

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-NINTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Monday

March 30, 2015

Seventieth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:06 a.m.

Roll call showed 39 members present. Representative Nageak had been excused from a call of the House today.

The invocation was offered by the Chaplain, Ray Rivers of District 17, United States Coast Guard. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer:

Heavenly Father, thank you for this day, for every day is a gift from your hand. You are the giver and sustainer of all life. Thank you for your great love that we see displayed around us in so many ways. As residents of this great country and this great state, I thank you for the freedoms that we enjoy. May we never take them for granted!

I also thank you for these Alaskan State Representatives, their assistants and all the state employees and their commitment to service for their state. May each look to you daily in faith to receive strength, wisdom and resolve to finish the legislative season in excellent fashion, and may these leaders continue to work together in unity for the common good of Alaska with compassion, cooperation and integrity.

As well, I pray that you will protect their families while they are here serving their state. May the separation from loved ones seem short and their reunion be sweet. We also thank you and pray for the military and first responders that protect and care for citizens of this state and this country. I ask for you to touch their lives, protect and bless them.

Please enable us to love you with all of our heart, mind, soul and strength and to love our neighbors as ourselves. May we live for your glory every day for you are worthy. I pray this prayer in the powerful and precious name of Jesus Christ my Lord, Amen.

The Pledge of Allegiance was led by Representative Pruitt.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 67th, 68th, and 69th 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 27, 2015, was read stating that, in accordance with art. III, sec. 26, Constitution of the State of Alaska, and AS 16.05.221, the Governor submits the following name for legislative confirmation of appointment to the position noted.

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

Board of Fisheries

Orville Huntington – Huslia

Appointed: 7/1/2012

Reappointed: 7/1/2015

Term Expires: 6/30/2018

A resume for the appointment is on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE**HB 35**

A message dated March 27, 2015, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 35(STA)

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

CSHB 35(STA) was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

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

James (David) Jones
Kelly Vrem

as members of the Big Game Commercial Services Board.

Benjamin Brown

as a member of the Alaska Commercial Fisheries Entry Commission.

The reports were signed by Representatives Talerico and Nageak, Co-chairs; and Representatives Hawker, Herron, Josephson, Seaton, and Tarr.

HB 75

The Judiciary Committee considered:

HOUSE BILL NO. 75

"An Act relating to the regulation of marijuana by municipalities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 75(JUD)

"An Act relating to the registration of marijuana establishments by municipalities; relating to the definition of 'marijuana'; clarifying standards for personal use of marijuana by persons 21 years of age or older; prohibiting the public consumption of marijuana; authorizing the registration of marijuana clubs; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

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

Do pass (1): LeDoux

No recommendation (3): Millett, Claman, Foster

Amend (3): Lynn, Keller, Gruenberg

The following fiscal note(s) apply to CSHB 75(JUD):

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

HB 75 was referred to the Rules Committee for placement on the calendar.

HB 107

The Education Committee considered:

HOUSE BILL NO. 107

"An Act relating to the composition of the Board of Regents of the University of Alaska."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 107(EDC)

"An Act relating to the composition of the Board of Regents of the University of Alaska; and providing for an effective date."

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

Do pass (5): Colver, Drummond, Talerico, Vazquez, Keller

Do not pass (1): Seaton

No recommendation (1): Kreiss-Tomkins

The following fiscal note(s) apply to CSHB 107(EDC):

1. Zero, University of Alaska

HB 107 was referred to the Rules Committee for placement on the calendar.

HB 123

The Labor & Commerce Committee considered:

HOUSE BILL NO. 123

"An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic Beverage Control Board; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 123(L&C)
(same title)

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

Do pass (1): Olson

No recommendation (3): Tilton, Hughes, Kito

Amend (3): LeDoux, Josephson, Colver

The following fiscal note(s) apply to CSHB 123(L&C):

2. Fiscal, Dept. of Administration
3. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 123 was referred to the Judiciary Committee.

HB 149

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 149

"An Act relating to an amendment of the articles of incorporation of certain Native corporations to establish a lower quorum requirement for shareholder meetings."

