

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

THIRTY-THIRD LEGISLATURE

SECOND SESSION

Juneau, Alaska

Wednesday

April 24, 2024

One Hundredth Day

Pursuant to adjournment the House was called to order by Speaker Tilton at 10:54 a.m.

Roll call showed 39 members present. Representative Foster had been excused from a call of the House today.

The invocation was offered by the Chaplain, Kirk Thorsteinson of Alaska Army National Guard. Representative Vance moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

It's good to be back! And right here, right now. There is no other place I want to be. Friends, Americans, Alaskans, lend me your ears for this invocation. Let us pray:

Loving Law Giver, I invite your presence with us on the 68th anniversary of the ratification of the Constitution of our amazing State of Alaska by the amazing people of Alaska! Help us to reflect upon this governing document, and learn it, know it, live it.

True Vine, it is said, "The one who plants trees, knowing that he will never sit in their shade, has at least started to understand the meaning of life." Alaska is honored to have been selected to provide the 2024 U.S. Capitol Christmas tree. An annual symbol of hope and celebration, this year, "The People's Tree" will come from the Tongass National Forest!

HOUSE JOURNAL

2390

April 24, 2024

Branch of Righteousness, just as roots from trees in America's largest national forest grow laterally and intertwine, help us to intentionally begin new relationships, maintain current ones, and restore old ones as healthy and appropriate. So that when the wind of adversity and wind of change come, we will see that "A cord of three strands is not quickly torn apart."

Please take us this day to the magic of the moment and help us dream dreams that honor you, each other, and Alaska. Amen.

The Pledge of Allegiance was led by Representative McCormick.

CERTIFICATION OF THE JOURNAL

Representative Saddler moved and asked unanimous consent that the journal for the 98th and 99th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

SB 46

A message dated April 23 was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR SENATE BILL NO. 46(STA)

"An Act establishing the month of March as Brain Injury Awareness Month; and providing for an effective date."

Chapter No. 2, SLA 2024

Effective Date: April 24, 2024

SB 93

A message dated April 23 was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 93(L&C) am

"An Act relating to claims for injury, disability, or heart attack

HOUSE JOURNAL

April 24, 2024

2391

payable from the fishermen's fund; relating to claims against protection and indemnity insurance policies of vessel owners; relating to the definition of 'occupational disease'; and providing for an effective date."

Chapter No. 3, SLA 2024
Effective Date: April 24, 2024

MESSAGES FROM THE SENATE

A message dated April 22 was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 20

CS FOR SENATE JOINT RESOLUTION NO. 20(CRA) by the Senate Community and Regional Affairs Committee:

Urging the United States Congress to address outages of Automated Weather Observing System stations and Automated Surface Observing System stations occurring in the state.

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

FIRST READING AND REFERENCE OF SENATE BILLS

SB 152

CS FOR SENATE BILL NO. 152(L&C) by the Senate Labor and Commerce Committee, entitled:

"An Act relating to community energy facilities."

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

HOUSE JOURNAL

2392

April 24, 2024

SB 171

SENATE BILL NO. 171 by Senator Bjorkman, entitled:

"An Act changing the residency requirements for sport fishing, hunting, and trapping privileges; and providing for an effective date."

was read the first time and referred to the Resources Committee and the House Special Committee on Fisheries.

SB 189

SENATE BILL NO. 189 by Senators Kawasaki, Tobin, Gray-Jackson, and Stevens, entitled:

"An Act extending the termination date of the Alaska Commission on Aging; and providing for an effective date."

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

SB 239

SENATE BILL NO. 239 by Senator Dunbar, entitled:

"An Act relating to the Alaska Industrial Development and Export Authority; and relating to workforce housing development projects."

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

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:

James Baichtal
Jake Garner

as members of the Board of Game.

The report was signed by Representative McKay, Chair; and Representatives Saddler, Baker, Rauscher, Dibert, Armstrong, Mears, and McCabe.

HB 116

The Finance Committee considered:

HOUSE BILL NO. 116

"An Act relating to appropriations from the restorative justice account."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 116(STA)

"An Act relating to grants and costs funded by the restorative justice account; relating to the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

The report was signed by Representatives Edgmon and D. Johnson, Co-chairs, with the following individual recommendations:

Do pass (8): Cronk, Ortiz, Coulombe, Josephson, Hannan, Galvin, Edgmon, D. Johnson

No recommendation (1): Stapp

The following fiscal note(s) apply to CSHB 116(STA):

3. Fiscal, House Finance Committee/Dept. of Corrections
4. Fiscal, House Finance Committee/Dept. of Public Safety

HB 116 was referred to the Rules Committee.

