

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 26, 2014

#### Sixty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:34 a.m.

Roll call showed 37 members present. Representative Drummond had been excused from a call of the House today. Representative Seaton was absent and later excused (page 2047).

Representative Pruitt moved and asked unanimous consent that Representative Millett's excused absence (page 1987) be extended from today to 10:00 a.m., April 1. There being no objection, it was so ordered.

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.

Respecting the beliefs of all Alaskans, I offer this prayer:

O fountain of life, pour out your spirit upon this assembly. Fill us with charity so we may look upon one another with favor and grace, not judgment and disdain. Fill us with joy so we may live in freedom and love, not in anger and bitterness. Fill us with awe so we may approach the tasks before us with humility and reverence. Guide us into your way of truth and justice so all may know the fullness of life. In you we place our trust. Amen.

The Pledge of Allegiance was led by Representative Pruitt.

### **CERTIFICATION OF THE JOURNAL**

Representative Pruitt moved and asked unanimous consent that the journal for the 64<sup>th</sup> legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Munoz introduced Kaden Noe and Adela Diaz, Guest Pages, from Juneau.

### **MESSAGES FROM THE GOVERNOR**

#### **HB 1**

A message dated March 25, 2014, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 1(STA) am  
"An Act relating to issuance of drivers' licenses."

Chapter No. 1, SLA 2014  
Effective Date: June 23, 2014

#### **HB 71**

A message dated March 25, 2014, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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."

Chapter No. 2, SLA 2014  
Effective Date: See Chapter

**HB 298**

A message dated March 25, 2014, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to confidentiality of performance review records and reports of the legislative audit division; and providing for an effective date."

Chapter No. 5, SLA 2014  
Effective Date: March 26, 2014

**SCR 9**

A message dated March 25, 2014, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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.

Legislative Resolve No. 27

**SCR 18**

A message dated March 25, 2014, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**SENATE CONCURRENT RESOLUTION NO. 18**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 15, 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.

Legislative Resolve No. 31

**SCR 19**

A message dated March 25, 2014, was read stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**SENATE CONCURRENT RESOLUTION NO. 19**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 19, 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.

Legislative Resolve No. 32

**SB 125**

A message dated March 25, 2014, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

**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."

Chapter No. 4, SLA 2014

Effective Date: March 26, 2014

**SB 148**

A message dated March 25, 2014, was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 148

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

Chapter No. 3, SLA 2014

Effective Date: June 23, 2014

**REPORTS OF STANDING COMMITTEES****HCR 21**

The Health & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 21

Proclaiming April 2014 as Child Abuse Prevention Month.

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

Do pass (4): Seaton, Keller, Nageak, Higgins

The following fiscal note(s) apply:

1. Zero, House Health & Social Services Committee

HCR 21 was referred to the Rules Committee for placement on the calendar.

**HB 376**

The Health & Social Services Committee considered:

HOUSE BILL NO. 376

"An Act extending the termination date of the Alaska Health Care Commission; and providing for an effective date."

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

Do pass (4): Seaton, Keller, Nageak, Higgins

No recommendation (1): Reinbold

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

HB 376 was referred to the Finance Committee.

### **REPORTS OF SPECIAL COMMITTEES**

#### **HCR 25**

The House Special Committee on Fisheries considered:

#### **HOUSE CONCURRENT RESOLUTION NO. 25**

Urging the Governor to request that the North Pacific Fishery Management Council analyze the option of including community fishing associations as entities that may be granted catch shares in any trawl bycatch management program for the Gulf of Alaska.

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

Do pass (4): Herron, Feige, Kreiss-Tomkins, Seaton

No recommendation (1): Gattis

The following fiscal note(s) apply:

1. Zero, House Special Committee on Fisheries

HCR 25 was referred to the Rules Committee for placement on the calendar.

