

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Friday

February 8, 2013

Twenty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:32 a.m.

Roll call showed 34 members present. Representatives Costello, Guttenberg, Herron, Isaacson, and Kerttula had been previously excused from a call of the House today.

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

The invocation was offered by the Chaplain, the Reverend Dr. Douglas Dye of Chapel by the Lake Presbyterian Church. Representative T. 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, in the Hebrew Scriptures, the Christian Old Testament, you tell us, "The earth is the Lord's and all that is in it, for [the Lord] has founded it on the seas, and established it on the rivers." (Ps 24:1, 2)

So great Creator God, maker of the earth and the universe, we begin this day by offering you thanks for the gift of this beautiful land. Help us, O loving God, to be filled with awe and struck with wonder as we look upon the stunning beauty of this great state. Protect us from a callous spirit that overlooks or forgets the great gift it is to live in the midst of

your creative handiwork. For the mountains and glaciers, rainforests and boreal forests, wind-swept islands, bountiful and wild seas, the sweeping tundra, the interior's wild rivers – for all of it we give you thanks, dear Lord.

Gracious God, as the people of Alaska have called these men and women to protect and prosper this land and its people, I pray that you will give them insight and understanding. Provide them with grace to listen to one another, humility to seek counsel from each other, and the courage and wisdom to act in the proper moment. Bless and guard the health of each of them. Watch over their families and loved ones. Thank you for their spirit of service.

I pray all these things in the name of my Lord, Jesus. 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 23rd and 24th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated February 6, 2013, was read stating that, in accordance with AS 16.05.221 and 39.05.080 and art. III, sec. 26, Constitution of the State of Alaska, the Governor submits the following name for legislative confirmation of appointment to the position noted:

The Speaker referred the following to the House Special Committee on Fisheries:

Board of Fisheries

Reed Morisky – Fairbanks

Appointed: 2/6/2013 Term Expires: 6/30/2014

A resume for the appointment is on file in the Chief Clerk's office.

COMMUNICATIONS

The following were received:

Alaska Judicial Council
Twenty-Sixth Report to the Legislature and Supreme Court
2011-2012
(as required by art. IV, sec. 9, Constitution of the State of Alaska)

Dept. of Labor & Workforce Development
Residency of Alaska Workers - 2011
January 26, 2013
(as required by AS 36.10.130)

Dept. of Natural Resources
Division of Mining, Land and Water
2013 Report to the Legislature
Report on Identified R.S. 2477 Rights-of-Way
Notification of Annual Mining Report
Land Disposal Income Fund Report
Notification of Annual Report on Water Removals and Exports
Notification of Interim Classifications (Closing Land to Mineral
Entry)
Summary of Cooperative Resource Management or Development
Agreements
Annual Summary of the Department's Efforts to Maintain or Enhance
Access to and along Fishing Streams
February 2013
(as required by AS 19.30.400, 27.05.060, 38.04.022, 46.15.020,
38.05.300, 38.05.027, and 38.04.205, respectively)

Dept. of Natural Resources
Division of Parks and Outdoor Recreation
Number of Camping Permits Issued to Disabled Veterans
February 8, 2013
(as required by AS 41.21.026)

Dept. of Transportation & Public Facilities
Alaska Airports and Aviation
2012 Annual Report
Available at:
http://dot.alaska.gov/documents/aviation/2012Annual_Report.pdf

REPORTS OF STANDING COMMITTEES

HB 15

The Transportation Committee considered:

HOUSE BILL NO. 15

"An Act relating to commercial motor vehicle requirements."

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

Do pass (5): Lynn, Johnson, Kreiss-Tomkins, Gattis, Feige

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Transportation & Public Facilities

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

HB 88

The Health & Social Services Committee considered:

HOUSE BILL NO. 88

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 88(HSS)
(same title)

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

Do pass (7): Seaton, Reinbold, Pruitt, Keller, Nageak, Tarr, Higgins

The following fiscal note(s) apply to CSHB 88(HSS):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Education & Early Development
3. Zero, Dept. of Health & Social Services

HB 88 is on today's calendar.

