

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 5, 2014

Forty-fourth Day

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

Roll call showed 28 members present. Representatives Costello, Drummond, Feige, Herron, Higgins, Isaacson, Nageak, Saddler, and P. Wilson had been excused from a call of the House today. Representative Kawasaki was absent.

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 – today

Representative Olson – today

Representative Guttenberg – from 11:15 a.m. to 1:30 p.m., today

The invocation was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible 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.

Respecting the fact that there are diverse religious beliefs represented here today, I appreciate the invitation to open your session with a word of prayer.

Dear Lord,

Thank you for allowing me the opportunity to lift this group up in prayer. Because they have committed themselves to serving our state in this way, I am sure many of these representatives are missing their homes, families, and familiar surroundings. Lord, I ask you for strength and encouragement while they are away.

I also know through what I have read and through talking with some of those here, that there is a great load of work that each of them is carrying. I pray that you would help them to be strong and steady in the tasks they are doing, that they would be able to persevere in spite of fatigue.

I pray that you would give them wisdom as only you can give. Wisdom that is truly beyond themselves. It has to be hard when decisions come up that are a challenge to know what is the best way to go. I know you can lead and direct, and I pray that you would do so.

Finally Lord, thank you for your instruction in Micah 6:8 that tells us: *He has told you, O man, what is good; and what does the Lord require of you, but to do justice, to love kindness, and to walk humbly with your God?*

I lift this prayer in the name of your Son, Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative Johnson.

CERTIFICATION OF THE JOURNAL

Representative Pruitt moved and asked unanimous consent that the journal for the 42nd and 43rd legislative days and House and Senate Joint Journal Supplement No. 11 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Munoz introduced Izabella and Korbyn Powers, Guest Pages, from Juneau.

MESSAGES FROM THE GOVERNOR**HJR 15**

A message dated March 4, 2014, was read stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 15(RES)

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; and urging the United States Department of the Interior to implement the six recommendations to identify and clean up the Alaska Native Claims Settlement Act lands in its 1998 report to the United States Congress.

Legislative Resolve No. 28

HJR 19

A message dated March 4, 2014, was read stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 19(MLV) am S

Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base or Joint Base Elmendorf-Richardson.

Legislative Resolve No. 29

HJR 23

A message dated March 4, 2014, was read stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 23

Proclaiming March 27, 2014, as Good Friday Earthquake Remembrance Day.

Legislative Resolve No. 26

HJR 26

A message dated March 4, 2014, was read stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 26

Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

Legislative Resolve No. 30

MESSAGES FROM THE SENATE**HJR 26**

A message dated March 3, 2014, was read stating the Senate passed:

HOUSE JOINT RESOLUTION NO. 26

Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

HJR 26 was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

The following was received:

Dept. of Education & Early Development
School Capital Project Funding
Annual Report
February 28, 2014
(as required by AS 14.11.035)

REPORTS OF STANDING COMMITTEES

The Resources Committee reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Joe Balash

as Commissioner of the Department of Natural Resources.

The report was signed by Representative P. Wilson, Vice Chair, and Representatives Johnson, Hawker, Kawasaki, and Seaton.

The Resources Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Michele Metz
Gene Peltola

as members of the Big Game Commercial Services Board.

Frederick (Fritz) Johnson

as a member of the Board of Fisheries.

The reports were signed by Representative P. Wilson, Vice Chair, and Representatives Johnson, Kawasaki, Hawker, Olson, Tarr, and Seaton.

The State Affairs Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Michele Christiansen
Immanuel Lewis

as members of the State Commission for Human Rights.

Lonzo Henderson

as a member of the State Board of Parole.

Johanna (Josie) Hickel

as a member of the Personnel Board.

Richard Burton
Sergeant Luis Nieves
Bernice Troglia

as members of the Alaska Police Standards Council.

Irene Catalone

as a member of the Alaska Public Offices Commission.

