

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

**Juneau, Alaska**

**Wednesday**

**February 8, 2017**

**Twenty-third Day**

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:36 a.m.

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

The invocation was offered by the Chaplain, the Reverend Caroline Malseed of St. Brendan's Episcopal 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 the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer.

Spirit of holiness and goodness, who created all peoples, we thank you for the wonderful diversity of races, languages and cultures in our state. Enrich our lives by ever-widening circles of fellowship, and show us your presence in those who differ from us most, until our knowledge of your love is made perfect in our love and justice for all your children. We pray this honoring the divergent faiths and philosophies of every citizen of Alaska. Amen.

The Pledge of Allegiance was led by Representative Guttenberg.

**CERTIFICATION OF THE JOURNAL**

Representative Tuck moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease to allow members of the Senate to enter the Chamber; and so, the House stood at ease at 10:54 a.m.

**AFTER AT EASE**

The Speaker called the House back to order at 11:05 a.m.

**JOINT SESSION IN THE HOUSE**

In accordance with Uniform Rule 51, Speaker Edgmon turned the gavel over to President Kelly who called the joint session to order at 11:05 a.m.

The purpose of the joint session was to hear the State of the Judiciary Address by the Honorable Craig Stowers, Chief Justice of the Alaska Supreme Court.

Senator Micciche moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Kelly appointed Representative Fansler and Senator Costello to escort the Honorable Craig Stowers to the joint session.

The Senate Sergeant-at-Arms announced the Chief Justice's entrance into the House Chamber.

Chief Justice Stowers was escorted to the rostrum and welcomed by President Kelly.

The Chief Justice delivered his address, and it is published in House and Senate Joint Journal Supplement No. 3.

Chief Justice Stowers received a standing ovation and was escorted from the Chamber by Representative Fansler and Senator Costello.

Senator Micciche moved and asked unanimous consent that the joint session adjourn. There being no objection, President Kelly adjourned the joint session at 11:36 a.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

### IN THE HOUSE

The Speaker called the House back to order at 11:45 a.m.

### REPORTS OF STANDING COMMITTEES

The Judiciary Committee reviewed the qualifications of the following and recommends the appointment be forwarded to the House for ratification:

Joyce M. Anderson

as a member of the Select Committee on Legislative Ethics.

The report was signed by Representative Claman, Chair; and Representatives Eastman, Kopp, Kreiss-Tomkins, Fansler, LeDoux, and Reinbold.

### HB 31

The State Affairs Committee considered:

#### HOUSE BILL NO. 31

"An Act requiring the Department of Public Safety to develop a tracking system and collection and processing protocol for sexual assault examination kits; requiring law enforcement agencies to send sexual assault examination kits for testing within 18 months after collection; requiring an inventory and reports on untested sexual assault examination kits; and providing for an effective date."

The report was signed by Representative Kreiss-Tomkins, Chair, with the following individual recommendations:

Do pass (4): Wool, LeDoux, Birch, Kreiss-Tomkins

The following fiscal note(s) apply:

1. Fiscal, Dept. of Public Safety

HB 31 was referred to the Finance Committee.

**HB 44**

The Judiciary Committee considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 44

"An Act requiring a legislator to abstain from taking or withholding official action or exerting official influence that could benefit or harm an immediate family member or certain employers; requiring a legislator to request to be excused from voting in an instance where the legislator may have a financial conflict of interest; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
44(JUD)  
(same title)

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

Do pass (1): LeDoux

Do not pass (3): Kopp, Eastman, Reinbold

Amend (3): Kreiss-Tomkins, Fansler, Claman

The following fiscal note(s) apply to CSSSHB 44(JUD):

1. Zero, Legislative Agency

SSH 44 was referred to the State Affairs Committee.

**HB 77**

The Judiciary Committee considered:

HOUSE BILL NO. 77

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; 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, LeDoux, Claman

No recommendation (2): Eastman, Reinbold

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 77 was referred to the Rules Committee for placement on the calendar.

**HB 80**

The Community & Regional Affairs Committee 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 Representatives Fansler and Parish, Co-chairs, with the following individual recommendations:

Do pass (7): Westlake, Drummond, Saddler, Talerico, Rauscher, Fansler, Parish

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

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

HB 80 is on today's calendar.

**HB 85**

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 85

"An Act relating to the general grant land entitlement for the Petersburg Borough; and providing for an effective date."

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

Do pass (6): Westlake, Rauscher, Talerico, Drummond, Parish, Fansler

No recommendation (1): Saddler

The following fiscal note(s) apply:

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

HB 85 was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - Donna Austin  
By Representative Seaton; Senator Stevens

Honoring - Sharon Hopkins  
By Representative Seaton

Honoring - Pauline Mills  
By Representative Seaton

Honoring - Katie Blossom  
By Representative Seaton

Honoring - 2017 Top Five Kuskokwim 300 Finishers  
By Senator Hoffman; Representative Fansler

In Memoriam - Gary Superman  
By Representatives Chenault, Knopp

In Memoriam - Mary Diane Armitage  
By Representative Tilton

In Memoriam - H. Sally Smith  
By Representative Edgmon; Senator Hoffman

In Memoriam - Vera Angasan  
By Representative Edgmon; Senator Hoffman

In Memoriam - Michael Patrick Kelly  
By Senator Coghill

In Memoriam - Ruth Katherine Macchione  
By Senator Bishop

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 108**

HOUSE BILL NO. 108 by Representative Claman, entitled:

"An Act adopting and relating to the Revised Uniform Fiduciary Access to Digital Assets Act."

