

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

February 24, 2014

Thirty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:03 a.m.

Roll call showed 34 members present. Representatives Drummond, Kawasaki, Nageak, and Tarr had been excused from a call of the House today. Representative Holmes was absent and her presence was noted later. There was one vacancy.

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:

O Great and Living One,
Already the days appointed for the work of these men and women rush by, with much to do and what feels like too little time. Keep them from panic or despair. Clear their minds. Give them strength and wisdom to do the work they have been called to do, to serve the people of this state with vision, with compassion, and with respect. Fill them with your purpose, guide them with your love, bless them with your peace. This is our prayer. Amen.

The Pledge of Allegiance was led by Representative Hughes.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the 32nd, 33rd, and 34th legislative days and Senate and House Joint Journal Supplement No. 10 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Munoz introduced Tamas Katona, Guest Page, from Hungary.

MESSAGES FROM THE GOVERNOR

The following letter dated February 21, 2014, was read:

"Dear Speaker Chenault:

Pursuant to my authority under Article II, Section 4 of the Alaska Constitution, I have appointed Sam S. Kito III to fill the vacancy in the Alaska State House of Representatives, District 32.

Subject to confirmation by the House Democrats, Sam S. Kito III will hold this office for the remainder of the unexpired term for House District 32.

Sincerely,

/s/

Sean Parnell
Governor"

MESSAGES FROM THE SENATE**HB 71**

A message dated February 21, 2014, was read stating the Senate adopted the Free Conference Committee report on CSHB 71(FIN) and SCS CSHB 71(FIN), thus adopting:

FREE CONFERENCE CS FOR HOUSE BILL NO. 71

"An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea hair crab fishery; requiring the

Commercial Fisheries Entry Commission to report biennially on the vessel-based limited entry fisheries system for the Bering Sea hair crab fishery; establishing the Alaska regional economic assistance program; requiring the Department of Commerce, Community, and Economic Development to compile an annual report to the legislature regarding statewide and regional economic development projects and regional development organizations; and providing for an effective date."

(SCR 9 – title change resolution)

REPORTS OF STANDING COMMITTEES

HB 19

The Rules Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 19(RLS)

"An Act relating to permanent motor vehicle registration in the unorganized borough and in a municipality that has elected to allow permanent registration; relating to the registration fee for noncommercial trailers and to the motor vehicle tax for trailers; and providing for an effective date."

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

Do pass (7): Gruenberg, Hawker, Olson, Chenault, Keller, Herron, Johnson

The following fiscal note(s) apply to CSHB 19(RLS):

Fiscal note(s) forthcoming.

HB 19 was returned to the Rules Committee for placement on the calendar.

SB 148

The Rules Committee considered:

SENATE BILL NO. 148

"An Act excluding certain land from the Kachemak Bay Critical Habitat Area."

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

Do pass (5): Olson, Hawker, Keller, Chenault, Johnson

No recommendation (2): Gruenberg, Herron

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game

SB 148 was returned to the Rules Committee for placement on the calendar.

**The presence of Representative Holmes was noted.

REPORTS OF SPECIAL COMMITTEES**HB 71**

The Free Conference Committee considering CSHB 71(FIN) and SCS CSHB 71(FIN) recommends the following be adopted:

FREE CONFERENCE CS FOR HOUSE BILL NO. 71

"An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea hair crab fishery; requiring the Commercial Fisheries Entry Commission to report biennially on the vessel-based limited entry fisheries system for the Bering Sea hair crab fishery; establishing the Alaska regional economic assistance program; requiring the Department of Commerce, Community, and Economic Development to compile an annual report to the legislature regarding statewide and regional economic development projects and regional development organizations; and providing for an effective date."

(SCR 9 – title change resolution)

The report was signed by Representatives Hawker (Chair), Olson; and Senators Dunleavy (Chair), Giessel, Wielechowski.

The following fiscal note(s) apply to FCCS HB 71:

5. Fiscal, Dept. of Commerce, Community, & Economic Development
6. Zero, Dept. of Fish & Game
7. Zero, Dept. of Fish & Game

The report was received in the Chief Clerk's office at 2:54 p.m., February 19, 2014.

Representative Pruitt moved that the House adopt the Free Conference Committee report, thus adopting FCCS HB 71.

The question being: "Shall the House adopt the report?" The roll was taken with the following result:

FCCS HB 71

Adopt

YEAS: 27 NAYS: 8 EXCUSED: 4 ABSENT: 0 VACANT: 1

Yeas: Austerman, Chenault, Costello, Edgmon, Feige, Foster, Gara, Gruenberg, Guttenberg, Hawker, Herron, Holmes, Hughes, Isaacson, Johnson, Josephson, Kreiss-Tomkins, Lynn, Millett, Neuman, Olson, Pruitt, Saddler, Seaton, Thompson, Tuck, P.Wilson

Nays: Gattis, Higgins, Keller, LeDoux, Munoz, Reinbold, Stoltze, T.Wilson

Excused: Drummond, Kawasaki, Nageak, Tarr

And so, the House adopted FCCS HB 71.