REPORTS OF SPECIAL COMMITTEES

HB 67

The House Special Committee on Military & Veterans' Affairs considered:

HOUSE BILL NO. 67

"An Act establishing March 29 of each year as Vietnam Veterans Day."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 67(MLV)

"An Act establishing March 29 of each year as Vietnam Veterans Day; and providing for an effective date."

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

Do pass (7): Gruenberg, Saddler, Higgins, Reinbold, Hughes, Foster, LeDoux

The following fiscal note(s) apply to CSHB 67(MLV):

1. Zero, Dept. of Administration

HB 67 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Dr. Steve Atwater, 2013 Alaska Superintendent of the Year

By Representative Olson

Honoring - Dr. Pete and Karolee Hansen

By Representative Olson; Senator Micciche

Honoring - Soldotna Chamber of Commerce, 2012 Community Service Awards

By Representative Olson

In Memoriam - Leonard "Bud" Keener

By Representative Olson

In Memoriam - Barry Eldridge

By Representative Olson

In Memoriam - Penelope Gale Malmquist

By Representative Olson

In Memoriam - Deborah Coghill

By Representative Olson

In Memoriam - James Daniel Ducey

By Senator Huggins; Representatives Neuman, Stoltze

In Memoriam - William Edward Burton

By Senator Stevens; Representative Austerman

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

HJR 8

HOUSE JOINT RESOLUTION NO. 8 by Representatives GARA, Josephson, Drummond, Tuck, Kerttula, Kawasaki, and Kreiss-Tomkins:

Urging the United States Congress and the President of the United States to work to amend the Constitution of the United States to prohibit corporations, unions, and individuals from making unlimited independent expenditures supporting or opposing candidates for public office.

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

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

HB 106

HOUSE BILL NO. 106 by Representative KERTTULA, entitled:

"An Act relating to voluntary deduction of dues for membership in certain retiree organizations; and providing for an effective date."

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

HB 107

HOUSE BILL NO. 107 by Representative KERTTULA, entitled:

"An Act repealing a prohibition against classified state employees participating in the management of political parties above the precinct level."

was read the first time and referred to the State Affairs Committee.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 40**

The following was read the second time:

HOUSE BILL NO. 40

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

with the:	Journal Page
CRA RPT CS(CRA) 6DP	174
FN1: ZERO(CED)	175

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. 40(CRA)
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 40(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 40(CRA) was read the third time.

Representative Gattis moved and asked unanimous consent that she be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Gattis was required to vote.

The question being: "Shall CSHB 40(CRA) pass the House?" The roll was taken with the following result:

CSHB 40(CRA)
Third Reading
Final Passage

YEAS: 30 NAYS: 3 EXCUSED: 6 ABSENT: 1

Yeas: Austerman, Chenault, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Hawker, Holmes, Hughes, Johnson, Josephson, Kawasaki, Keller, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Olson, Pruitt, Reinbold, Saddler, Seaton, Tarr, Thompson, Tuck

Nays: Higgins, Neuman, T.Wilson

Excused: Costello, Guttenberg, Herron, Isaacson, Kerttula, P.Wilson

Absent: Stoltze

And so, CSHB 40(CRA) passed the House.

Representative Tuck gave notice of reconsideration of the vote on CSHB 40(CRA).

RECONSIDERATION

HB 40

Representative Tuck moved and asked unanimous consent that reconsideration of CSHB 40(CRA) be taken up on the same day. There being no objection, it was so ordered.

CSHB 40(CRA) was again before the House in third reading.

The question to be reconsidered: "Shall CSHB 40(CRA) pass the House?" The roll was taken with the following result:

CSHB 40(CRA)
Third Reading
Final Passage
Reconsideration

YEAS: 29 NAYS: 3 EXCUSED: 6 ABSENT: 2

Yeas: Austerman, Chenault, Drummond, Edgmon, Feige, Foster, Gattis, Gruenberg, Hawker, Holmes, Hughes, Johnson, Josephson, Kawasaki, Keller, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Olson, Pruitt, Reinbold, Saddler, Seaton, Tarr, Thompson, Tuck

Nays: Higgins, Neuman, T. Wilson

Excused: Costello, Guttenberg, Herron, Isaacson, Kerttula, P. Wilson

Absent: Gara, Stoltze

And so, CSHB 40(CRA) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS

(continued)

HB 88

The following was read the second time:

HOUSE BILL NO. 88

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

with the:	Journal Page
HSS RPT CS(HSS) 7DP	228
FN1: ZERO(CED)	229
FN2: ZERO(EED)	229
FN3: ZERO(DHS)	229

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. 88(HSS)
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 88(HSS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 88(HSS) was read the third time.

