

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Friday**

**February 3, 2017**

**Eighteenth Day**

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

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

The invocation was offered by the Chaplain, (Major) Kirk Thorsteinson of the Alaska Army National Guard. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Greetings and salutations! As your friendly neighborhood chaplain it is an honor and my pleasure to ask divine blessing upon your day! Let us pray.

Sacrificial God, I invite your presence with us today on Four Chaplains Day, named for four Army chaplains who successfully ministered together despite their differences of faith. And when on this day in 1943 the *SS Dorchester* was torpedoed, the four chaplains acted sacrificially, giving their life vests to those without them. Described by one survivor as "the finest thing I have ever seen, or hope to see, this side of heaven," the four chaplains linked arms, prayed, and sang songs to encourage the soldiers and civilians in their last dying moments.

Master of the Universe, service to one's community and state is a worthy sacrifice. I ask that you please bless the personal sacrifices these representatives, their families, and their staff make each day in order to help "The Last Frontier" be all that it can be!

Righteous God, thank you for what you have done, are doing, and what you will continue to do through these leaders. Help us look to you on high as we also mourn "The Day the Music Died." And please accept a symbolic Forget-Me-Not flower from us as a remembrance of our thanks for your continued blessings upon our lives and the great state of Alaska. Amen.

The Pledge of Allegiance was led by Representative Gara.

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

Representative Tuck moved and asked unanimous consent that the journal for the 16th and 17th legislative days and House Journal Supplement No. 1 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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

A Declaration of Disaster Emergency with an accompanying letter and finance plan dated February 1 regarding the cities of Savoonga and Gambell in the Bering Strait Regional Educational Attendance Area were received and are on file in the Chief Clerk's office.

#### **MESSAGES FROM THE SENATE**

A message dated February 1, amending the prior Senate message (page 112), was read stating the Senate accepted the invitation to meet in joint session in the House Chamber at 10:30 a.m., February 24 to hear an address by the Honorable Dan Sullivan, U.S. Senator.

**COMMUNICATIONS**

The following were received:

Alaska Court System  
2016 Travel and Compensation Report  
January 31, 2017  
(as required by AS 22.20.037)

Alaska Energy Authority  
Renewable Energy Fund  
Status Report and Round X Recommendations  
January 2017

Dept. of Commerce, Community, & Economic Development  
Division of Community and Regional Affairs  
National Petroleum Reserve – Alaska  
Impact Mitigation Grant Program Report  
January 2017  
(as required by AS 37.05.530)

Dept. of Natural Resources  
Division of Mining, Land and Water  
2017 Reports to the Alaska Legislature on:  
Identified RS 2477 Rights-of-Way  
Availability of the Annual Mining Report  
Status of Land Disposal Income Fund  
Status of Land in the Land Disposal Bank  
Water Removals and Exports  
Absence of Any Interim Classifications  
(Closing Land to Mineral Entry)  
Cooperative Resource Management or Development Agreements  
Efforts to Maintain or Enhance Access to and Along Fishing Streams  
January 2017  
(as required by AS 19.30.400, 27.05.060, 38.04.020, 38.04.022,  
46.15.020, 38.05.300, 38.05.027, and 38.04.205, respectively)

Dept. of Natural Resources  
Division of Parks and Outdoor Recreation  
Disabled Veteran Campsite Permit Report  
January 31, 2017  
(as required by AS 41.21.026)

Dept. of Natural Resources  
Division of Parks and Outdoor Recreation  
Incompatible Use in a Park, Area, or Preserve  
January 31, 2017  
(as required by AS 41.21.020)

University of Alaska  
Alaska's University for Alaska's Schools 2017 Report  
October 25, 2016  
(as required by AS 14.40.190)

University of Alaska  
Office of Strategy, Planning and Budget  
Responses to Intent Language in the FY17 Operating Budget and  
Mental Health Appropriation Bills  
January 31, 2017  
(as required by Chapter 3, 4SSLA 2016 & Chapter 1, 4SSLA 2016)

#### **REPORTS OF STANDING COMMITTEES**

##### **HB 24**

The Judiciary Committee considered:

##### HOUSE BILL NO. 24

"An Act classifying U-47700 as a schedule IA controlled substance; and providing for an effective date."

