

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

March 27, 2013

#### Seventy-second Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:35 a.m.

Roll call showed 39 members present. Representative Guttenberg had been excused from a call of the House today.

The invocation was offered by the Chaplain, Pastor Sue Bahleda of Resurrection Lutheran 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.

With respect to the diversity of voices, beliefs, and practices that call out to a power beyond our individual selves, I offer the following prayer.

Great and Mighty One,

There is no limit to your wisdom; pour out your wisdom to those who are gathered here to do the work of the people. Help all of us to study diligently and to grow in all that is good across our whole lives. Support and encourage all who teach and all who learn.

Bless these dedicated men and women before you. Give them hearts for the work that lies before them. Strengthen their efforts to blot out ignorance and prejudice and to abolish poverty and crime. Inspire them that they act with purpose and imagination to hasten the day when all people—young

and old, rich and poor, from our cities to our villages—have before them the opportunity to live rich and fulfilled lives of value, truth, and knowledge. Amen.

The Pledge of Allegiance was led by Representative Gattis.

### **CERTIFICATION OF THE JOURNAL**

Representative Pruitt moved and asked unanimous consent that the journal for the 71<sup>st</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 27, 2013, was read stating that, in accordance with art. III, sec. 26, Constitution of the State of Alaska and AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Education Committee:

#### **Board of Education and Early Development**

James Fields – Glennallen

Appointed: 3/22/2013      Term Expires: 3/1/2018

The Speaker referred the following to the Health & Social Services Committee:

#### **State Medical Board**

Dr. Grant Roderer – Anchorage

Appointed: 3/22/2013      Term Expires: 3/1/2016

The Speaker referred the following to the Judiciary Committee:

#### **Alaska Judicial Council**

David Parker – Wasilla

Appointed: 3/1/2013      Term Expires: 3/1/2019

The Speaker referred the following to the Labor & Commerce Committee:

**Board of Marine Pilots**

Hans Antonsen – Ketchikan

Appointed: 3/22/2013      Term Expires: 3/1/2017

**Board of Pharmacy**

Taryl Giessel – Eagle River

Appointed: 3/22/2013      Term Expires: 3/1/2017

**Alaska Workers' Compensation Board**

Ronald Nalikak – Anchorage

Appointed: 3/22/2013      Term Expires: 3/1/2017

The Speaker referred the following to the Resources Committee:

**Big Game Commercial Services Board**

Henry Tiffany, IV – Ester

Appointed: 3/22/2013      Term Expires: 3/1/2017

The Speaker referred the following to the State Affairs Committee:

**Alaska Police Standards Council**

Thomas "Bob" Kean – Eagle River

Appointed: 11/22/2005      Reappointed: 3/1/2009

Reappointed: 3/22/2013      Term Expires: 3/1/2017

**Alaska Public Offices Commission**

Ron King – Kasilof

Appointed: 3/20/2013      Term Expires: 3/1/2018

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

The letter further stated that the Governor withdraws the following name from legislative confirmation of appointment to the position noted, which the Speaker had referred to the Labor & Commerce Committee (page 146):

**Alaska Workers' Compensation Board**

Jace Digel – Anchorage

Appointed: 1/1/2013

Term Expires: 3/1/2014

**REPORTS OF STANDING COMMITTEES****HJR 13**

The Transportation Committee considered:

## HOUSE JOINT RESOLUTION NO. 13

Urging the United States Congress and the President of the United States to complete the funding and acquisition of three additional National Security Cutters and to home port one of the cutters in Kodiak, Alaska.

and recommends it be replaced with:

## CS FOR HOUSE JOINT RESOLUTION NO. 13(TRA)

(same title)

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (6): Lynn, Feige, Kreiss-Tomkins, Gattis, Isaacson, P. Wilson

The following fiscal note(s) apply to CSHJR 13(TRA):

1. Zero, House Transportation Committee

HJR 13 was referred to the Rules Committee for placement on the calendar.

