

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

March 31, 2017

Seventy-fourth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:44 a.m.

Roll call showed 36 members present. Representatives Guttenberg, Pruitt, Spohnholz, and Stutes had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend Tari Stage-Harvey of Shepherd of the Valley 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.

Respecting the beliefs of all, I offer the following prayer.

Thank you, God, for Fridays. Thank you for endings; end of the week; end of the month. The passing of what has been.

Thank you for all those who once sat in these chairs and served in this place; those who've died; who've moved to other vocations; who've transitioned to other positions. Thank you for their presence and service. Thank you for endings that keep life and time in perspective. The comfort of knowing this too shall pass. Thank you for endings so we may know beginnings. Out of death comes life, out of the dust comes new creation.

This Friday help us give thanks for endings instead of fearing them. Then may we have the courage to do what is just for the most vulnerable, even if it challenges the powerful. Give us courage to listen for wisdom in our opponent's view even if it goes against our agenda. Give us the humility to remember we all will end and pass this land, this state onto generations to come. Endings remind us none of us are God, we do not have the complete picture, we need each other for wholeness and health. Thank you, God, for Fridays. Amen.

The Pledge of Allegiance was led by Representative Talerico.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 72nd and 73rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Kito introduced Hatcher Hild, Guest Page, from Boise, Idaho.

MESSAGES FROM THE SENATE

HB 143

A message dated March 29 was read stating the Senate passed:

HOUSE BILL NO. 143

"An Act naming the Daniel R. Fauske Building."

HB 143 was referred to the Chief Clerk for enrollment.

REPORTS OF STANDING COMMITTEES

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

John Jensen
Frederick (Fritz) Johnson
Reed Morisky

as members of the Board of Fisheries.

The report was signed by Representatives Josephson and Tarr, Co-chairs; and Representatives Talerico, Westlake, Drummond, Johnson, Rauscher, Birch, and Parish.

HB 42

The Judiciary Committee considered:

HOUSE BILL NO. 42

"An Act relating to seizure of property; relating to forfeiture to the state; relating to criminal law; amending Rules 3, 4, 11, 12, 16, 32, 32.2, 32.3, 39, 39.1, and 42, Alaska Rules of Criminal Procedure, Rules 501, 801, and 803, Alaska Rules of Evidence, and Rules 202, 209, and 217, Alaska Rules of Appellate Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 42(JUD)

"An Act relating to seizure of property; relating to forfeiture to the state; relating to criminal law; and providing for an effective date."

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

Do pass (4): Kopp, Kreiss-Tomkins, LeDoux, Claman

No recommendation (3): Eastman, Fansler, Reinbold

The following fiscal note(s) apply to CSHB 42(JUD):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Commerce, Community, & Economic Development
3. Fiscal, Judiciary

4. Fiscal, Dept. of Law
5. Fiscal, Dept. of Public Safety

HB 42 was referred to the Finance Committee.

HB 69

The Judiciary Committee submitted the following report to correct the report submitted on March 29 (page 778) for:

HOUSE BILL NO. 69

"An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 69(JUD)

"An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), 602(c) and (h), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

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

Do pass (3): Fansler, LeDoux, Claman

No recommendation (1): Eastman

The following fiscal note(s) apply to CSHB 69(JUD):

2. Zero, Judiciary
3. Fiscal, Dept. of Labor & Workforce Development

HB 69 is in the Rules Committee.

HB 82

The Transportation Committee considered:

HOUSE BILL NO. 82

"An Act relating to vehicle registration; relating to off-road system restricted noncommercial drivers' licenses; relating to off-highway commercial drivers' licenses; relating to off-road system eligible areas; and relating to motor vehicle liability insurance."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 82(STA)

"An Act relating to vehicle registration; relating to off-highway restricted areas; and relating to motor vehicle liability insurance."

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

Do pass (5): Claman, Drummond, Sullivan-Leonard, Kopp, Wool

No recommendation (1): Neuman

The following fiscal note(s) apply to CSHB 82(STA):

2. Zero, Dept. of Administration

HB 82 was referred to the Rules Committee for placement on the calendar.

