

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-NINTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

April 1, 2015

Seventy-second Day

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

Roll call showed 38 members present. Representatives Nageak and Stutes had been excused from a call of the House today.

An instrumental invocation was offered by the Chaplain, Representative Kreiss-Tomkins. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

"Amazing Grace"

Performed on the cello by Representative Kreiss-Tomkins
Accompanied by Robert Newman on the violin

The Pledge of Allegiance was led by Representative Seaton.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 71st legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Gruenberg introduced his grandson, Beccan Gruenberg, Guest Page, from Lafayette, California.

COMMUNICATIONS

The following audit report was received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

State of Alaska, Single Audit for the
Fiscal Year Ended June 30, 2014

REPORTS OF STANDING COMMITTEES**HB 68**

The Finance Committee considered:

HOUSE BILL NO. 68

"An Act relating to the preparation, electronic distribution, and posting of reports by state agencies."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 68(FIN)
(same title)

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

Do pass (10): Saddler, Kawasaki, Pruitt, Gara, Wilson, Gattis, Munoz, Edgmon, Neuman, Thompson

No recommendation (1): Guttenberg

The following fiscal note(s) apply to CSHB 68(FIN):

1. Zero, Office of the Governor/Variou Depts.

HB 68 was referred to the Rules Committee for placement on the calendar.

HB 148

The Health & Social Services Committee considered:

HOUSE BILL NO. 148

"An Act relating to medical assistance reform measures; relating to eligibility for medical assistance coverage; relating to medical assistance cost containment measures by the Department of Health and Social Services; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 148(HSS)
(same title)

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

Do pass (4): Tarr, Foster, Wool, Seaton

Do not pass (1): Vazquez

No recommendation (2): Stutes, Talerico

The following fiscal note(s) apply to CSHB 148(HSS):

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Corrections
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services
5. Fiscal, Dept. of Health & Social Services
6. Fiscal, Dept. of Health & Social Services
7. Fiscal, Dept. of Health & Social Services
8. Fiscal, Dept. of Health & Social Services
9. Fiscal, Dept. of Health & Social Services
10. Fiscal, Dept. of Health & Social Services
11. Fiscal, Dept. of Health & Social Services
12. Fiscal, Dept. of Health & Social Services
13. Fiscal, Dept. of Health & Social Services
14. Fiscal, Dept. of Health & Social Services

15. Fiscal, Dept. of Health & Social Services
16. Fiscal, Dept. of Health & Social Services

HB 148 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 126

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

HOUSE BILL NO. 126

"An Act relating to the administration of military justice; relating to the adoption of a code of military justice by the adjutant general; relating to the authority of the adjutant general; relating to appeals of convictions and sentences of courts-martial; establishing the Military Appeals Commission; relating to the detention and incarceration of members of the militia; relating to the jurisdiction of the court of appeals; relating to involuntary commitment for evaluation or treatment of a mental disease or defect before court-martial proceedings; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 126(MLV)

"An Act relating to the administration of military justice; relating to the adoption of a code of military justice by the adjutant general; relating to the authority of the adjutant general; relating to the procedures for persons subject to court-martial proceedings; relating to appeals of convictions and sentences of courts-martial; establishing the Military Appeals Commission; relating to the detention and incarceration of members of the militia; relating to the jurisdiction of the court of appeals; relating to involuntary commitment for evaluation or treatment of a mental disease or defect before court-martial proceedings; and providing for an effective date."

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

Do pass (3): Lynn, LeDoux, Herron

Amend (4): Tuck, Gruenberg, Colver, Hughes

The following fiscal note(s) apply to CSHB 126(MLV):

1. Zero, Dept. of Corrections
2. Zero, Dept. of Health & Social Services
3. Fiscal, Alaska Judiciary System
4. Fiscal, Dept. of Military & Veterans' Affairs

HB 126 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 - Cathie Roemmich
By Representatives Munoz, Kito; Senator Egan

Honoring - Bonnie Betley for 27 Years of Service
By Representative Seaton; Senator Stevens

Honoring - Kyra Hoenack and Nadia Makitrina, Spirit of Youth Award Winners
By Representatives Tilton, Colver, Gattis, Hughes, Keller, Neuman; Senators Stoltze, Huggins, Dunleavy

Honoring - The Alaska Children's Choir
By Representative Reinbold

Honoring - 2015 Alaska Wolverines Girls Basketball Team
By Representative Reinbold

Honoring - Alaska Aces Hockey Team
By Senator Meyer

In Memoriam - Charles Laroux
By Senator Hoffman; Representative Herron

In Memoriam - Bernard "Bernie" Kohut
By Senators Huggins, Dunleavy, Stoltze; Representatives Neuman,
Colver, Gattis, Hughes, Tilton, Keller

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 20

HOUSE JOINT RESOLUTION NO. 20 by Representative NEUMAN:

Urging the United States Congress to enact legislation to clarify
and recognize each individual state's authority to manage the fish
and wildlife within its borders.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 171

HOUSE BILL NO. 171 by Representative NAGEAK, entitled:

"An Act relating to the required participating share for school
district construction grants; and providing for an effective date."

was read the first time and referred to the Education and Finance
Committees.

HB 172

HOUSE BILL NO. 172 by Representative GATTIS, entitled:

"An Act relating to reemployment of persons who retire under the
defined benefit plan of the teachers' retirement system."

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

HB 173

HOUSE BILL NO. 173 by Representative KREISS-TOMKINS, entitled:

"An Act relating to the registration of leased motor vehicles; and providing for an effective date."