**INTRODUCTION OF CITATIONS**

The following citations were introduced and taken up later as a Special Order of Business:

Honoring – League of Women Voters of the Tanana Valley,  
Celebrating 50 Years of Service and Leadership  
By Representative Kawasaki

Honoring – Rasmuson Foundation  
By Representative Josephson

In Memoriam – Claus-M. Naske  
By Representatives Guttenberg, Kawasaki

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

Honoring – Teri Rofkar  
By Representative Kreiss-Tomkins

Honoring – Ann and Colette Ohotnicky  
By Senator Wielechowski; Representative LeDoux

In Memoriam – Lloyd Ferdan Hames  
By Representative Kreiss-Tomkins; Senator Stedman

In Memoriam – Margo McCabe  
By Senator Giessel

Representative Pruitt moved and asked unanimous consent that Representative Seaton be excused from a call of the House today. There being no objection, it was so ordered.

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 305**

The following was read the second time:

## HOUSE BILL NO. 305

"An Act repealing the requirement that a junk dealer or metal scrapper obtain a license."

with the:	Journal Page
FIN RPT CS(FIN) NT 4DP 6NR	1997
FN1: ZERO(COR)	1998
FN2: ZERO(REV)	1998

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. 305(FIN)

"An Act relating to the records of metal scrappers; repealing the requirement that a junk dealer or metal scrapper obtain a license; and providing for an effective date."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 305(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 305(FIN) was read the third time.

The question being: "Shall CSHB 305(FIN) pass the House?" The roll was taken with the following result:

CSHB 305(FIN)

Third Reading

Final Passage

**YEAS: 35 NAYS: 2 EXCUSED: 3 ABSENT: 0**

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

Nays: Neuman, T.Wilson



Excused: Drummond, Millett, Seaton

And so, CSHB 305(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 305(FIN) was referred to the Chief Clerk for engrossment.

**HB 366**

The following was read the second time:

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."

with the:

Journal Page

STA RPT CS(STA) NT 2DP 3NR 1AM	1845
FN1: ZERO(CRT)	1846
FN2: ZERO(DHS)	1846
FN3: INDETERMINATE(LAW)	1846
FN4: (DPS)	1846
JUD RPT CS(JUD) NT 5DP 1NR	2016
FN1: ZERO(CRT)	2017
FN2: ZERO(DHS)	2017
FN5: ZERO(ADM)	2017
FN6: ZERO(ADM)	2017
FN7: ZERO(LAW)	2017
FN8: ZERO(DPS)	2017

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. 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."

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHB 366(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 366(JUD) was read the third time.

The question being: "Shall CSHB 366(JUD) pass the House?" The roll was taken with the following result:

CSHB 366(JUD)

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0**

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

Excused: Drummond, Millett, Seaton

And so, CSHB 366(JUD) passed the House and was referred to the Chief Clerk for engrossment.

**THIRD READING OF HOUSE BILLS****HB 268**

The following, which was advanced to third reading from the March 25, 2014, calendar (page 2033), was read the third time:

## CS FOR HOUSE BILL NO. 268(FIN)

"An Act relating to big bull moose derbies and the Snow Town Ice Classic; and relating to permits for games of chance and contests of skill."

Representative Kawasaki moved and asked unanimous consent that CSHB 268(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, CSHB 268(FIN) would be returned to second reading for all amendments.

Amendment No. 1 was offered by Representative Kawasaki:

Page 1, line 1 (title amendment):

Delete "**derbies**"

Insert "**classics**"

Page 2, line 26:

Delete "**derbies**"

Insert "**classics**"

Page 3, line 6:

Delete "**derbies**"

Insert "**classics**"

Page 3, line 14:

Delete "**derbies**"

Insert "**classics**"

Page 3, line 20:

Delete "**derbies**"

Insert "**classics**"

Page 4, line 15:

Delete "derby"

Insert "classic"

Page 4, line 15:

Delete "contest"

Insert "game of chance"

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

Representative Saddler objected.

Representative Pruitt moved and asked unanimous consent that Representative Stoltze be excused until 12:30 p.m., today. There being no objection, it was so ordered.

