for a temporary occupational license for qualified military service members; and providing for an effective date."

HB 88

Representatives Saddler, Pruitt, Tarr, and Keller added their names as cosponsors to:

HOUSE BILL NO. 88

"An Act changing the terms 'mental retardation' and 'mentally retarded,' and making conforming changes, in Alaska Statutes."

HB 97

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 97

"An Act relating to office accounts for each member of the legislature for legislative office expenses."

ENGROSSMENT**HB 80**

HB 80 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., February 8, 2013. There being no objection, the House adjourned at 11:46 a.m.

Suzi Lowell
Chief Clerk