HB 150

The Labor & Commerce Committee considered:

HOUSE BILL NO. 150

"An Act relating to residential building codes; relating to construction contractors and residential contractor endorsements; and providing for an effective date."

HOUSE JOURNAL

2394

April 24, 2024

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 150(L&C)

"An Act relating to residential building codes; relating to construction contractors and residential contractor endorsements; establishing the Alaska State Building Code Council; and providing for an effective date."

The report was signed by Representative Ruffridge, Vice-chair, with the following individual recommendations:

Do pass (3): Fields, Carrick, Wright

No recommendation (3): Prax, Saddler, Ruffridge

The following fiscal note(s) apply to CSHB 150(L&C):

1. Indeterminate, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Revenue

HB 150 was referred to the Rules Committee.

HB 187

The Labor & Commerce Committee considered:

HOUSE BILL NO. 187

"An Act relating to utilization review entities; exempting certain health care providers from making preauthorization requests for certain services; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 187(L&C)

"An Act relating to utilization review entities; relating to prior authorization requests; and providing for an effective date."

The report was signed by Representative Ruffridge, Vice-chair, with the following individual recommendations:

Do pass (2): Wright, Ruffridge

Do not pass (1): Prax

No recommendation (3): Carrick, Fields, Saddler

The following fiscal note(s) apply to CSHB 187(L&C):

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

HB 187 was referred to the Rules Committee.

HB 226

The Labor & Commerce Committee considered:

HOUSE BILL NO. 226

"An Act relating to the Board of Pharmacy; relating to insurance; relating to pharmacies; relating to pharmacists; relating to pharmacy benefits managers; relating to patient choice of pharmacy; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 226(L&C)

"An Act relating to insurance; relating to pharmacy benefits managers; relating to dispensing fees; and providing for an effective date."

The report was signed by Representative Ruffridge, Vice-chair, with the following individual recommendations:

Do pass (4): Wright, Carrick, Saddler, Ruffridge

Do not pass (1): Prax

No recommendation (1): Fields

The following fiscal note(s) apply to CSHB 226(L&C):

HOUSE JOURNAL

2396

April 24, 2024

4. Zero, Dept. of Administration
5. Zero, Dept. of Commerce, Community, & Economic Development
6. Zero, Dept. of Commerce, Community, & Economic Development

HB 226 was referred to the Finance Committee.

HB 233

The Labor & Commerce Committee considered:

HOUSE BILL NO. 233

"An Act relating to rates and time allowances for motor vehicle warranty work."

The report was signed by Representative Ruffridge, Vice-chair, with the following individual recommendations:

Do pass (2): Wright, Carrick

No recommendation (4): Fields, Prax, Saddler, Ruffridge

The following fiscal note(s) apply:

1. Zero, Office of the Governor/Combined

HB 233 was referred to the Transportation Committee.

HB 264

The Rules Committee considered:

CS FOR HOUSE BILL NO. 264(HSS) am

"An Act requiring the Department of Family and Community Services to develop a shared screening methodology; requiring shelters for runaway minors to screen minors for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; requiring the Department of Family and Community Services to screen children in need of aid for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; and relating to the duty of the Department of Family and Community Services to investigate the experiences of missing children in need of aid who have been located."

HOUSE JOURNAL

April 24, 2024

2397

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 264(RLS)
(same title)

The report was signed by Representative C. Johnson, Chair, with the following individual recommendations:

Do pass (3): Shaw, Tilton, C. Johnson

No recommendation (1): Schrage

Amend (1): Fields

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

1. Zero, Dept. of Family and Community Services
2. Zero, Dept. of Family and Community Services

CSHB 264(HSS) am was returned to the Rules Committee.

