

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-NINTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Wednesday

March 4, 2015

#### Forty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:33 a.m.

Roll call showed 33 members present. Representatives Herron, Kreiss-Tomkins, Millett, Olson, and Stutes had been excused from a call of the House today. Representatives Edgmon and Foster were absent and their presence was noted later.

The invocation was offered by the Chaplain, Pastor Sue Bahleda of Resurrection Lutheran Church. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With respect to the diversity of voices, beliefs and practices that call out to a power beyond our individual selves, I offer the following prayer:

Wise and Abundant One, you have endowed each of us with unique gifts and have called us into specific occupations, relationships and activities using those gifts. Enable these men and women who have been called into leadership to use their gifts faithfully to do the work before them. Empower them to work for what is good and just. In their mission, guide them with diligence and compassion and hope. In their conversation, fill them with courage and patience and vision. In their service, grant them energy and imagination and joy.

We pray all these things in anticipation and thanksgiving.  
Amen.

The Pledge of Allegiance was led by Representative Kito.

### **CERTIFICATION OF THE JOURNAL**

Representative Pruitt, Acting Majority Leader, moved and asked unanimous consent that the journal for the 42nd and 43rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HJR 13**

A message dated March 2, 2015, was read stating the Senate passed:

#### **CS FOR HOUSE JOINT RESOLUTION NO. 13(MLV)**

Urging the United States Department of the Army to maintain and strengthen the current level of its combat-capable structure in the state and not to take structural realignment actions with regard to Fort Wainwright and Joint Base Elmendorf-Richardson.

with the following amendment, and it is transmitted for consideration:

#### **SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 13(STA)**

Urging the United States Department of the Army to maintain and strengthen the current level of its combat-capable structure in the state and not to reduce personnel at Fort Wainwright and Joint Base Elmendorf-Richardson.

(SCR 5 - title change resolution)

CSHJR 13(MLV) is under Unfinished Business.

A message dated March 2, 2015, was read stating the Senate passed the following, and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SCR 5**

SENATE CONCURRENT RESOLUTION NO. 5 by the Senate State Affairs Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 13, urging the United States Department of the Army to maintain and strengthen the current level of its combat-capable structure in the state and not to take structural realignment actions with regard to Fort Wainwright and Joint Base Elmendorf-Richardson.

was read the first time.

**SJR 13**

CS FOR SENATE JOINT RESOLUTION NO. 13(RES) by the Senate Resources Committee:

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.

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

**REPORTS OF STANDING COMMITTEES**

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

William Gordon

as a member of the Board of Governors of the Alaska Bar.

Allen Joseph

as a member of the Alaska Judicial Council.

The report was signed by Representative LeDoux, Chair; and Representatives Claman, Lynn, Keller, Gruenberg, and Foster.

\*\*The presence of Representative Edgmon was noted.

**HJR 15**

The Judiciary Committee considered:

HOUSE JOINT RESOLUTION NO. 15

Denouncing the decision to reverse the suspensions of the federal prosecutors who intentionally withheld evidence of innocence from the defense of Senator Ted Stevens; and honoring the service of Senator Ted Stevens.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 15(JUD)  
(same title)

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

Do pass (4): Millett, Gruenberg, Lynn, Keller

No recommendation (1): Claman

The following fiscal note(s) apply to CSHJR 15(JUD):

1. Zero, House Judiciary Committee

HJR 15 was referred to the Rules Committee for placement on the calendar.

**HB 115**

The Resources Committee considered:

## HOUSE BILL NO. 115

"An Act relating to the transfer of public land from the federal government to the state and to the disposal of that land; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 115(RES)

"An Act relating to the sovereignty of the state and the state's right to a credit or setoff for amounts or injuries inequitably or unlawfully caused or claimed by the federal government; requiring the United States to lift certain land orders and federal withdrawals; relating to the transfer of public land or interests in public land from the federal government to the state and to the disposal of that land or any interest in land; and providing for an effective date."