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

Do pass (5): Kopp, Kreiss-Tomkins, Fansler, Reinbold, Claman

No recommendation (2): Eastman, LeDoux

The following fiscal note(s) apply:

1. Zero, Dept. of Corrections
2. Zero, Dept. of Health & Social Services
3. Zero, Dept. of Law
4. Zero, Dept. of Public Safety
5. Zero, Dept. of Public Safety

HB 24 was referred to the Finance Committee.

**HB 51**

The Transportation Committee considered:

HOUSE BILL NO. 51

"An Act relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 51(TRA)  
(same title)

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

Do pass (5): Claman, Kopp, Drummond, Stutes, Wool

No recommendation (2): Sullivan-Leonard, Neuman

The following fiscal note(s) apply to CSHB 51(TRA):

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Transportation & Public Facilities

HB 51 was referred to the Finance Committee.

**REPORTS OF SPECIAL COMMITTEES****HB 2**

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

## HOUSE BILL NO. 2

"An Act relating to a voluntary preference for veterans by private employers."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 2(MLV)

"An Act relating to a voluntary preference for members of the national guard and veterans by private employers."

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

Do pass (6): Rauscher, Reinbold, LeDoux, Saddler, Parish, Tuck

The following fiscal note(s) apply to CSHB 2(MLV):

1. Zero, Dept. of Labor & Workforce Development
2. Zero, Dept. of Military & Veterans' Affairs

HB 2 was referred to the Labor & Commerce Committee.

**HB 3**

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

## HOUSE BILL NO. 3

"An Act relating to the employment rights of employees in the state who are members of the National Guard of another state, territory, or district of the United States."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 3(MLV)  
(same title)

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

Do pass (7): LeDoux, Spohnholz, Parish, Rauscher, Saddler, Reinbold, Tuck

The following fiscal note(s) apply to CSHB 3(MLV):

1. Zero, Dept. of Labor & Workforce Development
2. Zero, Dept. of Military & Veterans' Affairs

HB 3 was referred to the State Affairs Committee.

**HB 80**

The House Special Committee on Energy considered:

HOUSE BILL NO. 80

"An Act adopting the Municipal Property Assessed Clean Energy Act; authorizing municipalities to establish programs to impose assessments for energy improvements in regions designated by municipalities; imposing fees; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 80(ENE)  
(same title)

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

Do pass (5): Johnston, Westlake, Spohnholz, Claman, Wool

No recommendation (2): Rauscher, Johnson

The following fiscal note(s) apply to CSHB 80(ENE):

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

HB 80 was referred to the Community & Regional Affairs Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - John Straley  
By Representative Kreiss-Tomkins

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

In Memoriam - Michael Dale Thurman  
By Representative Wilson; Senator Coghill

In Memoriam - Lowell Thomas Jr.  
By Representatives Gara, Johnston, Johnson

In Memoriam - Otto Charles "Ole" Mahle  
By Senator Stevens; Representative Stutes

In Memoriam - Marlene Lynn  
By Senator Meyer; Representative Millett

\* \* \* \* \*

Representative Reinbold introduced Isadora Mattfeld, Guest Page, from Eagle River.

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

**HB 101**

HOUSE BILL NO. 101 by Representative Wilson, entitled:

"An Act creating an affirmative defense and an exemption from payment of fines and restitution for a person who reports the person's own first-time unlawful taking of certain big game animals."

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

**HB 102**

HOUSE BILL NO. 102 by Representatives Kreiss-Tomkins and Grenn, entitled:

"An Act relating to instruction in a language other than English; and relating to limited teacher certificates."

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

**HB 103**

HOUSE BILL NO. 103 by Representative Spohnholz, entitled:

"An Act relating to the practice of optometry."

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

**HB 104**

HOUSE BILL NO. 104 by the House Judiciary Committee, entitled:

"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."

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

**HB 105**

HOUSE BILL NO. 105 by Representative Josephson, entitled:

"An Act establishing the Gordon Haber Denali Wolf Special Management Area."

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

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **THIRD READING OF HOUSE BILLS**

##### **HB 78**

The following, which was advanced to third reading from the February 1 calendar (page 159), was read the third time:

HOUSE BILL NO. 78

"An Act establishing the second Monday of October of each year as Indigenous Peoples Day."