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

**HB 109**

HOUSE BILL NO. 109 by Representative Chenault, entitled:

"An Act relating to requiring persons employed in the classified, exempt, or partially exempt service of the state to be a state resident; and prohibiting persons who are subject to the Public Employment Relations Act from negotiating terms contrary to that residency requirement."

was read the first time and referred to the State Affairs and Judiciary Committees.

**HB 110**

HOUSE BILL NO. 110 by Representative Kito, entitled:

"An Act relating to the practice of massage therapy; relating to the Board of Massage Therapists; and providing for an effective date."

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

**HB 111**

HOUSE BILL NO. 111 by the House Resources Committee, entitled:

"An Act relating to the oil and gas production tax, tax payments, and credits; relating to interest applicable to delinquent oil and gas production tax; and providing for an effective date."

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

Representative Talerico rose to a point of order citing AS 24.08.060.

Representative Rauscher rose to a point of order.

The Speaker ruled the member out of order.

The Speaker ruled the introduction of HB 111 in order.

Representative Talerico appealed the ruling of the Chair.

Representative Saddler rose to a point of order.

The Speaker cautioned members to refrain from impugning the motives of other members.

The question being: "Shall the ruling of the Chair to introduce HB 111 be sustained?" The roll was taken with the following result:

HB 111

Sustain Ruling of the Chair

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

Yeas: Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Tarr, Tuck, Wool

Nays: Birch, Chenault, Johnson, Johnston, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Talerico, Thompson, Tilton, Wilson

Excused: Neuman, Westlake

And so, the motion passed.

**HB 112**

HOUSE BILL NO. 112 by Representative Claman, entitled:

"An Act relating to sexual assault by a peace officer against a person who is a victim, witness, or perpetrator of a crime."

was read the first time and referred to the State Affairs and Judiciary Committees.

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

#### **SECOND READING OF HOUSE BILLS**

##### **HB 80**

The following was read the second time:

##### 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."

with the:

Journal Page

ENE RPT CS(ENE) 5DP 2NR	177
FN1: ZERO(CED)	178
CRA RPT CS(ENE) 7DP	207
FN1: ZERO(CED)	208

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

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

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 80(ENE) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 80(ENE) will advance to third reading on the February 10 calendar.

### THIRD READING OF HOUSE BILLS

#### HB 16

The following, which was advanced to third reading from the February 6 calendar (page 196), was read the third time:

#### HOUSE BILL NO. 16

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

Representative Eastman moved and asked unanimous consent that HB 16 be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Eastman:

Page 2, lines 13 - 14:

Delete all material and insert:

**"(D) federal law concerning the treatment of persons with disabilities;"**

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

Representative Thompson objected.

Representative Eastman moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

Representative Millett moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and

she was required to vote.

The question being: "Shall HB 16 pass the House?" The roll was taken with the following result:

HB 16

Third Reading

Final Passage

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

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

Excused: Neuman, Westlake

And so, HB 16 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 citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam - Carolyn Stevens

By Senator Giessel; Representatives Birch, Edgmon, Chenault, Claman, Drummond, Fansler, Foster, Gara, Grenn, Guttenberg, Kawasaki, Johnson, Johnston, Josephson, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, 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 Chenault – from 1:00 p.m., February 10 to 8:00 a.m., February 13

Representative Claman – from 12:30 p.m., February 9 to 10:00 a.m., February 13

Representative Johnston – from 12:30 p.m., February 10 to 10:00 p.m., February 12

Representative LeDoux – from noon, February 10 to 8:00 p.m., February 19

Representative Reinbold – from noon, February 10 to 10:00 p.m., February 12

Representative Saddler – from 12:30 p.m., February 10 to 10:00 p.m., February 12; and from 6:30 p.m., February 24 to 10:30 a.m., February 27

Representative Spohnholz – from 1:00 p.m., February 10 to 11:00 p.m., February 12

Representative Wool – from 1:00 p.m., February 10 to 10:30 a.m., February 13

**HB 40**

The Speaker added a Judiciary Committee referral for the following:

HOUSE BILL NO. 40

"An Act prohibiting and providing penalties and civil remedies for trapping within 200 feet of certain public facilities, areas, and trails; and providing for an effective date."

HB 40 is in the Resources Committee with further referrals to the Judiciary and Finance Committees.

**HB 16**

Representatives Birch, Drummond, and Parish added as cosponsors to:

**HOUSE BILL NO. 16**

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

**HB 25**

Representative Spohnholz added as a cosponsor to:

**HOUSE BILL NO. 25**

"An Act relating to insurance coverage for contraceptives and related services; relating to medical assistance coverage for contraceptives and related services; and providing for an effective date."

**HB 52**

Representatives Parish and Spohnholz added as cosponsors to:

**HOUSE BILL NO. 52**

"An Act relating to providing a pre-elementary program within a school district; and providing for the certification of early childhood education plans."

**HB 80**

Representatives Kawasaki, Fansler, and Tarr added as cosponsors 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 93**

Representatives Rauscher and Tuck added as cosponsors to:

## HOUSE BILL NO. 93

"An Act relating to railroad rights-of-way."

**HB 102**

Representative Fansler added as a cosponsor to:

## HOUSE BILL NO. 102

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

**ENGROSSMENT****HB 16**

HB 16 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**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:

15 min. after Finance Subcommittee

Resources Committee

CHANGED TO:

20 min. after adjournment

**ADJOURNMENT**

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 10. There being no objection, the House adjourned at 1:18 p.m.

Crystaline Jones

Chief Clerk