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

Do pass (4): Herron, Olson, Hawker, Talerico

Do not pass (2): Josephson, Tarr

Amend (1): Seaton

The following fiscal note(s) apply to CSHB 115(RES):

1. Indeterminate, Dept. of Natural Resources

HB 115 was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - AWARE Women of Distinction 2015  
By Representatives Kito, Munoz; Senator Egan

Honoring - Michaela Hutchison, 2015 ASAA Hall of Fame Inductee  
By Senator Micciche; Representative Olson

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

Commemorating - Matanuska Landing and 100 Years of Coal History in the Matanuska-Susitna Borough  
By Senators Huggins, Stoltze

Honoring - Frank Dorbandt, Alaska Aviation Museum Hall of Fame  
By Representative Hawker; Senator Giessel

Honoring - Oren Hudson, Alaska Aviation Museum Hall of Fame  
By Representative Hawker; Senator Giessel

Honoring - George Pappas, Alaska Aviation Museum Hall of Fame  
By Representative Hawker; Senator Giessel

Honoring - Frank Soos, Alaska State Writer Laureate 2014-2016  
By Representative Guttenberg; Senator Coghill

In Memoriam - Genevieve Carboy  
By Representative Wool; Senator Bishop

In Memoriam - Margaret Edith (Stanton) Sanders  
By Representative Talerico; Senator Coghill

In Memoriam - Patrick "Scott" Johnson  
By Senator Coghill

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

##### **HB 11**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 11 by  
Representative WILSON, entitled:

"An Act restricting the publication of certain records of criminal cases on the Internet; and providing for an effective date."

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

**HB 133**

HOUSE BILL NO. 133 by the House Community and Regional Affairs Committee, entitled:

"An Act relating to the regulation of marijuana, marijuana testing, marijuana products, and marijuana accessories; relating to the licensing of marijuana retailers, producers, processors, boutique producers, brokers, and home growers; relating to taxation of marijuana; and providing for an effective date."

was read the first time and referred to the Labor & Commerce, Judiciary, and Finance Committees.

**HB 134**

HOUSE BILL NO. 134 by Representative ORTIZ, entitled:

"An Act relating to the length of vessels used in a salmon seine fishery."

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

\*\*The presence of Representative Foster was noted.

**HB 135**

HOUSE BILL NO. 135 by the House Rules Committee by request of the Governor, entitled:

"An Act establishing a Roth contribution program for the public employees' deferred compensation program; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

The Governor's transmittal letter dated March 3, 2015, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to the establishment of a Roth contribution program for the public employees' deferred compensation program.

Currently, AS 39.45.050 only allows deferred tax contributions to be made on behalf of participating employees under the public employees' deferred compensation program (program). Deferred contributions are contributions that are not taxed until the participating employee begins receiving benefits under the program. The bill would allow Roth contributions in addition to deferred tax contributions. Roth contributions are contributions made post-tax, thereby eliminating the tax liability at the time of retirement.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker  
Governor"

**HB 136**

HOUSE BILL NO. 136 by the House Finance Committee, entitled:

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

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



**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE RESOLUTIONS****HJR 4**

The following was read the second time:

**HOUSE JOINT RESOLUTION NO. 4**

Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

with the:	Journal Page
RES RPT 6DP	343
FN1: ZERO(H.RES)	343

Representative Pruitt moved and asked unanimous consent that HJR 4 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 4 was read the third time.

The question being: "Shall HJR 4 pass the House?" The roll was taken with the following result:

**HJR 4**

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0**

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

Excused: Herron, Kreiss-Tomkins, Millett, Olson, Stutes

And so, HJR 4 passed the House and was referred to the Chief Clerk for engrossment.

**HJR 7**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 7

Opposing the proposed designation of an Aleutian Islands National Marine Sanctuary.

with the:	Journal Page
FSH RPT CS(FSH) 7DP	156
FN1: ZERO(LEG)	156
RES RPT CS(FSH) 6DP 1NR	344
FN1: ZERO(LEG)	345

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

CS FOR HOUSE JOINT RESOLUTION NO. 7(FSH)  
(same title)

There being no objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that CSHJR 7(FSH) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 7(FSH) was read the third time.