**HB 31**

The Education Committee considered:

## HOUSE BILL NO. 31

"An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date."

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

Do pass (5): Reinbold, P. Wilson, LeDoux, Saddler, Gattis

No recommendation (2): Seaton, Drummond

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

HB 31 was referred to the Finance Committee.

### **HB 102**

The Labor & Commerce Committee considered:

#### HOUSE BILL NO. 102

"An Act relating to property exemptions for retirement plans, individual retirement accounts, and Roth IRAs; relating to transfers of individual retirement plans; relating to the rights of judgment creditors of members of limited liability companies and partners of limited liability partnerships; relating to the Uniform Probate Code, including pleadings, orders, liability, and notices under the Uniform Probate Code and the Alaska Principal and Income Act, the appointment of trust property, the Alaska Uniform Prudent Investor Act, co-trustees, trust protectors, and trust advisors; relating to the Alaska Principal and Income Act; relating to the Alaska Uniform Transfers to Minors Act; relating to the disposition of human remains; relating to the tax on insurers for life insurance policies; relating to insurable interests for certain insurance policies; relating to restrictions on transfers of trust interests; relating to discretionary interests in irrevocable trusts; relating to the community property of married persons; and amending Rule 64, Alaska Rules of Civil Procedure, and Rule 301(a), Alaska Rules of Evidence."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 102(L&C)

"An Act relating to property exemptions for retirement plans, individual retirement accounts, and Roth IRAs; relating to

transfers of individual retirement plans; relating to the rights of judgment creditors of members of limited liability companies and partners of limited liability partnerships; relating to the Uniform Probate Code, including pleadings, orders, liability, and notices under the Uniform Probate Code and the Alaska Principal and Income Act, the appointment of trust property, the Alaska Uniform Prudent Investor Act, co-trustees, trust protectors, and trust advisors; relating to the Alaska Principal and Income Act; relating to the Alaska Uniform Transfers to Minors Act; relating to the disposition of human remains; relating to the tax on insurers for life insurance policies; relating to insurable interests for certain insurance policies; relating to restrictions on transfers of trust interests; relating to discretionary interests in irrevocable trusts; relating to the community property of married persons; amending Rule 64, Alaska Rules of Civil Procedure, and Rule 301(a), Alaska Rules of Evidence; and providing for an effective date."

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

Do pass (3): Saddler, Millett, Olson

No recommendation (4): Chenault, Herron, Reinbold, Josephson

The following fiscal note(s) apply to CSHB 102(L&C):

1. Zero, Dept. of Administration
2. Zero, Dept. of Law
3. Zero, Dept. of Revenue
4. Indeterminate, Dept. of Commerce, Community, & Economic Development

HB 102 was referred to the Judiciary Committee.

### **HB 176**

The Transportation Committee considered:

HOUSE BILL NO. 176

"An Act relating to experimental vehicles."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 176(TRA)  
(same title)

The report was signed by Representative P. Wilson, Chair, with the following individual recommendations:

Do pass (6): Lynn, Feige, Gattis, Kreiss-Tomkins, Isaacson, P. Wilson

The following fiscal note(s) apply to CSHB 176(TRA):

1. Zero, Dept. of Administration

HB 176 was referred to the Finance Committee.

### **REPORTS OF SPECIAL COMMITTEES**

#### **HCR 6**

The House Special Committee on Economic Development, Trade, & Tourism considered:

HOUSE CONCURRENT RESOLUTION NO. 6  
Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as a national leader in unmanned aircraft research and development; and relating to a Task Force on Unmanned Aircraft Systems.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(EDT)  
(same title)

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

Do pass (5): Pruitt, Johnson, Gattis, Drummond, Hughes

No recommendation (2): Higgins, Herron

The following fiscal note(s) apply to CSHCR 6(EDT):

1. Zero, Legislative Agency

HCR 6 was referred to the Rules Committee for placement on the calendar.

