

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

**Juneau, Alaska**

**Monday**

**March 24, 2014**

#### Sixty-third 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 and Foster had been excused from a call of the House today. Representative Stoltze was absent and his presence was noted later.

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 Holmes – from today to 10:30 a.m., March 25

Representative Neuman – today

Representative Olson – today

The invocation was offered by the Chaplain, Pastor Tari Stage-Harvey of Shepherd of the Valley 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.

Honoring the faith of all Alaskans, I offer this prayer:

O God who was, who is, and who is to come,  
Today we remember your love. We remember your acts of  
creation and grace. We remember your faithfulness to those  
who have gone before us and your steadfast love for all  
creation.

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Today we remember our brokenness. We remember especially the oil spill that devastated your land and people. Remind us that judgment is real, that choices have consequences.

Today we remember our call to serve you. We give thanks for those who are willing to be public servants and we ask your blessing upon them.

Give them wisdom. Give them compassion. Give them direction. Keep them from bitterness and despair. Fill them with hope, imagination, and good humor. In you we trust. Amen.

The Pledge of Allegiance was led by Representative LeDoux.

### **CERTIFICATION OF THE JOURNAL**

Representative Pruitt moved and asked unanimous consent that the journal for the 60<sup>th</sup>, 61<sup>st</sup>, and 62<sup>nd</sup> 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 March 21, 2014, with a financial plan dated February 19 attached, regarding the Declaration of Disaster Emergency (page 1383), pertaining to the November storms in Western Alaska and Interior Alaska, was received and is on file in the Chief Clerk's office. The financial plan and letter had been copied to the Finance Committee Co-chairs.

### **MESSAGES FROM THE SENATE**

Messages dated March 21, 2014, were read stating the Senate passed the following, and they are transmitted for consideration:

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**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS**

**SCR 17**

SENATE CONCURRENT RESOLUTION NO. 17 by the Senate Rules Committee:

Commemorating the 150th anniversary of the purchase of Alaska for \$7,200,000; urging Alaska communities to plan activities and events in 2017 to commemorate the Alaska Purchase; requesting that the Alaska Historical Commission coordinate events; and inviting Alaska communities, schools, universities, libraries, museums, businesses, civic and historical groups, and government agencies to participate in and support commemorative activities and events.

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

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 106**

CS FOR SENATE BILL NO. 106(STA) by the Senate State Affairs Committee, entitled:

"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."

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

**SB 116**

CS FOR SENATE BILL NO. 116(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to service of citations; amending Rule 3(f), Alaska Rules of Minor Offense Procedure; repealing Rule 3(g), Alaska Rules of Minor Offense Procedure; and providing for an effective date."

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

**SB 132**

CS FOR SENATE BILL NO. 132(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to exemptions from the payment of motor vehicle registration fees for residents 65 years of age or older; and providing for an effective date."

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

**SB 169**

CS FOR SENATE BILL NO. 169(FIN) by the Senate Finance Committee, entitled:

"An Act establishing in the Department of Health and Social Services a statewide immunization program and the State Vaccine Assessment Council; creating a vaccine assessment account; requiring a vaccine assessment from assessable entities and other program participants for statewide immunization purchases; repealing the temporary child and adult immunization program; and providing for an effective date."

was read the first time and referred to the Health & Social Services and Finance Committees.

\*\*The presence of Representative Stoltze was noted.

**SB 171**

CS FOR SENATE BILL NO. 171(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to multidisciplinary child protection teams; and relating to investigation of child abuse or neglect."

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

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### **SB 186**

SENATE BILL NO. 186 by Senators DYSON, McGuire, Wielechowski, French, Dunleavy, Micciche, Kelly, Coghill, Gardner, Bishop, Egan, Giessel, Fairclough, Meyer, Stedman, Huggins, and Stevens, entitled:

"An Act relating to the Controlled Substances Advisory Committee and providing for mandatory meetings of the committee at least twice a year."

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

### **REPORTS OF STANDING COMMITTEES**

### **HB 306**

The Finance Committee considered:

#### HOUSE BILL NO. 306

"An Act relating to tax credits and administration of tax credit programs; requiring the Department of Revenue to report indirect expenditures; relating to the duties of state agencies; requiring the legislative finance division to analyze certain indirect expenditures; relating to lapse dates for appropriations for capital projects; repealing certain statutes authorizing indirect expenditures; and providing for an effective date."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 306(FIN)

"An Act relating to the review and administration of tax credit programs; requiring the Department of Revenue to report indirect expenditures; relating to the duties of state agencies; requiring the legislative finance division to analyze certain indirect expenditures; relating to lapse dates for appropriations for capital projects; repealing the insurance tax education credit, the income tax education credit, the veteran employment tax credit, the oil or gas producer education credit, the property tax education credit, the mining business education credit, the fisheries business education credit, the fisheries business tax credit for scholarship contributions, the fisheries business salmon product development

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tax credit, the fisheries business salmon utilization tax credit, the fisheries business landing tax credit for scholarship contributions, the fisheries resource landing tax credit for the fisheries resource harvested under the community development quota, the fisheries resource landing tax education credit, and the film production tax credit; and providing for an effective date."