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

CSHB 268(FIN)

Second Reading

Amendment No. 1

**YEAS: 12 NAYS: 24 EXCUSED: 4 ABSENT: 0**

Yeas: Edgmon, Gara, Gruenberg, Guttenberg, Herron, Josephson, Kawasaki, Kito III, Kreiss-Tomkins, Munoz, Tarr, Tuck

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

Excused: Drummond, Millett, Seaton, Stoltze

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Guttenberg:

Page 1, line 1 (title amendment):

Delete "**derbies**"

Insert "**classics**"

Page 2, line 26:

Delete "**derbies**"

Insert "**classics**"

Page 2, following line 27:

Insert a new paragraph to read:

**"(11) restrictions on the participation in bull moose classics by persons who harvest moose during the classic and in the area of the state in which the classic is conducted; and"**

Page 2, line 28:

Delete "(11)"

Insert "**(12)** [(11)]"

Page 3, line 6:

Delete "**derbies**"

Insert "**classics**"

Page 3, line 14:

Delete "**derbies**"

Insert "**classics**"

Page 3, line 20:

Delete "**derbies**"

Insert "**classics**"

Page 4, lines 15 - 16:

Delete all material and insert:

"(50) "big bull moose classic" means a game of chance in which prizes are awarded for the closest guess of the largest size or spread of antlers from moose legally harvested during a specific period in a specific part of the state."

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

Representative T. Wilson objected.

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

CSHB 268(FIN)

Second Reading

Amendment No. 2

**YEAS: 11 NAYS: 25 EXCUSED: 4 ABSENT: 0**

Yeas: Edgmon, Gara, Gruenberg, Guttenberg, Herron, Josephson, Kawasaki, Kito III, Kreiss-Tomkins, Tarr, Tuck

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

Excused: Drummond, Millett, Seaton, Stoltze

And so, Amendment No. 2 was not adopted.

CSHB 268(FIN) was automatically in third reading.

The question being: "Shall CSHB 268(FIN) pass the House?" The roll was taken with the following result:

CSHB 268(FIN)

Third Reading

Final Passage

**YEAS: 25 NAYS: 10 EXCUSED: 4 ABSENT: 1**

Yeas: Austerman, Chenault, Costello, Feige, Foster, Gattis, Hawker, Higgins, Holmes, Hughes, Isaacson, Johnson, Keller, LeDoux, Lynn, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Thompson, P.Wilson, T.Wilson

Nays: Edgmon, Gara, Gruenberg, Guttenberg, Herron, Josephson, Kawasaki, Kito III, Kreiss-Tomkins, Tuck

Excused: Drummond, Millett, Seaton, Stoltze

Absent: Tarr

And so, CSHB 268(FIN) passed the House and 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 – Thomas Edward Schantz

By Representatives Feige, Costello, Chenault, Drummond, Edgmon, 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 Herron – from 6:00 a.m., March 29 to 10:00 p.m., March 31

Representative LeDoux – from 6:00 p.m., March 28 to 2:00 p.m., March 30

### **SPECIAL ORDER OF BUSINESS**

Representative Pruitt moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring – League of Women Voters of the Tanana Valley, Celebrating 50 Years of Service and Leadership, Honoring – Rasmuson Foundation, and In Memoriam – Claus-M. Naske, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that the House approve the citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring – League of Women Voters of the Tanana Valley,  
Celebrating 50 Years of Service and Leadership

By Representatives Kawasaki, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, Keller, Kito III, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz,

Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stoltze, Tarr, Thompson, Tuck, P. Wilson, T. Wilson

Honoring – Rasmuson Foundation

By Representatives Josephson, Chenault, Austerman, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, 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 – Claus-M. Naske

By Representatives Guttenberg, Kawasaki, Chenault, Costello, Drummond, Edgmon, Feige, Foster, Gara, Gattis, Gruenberg, Hawker, Herron, Higgins, Holmes, Hughes, Isaacson, Johnson, Josephson, 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 member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Tuck – from today to 10:30 a.m., March 30 (amended from page 1659)

### **HB 31**

Representatives Hughes and Lynn added their names as cosponsors 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."



**ENGROSSMENT****HB 268**

CSHB 268(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 305**

CSHB 305(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 366**

CSHB 366(JUD) 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., March 27, 2014. There being no objection, the House adjourned at 12:32 p.m.

Suzi Lowell  
Chief Clerk