**HJR 12**

The House Special Committee on Economic Development, Trade, & Tourism considered:

HOUSE JOINT RESOLUTION NO. 12

Encouraging the manufacture of firearms and firearms accessories in the state.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 12(EDT)  
(same title)

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

Do pass (7): Higgins, Pruitt, Herron, Johnson, Gattis, Drummond, Hughes

The following fiscal note(s) apply to CSHJR 12(EDT):

1. Zero, Legislative Agency

HJR 12 was referred to the Rules Committee for placement on the calendar.

**HB 180**

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

HOUSE BILL NO. 180

"An Act relating to the Alaska Challenge Youth Academy; and providing for an effective date."



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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development
2. Zero, Dept. of Military & Veterans' Affairs

HB 180 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 – Steven D. Culver  
By Representative Johnson; Senator McGuire

Honoring – The West High School Mock Trial Team, 2013 Alaska High School Mock Trial Champions  
By Representative Gara; Senator Ellis

Honoring – Mark Robinson, 2012 Alaska Music Educator of the Year  
By Senator Micciche; Representative Seaton

Honoring – Michael Bradner  
By Senator Gardner

Honoring – Dusty VanMeter and Marc McKenna, 2013 Iron Dog Snowmachine Race Winners  
By Senators Micciche, Ellis; Representatives Seaton, Gara

Honoring – KNOM Radio, 2013 Crystal Heritage Award Recipient  
By Senators Olson, Egan; Representative Foster

In Memoriam – Gaye Wolfe  
By Representative Seaton; Senator Micciche

In Memoriam – Katherine Parker  
By Senator Micciche; Representative Olson

In Memoriam – Henry Nathanael Gettinger  
By Senators Coghill, Kelly

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

**HJR 15**

HOUSE JOINT RESOLUTION NO. 15 by Representatives MILLETT, Johnson, and Costello:

Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act.

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

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

**HB 188**

HOUSE BILL NO. 188 by the House Rules Committee by request of the Governor, entitled:

"An Act approving and ratifying the sale of royalty oil by the State of Alaska to Flint Hills Resources Alaska, LLC; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Natural Resources

The Governor's transmittal letter dated March 26, 2013, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill approving and ratifying the sale of royalty oil by the State of Alaska to Flint Hills Resources Alaska, LLC.

The bill would approve and ratify the contractual agreement for the sale and purchase of State royalty oil between the State of Alaska and Flint Hills Resources Alaska, LLC, attached as Exhibit 1 to the "Final Best Interest Finding and Determination for the Sale of Alaska North Slope Royalty Oil to Flint Hills Resources Alaska, LLC" dated March 25, 2013. The contract that is the subject of this bill provides that the State will sell Flint Hills Resources Alaska, LLC an amount of the State's royalty oil that is between 18,000 to 30,000 barrels per day, subject to certain limitations and volume reduction provisions. The royalty oil will be sold at a price calculated to equal or exceed the value the State would obtain for the royalty oil if it was taken in-value and sold by the producers rather than taken in-kind and sold by the State to Flint Hills Resources Alaska. The term of the contract is five years, with royalty oil deliveries commencing on April 1, 2014, and terminating on March 31, 2019, with provisions to extend the contract subject to legislative approval.

The proposed sale was reviewed by the Alaska Royalty Oil and Gas Development Advisory Board through a public hearing process held February 26, 2013. In accordance with AS 38.06.050, the board issued a written recommendation for legislative approval of the sale.

I urge your prompt and favorable action on this measure. A copy of the contract will be provided by the Department of Natural Resources for your review.