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.

The Chief Clerk notified the Senate.

The Senate adopted the Free Conference Committee report (page 1670).

FCCS HB 71 was referred to the Chief Clerk for engrossment and enrollment.

SPECIAL ORDER OF BUSINESS

SCR 9

Representative Pruitt moved and asked unanimous consent that the following be taken up as a Special Order of Business:

SENATE CONCURRENT RESOLUTION NO. 9

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 71, 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; and extending the termination date of the Alaska regional economic assistance program.

There being no objection, it was so ordered.

The question being: "Shall SCR 9 pass the House?" The roll was taken with the following result:

SCR 9

Special Order of Business

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 0 VACANT: 1

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

Excused: Drummond, Kawasaki, Nageak, Tarr

And so, SCR 9 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

INTRODUCTION OF CITATIONS

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

Honoring – Suzanne Armstrong, 2014 Top Forty Under 40

By Senator Meyer

In Memoriam – Patrick Cole

By Representative Thompson

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 331**

HOUSE BILL NO. 331 by Representatives GARA, Drummond, Tuck, and Josephson, entitled:

"An Act requiring school districts to provide a plan for hiring principals of excellence; relating to identifying and recognizing principals of excellence; relating to adjusting the base student allocation used in the formula for state funding of public education to account for education staff losses since fiscal year 2011 and to account for inflation in the future; and providing for an effective date."

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

HB 332

HOUSE BILL NO. 332 by Representative PRUITT, entitled:

"An Act relating to the Alaska Job Protection Board; relating to the attorney general's appearance, or the employment of attorneys to assist or appear for the attorney general, in an injunctive civil action relating to an industrial operation; relating to the construction industry progress fund; and providing for an effective date."

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

HB 333

HOUSE BILL NO. 333 by Representative HERRON, entitled:

"An Act establishing a museum construction grant program in the Department of Education and Early Development."

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

HB 334

HOUSE BILL NO. 334 by Representative PRUITT, entitled:

"An Act relating to the qualified oil and gas service industry expenditure credit; and relating to a credit against oil and gas exploration, production, and pipeline transportation property taxes."

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

HB 335

HOUSE BILL NO. 335 by Representative LEDOUX, entitled:

"An Act relating to the regulation of firearms and knives by the University of Alaska."

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

HB 336

HOUSE BILL NO. 336 by Representative TARR, entitled:

"An Act relating to sales of alcoholic beverages near a school or church."

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

HB 337

HOUSE BILL NO. 337 by Representatives KREISS-TOMKINS, Tuck, and Gara, entitled:

"An Act relating to the establishment of a central Internet website for public access to the public records of state agencies and municipalities; and providing for an effective date."

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

HB 338

HOUSE BILL NO. 338 by Representatives GARA, Kawasaki, and Tarr, entitled:

"An Act relating to the oil and gas production tax; relating to oil and gas production tax credits; amending the minimum tax on oil and gas production; relating to the determination of the production tax value of oil and gas; relating to oil and gas leases; relating to the financing by the Alaska Industrial Development and Export Authority of oil processing facilities on the North Slope; and providing for an effective date."

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

HB 339

HOUSE BILL NO. 339 by Representative KAWASAKI, entitled:

"An Act establishing certain requirements and procedures related to the identification of suspects by eyewitnesses to criminal offenses."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 211**

The following was read the second time:

HOUSE BILL NO. 211

"An Act relating to the education and employment of individuals with disabilities."

with the:	Journal Page
L&C RPT CS(L&C) 4DP 1NR	1570
FN1: ZERO(ADM)	1570
FN2: ZERO(DHS)	1570
FN3: ZERO(LWF)	1570
FN4: (EED)	1570
FIN RPT CS(FIN) 10DP	1628
FN1: ZERO(ADM)	1628
FN2: ZERO(DHS)	1628
FN3: ZERO(LWF)	1628
FN5: ZERO(EED)	1628

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. 211(FIN)
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 211(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 211(FIN) was read the third time.

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

The question being: "Shall CSHB 211(FIN) pass the House?" The roll was taken with the following result:

CSHB 211(FIN)
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 1 VACANT: 1

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

Excused: Drummond, Kawasaki, Nageak, Tarr

Absent: P.Wilson

And so, CSHB 211(FIN) passed the House and was referred to the Chief Clerk for engrossment.