The report was signed by Representative Lynn, Chair; and Representatives Gattis, Keller, Kreiss-Tomkins, and Hughes.

HB 199

The Finance Committee considered:

HOUSE BILL NO. 199

"An Act relating to Department of Public Safety regulations allowing village public safety officers to carry firearms."

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

Do pass (7): Holmes, Thompson, Munoz, Gara, Edgmon, T. Wilson, Austerman

No recommendation (4): Guttenberg, Neuman, Costello, Stoltze

The following fiscal note(s) apply:

2. Zero, House Finance Committee/Dept. of Public Safety

HB 199 was referred to the Rules Committee for placement on the calendar.

HB 269

The Judiciary Committee considered:

HOUSE BILL NO. 269

"An Act providing immunity for certain licensed temporary health care providers who provide free health care services."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 269(JUD)

"An Act relating to immunity for health care providers who provide health care services voluntarily and without pay; and providing for an effective date."

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

Do pass (7): Millett, LeDoux, Pruitt, Foster, Gruenberg, Lynn, Keller

The following fiscal note(s) apply to CSHB 269(JUD):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Law

HB 269 was referred to the Rules Committee for placement on the calendar.

HB 284

The Judiciary Committee considered:

HOUSE BILL NO. 284

"An Act relating to an interstate compact on a balanced federal budget."

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

Do pass (3): Millett, Lynn, Keller

Do not pass (1): Gruenberg

No recommendation (3): LeDoux, Pruitt, Foster

The following fiscal note(s) apply:

1. Zero, Office of the Governor

HB 284 was referred to the Rules Committee for placement on the calendar.

HB 296

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 296

"An Act providing for certain individuals who have erected a building on land leased from the state to receive a preference right to purchase certain state land without competitive bid."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 296(CRA)
(same title)

The report was signed by Representative LeDoux, Co-chair, with the following individual recommendations:

Do pass (3): Foster, Reinbold, LeDoux

No recommendation (1): Kito III

The following fiscal note(s) apply to CSHB 296(CRA):

1. Zero, Dept. of Natural Resources

HB 296 was referred to the State Affairs Committee.

SJR 15

The Resources Committee considered:

SENATE JOINT RESOLUTION NO. 15

Opposing any international designation of Alaska land or water as an international park, world heritage site, biosphere reserve, Ramsar site, or other classification of land or water that affects the use of land or water by the state or an Alaska Native corporation without approval by the United States Congress and the Alaska State Legislature; requesting the United States Department of State and the United States Department of the Interior to cease all further action related to an international designation for land and water in the state until the action is approved by the United States Congress and the Alaska State Legislature; requesting that the United States Congress pass legislation requiring Congressional approval of any international designation that affects the use of land or water by the state or the United States; requesting that the governor be involved in the process and development of any joint action plan; requesting that the state, including the departments responsible for the management of fish and wildlife and other natural resources, be an integral part of any discussion, agreement, understanding, or other process that affects the use or development of fish and wildlife and other natural resources in the state; and urging the governor and the attorney general to reserve all legal remedies for a taking of the natural resources of the state by an international designation of land and water in the state.

and recommends it be replaced with:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 15(RES)
(same title)

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

Do pass (5): Johnson, Hawker, Seaton, Olson, P. Wilson

No recommendation (2): Kawasaki, Tarr

The following fiscal note(s) apply to HCS SJR 15(RES):

1. Zero, Senate Resources Committee

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

SB 125

The Finance Committee considered:

SENATE BILL NO. 125

"An Act disapproving all recommendations of the State Officers Compensation Commission relating to the salaries of state officers; and providing for an effective date."