The question being: "Shall HB 78 pass the House?" The roll was taken with the following result:

#AKH00018 02-03-2017 10:58:21

HB 78

Third Reading

Final Passage

**YEAS: 31 NAYS: 7 EXCUSED: 2 ABSENT: 0**

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Tuck, Westlake, Wool

Nays: Eastman, Johnson, Neuman, Rauscher, Reinbold, Tilton, Wilson

Excused: Kawasaki, Thompson

#AKH00018 END

And so, HB 78 passed the House and was referred to the Chief Clerk for engrossment.

#### **LEGISLATIVE CITATIONS**

Representative Tuck 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 - Gus Schumacher

By Representatives Millett, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Neuman, Ortiz, Parish, Pruitt, Rauscher, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool; Senator Meyer

In Memoriam - Edward Saggan Itta

By Representatives Westlake, Kawasaki, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kito, Kreiss-Tomkins, Kopp, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool

### **UNFINISHED BUSINESS**

Representative Tuck 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 Josephson – from 6:50 p.m., today to 10:00 a.m., February 5

Representative Kopp – from 2:00 p.m., February 4 to 1:30 a.m., February 6

Representative Neuman – from 1:00 p.m., today to 9:45 a.m., February 20

Representative Millett – from:

5:00 p.m., today to 10:00 a.m., February 6  
noon, February 10 to 10:00 a.m., February 13  
noon, February 24 to 10:00 a.m., February 27

### **SPECIAL ORDER OF BUSINESS**

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - John Straley, be taken up as a Special Order of Business.

Representative Kreiss-Tomkins objected and withdrew the objection.

There being no further objection, it was so ordered.

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

Honoring - John Straley

By Representatives Kreiss-Tomkins, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

### **UNFINISHED BUSINESS**

#### **HJR 7**

Representative Millett added as a cosponsor to:

##### HOUSE JOINT RESOLUTION NO. 7

Proposing an amendment to the Constitution of the State of Alaska relating to an appropriation limit.

#### **HB 3**

Representative Spohnholz added as a cosponsor to:

##### HOUSE BILL NO. 3

"An Act relating to the employment rights of employees in the state who are members of the National Guard of another state, territory, or district of the United States."

#### **HB 4**

Representative Kawasaki added as a cosponsor to:

##### HOUSE BILL NO. 4

"An Act relating to military facility zones."

**HB 7**

Representative Tuck added as a cosponsor to:

## HOUSE BILL NO. 7

"An Act relating to the exhibition of marked ballots."

**HB 15**

Representative Kawasaki added as a cosponsor to:

## HOUSE BILL NO. 15

"An Act relating to marriage, adoption, birth certificates, state custody of a minor, divorce, dissolution, and legal separation; replacing the terms 'husband' and 'wife' in certain statutes relating to loans, trusts, spousal immunity and confidential marital communications, probate and nonprobate transfers, life and health insurance, workers' compensation, and property ownership; and making conforming amendments."

**HB 23**

Representative Kopp added as a cosponsor to:

## HOUSE BILL NO. 23

"An Act relating to major medical insurance coverage under the Public Employees' Retirement System of Alaska for certain surviving spouses and dependent children of peace officers and firefighters; and providing for an effective date."

**HB 67**

Representative Millett added as a cosponsor to:

## HOUSE BILL NO. 67

"An Act prohibiting the Department of Health and Social Services from requesting, accepting, or attempting to renew or extend a waiver of work requirements or time limits for an able-bodied adult, without dependents, in the food stamp program."

**HB 68**

Representative Millett added as a cosponsor to:

**HOUSE BILL NO. 68**

"An Act relating to disqualification from the food stamp program for refusal to cooperate with the child support services agency or for past due child support payments; relating to the duties of the Department of Health and Social Services; and relating to the duties of the child support services agency."

**HB 80**

Representative Spohnholz added as a cosponsor to:

**HOUSE BILL NO. 80**

"An Act adopting the Municipal Property Assessed Clean Energy Act; authorizing municipalities to establish programs to impose assessments for energy improvements in regions designated by municipalities; imposing fees; and providing for an effective date."

**HB 92**

Representative Millett added as a cosponsor to:

**HOUSE BILL NO. 92**

"An Act relating to the appropriation limit."

**ENGROSSMENT****HB 78**

HB 78 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Tuck moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 6. There being no objection, the House adjourned at 11:13 a.m.

Crystaline Jones  
Chief Clerk