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

HB 174

HOUSE BILL NO. 174 by Representatives GARA, Josephson, and Kawasaki, entitled:

"An Act relating to the oil and gas production tax; relating to credits against the oil and gas production tax; relating to monthly installment payments of the oil and gas production tax; relating to the minimum production tax on oil; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

HB 175

HOUSE BILL NO. 175 by Representative LYNN, entitled:

"An Act establishing November 1 as Military Family Day."

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

HB 176

HOUSE BILL NO. 176 by the House Finance Committee, entitled:

"An Act eliminating geographic pay differentials for employees of the legislature; repealing state employee salary schedule increases; and providing for an effective date."

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

HB 177

HOUSE BILL NO. 177 by Representative KELLER, entitled:

"An Act relating to king salmon tags and king salmon tag designs."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

HB 178

HOUSE BILL NO. 178 by the House Labor and Commerce Committee, entitled:

"An Act relating to workers' compensation fees for medical treatment and services; providing for an effective date by amending the effective date of sec. 5, ch. 63, SLA 2014; and providing for an effective date."

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

HB 179

HOUSE BILL NO. 179 by Representatives KREISS-TOMKINS, Millett, Ortiz, Kito, Stutes, Munoz, and Wilson, entitled:

"An Act relating to donations of fish and game to food service programs."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 75**

The following was read the second time:

HOUSE BILL NO. 75

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

with the:	Journal Page
CRA RPT CS(CRA) NT 3DP 3NR	380
FN1: ZERO(CED)	381
JUD RPT CS(JUD) NT 1DP 3NR 3AM	617
FN1: ZERO(CED)	618

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

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."

There being no objection, it was so ordered.

Representative Millett moved and asked unanimous consent that CSHB 75(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 75(JUD) will advance to third reading on tomorrow's calendar.

HB 149

The following was read the second time:

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."

with the:	Journal Page
CRA RPT 4DP 1NR	620
FN1: ZERO(CED)	620

Representative Millett moved and asked unanimous consent that HB 149 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 149 will advance to third reading on tomorrow's calendar.

SECOND READING OF SENATE BILLS

SB 35

The following was read the second time:

SENATE BILL NO. 35

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

with the:	Journal Page
JUD RPT 3DP 4NR	638
FN1: ZERO(LAW)	638

Representative Millett moved and asked unanimous consent that SB 35 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 35 was read the third time.

The question being: "Shall SB 35 pass the House?" The roll was taken with the following result:

SB 35

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Nageak, Stutes

And so, SB 35 passed the House.

Representative Millett 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.

SB 35 was signed by the Speaker and Chief Clerk and returned to the Senate.

THIRD READING OF SENATE BILLS

SB 64

The following, which was advanced to third reading from the March 31, 2015, calendar (page 648), was read the third time:

CS FOR SENATE BILL NO. 64(EDC)

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

Representative Kito moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Kito was required to vote.

The question being: "Shall CSSB 64(EDC) pass the House?" The roll was taken with the following result:

CSSB 64(EDC)
Third Reading
Final Passage

YEAS: 23 NAYS: 15 EXCUSED: 2 ABSENT: 0

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

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

Excused: Nageak, Stutes

And so, CSSB 64(EDC) passed the House.

Representative Millett moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSSB 64(EDC)
Third Reading
Effective Date

YEAS: 24 NAYS: 14 EXCUSED: 2 ABSENT: 0

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

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

Excused: Nageak, Stutes

And so, lacking the required 27 votes, the effective date clause was not adopted, and the new title follows:

CS FOR SENATE BILL NO. 64(EDC)(efd fld H)
"An Act relating to school bond debt reimbursement."

Representative Millett gave notice of reconsideration of the vote on CSSB 64(EDC)(efd fld 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 - Marie Meade, Alaska Women's Hall of Fame

By Representatives Herron, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, 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 Hoffman

In Memoriam - James "Jimbo" Morgan Barnett

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

In Memoriam - Ken Teune

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

In Memoriam - Fred Hopkins

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 - Frank Vondersaar

By Representatives Seaton, 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, Saddler, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Stevens

UNFINISHED BUSINESS

Representative Millett 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 Vazquez – from 6:00 p.m., today to 10:00 p.m., April 5

HB 83

Representatives Millett and Vazquez added as cosponsors to:

HOUSE BILL NO. 83

"An Act relating to collecting information about civil litigation by the Alaska Judicial Council; repealing Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate Procedure; and providing for an effective date."

HB 137

Representative Munoz added as a cosponsor to:

HOUSE BILL NO. 137

"An Act raising certain fees related to sport fishing, hunting, and trapping; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents to 65 years of age; requiring state residents to purchase big game tags to take certain species; and providing for an effective date."

ENROLLMENT**HB 132**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:36 p.m., April 1, 2015:

CS FOR HOUSE BILL NO. 132(L&C)

"An Act relating to the purpose, powers, and duties of the Alaska Gasline Development Corporation related to the Alaska liquefied natural gas project and an in-state natural gas pipeline; relating to the in-state natural gas pipeline fund; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

The following meetings today were changed:

Finance Committee CHANGED TO:	2:00 p.m.
Judiciary Committee CHANGED TO:	2:00 p.m.
Labor & Commerce Committee CHANGED TO:	4:00 p.m.
Resources Committee CHANGED TO:	2:00 p.m.

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the House adjourn until 10:30 a.m., April 2, 2015. There being no objection, the House adjourned at 1:29 p.m.

Suzi Lowell
Chief Clerk