

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-NINTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

February 4, 2015

#### Sixteenth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:37 a.m.

Roll call showed 39 members present.

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

The invocation was offered by the Chaplain, Lieutenant Lance Walters of the Salvation Army. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Father, thank you for today! You are God and there is no one like you! You have created all things including this beautiful state of Alaska. There is no one else that deserves the credit like you do!

Thank you for these men and women here in this house and their sacrifice to serve the people of Alaska. I ask that you would bless them and their families, and that you would meet their needs as they are away from home.

Father, I ask for your provision today, provision of wisdom, knowledge, and understanding for these men and women as they represent the people of Alaska. Lead them to act with care and concern for the people. Father, I ask that your Holy

Spirit will be present in this place today; remind them of your truth. I ask that your will be done in this house as it is in heaven and that evil would be removed. May your name be honored and glorified like it should be. In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Gattis.

#### **CERTIFICATION OF THE JOURNAL**

Representative Millett moved and asked unanimous consent that the journal for the 14th and 15th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Talerico introduced Lacey Pluard and Lexi Usibelli, Guest Pages, from Healy.

#### **MESSAGES FROM THE GOVERNOR**

A letter dated February 3, 2015, was read stating that in accordance with art. III, sec. 13, Constitution of the State of Alaska, and AS 44.19.040, the Governor submits the following name for legislative confirmation of appointment to the position noted.

The Speaker referred the following to the State Affairs and Judiciary Committees:

##### **Lieutenant Governor Successor**

Craig Fleener

A letter dated February 3, 2015, was read stating that, in accordance with art. III, sec. 25, Constitution of the State of Alaska, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Judiciary Committee:

**Attorney General**

Craig Richards

Appointed: 12/1/2014

The Speaker referred the following to the State Affairs Committee:

**Commissioner – Department of Administration**

Sheldon Fisher

Appointed: 12/29/2014

The Speaker referred the following to the House Special Committee on Economic Development, Tourism, and Arctic Policy and the Labor & Commerce Committee:

**Commissioner – Department of Commerce, Community, and Economic Development**

Chris Hladick

Appointed: 1/20/2015

The Speaker referred the following to the State Affairs Committee:

**Commissioner – Department of Corrections**

Ronald Taylor

Appointed: 1/20/2015

The Speaker referred the following to the House Special Committee on Fisheries and the Resources Committee:

**Commissioner – Department of Fish and Game**

Sam Cotten

Appointed: 1/20/2015

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

**Commissioner – Department of Health and Social Services**

Valerie Davidson

Appointed: 12/1/2014

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

**Commissioner – Department of Labor and Workforce Development**

Heidi Drygas

Appointed: 12/19/2014

The Speaker referred the following to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee:

**Commissioner – Department of Military and Veterans' Affairs/Adjutant General of the Alaska National Guard**

Laurel Hummel

Appointed: 1/30/2015

The Speaker referred the following to the Resources Committee:

**Commissioner – Department of Natural Resources**

Mark Myers

Appointed: 12/1/2014

The Speaker referred the following to the Finance Committee:

**Commissioner – Department of Revenue**

Randall Hoffbeck

Appointed: 12/16/2014

The Speaker referred the following to the Transportation Committee:

**Commissioner – Department of Transportation and Public Facilities**

Marc Luiken

Appointed: 1/23/2015

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

**COMMUNICATIONS**

The following were received:

February 4, 2015

137

Dept. of Administration  
Office of Administrative Hearings  
Eleventh Annual Report  
January 31, 2015  
(as required by AS 44.64.020)

Alaska Commission on Postsecondary Education  
Dept. of Education & Early Development  
Dept. of Labor & Workforce Development  
University of Alaska  
Alaska Performance Scholarship Outcomes Report 2015  
February 2, 2015  
(as required by AS 14.43.840)

Alaska Court System  
2014 Travel and Compensation Report  
January 30, 2015  
(as required by AS 22.20.037)

Dept. of Labor & Workforce Development  
Alaska Occupational Safety and Health  
FY 2014 Achievement Report  
FY 2015 Annual Performance Plans  
<http://www.labor.state.ak.us/lss/oshhome.htm>  
February 2, 2015  
(as required by AS 18.60.040)

Dept. of Public Safety  
Council on Domestic Violence and Sexual Assault  
FY 2014 Annual Report

## REPORTS OF STANDING COMMITTEES

### HJR 9

The Resources Committee considered:

#### HOUSE JOINT RESOLUTION NO. 9

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development; urging the United States Department of the Interior

to recognize the private property rights of owners of land in and adjacent to the Arctic National Wildlife Refuge; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

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

Do pass (7): Herron, Josephson, Johnson, Olson, Seaton, Hawker, Talerico

No recommendation (1): Tarr

The following fiscal note(s) apply:

1. Zero, House Resources Committee

HJR 9 is on today's calendar.

