

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

February 23, 2018

Thirty-ninth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:40 a.m.

Roll call showed 36 members present. Representative Tilton had been excused from a call of the House today. There was one vacancy.

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 – today (amended from page 2511)

Representative Johnson – from today to 11:00 a.m., February 26

The invocation was offered by the Chaplain, the Reverend Dr. Douglas Dye of Chapel by the Lake Presbyterian Church. Representative Ortiz moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I invite you to bow your heads as I pray.

Great Creator God, the Psalmist declares, "Sing to the Lord a new song; for he has done marvelous things ... Let the sea resound and everything in it ... Let the rivers clap their hands, let the mountains sing together for joy. (Psalm 98:1, 7-8)

So Heavenly Father, I thank you this amazing land – Alaska, which you have placed us in. I thank you for its teeming seas, its soaring mountains, its vast forests and tundra, for its breath-taking landscapes. For all of it, O God, I praise you.

I also thank you for the people of this "last frontier". I thank you for the diverse ways you have created us. We live in isolated homesteads, villages, small towns, and cities. Each place offers unique opportunities and challenges. Help us, O God, to create safe and prosperous communities for the people of our beloved Alaska.

Today, as these public servants gather to do the work of our state, help them to serve Alaska well. Remind them that they are stewards of an extraordinary place – beautiful and blessed beyond measure. Give them wisdom to govern well, grant them joy in their labors, empower them to work together to make Alaska a fair and just place for all. And, O God, grant them health and well-being.

I pray these things in the name of my Lord, Jesus. Amen.

The Pledge of Allegiance was led by Representative Johnston.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 37th and 38th legislative days and Senate and House Joint Journal Supplement No. 16 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Birch introduced his grandchildren, Mason and Ellie Birch, Guest Pages, from Anchorage.

MESSAGES FROM THE GOVERNOR

The following letter dated February 22 was read:

"Dear Speaker Edgmon:

Pursuant to my authority under Article II, Section 4 of the Alaska Constitution, I have appointed Tiffany Zulkosky to fill the vacancy in the Alaska State House, District 38.

Subject to confirmation by the House Democrats, Tiffany Zulkosky will hold this office for the remainder of the unexpired term for House District 38.

Sincerely,

/s/

Bill Walker
Governor"

MESSAGES FROM THE SENATE

HCR 16

A message dated February 21 was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 16

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 6, relating to the regulation and production of industrial hemp; relating to industrial hemp pilot programs; providing that industrial hemp is not included in the definition of "marijuana"; and clarifying that adding industrial hemp to food does not create an adulterated food product.

HCR 16 was referred to the Chief Clerk for enrollment.

SB 6

A message dated February 21 was read stating the Senate concurred in the House amendment to:

CS FOR SENATE BILL NO. 6(JUD)

"An Act relating to the regulation and production of industrial hemp; relating to industrial hemp pilot programs; providing that industrial hemp is not included in the definition of 'marijuana'; and clarifying that adding industrial hemp to food does not create an adulterated food product."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 6(FIN)(efd add H)

"An Act relating to the regulation and production of industrial hemp; relating to industrial hemp pilot programs; providing that industrial hemp is not included in the definition of 'marijuana'; providing that cannabidiol oil is not included in the definition of 'hashish oil'; clarifying that adding industrial hemp to food does not create an adulterated food product; and providing for an effective date."

(HCR 16 - title change resolution)

A message dated February 21 was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 125

CS FOR SENATE BILL NO. 125(CRA) by the Senate Community & Regional Affairs Committee, entitled:

"An Act extending the expiration date of the authorization to finance and issue bonds through the Alaska Industrial Development and Export Authority for a liquefied natural gas production system and natural gas distribution system for an Interior energy project; and providing for an effective date."

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

COMMUNICATIONS

The following letter dated February 23 was read:

"Dear Governor Walker:

This letter affirms that the members of the House of Representatives who are Democrats unanimously confirmed the Governor's appointment of Tiffany Zulkosky to fill the vacant seat in House District 38 on February 22, 2018.

I sign this letter on behalf of Alaska House Democrats and other members of the Alaska House Majority Coalition.