SB 77

The Rules Committee considered:

CS FOR SENATE BILL NO. 77(CRA) am
"An Act relating to municipal property tax; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 77(RLS)
(same title)

The report was signed by Representative C. Johnson, Chair, with the following individual recommendations:

Do pass (1): Fields

No recommendation (5): Schrage, Shaw, Allard, Tilton, C. Johnson

HOUSE JOURNAL

2398

April 24, 2024

The following fiscal note(s) apply to HCS CSSB 77(RLS):

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

CSSB 77(CRA) am was returned to the Rules Committee.

SB 159

The Rules Committee considered:

SENATE BILL NO. 159

"An Act establishing Alaska Veterans' Poppy Day; and providing for an effective date."

The report was signed by Representative C. Johnson, Chair, with the following individual recommendations:

Do pass (5): Schrage, Shaw, Fields, Tilton, C. Johnson

No recommendation (1): Allard

The following fiscal note(s) apply:

1. Zero, Office of the Governor/Combined

SB 159 was returned to the Rules Committee.

SB 256

The State Affairs Committee considered:

SENATE BILL NO. 256

"An Act establishing May as Amyotrophic Lateral Sclerosis Awareness Month; and providing for an effective date."

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

Do pass (4): C. Johnson, Story, Wright, Shaw

No recommendation (1): Carpenter

HOUSE JOURNAL

April 24, 2024

2399

The following fiscal note(s) apply:

1. Zero, Office of the Governor/Combined

SB 256 was referred to the Rules Committee.

UNFINISHED BUSINESS

SJR 20

Representative McCormick, Chair, moved and asked unanimous consent that Uniform Rule 23(a) be waived so the Community & Regional Affairs Committee may hear the following at 8:00 a.m., April 25:

CS FOR SENATE JOINT RESOLUTION NO. 20(CRA)

Urging the United States Congress to address outages of Automated Weather Observing System stations and Automated Surface Observing System stations occurring in the state.

There being no objection, it was so ordered.

INTRODUCTION OF CITATIONS

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

In Memoriam – Michael Barton

By Senator Kiehl; Representatives Story, Hannan

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

Honoring – Kim Larson

By Representatives Story, Hannan; Senator Kiehl

Honoring – Jerry Dzugan

By Representative Himschoot; Senator Stedman

Honoring – Erica Kludt-Painter

By Representative Himschoot; Senator Stedman

HOUSE JOURNAL

2400

April 24, 2024

Honoring – Petersburg High School Boys Basketball Team, 2024 2A State Champions

By Representative Himschoot; Senator Stedman

Honoring – Kenai Peninsula College, 60th Anniversary

By Representative Ruffridge

Honoring – Hooper Bay Warriors Girls 2A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Scammon Bay Eagles Girls 1A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Shaktoolik Wolverines Boys 1A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Shaktoolik Wolverines Girls 1A Basketball Team, 2024 State Tournament Third Place

By Representative Foster; Senator Olson

Honoring – Unalakleet Wolfpack Boys 2A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Unalakleet Wolfpack Girls 2A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Shishmaref Northern Lights Boys 1A Basketball Team, 2024 Alaska State Tournament

By Representative Foster; Senator Olson

Honoring – Hooper Bay Warriors Boys 2A Basketball Team, 2024 Alaska State Tournament Second Place

By Representative Foster; Senator Olson

HOUSE JOURNAL

April 24, 2024

2401

Honoring – Nome Nanooks 3A Boys Basketball Team, 2024 Alaska State Tournament Champions
By Representative Foster; Senator Olson

Honoring – Scammon Bay Eagles Boys 1A Basketball Team, 2024 Alaska State Tournament
By Representative Foster; Senator Olson

Honoring – Leslie Rohr
By Senator Bjorkman; Representative Ruffridge

Honoring – Emma Beck
By Senator Bjorkman; Representative Ruffridge

Honoring – Kenai Kardinals 3A Volleyball Team, Alaska State Champions
By Senator Bjorkman; Representative Ruffridge

Honoring – 2024 Lathrop High School Academic Decathlon Champions
By Senator Myers; Representatives Tomaszewski, Stapp

In Memoriam – Paz "Pacita" Dirksen
By Representative Josephson

In Memoriam – Paul Miranda
By Representatives Josephson, Fields

In Memoriam – Gloria Virginia "Ginny" Packer
By Representative Himschoot; Senator Stedman

In Memoriam – Robert "Bob" Patrick Owens
By Senators Claman, Dunbar; Representative Fields

SPECIAL ORDER OF BUSINESS

Representative Saddler moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam – Michael Barton, be taken up as a Special Order of Business. There being no objection, it was so ordered.

