

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

Juneau, Alaska

Monday

February 18, 2013

Thirty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:04 a.m.

Roll call showed 38 members present. Representatives Drummond and Reinbold had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend Dr. Phil Campbell of Northern Light United 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.

Gracious Creator of All That Is,

On this President's Day and two days after Elizabeth Peratrovich Day, I give thanks for the voices that guide us. I am grateful for the voices of those elected to lead. I am also thankful for voices of citizens—those who with courage speak truth to power.

May this chamber be filled with voices—voices that speak with truth, compassion, and insight. Bestow also on this chamber the capacity to listen to the end that all voices are heard and all perspectives considered. May the speaking and listening done today show forth hope and produce justice, show forth respect and produce love for this great state and all who dwell herein. Amen.

The Pledge of Allegiance was led by Representative Lynn.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the 32nd, 33rd, and 34th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

The following were received:

Dept. of Education & Early Development
Annual Report
February 15, 2013
(as required by AS 14.03.078)

Dept. of Law
Task Force on the Crimes of Human Trafficking, Promoting
Prostitution, and Sex Trafficking
Final Report and Recommendations
February 15, 2013
(as required by Chapter No. 70, SLA 2012)

INTRODUCTION OF CITATIONS

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

Honoring - Delta Elementary School, 2012 National Title I
Distinguished School
By Representative Feige; Senator Bishop

In Memoriam - Hazel Rosendahl
By Representatives Isaacson, T. Wilson

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 8**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 8 by
Representatives T. WILSON and NEUMAN, entitled:

"An Act requiring legislative approval for the Department of Natural Resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land."

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

HB 125

HOUSE BILL NO. 125 by Representatives HOLMES and Kerttula, entitled:

"An Act prohibiting a health care insurer from denying coverage for an additional limited quantity of prescription topical eye medication under certain circumstances."

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

HB 126

HOUSE BILL NO. 126 by Representatives KERTTULA and Tuck, entitled:

"An Act relating to new defined benefit tiers in the public employees' retirement system and the teachers' retirement system; providing certain employees an opportunity to choose between the defined benefit and defined contribution plans of the public employees' retirement system and the teachers' retirement system; and providing for an effective date."

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

HB 127

HOUSE BILL NO. 127 by the House Rules Committee by request, entitled:

"An Act clarifying that the Alaska Bar Association is an agency for purposes of investigations by the ombudsman; relating to compensation of the ombudsman and to employment of staff by

the ombudsman under personal service contracts; providing that certain records of communications between the ombudsman and an agency are not public records; relating to disclosure by an agency to the ombudsman of communications subject to attorney-client and attorney work-product privileges; relating to informal and formal reports of opinions and recommendations issued by the ombudsman; relating to the privilege of the ombudsman not to testify and creating a privilege under which the ombudsman is not required to disclose certain documents; relating to procedures for procurement by the ombudsman; relating to the definition of 'agency' for purposes of the Ombudsman Act and providing jurisdiction of the ombudsman over persons providing certain services to the state by contract; and amending Rules 501 and 503, Alaska Rules of Evidence."

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

HB 128

HOUSE BILL NO. 128 by Representatives KAWASAKI, Kerttula, and Tuck, entitled:

"An Act relating to prekindergarten programs within a school district; relating to pre-elementary students and pre-elementary schools; providing for the establishment of a statewide early childhood education plan; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 30**

The following was read the second time:

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."

with the:

Journal Page

FIN RPT CS(FIN) 8DP 2AM	265
FN1: ZERO(GOV)	266
FN2: ZERO(LEG)	266
FN3: (LEG)	266

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. 30(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Josephson:

Page 5, line 21, following "least important":

Insert ";

(5) the review team shall not under (2) of this subsection consider or report on reductions or eliminations to the formula constituting the base student allocation"

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

Representative Costello objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 30(FIN)
Second Reading
Amendment No. 1

YEAS: 7 NAYS: 31 EXCUSED: 2 ABSENT: 0

Yea: Gara, Gruenberg, Josephson, Kawasaki, Kerttula, Tarr, Tuck

Nay: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gattis, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Keller, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Saddler, Seaton, Stoltze, Thompson, P.Wilson, T.Wilson

Excused: Drummond, Reinbold

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Gara:

Page 5, following line 21:

Insert a new subsection to read:

"(d) The agency shall indicate in writing which criteria it is using when the agency identifies and prepares information for the review team."

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

Representative Costello objected.

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

CSHB 30(FIN)

Second Reading

Amendment No. 2

YEAS: 9 NAYS: 29 EXCUSED: 2 ABSENT: 0

Yea: Gara, Gruenberg, Isaacson, Josephson, Kawasaki, Kerttula, Kreiss-Tomkins, Tarr, Tuck

Nay: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gattis, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Saddler, Seaton, Stoltze, Thompson, P.Wilson, T.Wilson

Excused: Drummond, Reinbold

And so, Amendment No. 2 was not adopted.

Representative Pruitt moved and asked unanimous consent that CSHB 30(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 30(FIN) was read the third time.

The question being: "Shall CSHB 30(FIN) pass the House?" The roll was taken with the following result:

CSHB 30(FIN)
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

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

Excused: Drummond, Reinbold

Absent: Hawker

And so, CSHB 30(FIN) passed the House.

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.

CSHB 30(FIN) was referred to the Chief Clerk for engrossment.

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:

In Memoriam - Carol Brenckle

By Representatives Olson, 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, Pruitt, Reinbold, Saddler, Seaton, Tarr, Thompson, Tuck, P. Wilson, T. Wilson; Senator Micciche

UNFINISHED BUSINESS

HB 50

Representative Gara moved and asked unanimous consent to remove his name as first joint prime sponsor and add it as first 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."

There being no objection, it was so ordered.

Representative Costello moved and asked unanimous consent to be the prime sponsor of HB 50. There being no objection, it was so ordered.

HB 50 was reprinted today. The sponsors are: Representatives COSTELLO, Gara, and P. Wilson.

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 11:30 a.m., March 7 to 10:30 a.m., March 11

Representative Higgins – from 6:00 a.m., March 6 to 7:00 p.m., March 11

Representative Johnson – from 11:30 a.m., March 6 to 10:30 a.m., March 11; and from 11:30 a.m., March 29 to 10:30 a.m., April 1

Representative Millett – from 6:00 p.m., March 5 to 10:30 p.m., March 11

Representative Thompson – from 11:00 a.m., March 6 to 10:30 a.m., March 11; and from 11:00 a.m., March 15 to 10:30 a.m., March 18

HCR 4

Representative Gruenberg added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 4

Proclaiming May 15 to be Hmong-American Veterans Memorial Day.

HJR 4

Representatives Herron and Isaacson added their names as cosponsors 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.

HJR 9

Representatives Munoz and Kreiss-Tomkins added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 9

Supporting the continued and increased exploration, extraction, processing, and production of rare earth elements in the state; and urging the United States Congress to support efforts of the state to develop rare earth elements in the state for the benefit of the economic and national security of the United States.

HB 30

Representative Tuck added his name as cosponsor to:

CS FOR HOUSE BILL NO. 30(FIN)

"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 32

Representative Josephson added his name as cosponsor to:

HOUSE BILL NO. 32

"An Act providing for the issuance of one business license for multiple lines of business; and providing for reissuance of a business license to correct a mistake on the license."

HB 50

Representative Millett 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."

ENGROSSMENT**HB 30**

CSHB 30(FIN) 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 20, 2013. There being no objection, the House adjourned at 12:25 p.m.

Suzi Lowell
Chief Clerk