Sincerely,

/s/

Sean Parnell  
Governor"

**HB 189**

HOUSE BILL NO. 189 by Representatives KREISS-TOMKINS, Millett, Tuck, Costello, Gruenberg, Kerttula, and Herron, entitled:

"An Act relating to hazing."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 71**

The following was read the second time:

HOUSE BILL NO. 71

"An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

with the:

Journal Page

L&C RPT CS(L&C) 1DP 5NR	469
FN1: (CED)	470
FIN RPT CS(FIN) NT 10DP 1AM	582
FN2: (CED)	582

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. 71(FIN)

"An Act requiring the Department of Commerce, Community, and Economic Development to file an annual report to the legislature regarding statewide and regional economic development projects and regional development organizations; extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 71(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 71(FIN) was read the third time.

The question being: "Shall CSHB 71(FIN) pass the House?" The roll was taken with the following result:

CSHB 71(FIN)

Third Reading

Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Austerman, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, 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

Excused: Guttenberg

And so, CSHB 71(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 71(FIN) was referred to the Chief Clerk for engrossment.

#### **HB 84**

The following was read the second time:

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."

with the:	Journal Page
L&C RPT 5DP 1AM	470
FN1: ZERO(EED)	470
FN2: ZERO(LWF)	470
FN3: ZERO(UA)	470
FN4: (CED)	470
FIN RPT CS(FIN) 8DP	640
FN1: ZERO(EED)	640
FN2: ZERO(LWF)	640
FN3: ZERO(UA)	640
FN5: ZERO(CED)	640

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. 84(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 84(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 84(FIN) was read the third time.

The question being: "Shall CSHB 84(FIN) pass the House?" The roll was taken with the following result:

CSHB 84(FIN)  
Third Reading  
Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Austerman, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, 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

Excused: Guttenberg

And so, CSHB 84(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 84(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 – Allen Dale Parker

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

### **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 Edgmon – from 11:00 a.m., March 28 to 10:00 a.m., April 1

Representative LeDoux – from 11:30 a.m., May 5 to 2:00 p.m., May 18

**HB 31**

Representative Saddler added his name as cosponsor to:

## HOUSE BILL NO. 31

"An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date."

**HB 71**

Representatives Tuck, Drummond, LeDoux, Stoltze, Josephson, and Tarr added their names as cosponsors to:

## CS FOR HOUSE BILL NO. 71(FIN)

"An Act requiring the Department of Commerce, Community, and Economic Development to file an annual report to the legislature regarding statewide and regional economic development projects and regional development organizations; extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

**HB 84**

Representatives Pruitt, Chenault, Johnson, Josephson, Gruenberg, Stoltze, and Tuck added their names as cosponsors to:

## CS FOR HOUSE BILL NO. 84(FIN)

"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 113**

Representative Higgins added his name as cosponsor to:

## HOUSE BILL NO. 113

"An Act relating to the membership of the Alaska Fire Standards Council."



**SB 1**

Representative Holmes added her name as cross sponsor to:

## SENATE BILL NO. 1

"An Act establishing May 10 of each year as Alaska Mining Day."

**SB 12**

Representatives T. Wilson, Holmes, and Kawasaki added their names as cross sponsors to:

## SENATE BILL NO. 12

"An Act relating to state and public entity procurement, including the State Procurement Code, procurement preferences, contract awards, the use of small procurement provisions for certain amounts of leased space, the Alaska business license requirement for Alaska bidder and other procurement preferences, the proof of registration of construction contract bidders and offerors, the establishment and maintenance of lists of persons who want to provide supplies or services to the state, state agencies, and state instrumentalities, electronic bids and proposals, the chief procurement officer, small procurements, and writings; relating to the meaning of 'Alaska bidder'; and providing for an effective date."

**ENGROSSMENT****HB 33**

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration:

## 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 71**

CASHB 71(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 84**

CSHB 84(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.

The following meeting today was changed:

Judiciary Committee

CHANGED TO:

1:30 p.m.

**ADJOURNMENT**

Representative Pruitt moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 28, 2013. There being no objection, the House adjourned at 11:50 a.m.

Suzi Lowell  
Chief Clerk