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

Do pass (4): Drummond, Nageak, Seaton, Tilton

No recommendation (1): Hughes

The following fiscal note(s) apply:

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

HB 149 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam - Daniel Edward Hines
By Representatives Kito, Munoz; Senator Egan

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

Commemorating - Women's History Month 2015
By Representatives Munoz, Kito; Senator Egan

Honoring - Benny and Keri Lin of Pagoda Restaurant in Celebration
of Their 25th Anniversary
By Representative Wilson; Senator Coghill

Honoring - F/V *Republic*
By Representative Kreiss-Tomkins

Honoring - West High School Girls Cross Country Ski Team, 2015
State Champions
By Representative Claman; Senator Costello

Honoring - West High Eagles Hockey Team, 2015 4A State Hockey
Champions
By Representative Claman; Senator Costello

In Memoriam - Representative Fred Brown
By Representatives Kawasaki, Guttenberg

In Memoriam - Cyril George, Sr.
By Representatives Kito, Munoz; Senator Egan

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 169

HOUSE BILL NO. 169 by the House Labor and Commerce
Committee, entitled:

"An Act directing the Regulatory Commission of Alaska to
provide a report to the legislature relating to electrical
transmission in certain areas of the state; and providing for an
effective date."

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

HB 170

HOUSE BILL NO. 170 by Representative DRUMMOND, entitled:

"An Act relating to limitations on mandatory overtime work for nurses and certified nurse aides."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 164**

The following was read the second time:

HOUSE BILL NO. 164

"An Act relating to insurance; relating to risk based capital for domestic insurers and fraternal benefit societies, including provisions related to insurers subject to risk based capital and action level event requirements; relating to review by the director of insurance of an insurer's risk based capital plan; relating to confidentiality and sharing of certain information submitted to the director of insurance for evaluating insurance holding companies, risk based capital, risk management, and own risk and solvency assessments; clarifying provisions related to risk based capital plans; relating to exemptions by the director of insurance for certain domestic and casualty insurers from risk based capital requirements; relating to insurance holding companies, including filing requirements, divestiture, content of statements, and hearings; relating to registration requirements; relating to transactions within an insurance holding company system or transactions involving a domestic insurer; relating to management and examination of domestic insurers that are part of an insurance holding company system; adding provisions relating to participation by the director of insurance in a supervisory college; relating to civil and criminal penalties for violations of provisions related to insurance holding companies; relating to provisions for risk management and own risk and solvency assessments; relating to operating requirements for controlling insurance producers;

relating to producer-controlled insurers; adding and amending definitions related to insurers; and providing for an effective date."

with the: Journal Page

L&C RPT 6DP 1NR 595

FN1: ZERO(CED) 596

Representative Millett moved and asked unanimous consent that HB 164 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 164 will advance to third reading on tomorrow's calendar.

SECOND READING OF SENATE BILLS

SB 64

The Speaker stated that, without objection, the following, which is on today's calendar pending referral, would be moved to the bottom of the calendar:

CS FOR SENATE BILL NO. 64(EDC)

"An Act relating to school bond debt reimbursement; and providing for an effective date."

THIRD READING OF SENATE RESOLUTIONS

SJR 13

The following, which was advanced to third reading from the March 27, 2015, calendar (page 601), was read the third time:

CS FOR SENATE JOINT RESOLUTION NO. 13(RES)

Supporting oil and gas exploration and development on the outer continental shelf offshore of the state; opposing attempts to prohibit future oil and gas development in the Beaufort and the Chukchi Seas, including the Hanna Shoal area; and requesting that the federal Administration cease and desist from restrictions that adversely affect active or future leases in high petroleum potential

areas in the Beaufort and Chukchi Seas, including the Hanna Shoal area.

Representative Gara moved and asked unanimous consent that CSSJR 13(RES) 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, CSSJR 13(RES) would be returned to second reading for all amendments.

Amendment No. 1 was offered by Representatives Gara, Tuck, Kawasaki, Drummond, and Gruenberg:

Page 3, following line 28, insert:

"FURTHER RESOLVED that Alaska shall receive at least the same share of federal offshore oil and gas lease sale, bid, rent, and royalty revenues as is received by Gulf Coast states under the 2006 Gulf of Mexico Energy Security Act and subsequent legislation; and be it"

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

Representative Millett objected and withdrew the objection. There being no further objection, Amendment No. 1 was adopted.

Representative Millett moved and asked unanimous consent that Representative Hawker be excused from a call of the House from 11:45 a.m. to 1:00 p.m., today. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Josephson, Gara, and Drummond:

Page 3, following line 28, insert:

"FURTHER RESOLVED that effective oil and gas contingency spill prevention and clean-up plans should be required at every stage of development; and be it"

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

Representative Talerico objected.

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

CSSJR 13(RES) am H
Second Reading
Amendment No. 2

YEAS: 16 NAYS: 22 EXCUSED: 2 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Lynn, Munoz, Ortiz, Reinbold, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Herron, Hughes, Johnson, Keller, LeDoux, Millett, Neuman, Olson, Pruitt, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

Excused: Hawker, Nageak

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives Guttenberg and Drummond:

Page 1, line 9:
Delete "vehemently"

Page 1, line 10:
Delete "alleged"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 3 be adopted.