HOUSE JOURNAL

2402

April 24, 2024

Representative Saddler 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 – Michael Barton
By Senator Kiehl; Representatives Story, Hannan

SENSE OF THE HOUSE

The following Sense of the House was offered by Representative C. Johnson:

"WHEREAS in the early days of the correspondence program, local public schools would use the post office or float planes to send lessons and tests to students in the rural reaches of the state, and then pick the assignments up to grade them;

WHEREAS in 1997, lawmakers expanded the program to allow parents to receive reimbursement for certain education supplies. In 2014, the law was broadened even further to allow correspondence schools to reimburse parents who choose a variety of alternative education options;

WHEREAS Alaska a sparsely populated state, we face some unique challenges in ensuring all students receive a quality education, and the correspondence school program was created to address these issues. Since its creation, thousands of Alaska students have benefitted from the program;

WHEREAS since the passage of legislation in 2014, roughly 10% of Alaska school enrollment has shifted from school buildings to correspondence programs, with the pace of the shift accelerating over the past four years;

WHEREAS correspondence programs allow students across Alaska to be home-schooled under the authority of local school districts. For the past decade, state law has allowed families to utilize funds for education-related expenses;

HOUSE JOURNAL

April 24, 2024

2403

WHEREAS on April 12, 2024, Alaska Superior Court Judge Adolf Zeman ruled that the allotment system violates a section of the state constitution that prohibits public money being spent "for the direct benefit of any religious or other private educational institution.";

WHEREAS the 33-page decision if allowed to go into effect could potentially have major implications for the nearly 20,000 correspondence school students in Alaska and the state's public education system more broadly;

WHEREAS the full implications of that decision remains unclear, many believe that if this ruling were to stand, there would be no public correspondence school options in Alaska, and families currently in correspondence school would be forced to pay for what is otherwise public schooling out of their own pockets;

WHEREAS the plaintiffs plan to seek a stay, putting the ruling on hold, until the end of the fiscal year in June in order not to disrupt the school year and allow time for an expedited appeal to the Alaska Supreme Court. The state also plans to appeal, according to the Governor in a social media post;

AND WHEREAS the Alaska Department of Education and Early Development is advising state school districts to continue business as usual after a legal decision struck down the core of the state's correspondence school programs until a final decision from the courts is handed down;

BE IT RESOLVED that it's a Sense of the House that this body file an amicus brief supporting a stay of the decision in *Alexander v. Teshner*, (3AN-23-04309CI), at the Alaska Supreme Court until June 30, 2025, in order to give the Alaska State Legislature sufficient time following any final court decision to pass appropriate legislation complying with the Supreme Court's decision, if that becomes necessary;

BE IT FURTHER RESOLVED that a stay of the Superior Court's decision provides the most stability to Alaska's public education system and protects the tens of thousands of students, families, and educational vendors that are integral to the public correspondence school option;

HOUSE JOURNAL

2404

April 24, 2024

BE IT FURTHER RESOLVED that this is clearly recognized by all sides of the litigation, as even the plaintiffs that brought the case believe a stay of some length is warranted;

AND BE IT FURTHER RESOLVED that a stay through June 30, 2025, allows for the Alaska State Legislature to review any decision from the Alaska Supreme Court and take a measured approach to amending the public correspondence school program."

Representative C. Johnson moved and asked unanimous consent that the Sense of the House be adopted.

Representative Josephson objected.

Representative Schrage, citing Mason's Manual Section 111, rose to a point of order regarding discussing matters awaiting adjudication before a judicial tribunal.

The Speaker ruled that discussion of the matter was in order.

Amendment No. 2 was offered by Representative Eastman:

Page 2, following "BE IT RESOLVED"

Delete "that it's a Sense of the House that this body"

Insert "that certain members of this body should, at their discretion,"

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

Representative McCabe objected.

**Representative Shaw, who was excused (page 2309), left the Chamber.

Representatives Stapp, Tomaszewski, Vance, Eastman, and Ruffridge moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and they were required to vote.