HB 244

The following was read the second time:

HOUSE BILL NO. 244

"An Act extending the termination date of the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

with the:

Journal Page

RES RPT 6DP 2NR	1519
FN1: (DNR)	1519
FIN RPT 8DP 1DNP 2NR	1588
FN1: (DNR)	1589

Amendment No. 1 was offered by Representative Tuck:

Page 1, line 1, following "Act" (title amendment):

Insert "**relating to the executive director and staff of the Citizens' Advisory Commission on Federal Management Areas in Alaska;**"

Page 1, following line 3:

Insert a new bill section to read:

** **Section 1.** AS 41.37.210 is amended to read:

Sec. 41.37.210. Staff of the commission. The commission may employ **an executive director** [STAFF] and contract for services relating to matters within its authority. **The commission may not employ other staff. The executive director** [STAFF] employed under this section **is** [ARE] responsible to the commission."

Page 1, line 4:

Delete "**Section 1.**"

Insert "**Sec. 2.**"

Renumber the following bill sections accordingly.

Page 1, line 10:

Delete "sec. 1 of"

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

Representative Keller objected.

Representative Keller placed a call of the House.

The Speaker stated the call was satisfied.

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

HB 244

Second Reading

Amendment No. 1

YEAS: 6 NAYS: 29 EXCUSED: 4 ABSENT: 0 VACANT: 1

Yeas: Gara, Gruenberg, Guttenberg, Josephson, Kreiss-Tomkins, Tuck

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

Excused: Drummond, Kawasaki, Nageak, Tarr

And so, Amendment No. 1 was not adopted.

Representative Pruitt moved and asked unanimous consent that HB 244 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 244 was read the third time.

The question being: "Shall HB 244 pass the House?" The roll was taken with the following result:

HB 244

Third Reading

Final Passage

YEAS: 34 NAYS: 1 EXCUSED: 4 ABSENT: 0 VACANT: 1

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

Nays: Guttenberg

Excused: Drummond, Kawasaki, Nageak, Tarr

And so, HB 244 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.

HB 244 was referred to the Chief Clerk for engrossment.

HB 263

The following was read the second time:

HOUSE BILL NO. 263

"An Act extending senior benefits."

with the:	Journal Page
HSS RPT CS(HSS) NT 7DP	1520
FN1: (DHS)	1521
FIN RPT CS(HSS) NT 10DP	1630
FN1: (DHS)	1630

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. 263(HSS)
 "An Act extending the Alaska senior benefits payment program."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 263(HSS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 263(HSS) was read the third time.

The question being: "Shall CSHB 263(HSS) pass the House?" The roll was taken with the following result:

CSHB 263(HSS)
 Third Reading
 Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 1 VACANT: 1

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

Excused: Drummond, Kawasaki, Nageak, Tarr

Absent: Saddler

And so, CSHB 263(HSS) passed the House.

Representative Tuck gave notice of reconsideration of the vote on CSHB 263(HSS).

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 – Scott Heyworth

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

Honoring – Linda Bender, 2013 BP Teacher of Excellence

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

Honoring – Colony High School Marching Band, 2014 International Tournament of Roses Parade

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

Honoring – The Association of Village Council Presidents, 50th Anniversary

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

In Memoriam – Eugene Patrick Murphy

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

In Memoriam – John Robert Yeargan

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

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 Foster – from 12:30 p.m., February 26 to 10:00 p.m., March 2

HB 106

Representative Tuck added his name as cosponsor to:

HOUSE BILL NO. 106

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

HB 107

Representative Tuck added his name as cosponsor to:

HOUSE BILL NO. 107

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

HB 211

Representatives Tuck, Gara, Stoltze, Lynn, Pruitt, Munoz, and Herron added their names as cosponsors to:

CS FOR HOUSE BILL NO. 211(FIN)

"An Act relating to the education and employment of individuals with disabilities."

HB 244

Representative LeDoux added her name as cosponsor to:

HOUSE BILL NO. 244

"An Act extending the termination date of the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

HB 247

Representatives Gara and Tuck added their names as cosponsors to:

HOUSE BILL NO. 247

"An Act relating to the Protective Occupation Retirement Council; relating to participation of certain employees in the defined benefit and defined contribution plans of the public employees' retirement system; and providing for an effective date."

HB 263

Representatives Isaacson, Millett, Tuck, Josephson, Johnson, T. Wilson, Gruenberg, Kreiss-Tomkins, and Lynn added their names as cosponsors to:

CS FOR HOUSE BILL NO. 263(HSS)

"An Act extending the Alaska senior benefits payment program."

ENGROSSMENT**HB 211**

CSHB 211(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 244

HB 244 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.

Personal Bill Deadline 4:00 p.m., today

The following meetings today were changed:

Finance Committee
CHANGED TO: upon adjournment

Judiciary Committee
CHANGED TO: 2:00 p.m.

Resources Committee
CHANGED TO: 2:00 p.m.

ADJOURNMENT

Representative Pruitt moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 26, 2014. There being no objection, the House adjourned at 1:43 p.m.

Suzi Lowell
Chief Clerk