

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

February 15, 2023

Thirtieth Day

Pursuant to adjournment the House was called to order by Speaker Tilton at 11:00 a.m.

Roll call showed 39 members present.

Representative Saddler 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 Josephson – from 8:30 a.m. to 2:00 p.m., today

The invocation was offered by the Chaplain, Dr. X'unei Lance Twitchell, Alaska Native Languages Professor at University of Alaska Southeast. Representative Vance moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Ldakát ku.oo Anaskí káa, ch'a wáa sá ák' aydaheen, at yáa awuné yee jeex xatee.

Haa Shagéinyaa

Haa Shagéinyaa

Haa Shagóon

Haa Shuká Aa Hás

Haa éet yidashí yá yagyee,

ch'a tléix'i yá x haa ngateeyít.

Yá tl'átgi káa, a xoo aa eeshandéin has kudzitee.

Has du daat tunaxtula.aat yá yagyee.

Yéi áwé haa ée wdudlitóow:
 ch'a ldakát át a yakgwahéiyagu kudzitee,
 ách xáawé ch'a ldakát át a jeex tootee at yáa awuné.
 Hél haa wushgeik,
 kushtuyáx wáa sá tushigéiyi át,
 has du jeex tootee haa dachxánx siteeyi aa.
 Haa eetí káax'u,
 Haa Dachxánx'i Yán,
 Has du ya.aak daat haa yaguxsatáak yáa yagyee,
 aagáa has aguxsakóo wáa sá has tusixáni.
 Wooch een yéi jigaxtoonéi,
 kusaxán ka tula.aan tín.
 X'éigaa Lingít wé ku.oo jiyís yéi jinaneich.
 X'éigaa Lingít wé ku.oo káx yán oodeilch
 Kagaxtoo.áakw k'idéin yei kugaxtoostée ux kei utéegáa.
 Gunalchéesh.
 Gunalchéesh.

An English translation provided by the Chaplain follows:

All Alaskans, however you believe, I give respect to you.
 Our Protective Power
 Our Protective Power
 Everything we have been, are, and will be.
 Those who went before us
 help us today,
 so we may be united.
 On this land, some people are suffering.
 Let us think of them today.
 The way we are taught:
 there is a spirit in everything,
 that is why we give respect to all things.
 We are generous people,
 no matter how much we may not want to share things,
 we offer them to those who would become our grandchildren.
 Our descendants,
 our little grandchildren,
 we will care for the place reserved for them,
 and then they will know how we love them.

We will work together,
with love and kindness.
The true human being always works for the people.
The true human being always protects the people.
We will try to live a good life so no one is harmed.
Thank you.
Thank you.

The Pledge of Allegiance was led by Representative Groh.

CERTIFICATION OF THE JOURNAL

Representative Saddler moved and asked unanimous consent that the journal for the 28th and 29th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Saddler introduced Jena Crafton, Guest Page, from Eagle River.

MESSAGES FROM THE SENATE

A message dated February 13 was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 10:00 a.m., February 17 to hear an address by the Honorable Mary Sattler Peltola, U.S. Representative.

COMMUNICATIONS

Letters of disclosure received from the Select Committee on Legislative Ethics, as required by AS 24.60, were published in House Journal Supplement No. 2 and House and Senate Joint Journal Supplement No. 5.

The following were received:

Dept. of Education & Early Development
Annual Progress Report on School Performance
February 15, 2023
(as required by AS 14.03.078)

Dept. of Natural Resources
Division of Geological & Geophysical Surveys
2022 Annual Report
<https://doi.org/10.14509/30951>
(as required by AS 41.08.030)

REPORTS OF STANDING COMMITTEES

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

James Cunningham

as a member of the Board of Marine Pilots.

The report was signed by Representative McCabe, Chair; and Representatives Vance, McKay, Sumner, Stutes, and Mina.