### **HJR 10**

The Resources Committee considered:

#### HOUSE JOINT RESOLUTION NO. 10

Opposing the revised Comprehensive Conservation Plan and Environmental Impact Statement for the Arctic National Wildlife Refuge; opposing attempts by President Obama to alter management of the coastal plain of the Arctic National Wildlife Refuge; encouraging the United States Congress to reject a proposal based on the revised Comprehensive Conservation Plan or accompanying Environmental Impact Statement; and encouraging the United States Congress to reject a proposal that does not open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 10(RES)  
(same title)

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

Do pass (7): Seaton, Olson, Herron, Josephson, Johnson, Hawker, Talerico

No recommendation (1): Tarr

The following fiscal note(s) apply to CSHJR 10(RES):

1. Zero, House Resources Committee

HJR 10 is on today's calendar.

### **HB 43**

The State Affairs Committee considered:

HOUSE BILL NO. 43

"An Act establishing Alaska Law Enforcement Officers' Day."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 43(STA)

(same title)

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

Do pass (6): Talerico, Stutes, Vazquez, Kreiss-Tomkins, Lynn, Keller

The following fiscal note(s) apply to CSHB 43(STA):

1. Zero, Dept. of Administration

2. Zero, Legislative Agency

HB 43 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:

In Memoriam - Vera Rawlin

By Senator Coghill

In Memoriam - Donald Rose Wright

By Senator Coghill

In Memoriam - Percy Duyck

By Senator Coghill

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS****HJR 11**

HOUSE JOINT RESOLUTION NO. 11 by Representatives GARA, Drummond, Kawasaki, Josephson, Tarr, and Kito:

Urging the United States Congress and the President of the United States to work to amend the Constitution of the United States to prohibit corporations, outside groups, unions, and other organizations from making unlimited independent expenditures supporting or opposing candidates for public office.

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

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 94**

HOUSE BILL NO. 94 by the House Rules Committee by request of the Governor, entitled:

"An Act making supplemental appropriations, capital appropriations, and other appropriations; making reappropriations;



amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date."

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

The Governor's transmittal letter dated February 2, 2015, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to supplemental appropriations for the State's operating and capital budgets for Fiscal Year 2015 (FY2015).

A limited number of requests that were not anticipated when the FY2015 budget was considered during the 2014 legislative session are being submitted for your consideration.

The largest supplemental request is due to the new Medicaid Enterprise System defects that resulted in FY2014 expenditures being recorded in FY2015, as directed by Legislative Audit's review. This resulted in a large general fund lapse in FY2014 and shortfall in FY2015. The second significant supplemental request is the repeal of one-time education funding for FY2016 and FY2017. Although education is among my highest priorities, all areas of the budget, including priority areas, must be reduced.

Thank you for your consideration of this bill.

Sincerely,

/s/

Bill Walker  
Governor"

**HB 95**

HOUSE BILL NO. 95 by Representatives TUCK, Kawasaki, and Gara, entitled:

"An Act relating to absentee voting, voting, and voter registration; relating to early voting locations at which persons may vote absentee ballots; and providing for an effective date."

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

**HB 96**

HOUSE BILL NO. 96 by Representatives THOMPSON and Hawker, entitled:

"An Act relating to biometric information."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE RESOLUTIONS**

**HJR 9**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 9

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development; urging the United States Department of the Interior to recognize the private property rights of owners of land in and adjacent to the Arctic National Wildlife Refuge; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

with the:

Journal Page

RES RPT 7DP 1NR  
FN1: ZERO(H.RES)

137  
138

Amendment No. 1 was offered by Representatives Gara, Ortiz, Kito, Josephson, Gruenberg, Kawasaki, and Drummond:

Page 3, line 30, following ";":

Insert "and

**WHEREAS** for many years we have believed the oil in the 1002 Area of ANWR has a high monetary value; and

**WHEREAS** oil under Senate Bill 21, adopted in 2013, Alaska's production tax produces a roughly 50% lower production tax rate and very low revenue for all oilfields that became production units in 2003 or after; and

**WHEREAS** according to Scott Goldsmith's 2014 study during the SB 21 Repeal campaign, these post-2002, or so-called "GVR" units produce so little revenue for Alaskans that they will provide Alaska with a near zero, or negative net present value even at high prices above \$100/bbl (the prices Dr. Goldsmith used in making his estimate in mid-2014); and

**WHEREAS** Alaska is facing major budget problems, and selling our oil for less than it is worth will harm our ability to educate Alaskans, maintain and build infrastructure, provide safe communities and provide affordable energy and safe sanitation for Alaskans; and

**WHEREAS** this provision of SB 21 is inconsistent with the Alaska Constitution's mandate that Alaska's resources be developed for the "maximum benefit" of Alaska's people; and

**WHEREAS** Alaska's production tax, SB 21, applies to oil produced in the 1002 area;"

Page 4, line 20:

Delete "."

Insert "; and be it

**FURTHER RESOLVED** that the special tax break in Senate Bill 21 adopted in 2013 for post-2002 units should be rewritten to ensure that if the ANWR 1002 area is opened for production, Alaskans should receive a fair share for this oil, rather than a near zero or negative net present value."