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

Do pass (6): Neuman, Thompson, Edgmon, T. Wilson, Stoltze, Austerman

No recommendation (2): Holmes, Costello

Amend (2): Munoz, Gara

The following fiscal note(s) apply to CSHB 306(FIN):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Environmental Conservation
3. Zero, Dept. of Labor & Workforce Development
4. Zero, Dept. of Natural Resources
5. Indeterminate, Dept. of Commerce, Community, & Economic Development
6. Fiscal, Legislative Agency
7. Fiscal, Dept. of Revenue

HB 306 was referred to the Rules Committee for placement on the calendar.

### **HB 366**

The Judiciary Committee considered:

#### HOUSE BILL NO. 366

"An Act relating to reporting an involuntary mental health commitment to the National Instant Criminal Background Check System; and relating to relief from disabilities of a record of involuntary commitment and an adjudication of mental illness or mental incompetence."

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and recommends it be replaced with:

CS FOR HOUSE BILL NO. 366(JUD)

"An Act relating to reporting an involuntary mental health commitment to the National Instant Criminal Background Check System; relating to the sealing of records of mental health proceedings; and relating to relief from a disability resulting from an involuntary commitment or an adjudication of mental illness or mental incompetence."

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

Do pass (5): LeDoux, Pruitt, Foster, Gruenberg, Lynn

No recommendation (1): Millett

The following fiscal note(s) apply to CSHB 366(JUD):

1. Zero, Alaska Court System
2. Zero, Dept. of Health & Social Services
5. Zero, Dept. of Administration
6. Zero, Dept. of Administration
7. Zero, Dept. of Law
8. Zero, Dept. of Public Safety

HB 366 was referred to the Rules Committee for placement on the calendar.

**HB 369**

The Judiciary Committee considered:

HOUSE BILL NO. 369

"An Act relating to limited immunity from criminal prosecution for a person who seeks medical assistance for a person experiencing a drug overdose."

and recommends it be replaced with:

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CS FOR HOUSE BILL NO. 369(JUD)

"An Act relating to restrictions on the criminal prosecution for certain offenses for a person who seeks medical assistance for a person experiencing a drug overdose."

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

Do pass (5): Millett, Pruitt, Foster, Gruenberg, Lynn

Amend (1): LeDoux

The following fiscal note(s) apply to CSHB 369(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Law

HB 369 was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES**

**HB 313**

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

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."

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

Do pass (5): Hughes, Gruenberg, Saddler, LeDoux, Foster

No recommendation (1): Reinbold

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The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Corrections
4. Indeterminate, Dept. of Law

HB 313 was referred to the Judiciary Committee.

### INTRODUCTION OF CITATIONS

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

Honoring – Post 33 Chugiak American Legion Baseball Team, 2013 State Champions

By Representatives Stoltze, Saddler, Reinbold; Senators Fairclough, Dyson

Honoring – Chugiak High School, 50<sup>th</sup> Anniversary

By Representatives Stoltze, Saddler, Reinbold; Senators Fairclough, Dyson

Honoring – Chugiak-Eagle River Chamber of Commerce, 2013 Chamber of the Year

By Representatives Stoltze, Saddler, Reinbold; Senators Fairclough, Dyson

In Memoriam – Richard Lobdell, Jr.

By Representative Stoltze; Senator Meyer

In Memoriam – Milton 'Tim' Markwood Routzahn

By Senator Stevens; Representative Austerman

In Memoriam – George Lynn Miller

By Senator Coghill; Representative Isaacson

In Memoriam – Edith Transtrom Holm Ward

By Senator Coghill

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In Memoriam – Gilbert Jean Andrews  
By Senators Coghill, Kelly

In Memoriam – Evelyn Melville  
By Senator Coghill; Representative Isaacson

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE RESOLUTIONS**

**HCR 18**

The following was read the second time:

**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.

with the:	Journal Page
HSS RPT 5DP 1NR	1934
FN1: ZERO(H.HSS)	1934

The question being: "Shall HCR 18 pass the House?" The roll was taken with the following result:

HCR 18  
Second Reading  
Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0**

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

Excused: Drummond, Foster, Holmes, Neuman, Olson

And so, HCR 18 passed the House and was referred to the Chief Clerk for engrossment.

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### 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 – Martha Galila

By Representatives Herron, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, 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; Senator Hoffman

Honoring – Anita Underwood, 2014 Alaska Young Mother of the Year

By Senator Giessel; Representatives Chenault, Austerman, 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

In Memoriam – Shelley Moore

By Senator French; Representatives Holmes, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, 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

#### HCR 15

Representative Thompson added his name as cosponsor to:

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### HOUSE CONCURRENT RESOLUTION NO. 15

Relating to the continuation of the Task Force on Unmanned Aircraft Systems.

#### **HCR 18**

Representatives Johnson and Seaton added their names as cosponsors 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.

#### **HB 134**

Representative Guttenberg added his name as cosponsor to:

### HOUSE BILL NO. 134

"An Act requiring Medicaid payment for scheduled unit dose prescription drug packaging and dispensing services for specified recipients."

#### **HB 140**

Representative Keller added his name as cosponsor to:

### HOUSE BILL NO. 140

"An Act relating to the information that must be included with certain notices provided for the proposed adoption, amendment, or repeal of a regulation."

## ENGROSSMENT

#### **HCR 18**

HCR 18 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.

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**ADJOURNMENT**

Representative Pruitt moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 25, 2014. There being no objection, the House adjourned at 11:57 a.m.

Suzi Lowell  
Chief Clerk