HB 22

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 22

"An Act relating to participation of certain peace officers and firefighters in the defined benefit and defined contribution plans of the Public Employees' Retirement System of Alaska; relating to eligibility of peace officers and firefighters for medical, disability, and death benefits; relating to liability of the Public Employees' Retirement System of Alaska; and providing for an effective date."

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

Do pass (3): Himschoot, Mears, McCormick

Do not pass (2): McKay, McCabe

No recommendation (1): Ruffridge

The following fiscal note(s) apply:

1. Indeterminate, Office of the Governor/Variou Depts.
2. Fiscal, Dept. of Administration

HB 22 was referred to the State Affairs Committee.

REPORTS OF SPECIAL COMMITTEES

HJR 5

The House Special Committee on Fisheries considered:

HOUSE JOINT RESOLUTION NO. 5

Urging the United States Secretary of Commerce, the National Marine Fisheries Service, the Alaska Department of Fish and Game, and other federal and state agencies to defend the state's fisheries, including the Southeast Alaska troll fishery.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH)
(same title)

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

Do pass (7): C. Johnson, McCormick, Carpenter, McCabe, Stutes, Himschoot, Vance

The following fiscal note(s) apply to CSHJR 5(FSH):

1. Zero, House Special Committee on Fisheries

CSHJR 5(FSH) was referred to the Rules Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - North Pole High School, Unified Champion School
By Senators Myers, Kawasaki; Representative Prax

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

HB 72

HOUSE BILL NO. 72 by Representative Ortiz, entitled:

"An Act relating to use of income of the Alaska permanent fund; relating to the amount of the permanent fund dividend; relating to the duties of the commissioner of revenue; and providing for an effective date."

was read the first time and referred to the House Special Committee on Ways & Means and the Finance Committee.

HB 73

HOUSE BILL NO. 73 by Representative Schrage, entitled:

"An Act relating to investigations conducted by the Department of Commerce, Community, and Economic Development."

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

HB 74

HOUSE BILL NO. 74 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to geothermal resources; relating to the definition of 'geothermal resources'; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources

The Governor's transmittal letter dated February 14 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the state's geothermal resources.

This bill removes obstacles for exploration and development of Alaska's geothermal resources. First, the bill updates the definition of "geothermal resources." Currently, the term "geothermal resources" is defined with reference to energy hotter than 120 degrees Celsius and excludes subterranean heat sources that might be commercially useful at lower temperatures. The arbitrarily high temperature threshold in current law ignores technological advances that make lower-temperature geothermal energy commercially viable. It also ignores growing non-commercial uses of heat energy, such as heat pumps relying on shallow subsurface pipes to heat or cool residential structures.

Current law provides companies only two to three years to prove a commercial discovery, which then allows the company to apply for a more long-term lease. This bill increases the time available for exploration to five years to better account for the time needed to complete an exploration program. The bill changes the current permit system to an exploration license system similar to oil and gas exploration. The proposed five-year exploration license term in the bill allows explorers more time to conduct background research, acquire any related permits, and perform the field work necessary to locate a resource and produce the data necessary to convert a license to a lease.

This bill also nearly doubles the acreage limit for geothermal projects from 51,200 acres to 100,000 acres. This change is particularly beneficial because geothermal resources tend to spread over larger acreages. The proposed acreage increase in the bill may attract greater interest in geothermal resources because developers will have a greater opportunity to explore the correct amount of acreage.

The bill would allow the Alaska Oil and Gas Conservation Commission (AOGCC) the option to pursue state permitting primacy over Class V geothermal wells from the U.S. Environmental Protection Agency. Primacy may allow for more expeditious

responses to local concerns and projects. The bill also clarifies AOGCC's authority over geothermal resources and implements penalty provisions similar to AOGCC's existing penalty provisions for oil and gas.

With the enactment of this measure, our state will continue to responsibly manage its natural resources in a manner that provides maximum benefits to the citizens through development of needed energy sources.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 75

HOUSE BILL NO. 75 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to coverage for additional insureds under owner and contractor controlled insurance programs; and providing for an effective date."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated February 14 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill to allow for the inclusion of additional insureds under owner and contractor controlled insurance programs (OCIPs).