The question being: "Shall CSHJR 7(FSH) pass the House?" The roll was taken with the following result:

CSHJR 7(FSH)  
Third Reading  
Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0**

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

Excused: Herron, Kreiss-Tomkins, Millett, Olson, Stutes

And so, CSHJR 7(FSH) 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 citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Grant Willis Ackerman

By Representatives Thompson, 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, Seaton, Stutes, Talerico, Tarr, Tilton, Tuck, Vazquez, Wilson, Wool

Honoring - Charles (CB) Bettisworth, AIA Fellowship Award

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

Honoring - Karen A. Ferguson

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

Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Representative Bob Bettisworth

By Representatives Kawasaki, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, 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 Kelly

In Memoriam - Dr. Ruth A. M. Schmidt

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

In Memoriam - Robert Hawkins

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

In Memoriam - George Attla, Jr.

By Senator Bishop; Representatives Talerico, 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, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Gabriel Lenox Rich

By Senator Coghill; 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, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wool

### **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 Foster – from noon, March 5 to 10:00 p.m., March 8

Representative Hughes – from noon, March 6 to 8:00 p.m., March 8

Representative Thompson – from 12:30 p.m., March 6 to 10:00 a.m., March 8

Representative Vazquez – from 6:00 a.m., March 7 to 10:30 p.m., March 15 (amended from page 314)

Representative Wilson – from noon, March 6 to 10:00 a.m., March 9

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

### **SPECIAL ORDER OF BUSINESS**

Representative Pruitt moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring - Michaela Hutchison, 2015 ASAA Hall of Fame Inductee and Honoring - AWARE Women of Distinction 2015, 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 - Michaela Hutchison, 2015 ASAA Hall of Fame Inductee  
By Senator Micciche; 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, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

Honoring - AWARE Women of Distinction 2015  
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

### UNFINISHED BUSINESS

Pursuant to AS 18.09.010, the Speaker appointed Representative Vazquez as an ex officio member of the Alaska Health Care Commission.

#### **HJR 4**

Representatives Hawker, Gattis, Johnson, Josephson, LeDoux, and Hughes added as cosponsors to:

#### HOUSE JOINT RESOLUTION NO. 4

Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

#### **HJR 6**

Representatives Lynn, Hawker, Gruenberg, and Gara added as cosponsors to:

**HOUSE JOINT RESOLUTION NO. 6**

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; urging the United States Department of the Interior to implement the six recommendations to identify and clean up the Alaska Native Claims Settlement Act lands in its 1998 report to the United States Congress; and urging the President of the United States and the United States Congress to remediate and make free from pollutants lands in the state conveyed under the Alaska Native Claims Settlement Act.

**HJR 7**

Representatives Hawker, Pruitt, LeDoux, Tilton, and Hughes added as cosponsors to:

**CS FOR HOUSE JOINT RESOLUTION NO. 7(FSH)**

Opposing the proposed designation of an Aleutian Islands National Marine Sanctuary.

**HB 27**

Representatives Munoz and Ortiz added as cosponsors to:

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27**

"An Act relating to the duties of the Department of Health and Social Services; relating to hearings on and plans for permanent placement of a child in need of aid; relating to school placement and transportation for children in foster care; relating to foster care transition programs; relating to emergency and temporary placement of a child in need of aid; relating to the confidentiality of information regarding child protection; and amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure."

**HB 66**

Representatives LeDoux and Lynn added as cosponsors to:

**HOUSE BILL NO. 66**

"An Act relating to providing medical insurance coverage under the Teachers' Retirement System of Alaska and the Public

Employees' Retirement System of Alaska; and providing for an effective date."

**HB 83**

Representative Claman added as a cosponsor 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."

**ENGROSSMENT****HJR 4**

HJR 4 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HJR 7**

CSHJR 7(FSH) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ENROLLMENT****HJR 10**

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 3:10 p.m., March 2, 2015:

SENATE CS FOR 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.

Legislative Resolve No. 1

**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 6, 2015. There being no objection, the House adjourned at 11:36 a.m.

Suzi Lowell  
Chief Clerk