

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
FIRST SPECIAL SESSION

Juneau, Alaska

Monday

May 22, 2017

Fifth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 2:06 p.m.

Roll call showed 33 members present. Representative Kopp had been excused from a call of the House today. Representative Wool was absent and was later excused.

Representative Tuck moved and asked unanimous consent that Representatives Claman, Fansler, Millett, Neuman, and Thompson be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Representative Stutes. Representative Westlake 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.

Father, we bring the needs of our state before you today and ask you to bless our state through Godly leaders. We pray for the members of the State Senate and House of Representatives to find your peace and direction and for these men and women to act and lead according to your word. A house divided against itself cannot stand, therefore, our prayer is for us to be unified in righteousness for the sake of the state.

We pray for your protection to cover all our law enforcement officers and the men and women of the military, as well as all of your children here on earth. We pray for you to heal the sick and ailing, O Lord.

Thank you, Father, for hearing our prayers that are in accordance to your will. Amen.

The Pledge of Allegiance was led by Representative Ortiz.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the first, second, third, and fourth legislative days of the first special session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 16

A message dated May 19 was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 16(RLS) am S

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to rights and responsibilities for drivers when encountering or being stopped by a peace officer; relating to a voluntary disability designation on a state identification card and a driver's license; relating to the implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

Chapter No. 8, SLA 2017

Effective Date: See Chapter

COMMUNICATIONS

The following was received:

Dept. of Administration
 Monetary Terms of Agreement between the State and the Public
 Safety Employees Association
 May 18, 2017
 (as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

INTRODUCTION OF CITATIONS

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

In Memoriam - Evelyn Jeanne Larson Bullock
 By Representative Ortiz

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 159**

The following was read the second time:

HOUSE BILL NO. 159

"An Act relating to the prescription of opioids; establishing the Voluntary Nonopioid Directive Act; relating to the controlled substance prescription database; relating to the practice of dentistry; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; relating to the practice of optometry; relating to the practice of veterinary medicine; related to the duties of the Board of Pharmacy; and providing for an effective date."

with the:

Journal Page

HSS RPT CS(HSS) NT 6DP
 FN1: ZERO(COR)

1058
 1058

FN2: ZERO(DHS)	1058
FN3: (CED)	1058
FIN RPT CS(FIN) NT 7DP 1DNP 3AM	1362
FN2: ZERO(DHS)	1362
FN3: (CED)	1362

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. 159(FIN)

"An Act relating to the prescription of opioids; relating to voluntary nonopioid directives; relating to the controlled substance prescription database; relating to the practice of dentistry; relating to the practice of pharmacy; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; relating to the practice of optometry; relating to the practice of veterinary medicine; relating to the duties of the Board of Pharmacy; relating to pharmacists; providing for an effective date by repealing the effective date of sec. 73, ch. 25, SLA 2016; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Saddler, Reinbold, Wilson, Tilton, Johnson, Birch, Pruitt, Rauscher, and Eastman:

Page 30, lines 15:

Delete "**and**"

Page 30, lines 15 - 16:

Delete " [, AND MAY NOT BE SHARED WITH THE FEDERAL GOVERNMENT]"

Insert ", and may not be shared with the federal government"

Page 31, line 8:

Delete "**federal**, state,"

Insert "state"

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

There was objection.

Amendment No. 1 to Amendment No. 1 was offered by Representative Spohnholz:

Under Page 31, line 8:
Delete all material.

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

Representative Wilson objected and withdrew the objection. There being no further objection, Amendment No. 1 to Amendment No. 1 was adopted.

The question being: "Shall Amendment No. 1 as amended be adopted?" The roll was taken with the following result:

CSHB 159(FIN)
Second Reading
Amendment No. 1 as amended

YEAS: 33 NAYS: 0 EXCUSED: 6 ABSENT: 1

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

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson

Absent: Wool

And so, Amendment No. 1 as amended was adopted.

Representative Tuck moved and asked unanimous consent that Representative Wool be excused from a call of the House today. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Eastman and Reinbold:

Page 5, lines 28 - 30:

Delete all material.

Page 12, line 17, following "action":

Delete "or harm to the patient"

Page 17, lines 28 - 30:

Delete all material.

Page 23, lines 6 - 8:

Delete all material.

Page 26, lines 16 - 17:

Delete all material.

Representative Eastman moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Spohnholz objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSHB 159(FIN) am

Second Reading

Amendment No. 2

YEAS: 11 NAYS: 22 EXCUSED: 7 ABSENT: 0

Yeas: Birch, Chenault, Eastman, Johnson, Knopp, Rauscher, Reinbold, Saddler, Talerico, Tilton, Wilson

Nays: Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Pruitt, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Tarr, Tuck, Westlake

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson, Wool

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives LeDoux, Wilson, and Reinbold:

Page 5, lines 26 - 27:

Delete all material.

Page 13, line 15:

Delete "[OR]"

Insert "or"

Page 13, line 21:

Delete "**or**"

Insert "."

Page 13, lines 22 - 23:

Delete all material.

Page 17, lines 26 - 27

Delete all material.

Renumber the following paragraph.