Currently, the Department of Commerce, Community, and Economic Development, Division of Insurance is required to enforce certain limitations on OCIPs on major construction projects, including a moratorium on policies naming one or more persons as additional insureds. This limitation prevents individuals and businesses from efficiently managing large scale infrastructure projects because it forces the owner or contractor to name all potential contractors and subcontractors at the initiation of a project. Projects such as the Trans-Alaska Pipeline System are not economically viable unless owners and contractors can enter into OCIPs that allow for additional insureds. This bill removes the limitation on additional insureds and creates economic incentives for owners and contractors to engage in large scale contracts that will assist Alaska's economy.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy

Governor"

HB 76

HOUSE BILL NO. 76 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to pay for the Alaska State Defense Force; and providing for an effective date."

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Military & Veterans' Affairs

The Governor's transmittal letter dated February 14 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill authorizing pay for training and drill activities of members of the Alaska State Defense Force (ASDF).

The ASDF is a component of the organized militia of the state. The ASDF operates solely under the authority of the state government and provides valuable support to the Alaska National Guard in disaster response and rural Alaska operations. Currently, members of the ASDF do not receive compensation when ordered to active duty by the governor for the purposes of training and drill activities. However, the ASDF still regularly engages in drill and training for emergency response in a manner similar to the Alaska National Guard. This bill will authorize pay for training and drill activities of the ASDF when called to active service for those purposes by the governor.

Paid training will motivate current ASDF members and increase enlistment, especially in rural Alaska. This local emergency and disaster response will be particularly valuable because the ASDF can be immediately activated in remote parts of the state while awaiting mobilization of the Alaska National Guard.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Mike Dunleavy
Governor"

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

Representative Saddler 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 - Raymond Alexie
By Senator Hoffman; Representative McCormick

Honoring - James "Coach Wes" Cornelison
By Senator Dunbar; Representatives Mina, Gray

Honoring - Amy Russell
By Senator Stevens; Representative Vance

Honoring - 2023 Top Five Kuskokwim 300 Finishers
By Senator Hoffman; Representative McCormick

In Memoriam - Louis "Louie" Bencardino
By Senator Stevens; Representative Stutes

UNFINISHED BUSINESS

Representative Saddler 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 Foster – from 6:45 p.m., February 16 to 9:15 p.m., February 21

Representative McKay – from:
6:00 p.m., March 24 to 9:15 p.m., March 26
6:00 a.m., April 6 to 11:00 a.m., April 10

Representative Carrick – from 5:30 p.m., February 17 to 9:15 p.m., February 19

Representative Dibert – from 6:30 a.m., February 17 to 9:30 p.m., February 20

Representative Patkotak – from 8:00 a.m., February 28 to 11:00 p.m., March 5

* * * * *

The Speaker appointed Representatives Rauscher and Mears to the Alaska Food Strategy Task Force created by Chapter 64 SLA 22.

HJR 6

Representatives Foster and Shaw added as cosponsors to:

HOUSE JOINT RESOLUTION NO. 6

Supporting oil and gas leasing and development within the National Petroleum Reserve in Alaska; and urging President Biden and the United States Department of the Interior to approve the Willow Master Development Plan.

HB 36

Representative Himschoot added as a cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 36

"An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to political contributions; and providing for an effective date."

HB 47

Representatives McKay and Shaw added as cosponsors to:

HOUSE BILL NO. 47

"An Act relating to insurance; relating to direct health care agreements; and relating to unfair trade practices."

HB 62

Representative Himschoot added as a cosponsor to:

HOUSE BILL NO. 62

"An Act relating to the renewable energy grant fund and recommendation program; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Saddler moved and asked unanimous consent that the House adjourn until 9:30 a.m., February 17. There being no objection, the House adjourned at 12:06 p.m.

Crystaline Jones
Chief Clerk