HB 100

The Health & Social Services Committee considered:

HOUSE BILL NO. 100

"An Act establishing June 27 of each year as Post-Traumatic Stress Injury Awareness Day."

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

Do pass (5): Johnston, Tarr, Kito, Sullivan-Leonard, Spohnholz

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 100 was referred to the Rules Committee for placement on the calendar.

HB 108

The Judiciary Committee considered:

HOUSE BILL NO. 108

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 108(JUD)

"An Act adopting and relating to the Revised Uniform Fiduciary Access to Digital Assets Act; and relating to a specific electronic communications power that a principal may select for an agent under the statutory form power of attorney."

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

Do pass (2): LeDoux, Claman

No recommendation (5): Eastman, Kopp, Kreiss-Tomkins, Fansler, Reinbold

The following fiscal note(s) apply to CSHB 108(JUD):

1. Zero, Dept. of Law

HB 108 was referred to the Rules Committee for placement on the calendar.

HB 123

The Judiciary Committee considered:

HOUSE BILL NO. 123

"An Act relating to disclosure of health care services and price information; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 123(HSS)
(same title)

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

Do pass (1): Claman

No recommendation (1): Eastman

Amend (4): Kopp, Kreiss-Tomkins, Fansler, Reinbold

The following fiscal note(s) apply to CSHB 123(HSS):

1. Zero, Dept. of Health & Social Services

HB 123 was referred to the Rules Committee for placement on the calendar.

HB 155

The Resources Committee considered:

HOUSE BILL NO. 155

"An Act authorizing a land exchange in which certain Alaska mental health trust land is exchanged for certain national forest land and relating to the costs of the exchange; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 155(RES)
(same title)

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

Do pass (6): Westlake, Rauscher, Johnson, Birch, Parish, Talerico

No recommendation (3): Drummond, Josephson, Tarr

The following fiscal note(s) apply to CSHB 155(RES):

1. Zero, Dept. of Natural Resources

HB 155 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Bristol Bay Lady Angels 2017 Basketball, 2A State Champions

By Representative Edgmon; Senator Hoffman

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

Commemorating - Law Enforcement Memorial Day, May 5, 2017

By Representative Edgmon

Honoring - Bronson Frye
By Representative LeDoux; Senator Wielechowski

Honoring - Rick Irwin
By Representative LeDoux; Senator Wielechowski

Honoring - Galena Biomass Project
By Representative Foster; Senator Olson

In Memoriam - Theresa Margaret Runfolo
By Representatives Kawasaki, Guttenberg

In Memoriam - Father Norman Elliott
By Representatives Josephson, Drummond

In Memoriam - Dwight O. Foster
By Senator Coghill

In Memoriam - Gordon W. Johnston
By Senator Coghill

In Memoriam - Jeslie James Akootchook "Aku" Kaleak, Sr.
By Senator Olson; Representative Westlake

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 205

HOUSE BILL NO. 205 by Representatives Eastman, Millett, Chenault, Thompson, Wilson, Saddler, Reinbold, and Kopp, entitled:

"An Act prohibiting a municipality from adopting or enforcing a policy or ordinance relating to sanctuary jurisdictions; and providing for an effective date."

was read the first time and referred to the Community & Regional Affairs and Judiciary Committees.

HB 206

HOUSE BILL NO. 206 by Representatives Talerico, Drummond, and Chenault, entitled:

"An Act relating to an exemption for low-voltage projects from contractor requirements; and relating to an exemption from electrical administrator requirements."

was read the first time and referred to the House Special Committee on Energy and the Labor & Commerce Committee.

HB 207

HOUSE BILL NO. 207 by Representatives Wool and Thompson, entitled:

"An Act relating to the sale or other disposal, leasing, or encumbrance of Alaska Railroad Corporation land; and providing for an effective date."