Representative LeDoux moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Spohnholz objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSHB 159(FIN) am

Second Reading

Amendment No. 3

YEAS: 10 NAYS: 23 EXCUSED: 7 ABSENT: 0

Yeas: Birch, Eastman, Johnson, LeDoux, Rauscher, Reinbold, Saddler, Talerico, Tilton, Wilson

Nays: Chenault, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Knopp, Kreiss-Tomkins, Ortiz, Parish, Pruitt, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Tarr, Tuck, Westlake

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson, Wool

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Reinbold and Eastman:

Page 32, lines 8 - 15:

Delete all material.

Renumber the following bill sections accordingly.

Representative Reinbold moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Spohnholz objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

CSHB 159(FIN) am
Second Reading
Amendment No. 4

YEAS: 9 NAYS: 24 EXCUSED: 7 ABSENT: 0

Yeas: Birch, Eastman, Johnson, LeDoux, Rauscher, Reinbold, Tilton, Tuck, Wilson

Nays: Chenault, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Knopp, Kreiss-Tomkins, Ortiz, Parish, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Westlake

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson, Wool

And so, Amendment No. 4 was not adopted.

Representative Tuck moved and asked unanimous consent that CSHB 159(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 159(FIN) am was read the third time.

The question being: "Shall CSHB 159(FIN) am pass the House?" The roll was taken with the following result:

CSHB 159(FIN) am
Third Reading
Final Passage

YEAS: 25 NAYS: 8 EXCUSED: 7 ABSENT: 0

Yeas: Birch, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kreiss-Tomkins, Ortiz, Parish, Pruitt, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Tuck, Westlake

Nays: Chenault, Eastman, LeDoux, Rauscher, Reinbold, Saddler, Tilton, Wilson

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson, Wool

And so, CSHB 159(FIN) am passed the House.

Representative Tuck moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 159(FIN) am
Third Reading
Effective Date

YEAS: 29 NAYS: 4 EXCUSED: 7 ABSENT: 0

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

Nays: Eastman, Reinbold, Tilton, Wilson

Excused: Claman, Fansler, Kopp, Millett, Neuman, Thompson, Wool

And so, the effective date clause was adopted.

CSHB 159(FIN) am was referred to the Chief Clerk for engrossment.

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 Guttenberg – from noon, May 23 to 7:00 p.m., May 24

Representative Kawasaki – from 12:30 p.m., May 23 to 10:30 a.m., May 25

HB 111

The Speaker appointed the following members to a Conference Committee:

Representative Tarr, Chair
Representative Josephson
Representative Talerico

to meet with a like committee from the Senate on the following:

CS FOR HOUSE BILL NO. 111(FIN)(efd fld)

"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; relating to carried-forward lease expenditures based on losses and limiting those lease expenditures to an amount equal to the gross value at the point of production of oil and gas produced from the lease or property where the lease expenditure was incurred; relating to information concerning tax credits, lease expenditures, and oil and gas taxes; relating to the disclosure of that information to the public; relating to an adjustment in the gross value at the point of production; and relating to a legislative working group."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 111(FIN)

"An Act relating to credits against the oil and gas production tax; relating to the applicability of certain credits earned under the oil and gas production tax to the tax on corporations; relating to tax

credit certificates against the oil and gas production tax and the issuance and assignment of those certificates; relating to interest applicable to delinquent taxes; relating to lease expenditures; relating to the oil and gas tax credit fund; and providing for an effective date."

The Chief Clerk notified the Senate.

HJR 9

Representative Drummond added as a cosponsor to:

HOUSE JOINT RESOLUTION NO. 9

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia.

ENGROSSMENT

HB 159

CSHB 159(FIN) am was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ENROLLMENT

HB 16

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 1:15 p.m., May 19:

SENATE CS FOR HOUSE BILL NO. 16(RLS) am S

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

implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

The following memorandum dated May 18 was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS HB 16(RLS) am S, which have been corrected in enrolling:

Page 2, line 17:

Delete "**people**"

Insert "**persons**"

Page 2, lines 21 - 22:

Delete "**Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 - 12165**"

Insert "**42 U.S.C. 12131 - 12165 (Title II of the Americans with Disabilities Act of 1990)**"

Page 3, line 26:

Delete "them"

Insert "those disabilities"

Page 4, line 1:

Delete "nurse practitioner"

Insert "practice registered nurse"

Page 8, line 30, following "on":

Insert "the"

Page 10, line 16, following "(4)":

Insert "display"

Page 10, line 18:

Delete "DISPLAY"

Page 11, line 2:

Delete "them"

Insert "those disabilities"

Page 11, lines 7 - 8:

Delete "nurse practitioner"

Insert "practice registered nurse"

Page 11, line 24:

Delete "and"

Insert "[AND]"

Page 12, line 9, following "times;":

Insert "**and**"

Page 12, line 26, following "16":

Insert "of this Act""

ANNOUNCEMENTS

Rule 23(d) of the Uniform Rules is in effect.

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:30 a.m., May 24 for a technical session. There being no objection, the House adjourned at 5:54 p.m.

Crystaline Jones
Chief Clerk