Sincerely,

/s/

Bryce Edgmon
Speaker of the House"

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 Bar, Board of Governors of the Alaska.

Jeffrey Stubblefield

as a member of the Violent Crimes Compensation Board.

The reports were signed by Representative Claman, Chair; and Representatives Eastman, Kopp, Kreiss-Tomkins, Stutes, LeDoux, and Reinbold.

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

Dennis "Skip" Cook

as a member of the Select Committee on Legislative Ethics.

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

The State Affairs Committee reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Leslie Ridle

as Commissioner of the Department of Administration.

The report was signed by Representative Kreiss-Tomkins, Chair; and Representatives Tuck, Birch, Knopp, LeDoux, and Johnson.

HB 152

The State Affairs Committee considered:

HOUSE BILL NO. 152

"An Act relating to the organized militia; and relating to the authority of the adjutant general."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 152(STA)

(same title)

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

Do pass (2): Tuck, Kreiss-Tomkins

Do not pass (1): Knopp

No recommendation (3): Birch, Wool, LeDoux

The following fiscal note(s) apply to CSHB 152(STA):

2. Zero, Dept. of Military & Veterans' Affairs

HB 152 was referred to the Rules Committee for placement on the calendar.

HB 264

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 264

"An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 264(CRA)

(same title)

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

Do pass (1): Drummond

Do not pass (2): Saddler, Talerico

Amend (3): Lincoln, Kreiss-Tomkins (alternate), Parish

The following fiscal note(s) apply to CSHB 264(CRA):

1. Fiscal, Dept. of Revenue

HB 264 was referred to the Labor & Commerce Committee.

HB 306

The Labor & Commerce Committee considered:

HOUSE BILL NO. 306

"An Act relating to disbursement options under the Public Employees' Retirement System of Alaska and the Teachers' Retirement System of Alaska for participants in the defined contribution plan; and providing for an effective date."

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

Do pass (4): Sullivan-Leonard, Wool, Birch, Kito

Do not pass (1): Knopp

No recommendation (1): Josephson

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 306 was referred to the Finance Committee.

HB 307

The Judiciary Committee considered:

HOUSE BILL NO. 307

"An Act requiring a person who commits certain offenses under the code of military justice to register as a sex offender or child kidnapper; relating to the Servicemembers Civil Relief Act; relating to contracts made by a member of the organized militia; relating to nonjudicial punishment of members of the organized militia; relating to offenses subject to court-martial proceedings; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 307(JUD)

"An Act requiring a person who commits certain offenses under the code of military justice to register as a sex offender or child kidnapper; relating to the Servicemembers Civil Relief Act; relating to contracts made by servicemembers; relating to nonjudicial punishment of members of the organized militia; relating to offenses subject to court-martial proceedings; and providing for an effective date."

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

Do pass (6): Kopp, Kreiss-Tomkins, Stutes (alternate), LeDoux, Reinbold, Claman

No recommendation (1): Eastman

The following fiscal note(s) apply to CSHB 307(JUD):

1. Zero, Dept. of Military & Veterans' Affairs
2. Zero, Dept. of Public Safety

HB 307 was referred to the Rules Committee for placement on the calendar.

HB 321

The Finance Committee considered:

HOUSE BILL NO. 321

"An Act making supplemental appropriations and other appropriations; making an appropriation to capitalize a fund; amending appropriations; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 321(FIN)

"An Act making supplemental appropriations, capital appropriations, and other appropriations; making appropriations to capitalize funds; amending appropriations; and providing for an effective date."

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

Do pass (4): Gara, Ortiz, Seaton, Foster

No recommendation (3): Thompson, Guttenberg, Grenn

Amend (4): Wilson, Kawasaki, Pruitt, Neuman (alternate)

HB 321 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

In Memoriam - James D. Balamaci
By Representative Millett

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

Honoring - Linda Lord-Jenkins
By Representative Saddler

Honoring - Colonel Suellyn Wright-Novak
By Representative Saddler; Senator MacKinnon

Honoring - Thomas Barrett
By Representative Millett

Honoring - Charles "Chuck" C.E. Robinson
By Representatives Millett, Kito

Honoring - Robert Penny
By Representative Millett

Honoring - Dimitri Philemonof
By Representatives Millett, Edgmon; Senator Hoffman