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

Representative Johnson objected, stating Amendment No. 1 was not germane.

Representative Gruenberg rose to a point of order.

The Speaker ruled Amendment No. 1 out of order.

Representative Gruenberg appealed the ruling of the Chair.

The question being: "Shall the ruling of the Chair be sustained?" The roll was taken with the following result:

**HJR 9**

Second Reading

Sustain Ruling of the Chair/Amendment No. 1 not germane

**YEAS: 29 NAYS: 10 EXCUSED: 1 ABSENT: 0**

Yeas: Chenault, Claman, Colver, Edgmon, Foster, Gattis, Hawker, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Wilson, Wool

Nays: Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Tarr, Tuck

Excused: Vazquez

And so, the ruling of the Chair was sustained.

Representative Millett moved and asked unanimous consent that HJR 9 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HJR 9 will advance to third reading on the February 6, 2015, calendar.

**HJR 10**

The following was read the second time:

**HOUSE JOINT RESOLUTION NO. 10**

Opposing the revised Comprehensive Conservation Plan and Environmental Impact Statement for the Arctic National Wildlife Refuge; opposing attempts by President Obama to alter management of the coastal plain of the Arctic National Wildlife Refuge; encouraging the United States Congress to reject a proposal based on the revised Comprehensive Conservation Plan

or accompanying Environmental Impact Statement; and encouraging the United States Congress to reject a proposal that does not open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development.

with the:	Journal Page
RES RPT CS 7DP 1NR	138
FN1: ZERO(H.RES)	139

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

CS FOR HOUSE JOINT RESOLUTION NO. 10(RES)  
(same title)

There being no objection, it was so ordered.

Representative Millett moved and asked unanimous consent that CSHJR 10(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 10(RES) was read the third time.

The question being: "Shall CSHJR 10(RES) pass the House?" The roll was taken with the following result:

CSHJR 10(RES)  
Third Reading  
Final Passage

**YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1**

Yeas: Chenault, Claman, Colver, Drummond, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool

Excused: Vazquez

Absent: Edgmon

And so, CSHJR 10(RES) passed the House and was referred to the Chief Clerk for engrossment.

### **LEGISLATIVE CITATIONS**

Representative Millett 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 - Allie Ostrander

By Representatives Olson, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Micciche

In Memoriam - Violet Willson

By Representatives Edgmon, Chenault, Claman, Colver, Drummond, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Hoffman

### **UNFINISHED BUSINESS**

Representative Millett 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 Claman – from 5:00 p.m., February 6 to noon, February 9

Representative Chenault – from 6:00 a.m., February 5 to 10:00 p.m., February 8

Representative Millett – from noon, February 6 to 10:45 p.m., February 8

Representative Wool – from 6:00 a.m., February 6 to 10:15 a.m., February 9

**HJR 8**

Representative Vazquez added her name as cosponsor to:

## HOUSE JOINT RESOLUTION NO. 8

Urging the federal government to empower the state to protect the state's access to affordable and reliable electrical generation.

**HJR 9**

Representatives Herron, Pruitt, Johnson, Thompson, Wilson, Reinbold, LeDoux, and Stutes added their names as cosponsors to:

## HOUSE JOINT RESOLUTION NO. 9

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development; urging the United States Department of the Interior to recognize the private property rights of owners of land in and adjacent to the Arctic National Wildlife Refuge; relating to oil and gas exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

**HJR 10**

Representatives Lynn, Thompson, Munoz, Reinbold, Tuck, and LeDoux added their names as cosponsors to:

## CS FOR HOUSE JOINT RESOLUTION NO. 10(RES)

Opposing the revised Comprehensive Conservation Plan and Environmental Impact Statement for the Arctic National Wildlife Refuge; opposing attempts by President Obama to alter management of the coastal plain of the Arctic National Wildlife Refuge; encouraging the United States Congress to reject a proposal based on the revised Comprehensive Conservation Plan or accompanying Environmental Impact Statement; and

encouraging the United States Congress to reject a proposal that does not open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development.

**HB 4**

Representative Millett added her name as cosponsor to:

HOUSE BILL NO. 4

"An Act relating to automated external defibrillators."

**HB 35**

Representative Gattis added her name as cosponsor to:

HOUSE BILL NO. 35

"An Act establishing March 27 as Great Alaska Earthquake Remembrance Day."

**HB 43**

Representatives Keller and Stutes added their names as cosponsors to:

HOUSE BILL NO. 43

"An Act establishing Alaska Law Enforcement Officers' Day."

**HB 91**

Representative Kito added his name as cosponsor to:

HOUSE BILL NO. 91

"An Act relating to operating a motor vehicle in lanes of traffic."

**ENGROSSMENT****HJR 10**

CSHJR 10(RES) 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 Millett moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 6, 2015. There being no objection, the House adjourned at 12:11 p.m.

Suzi Lowell  
Chief Clerk