HOUSE JOURNAL

April 24, 2024

2405

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

Sense of the House
Amendment No. 2

YEAS: 3 NAYS: 34 EXCUSED: 2 ABSENT: 1

Yea: Gray, Josephson, Ortiz

Nay: Allard, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Eastman, Edgmon, Fields, Galvin, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, McCabe, McCormick, McKay, Mears, Mina, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

Absent: Armstrong

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Fields:

Pages 1-2:

Delete all material.

Insert: "It is the Sense of the House that we support a stay of the recent court decision."

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

Representative McCabe objected.

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

Sense of the House
Amendment No. 3

YEAS: 15 NAYS: 22 EXCUSED: 2 ABSENT: 1

Yea: Carrick, Dibert, Fields, Galvin, Gray, Groh, Hannan, Himschoot, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

HOUSE JOURNAL

2406

April 24, 2024

Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, Edgmon, C.Johnson, D.Johnson, Josephson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

Absent: Armstrong

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Schrage:

Pages 1-2:

Delete all material.

Insert "Whereas Alaska's education system is facing a severe crisis.

Be it further resolved the Alaska State House is committed to addressing the crises facing Alaska's schools through the passage of a comprehensive education solution."

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

Representative C. Johnson objected.

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

Sense of the House
Amendment No. 4

YEAS: 17 NAYS: 20 EXCUSED: 2 ABSENT: 1

Yeas: Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

Absent: Armstrong

HOUSE JOURNAL

April 24, 2024

2407

And so, Amendment No. 4 was not adopted.

Amendment No. 1 was offered by Representative Fields:

Page 2, following the second occurrence of "June 30,":

Delete "2025"

Insert "2024"

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

Representative Stapp objected.

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

Sense of the House

Amendment No. 1

YEAS: 18 NAYS: 20 EXCUSED: 2 ABSENT: 0

Yea: Armstrong, Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

Nay: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 1 was not adopted.

The question being: "Shall the Sense of the House be adopted?" The roll was taken with the following result:

Sense of the House

YEAS: 20 NAYS: 18 EXCUSED: 2 ABSENT: 0

Yea: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Nay: Armstrong, Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

HOUSE JOURNAL

2408

April 24, 2024

Excused: Foster, Shaw

And so, the Sense of the House was adopted.

The Speaker stated that, without objection, the House would recess to a Call of the Chair; and so, the House recessed at 1:45 p.m.

AFTER RECESS

The Speaker called the House back to order at 7:18 p.m.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 254

The following, which was held from the April 22 calendar (page 2371) was read the second time:

HOUSE BILL NO. 254

"An Act relating to liability for publishing or distributing pornography to minors on the Internet."

with the:	Journal Page
L&C RPT 1DP 1DNP 3NR 1AM	1799
FN1: ZERO(GOV/COMBINED)	1799
JUD RPT CS(JUD) 4DP 1DNP 1NR	1866
FN1: ZERO(GOV/COMBINED)	1866

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

CS FOR HOUSE BILL NO. 254(JUD)
(same title)

Representative Eastman objected and withdrew the objection. There being no further objection, CSHB 254(JUD) was adopted.

HOUSE JOURNAL

April 24, 2024

2409

Amendment No. 1 was offered by Representative Gray:

Page 1, line 8, following "shall":

Insert "display on the website the warning label "restricted to adults" or"

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

Representative Ruffridge objected.

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

Page 1, line 2 of the amendment:

Delete "or"

Insert "and"

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

Representative Gray objected.

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

CSHB 254(JUD)

Second Reading

Amendment No. 1 to Amendment No. 1

YEAS: 21 NAYS: 17 EXCUSED: 2 ABSENT: 0

Yeas: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, Josephson, McCabe, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Nays: Armstrong, Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, McCormick, McKay, Mears, Mina, Schrage, Story, Stutes

Excused: Foster, Shaw

And so, Amendment No. 1 to Amendment No. 1 was adopted.

HOUSE JOURNAL

2410

April 24, 2024

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

Amendment No. 2 was offered by Representative Gray:

Page 1, lines 1 - 2 (title amendment):

Delete "liability for publishing or distributing pornography to minors on the Internet"

Insert "minors and the Internet"

Page 4, following line 17:

Insert a new bill section to read:

/* Sec. 2. AS 44.30 is amended by adding a new section to read:

Article 3. Parental Control Software Reimbursement.

Sec. 44.30.150. Parental control software reimbursement program. (a) The department shall administer a parental control software reimbursement program.

