

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION

Juneau, Alaska

Thursday

May 16, 2019

First Day

Pursuant to the Governor's proclamation, dated May 15 calling the legislature into special session, the House was called to order by Speaker Edgmon at 10:14 a.m.

Roll call showed 39 members present. Representative Kreiss-Tomkins was absent.

The invocation was offered by the Chaplain, Representative Stutes. Representative Shaw moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Please bow your heads with me and let us pray silently together, according to our individual beliefs:

Let us be thankful for the beauty of Alaska.

Let us have the strength to rise to our challenges.

Let us look to the future with hope.

Let our thoughts be guided by compassion.

Let our actions reflect love, kindness, and justice.

Let us be good stewards of Alaska. Amen.

The Pledge of Allegiance was led by Representative Story.

CERTIFICATION OF THE JOURNAL

Representative Thompson moved and asked unanimous consent that the journal for the 121st legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE**HCR 9**

A message dated May 15 was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 9

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 44, relating to the prescription of drugs by a physician assistant without physical examination.

HCR 9 was referred to the Chief Clerk for enrollment.

HCR 11

A message dated May 15 was read stating the Senate passed:

HOUSE CONCURRENT RESOLUTION NO. 11

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 43, extending the termination date of the Big Game Commercial Services Board; and relating to a person's eligibility to hold a registered guide-outfitter license, master guide-outfitter license, class-A assistant guide license, assistant guide license, or transporter license.

HCR 11 was referred to the Chief Clerk for enrollment.

SB 16

A message dated May 15 was read stating the Senate concurred in the House amendment to CSSB 16(FIN) thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 16(FIN) am H

"An Act relating to certain alcoholic beverage licenses and permits; relating to the bond requirement for certain alcoholic beverage license holders; and providing for an effective date."

SB 43

A message dated May 15 was read stating the Senate concurred in the House amendment to:

CS FOR SENATE BILL NO. 43(FIN)

"An Act extending the termination date of the Big Game Commercial Services Board; relating to a person's eligibility to hold a registered guide-outfitter license, master guide-outfitter license, class-A assistant guide license, assistant guide license, or transporter license; and providing for an effective date."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 43(FIN) am H

"An Act extending the termination date of the Board of Barbers and Hairdressers; extending the termination date of the Big Game Commercial Services Board; relating to a person's eligibility to hold a registered guide-outfitter license, master guide-outfitter license, class-A assistant guide license, assistant guide license, or transporter license; and providing for an effective date."

(HCR 11 - title change resolution)

SB 44

A message dated May 15 was read stating the Senate concurred in the House amendment to:

CS FOR SENATE BILL NO. 44(FIN)

"An Act relating to the prescription of drugs by a physician assistant without physical examination; and providing for an effective date."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 44(FIN)

"An Act relating to the prescription of drugs by a physician assistant without physical examination; relating to prescription drugs under the medical assistance program; and providing for an effective date."

(HCR 9 - title change resolution)

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 10:19 a.m.

AFTER RECESS

The Speaker called the House back to order at 1:08 p.m.

REPORTS OF SPECIAL COMMITTEES**HB 49**

The Conference Committee considering:

CS FOR HOUSE BILL NO. 49(FIN) am

"An Act relating to criminal law and procedure; relating to pretrial services; establishing the crime of possession of motor vehicle theft tools; relating to electronic monitoring; relating to controlled substances; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to operating under the influence; relating to refusal to submit to a chemical test; relating to the duties of the commissioner of corrections; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6) and 38.2, Alaska Rules of Criminal Procedure; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 49(FIN) am S

"An Act relating to criminal law and procedure; relating to marriage as a defense to certain crimes of sexual assault; establishing the crime of possession of motor vehicle theft tools; relating to controlled substances; relating to electronic monitoring; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to the automated victim notification system; relating to reporting child abuse or neglect; relating to Alaska Native organizations; relating to the village public safety officer program; relating to cancellation of a driver's license; relating to driving while license canceled; relating to operating under the influence; relating to restoration of a driver's license; relating to refusal to submit to a chemical test; relating to the use of headlights; relating to the

powers and duties of the commissioner of corrections; relating to pretrial services; relating to the duties of a prosecuting attorney; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6), 38.2, and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date."

(SCR 7 – title change resolution)

requests limited powers of free conference on the following specific point(s):

- Sections 31, 50, 99 (House)
- Sections 39, 40, 51, 55, 68, 72, 73, 74, 94, 95, 101, 108, 109, 112, 124, 125, 145, 157, 158 (Senate)
- Remaining sections related to pretrial services: 62, 67, 104, 105, 106, 107, 128, 149, 150 (Senate)

The request was signed by Representatives Claman (Chair), Kopp, Pruitt; and Senators Hughes (Chair), Shower, Wielechowski.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 1001

HOUSE BILL NO. 1001 by the House Rules Committee by request of the Governor, entitled:

"An Act making appropriations for public education and transportation of students; repealing appropriations; and providing for an effective date."

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

The Governor's transmittal letter dated May 16 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill to appropriate money to fund education for Fiscal Year 2020 (FY 2020).

Attorney General Kevin G. Clarkson issued a formal Attorney General Opinion on May 8, 2019 concluding that the appropriation in last year's HB 287 that attempted to appropriate future revenues for education in FY 2020 is unconstitutional. Despite this opinion, neither the operating nor the capital budgets have included any funding for FY 2020 education by the legislature.

Education is one of the most important obligations of the State, and it is vital that we have constitutionally valid funding to send out to school districts come July 1. As it stands right now, that does not exist, and we cannot rely on an unconstitutional appropriation. This bill provides the appropriation necessary to ensure the State can legally distribute funds for education.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy
Governor"

UNFINISHED BUSINESS

SB 10

Representative Story added as a cross sponsor to:

SENATE BILL NO. 10

"An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of May 6.

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Thompson moved and asked unanimous consent that the House adjourn until 3:00 p.m., May 20. There being no objection, the House adjourned at 1:11 p.m.

Crystalline Jones
Chief Clerk