The question being: "Shall CSHB 88(HSS) pass the House?" The roll was taken with the following result:

CSHB 88(HSS)
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 6 ABSENT: 0

Yeas: Austerman, Chenault, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Hawker, Higgins, Holmes, Hughes, Johnson, Josephson, Kawasaki, Keller, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, T.Wilson

Excused: Costello, Guttenberg, Herron, Isaacson, Kerttula, P.Wilson

And so, CSHB 88(HSS) passed the House and was referred to the Chief Clerk for engrossment.

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 - Aaron Downing

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

In Memoriam - Sarah Daria Matthew

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

In Memoriam - Arthur Lawrence Carlson

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, Kerttula, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P. Wilson, T. Wilson

**Representative Johnson, who was excused (page 183), left the Chamber.

SENSE OF THE HOUSE

Representative Stoltze moved and asked unanimous consent that the following be adopted as the Sense of the House:

"It is the Sense of the House that the Boy Scouts of America is an institution that has been a part of the fabric of this nation for more than 100 years. It is an organization that promotes character development and value-based leadership training, steeped in a strong belief in God and country.

Therefore, it is the Sense of the House that this American institution be allowed to continue to uphold the core values and beliefs that have made the Boy Scouts of America a standard-bearer for the development of character, leadership and patriotism of the young men of Alaska and the United States of America."

There was objection.

Representative Tuck moved and asked unanimous consent that consideration of the Sense of the House be postponed until February 11, 2013. There being no objection, it was so ordered.

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 Chenault – from noon, February 15 to 10:00 p.m., February 17

Representative Feige – from 6:00 p.m., February 15 to 10:00 a.m., February 18

Representative Higgins – from 6:00 p.m., today to 9:30 p.m., February 10

Representative Keller – from 5:45 p.m., February 14 to 2:30 p.m., February 17

Representative Kerttula – from 6:00 a.m., February 25 to 8:30 p.m., March 3

Representative Reinbold – from 7:00 a.m., February 9 to 10:00 p.m., February 10; and from 11:30 a.m., February 15 to 9:40 p.m., February 18

Representative Tuck – from 11:30 a.m., March 15 to 9:35 a.m., March 18

HCR 2

Representative LeDoux added her 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 5

Representative Gara added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 5

Opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; urging further examination of genetically engineered salmon; opposing AquaBounty's petition to produce genetically engineered salmon; and proposing, if AquaBounty's petition is approved, that its product should be labeled as "genetically modified."

HJR 7

Representatives LeDoux and Hawker added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 7

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.

HB 19

Representative Gattis added her name as cosponsor to:

HOUSE BILL NO. 19

"An Act relating to permanent motor vehicle registration; relating to the registration fee for noncommercial trailers and to the motor vehicle tax for trailers; and providing for an effective date."

HB 24

Representative LeDoux added her name as cosponsor 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 Gara, Lynn, Tarr, Gruenberg, Chenault, Feige, and Seaton added their names as cosponsors to:

CS FOR HOUSE BILL NO. 40(CRA)

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

HB 83

Representative Stoltze added his name as cosponsor to:

HOUSE BILL NO. 83

"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."

HB 88

Representatives Hughes, Johnson, Kawasaki, Seaton, Edgmon, Kreiss-Tomkins, and Stoltze added their names as cosponsors to:

CS FOR HOUSE BILL NO. 88(HSS)

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

HB 93

Representative Higgins added his name as cosponsor to:

HOUSE BILL NO. 93

"An Act relating to the authorization, monitoring, and operation of charter schools."

HB 97

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 97

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

HB 103

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 103

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

ENGROSSMENT**HB 40**

CSHB 40(CRA) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 88

CSHB 88(HSS) 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 11:00 a.m., February 11, 2013. There being no objection, the House adjourned at 11:58 a.m.

Suzi Lowell
Chief Clerk