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

HB 208

HOUSE BILL NO. 208 by Representatives Johnson, Claman, Sullivan-Leonard, and Thompson, entitled:

"An Act relating to trusts and powers of appointment; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 102**

The Speaker stated that, without objection, the following would be held to the April 3 calendar:

HOUSE BILL NO. 102

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

SECOND READING OF SENATE BILLS**SB 46**

The Speaker stated that, without objection, the following would be held to the April 3 calendar:

SENATE BILL NO. 46

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

THIRD READING OF HOUSE BILLS**HB 135**

The Speaker stated that, without objection, the following, which was advanced to third reading from the March 29 calendar (page 786), would be held to the April 3 calendar:

CS FOR HOUSE BILL NO. 135(EDC)

"An Act relating to school district participation in the school construction grant program."

THIRD READING OF HOUSE RESOLUTIONS**HJR 14**

The Speaker stated that, without objection, the following, which was advanced to third reading from the March 29 calendar (page 787), would be held to the April 3 calendar:

HOUSE JOINT RESOLUTION NO. 14

Urging the Federal Communications Commission to increase the Rural Health Care Program budget sufficiently to adjust for inflation, advances in technology and the services available with increased broadband, and the increase in demand for broadband-based services and provide for any unused funds to be carried forward to future funding years, ensuring that rural communities in the state continue to have access to affordable broadband telehealth services.

SECOND READING OF HOUSE BILLS

(continued)

HB 148

The following was read the second time:

HOUSE BILL NO. 148

"An Act relating to service areas in second class boroughs; and providing for an effective date."

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| with the: | Journal Page |
| CRA RPT 7DP | 451 |
| FN1: ZERO(CED) | 451 |

Representative Tuck moved and asked unanimous consent that HB 148 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 148 was read the third time.

The question being: "Shall HB 148 pass the House?" The roll was taken with the following result:

HB 148
Third Reading
Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1

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

Excused: Guttenberg, Pruitt, Spohnholz, Stutes

Absent: Gara

And so, HB 148 passed the House.

Representative Tuck 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.

HB 148 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 - Amy Cordell

By Representatives Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, 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

Honoring - Signe P. Andersen

By Representatives Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, 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; Senator Costello

Honoring - Courtney Fleischman

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

Honoring - Grace Christian School, 2017 3A Boys Basketball State Champions

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

Honoring - Delta Rifle Team

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

Honoring - World War I Veterans on the 100th Anniversary of America's Entry into the War

By Senator Bishop; Representatives Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, 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

In Memoriam - Christopher White

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

In Memoriam - Dale Tran

By Representatives Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, 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**HB 69**

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 69

"An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

HB 69 was removed from the Rules Committee and referred to the Finance Committee.

Representative Tuck 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 Kopp – from 6:00 p.m., today to 7:00 a.m., April 3

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Bristol Bay Lady Angels 2017 Basketball, 2A State Champions, be taken up as a Special Order of Business. There being no 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 - Bristol Bay Lady Angels 2017 Basketball, 2A State Champions

By Representatives Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, 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; Senator Hoffman

UNFINISHED BUSINESS**HCR 1**

Representative Parish added as a cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 1

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to voting and abstention from voting.

HB 83

Representative Parish added as a cosponsor to:

HOUSE BILL NO. 83

"An Act relating to new defined benefit tiers in the public employees' retirement system and the teachers' retirement system; providing certain employees an opportunity to choose between the defined benefit and defined contribution plans of the public employees' retirement system and the teachers' retirement system; and providing for an effective date."

HB 148

Representatives Saddler and Josephson added as cosponsors to:

HOUSE BILL NO. 148

"An Act relating to service areas in second class boroughs; and providing for an effective date."

HB 197

Representative Wilson added as a cosponsor to:

HOUSE BILL NO. 197

"An Act relating to the duties of the commissioner of natural resources; relating to agriculture; and relating to community seed libraries."

SB 46

Representatives Tuck and Gara added as cross sponsors to:

SENATE BILL NO. 46

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

ENGROSSMENT**HB 148**

HB 148 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ENROLLMENT**HB 143**

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 4:30 p.m., March 29:

HOUSE BILL NO. 143

"An Act naming the Daniel R. Fauske Building."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 3. There being no objection, the House adjourned at 11:51 a.m.

Crystalline Jones
Chief Clerk