Honoring - Alaska Congressional Delegation on Opening ANWR
By Representative Millett

Honoring - Prudhoe Bay Oil Field Discovery, 50th Anniversary
By Senator Giessel; Representatives Lincoln, Rauscher

In Memoriam - Harold George Brown
By Representative Sullivan-Leonard; Senator Meyer

In Memoriam - Mildred Elizabeth Minnick
By Representatives Sullivan-Leonard, Tilton

In Memoriam - Marilyn Hahn Herreid
By Representatives Guttenberg, Wool

In Memoriam - Florence "Nuz" Doyle
By Senator Olson; Representative Foster

In Memoriam - Katherine Stettinger
By Senator Olson; Representative Foster

In Memoriam - Matthew Ryan Oliver
By Senator Olson; Representative Foster

In Memoriam - Howard Frederick "Qaqkigliulaq" Lincoln
By Senator Olson; Representative Foster

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 397

HOUSE BILL NO. 397 by the House Finance Committee, entitled:

"An Act relating to a surcharge on oil produced in the state;
establishing the Arctic transportation and resource access fund;
and providing for an effective date."

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

HB 398

HOUSE BILL NO. 398 by the House Finance Committee, entitled:

"An Act relating to the allocation and apportionment of income of
a public utility for purposes of the Alaska Net Income Tax Act;
and providing for an effective date."

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

HB 399

HOUSE BILL NO. 399 by the House Finance Committee, entitled:

"An Act disallowing a federal tax credit as a credit against the corporate net income tax; repealing a provision allowing the exclusion of certain royalties accrued or received from foreign corporations for purposes of the corporate net income tax; repealing the reduced rate for the alternative tax on capital gains for corporations; repealing an exemption from filing a return under the corporate net income tax for a corporation engaged in a contract under the Alaska Stranded Gas Development Act; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 302

The following was read the second time:

HOUSE BILL NO. 302

"An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date."

with the:	Journal Page
L&C RPT 5DP	2399
FN1: (CED)	2399
FIN RPT 6DP 4NR	2418
FN1: (CED)	2418

Representative Tuck moved and asked unanimous consent that HB 302 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 302 will advance to third reading on the February 26 calendar.

THIRD READING OF HOUSE BILLS**HB 213**

The Speaker stated that, without objection, the following, which was held to today's calendar (page 2508), would be held to the February 26 calendar:

CS FOR HOUSE BILL NO. 213(FIN)

"An Act relating to the investment, appropriation, and administration of the public school trust fund; and providing for an effective date."

HB 298

The following, which was advanced to third reading from the February 21 calendar (page 2508), was read the third time:

HOUSE BILL NO. 298

"An Act relating to the number of superior court judges in the first judicial district; and providing for an effective date."

The question being: "Shall HB 298 pass the House?" The roll was taken with the following result:

HB 298

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 3 ABSENT: 0 VACANT: 1

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

Excused: Chenault, Johnson, Tilton

And so, HB 298 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 298 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:

In Memoriam - Ruth L. Nelson

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

In Memoriam - Paul Leroy Newcomer

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

In Memoriam - Myra Heaps

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

UNFINISHED BUSINESS

HB 90

Representative Kito moved and asked unanimous consent to withdraw the following:

HOUSE BILL NO. 90

"An Act relating to occupational licensing fees; relating to an occupational investigation surcharge; and providing for an effective date."

There being no objection, HB 90 was withdrawn.

HB 50

Representative Kito moved and asked unanimous consent to withdraw the following:

HOUSE BILL NO. 50

"An Act relating to the procurement of architectural, engineering, or land surveying services for state-funded contracts."

There being no objection, HB 50 was withdrawn.