There was objection.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSSJR 13(RES) am H
Second Reading
Amendment No. 3

YEAS: 13 NAYS: 25 EXCUSED: 2 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

Excused: Hawker, Nageak

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Tarr and Drummond:

Page 1, line 3 (title amendment):

Delete ", **including the Hanna Shoal area**"

Page 1, lines 5 - 6 (title amendment):

Delete ", **including the Hanna Shoal area**"

Page 2, line 2:

Delete ", including the Hanna Shoal area"

Page 4, line 1:

Delete ", including the Hanna Shoal area"

Page 4, line 4:

Delete ", including the Hanna Shoal area"

Representative Tarr moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Talerico objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

March 30, 2015

627

CSSJR 13(RES) am H
Second Reading
Amendment No. 4

YEAS: 13 NAYS: 25 EXCUSED: 2 ABSENT: 0

Yeas: Claman, Drummond, Gara, Gruenberg, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Tarr, Tuck, Wool

Nays: Chenault, Colver, Edgmon, Foster, Gattis, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Vazquez, Wilson

Excused: Hawker, Nageak

And so, Amendment No. 4 was not adopted.

CSSJR 13(RES) am H was automatically in third reading.

The question being: "Shall CSSJR 13(RES) am H pass the House?"
The roll was taken with the following result:

CSSJR 13(RES) am H
Third Reading
Final Passage

YEAS: 26 NAYS: 12 EXCUSED: 2 ABSENT: 0

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

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

Excused: Hawker, Nageak

And so, CSSJR 13(RES) am H passed the House.

Representative Tuck gave notice of reconsideration of the vote on CSSJR 13(RES) am H.

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 - Carl Hoffman, "Father of Alaskan Bluegrass"

By Representatives Guttenberg, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, 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, Vazquez, Wilson, Wool; Senator Coghill

Honoring - John Schank, 2014 ATA Driver of the Year

By Representatives Wilson, 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, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wool; Senator Coghill

Honoring - Juneau-Douglas High School Girls Swim Team, 2014 State Champions

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

Honoring - Fairbanks Amateur Hockey Association Knights, 2015 Tier III Bantam State Champions

By Representatives Wilson, 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, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wool; Senator Coghill

In Memoriam - Michael Paul Johnson

By Representatives Tilton, Saddler, 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, Olson, Ortiz, Pruitt, Reinbold, Seaton, Stutes, Talerico, Tarr, Thompson, Tuck, Vazquez, Wilson, Wool

In Memoriam - James Francis Trivette

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

In Memoriam - Wayne Bouwens

By Senator Stoltze; Representatives Hughes, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, 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, Vazquez, Wilson, Wool

SECOND READING OF SENATE BILLS

(continued)

SB 64

The following, which was moved to the bottom of the calendar (page 623), is in the Finance Committee:

CS FOR SENATE BILL NO. 64(EDC)

"An Act relating to school bond debt reimbursement; and providing for an effective date."

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 Talerico – from 6:00 a.m., April 2 to 10:30 a.m., April 6

Representative Edgmon – from 8:45 a.m. to 8:00 p.m., April 3

Representative Saddler – from 1:00 p.m., April 3 to 9:00 a.m., April 6

SPECIAL ORDER OF BUSINESS

Representative Millett moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - Daniel Edward Hines, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Millett moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam - Daniel Edward Hines

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

UNFINISHED BUSINESS

SJR 13

Representatives Saddler, Chenault, Johnson, and LeDoux added as cross sponsors to:

CS FOR SENATE JOINT RESOLUTION NO. 13(RES) am H
Supporting oil and gas exploration and development on the outer continental shelf offshore of the state; opposing attempts to prohibit future oil and gas development in the Beaufort and the Chukchi Seas, including the Hanna Shoal area; and requesting that the federal Administration cease and desist from restrictions that

adversely affect active or future leases in high petroleum potential areas in the Beaufort and Chukchi Seas, including the Hanna Shoal area.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

The following meetings today were changed:

Finance Committee
CHANGED TO: 1:45 p.m.

Judiciary Committee
CHANGED TO: 1:20 p.m.

Resources Committee
CHANGED TO: 1:30 p.m.

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 31, 2015. There being no objection, the House adjourned at 1:03 p.m.

Suzi Lowell
Chief Clerk