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

Do pass (11): Guttenberg, Holmes, Neuman, Munoz, Edgmon, Thompson, T. Wilson, Gara, Costello, Stoltze, Austerman

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

SB 125 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 – Brigadier General Catherine F. Jorgensen
By Representatives Millett, Saddler, Stoltze

Honoring – H. Sally Smith
By Representative Edgmon; Senator Stevens

Honoring – Bill and Kathi Kramer
By Senators Huggins, Dunleavy, Dyson; Representatives Neuman,
Gattis, Feige, Hughes, Keller, Stoltze

Honoring – Warrior Transition Units, Alpha Company Joint Base
Elmendorf-Richardson, Bravo Company Ft. Wainwright
By Senator Huggins; Representative Thompson

Honoring – Disabled American Veterans, Mat-Su Chapter #3
By Senator Huggins; Representatives Thompson, Stoltze

Honoring – Bugles Across America (Alaska)
By Senator Huggins; Representative Thompson

In Memoriam – Tony DelMoral
By Representative Kreiss-Tomkins

In Memoriam – Thomas Horn
By Senator Egan; Representatives Kito III, Munoz

In Memoriam – Margaret Ann Heaven
By Senators Huggins, Dunleavy, Dyson; Representatives Stoltze,
Gattis, Feige, Hughes, Keller, Neuman

In Memoriam – Patricia Ann Newcomb
By Senators Huggins, Dunleavy, Dyson; Representatives Gattis,
Feige, Hughes, Keller, Neuman, Stoltze

In Memoriam – Scott Mueller
By Senators Huggins, Dunleavy, Dyson; Representatives Neuman,
Gattis, Feige, Hughes, Keller, Stoltze

In Memoriam – John (Jack) George Fuller, Jr.
By Senators Huggins, Dunleavy, Dyson; Representatives Gattis,
Feige, Hughes, Keller, Neuman, Stoltze

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HJR 25

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 25

Urging the United States Congress to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served in the waters defined by and in the airspace over the combat zone in Vietnam.

with the:

Journal Page

MLV RPT CS(MLV) 7DP

1631

FN1: ZERO(H.MLV)

1631

Representative Pruitt moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original resolution:

CS FOR HOUSE JOINT RESOLUTION NO. 25(MLV)
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHJR 25(MLV) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHJR 25(MLV) will advance to third reading on the March 10, 2014, calendar.

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 – Robert James Eads

By Representatives Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Kawasaki, Keller, Kito III, 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 Hughes – from 6:30 p.m., March 14 to 2:00 p.m., March 16

Representative Johnson – from 5:30 p.m., March 7 to 10:15 a.m., March 10

Representative LeDoux – from 7:00 a.m., March 6 to 10:00 a.m., March 8

Representative Guttenberg, who was excused (page 1775), left the Chamber.

HB 71

The following memorandum dated March 4, 2014, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services, regarding:

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."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in FCCS HB 71, which have been corrected in enrolling:

Page 14, line 13:

Delete "or entity"
Insert "**or entity**"

Page 14, line 18:

Delete "or entity"
Insert "**or entity**"

HCR 18

Representative Drummond added her name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 18

Encouraging hospitals and birthing facilities in the state to participate in the Baby-Friendly Hospital Initiative and to support breastfeeding; and recognizing the benefits of breastfeeding.

HJR 25

Representatives Lynn, Gara, Tuck, Tarr, Guttenberg, and Josephson added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 25(MLV)

Urging the United States Congress to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served in the waters defined by and in the airspace over the combat zone in Vietnam.

HB 75

Representative Munoz added her name as cosponsor 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 139

Representative Munoz added her name as cosponsor to:

HOUSE BILL NO. 139

"An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

HB 313

Representative LeDoux added her name as cosponsor to:

HOUSE BILL NO. 313

"An Act relating to mitigation at sentencing in a criminal case for a defendant found by the court to have been affected by combat-related post-traumatic stress disorder or combat-related traumatic brain injury."

HB 328

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 328

"An Act establishing the Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date."

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., March 6, 2014. There being no objection, the House adjourned at 11:08 a.m.

Suzi Lowell
Chief Clerk