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 Neuman – from 1:00 p.m., today to 10:00 a.m., February 26

Representative Reinbold – from:

noon, March 2 to 10:00 p.m., March 4

noon, March 23 to 10:00 a.m., March 26

Representative Saddler – from 3:30 a.m., February 26 to 9:30 a.m., March 1

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - James D. Balamaci, 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:

In Memoriam - James D. Balamaci

By Representatives Millett, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Foster, Gara, Grenn, Guttenberg, Johnston,

Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tuck, Wilson, Wool

UNFINISHED BUSINESS

HJR 12

The following memorandum dated February 22 was received from Lora Brown, Enrolling Secretary, Division of Legal and Research Services, regarding:

CS FOR HOUSE JOINT RESOLUTION NO. 12(FSH)

Opposing the United States Food and Drug Administration's approval of AquaBounty AquAdvantage genetically engineered salmon; and urging the United States Congress to enact legislation that requires prominently labeling genetically engineered salmon and salmon products with the words "Genetically Modified" on the product's packaging.

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in CSHJR 12(FSH), which have been corrected in enrolling:

Page 3, line 6, following the second occurrence of "the":

Insert "Honorable Sonny Perdue,"

Page 3, line 6, following the third occurrence of "the":

Insert "Honorable Scott Gottlieb, M.D.,""

HCR 25

Representative Foster added as a cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 25

Requesting the Governor to establish an office of outdoor access and recreation.

HJR 27

Representatives Reinbold and Rauscher added as cosponsors to:

HOUSE JOINT RESOLUTION NO. 27

Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators.

HJR 38

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

HOUSE JOINT RESOLUTION NO. 38

Relating to certain conveyances to the Alaska Railroad Corporation under the Alaska Railroad Transfer Act of 1982.

HB 38

Representative Rauscher added as a cosponsor to:

HOUSE BILL NO. 38

"An Act relating to the calculation and payment of workers' compensation benefits in the case of permanent partial impairment; relating to the calculation and payment of workers' compensation death benefits payable to a child of an employee where there is no surviving spouse; relating to the calculation and payment of workers' compensation death benefits for an employee without a surviving spouse or child; relating to notice of workers' compensation death benefits; and providing for an effective date."

HB 75

Representative Drummond added as a cosponsor to:

HOUSE BILL NO. 75

"An Act relating to gun violence protective orders; relating to the crime of violating a protective order; relating to a central registry for protective orders; relating to the powers of district judges and magistrates; requiring physicians, psychologists, psychological associates, social workers, marital and family therapists, and licensed professional counselors to report annually threats of gun violence; and amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration."

HB 83

Representative Kawasaki 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 217

Representative Kawasaki added as a cosponsor to:

HOUSE BILL NO. 217

"An Act relating to the Alaska Food, Drug, and Cosmetic Act; relating to the sale of milk, milk products, raw milk, and raw milk products; and providing for an effective date."

HB 310

Representative Rauscher added as a cosponsor to:

HOUSE BILL NO. 310

"An Act relating to the minimum age of eligibility for marriage."

HB 313

Representative Eastman added as a cosponsor to:

HOUSE BILL NO. 313

"An Act relating to payments to providers and covered persons and recovery of payments by health care insurers."

HB 316

Representative Spohnholz removed as a cosponsor to:

HOUSE BILL NO. 316

"An Act relating to the sealing of certain court records; restricting the publication of certain records of convictions on a publicly available website; relating to public records; and amending Rule 37.6, Alaska Rules of Administration."

HB 395

Representative Kopp added as a cosponsor to:

HOUSE BILL NO. 395

"An Act relating to participation of certain peace officers and firefighters in the defined benefit and defined contribution plans of the Public Employees' Retirement System of Alaska; relating to eligibility of peace officers and firefighters for medical benefits; and providing for an effective date."

SB 125

Representative Kawasaki added as a cross sponsor to:

CS FOR SENATE BILL NO. 125(CRA)

"An Act extending the expiration date of the authorization to finance and issue bonds through the Alaska Industrial Development and Export Authority for a liquefied natural gas production system and natural gas distribution system for an Interior energy project; and providing for an effective date."

ENGROSSMENT**HB 298**

HB 298 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ENGROSSMENT AND ENROLLMENT**HR 6**

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:41 p.m., February 21.

HOUSE RESOLUTION NO. 6 am

Urging the United States Department of the Interior to maintain three lease sales in the Chukchi Sea and Beaufort Sea Planning Areas and two lease sales in the Cook Inlet Planning Area and to remove certain potential lease sales.

House Resolve No. 6

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., February 26. There being no objection, the House adjourned at 11:52 a.m.

Crystaline Jones
Chief Clerk