(b) The department shall reimburse a parent who applies for reimbursement and provides the department with sufficient documentation of an expenditure on parental control software for a child's Internet-connected device. The department may reimburse a parent up to \$100 for parental control software for each child each year. The department shall adjust the amount of the reimbursement annually to reflect changes in the Consumer Price Index for all urban consumers for urban Alaska compiled by the Bureau of Labor Statistics, United States Department of Labor.

(c) If the amount appropriated in a fiscal year is insufficient to reimburse each applicant, the department shall distribute the available funds on a pro rata basis.

(d) The department may adopt regulations necessary to implement this section.

(e) In this section,

(1) "department" means the Department of Family and Community Services;

(2) "parent" means a

(A) child's natural or adoptive parent;

(B) child's guardian, but not the state if the child is in the legal custody of the state;

(C) person who is acting in the place of a child's

HOUSE JOURNAL

April 24, 2024

2411

natural or adoptive parent, such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare; and

(D) child's surrogate parent who has been appointed under AS 14.30.325."

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

Representative Saddler objected.

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

CSHB 254(JUD)

Second Reading

Amendment No. 2

YEAS: 21 NAYS: 17 EXCUSED: 2 ABSENT: 0

Yea: Armstrong, Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, McKay, Mears, Mina, Ortiz, Prax, Schrage, Story, Stutes, Sumner

Nay: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, Rauscher, Ruffridge, Saddler, Stapp, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 2 was adopted and the new title follows:

CS FOR HOUSE BILL NO. 254(JUD) am
"An Act relating to minors and the Internet."

Amendment No. 3 was offered by Representative Gray:

Page 1, line 2, following "**Internet**" (title amendment):

Insert "**; and relating to use of social media by minors**"

Page 4, following line 17:

Insert a new bill section to read:

"* **Sec. 2.** AS 45.50 is amended by adding new sections to read:

Article 5A. Social Media Platforms and Minors.

Sec. 45.50.650. User age restrictions. (a) A social media platform may not allow a minor under 14 years of age who is a resident of the state to enter into a contract with the platform to create or maintain an account on the platform.

(b) A social media platform may not allow a minor who is 14 or 15 years of age and a resident of the state to enter into a contract with the platform to create or maintain an account on the platform without first obtaining written consent from the minor's confirmed parent.

(c) A social media platform shall verify the age of each user of the platform in the state using a commercially reasonable age verification method. In this subsection, "commercially reasonable age verification method" includes requiring the user to provide a digitized identification card, requiring the person to comply with a commercial age verification system that verifies age using government-issued identification, or another method that relies on public or private transactional data.

(d) A third party that obtains identifying information about a user to verify age under (c) of this section may not retain the information after the user's age has been verified.

Sec. 45.50.660. Account termination and deletion of personal information. (a) A social media platform shall terminate the account of

(1) a minor under 14 years of age; and

(2) a minor who is 14 or 15 years of age whose confirmed parent has not provided written consent for the minor to maintain the account.

(b) A social media platform shall provide a 90-day period during which a minor user or a minor user's confirmed parent may dispute the termination of an account under (a) of this section. Termination takes effect after 90 days if the minor user or the minor user's confirmed parent does not effectively dispute the termination.

(c) A social media platform shall allow a minor user under 16 years of age or the minor user's confirmed parent to request to terminate the minor's account. Account termination under this subsection must take effect within 10 business days after the termination request.

(d) A social media platform shall permanently delete all

personal information held by the social media platform related to an account terminated under this section, unless the social media platform is required by law to retain the information.

Sec. 45.50.670. Enforcement and penalties. (a) If a third party providing age verification under AS 45.50.650(c) or social media platform violates AS 45.50.650 - 45.50.690, the attorney general may bring an action in superior court to seek injunctive relief, civil penalties, or other appropriate remedies.

(b) A third party providing age verification under AS 45.50.650(c) or social media platform that violates AS 45.50.650 - 45.50.690 is subject to a civil penalty of not more than \$10,000 for each violation.

(c) When determining the amount of a civil penalty under this section, the superior court shall consider

- (1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;
- (2) the history of prior violations;
- (3) the deterrent effect of the civil penalty;
- (4) the economic effect of the civil penalty on the violator;
- (5) the violator's knowledge of the requirements of AS 45.50.650 - 45.50.690; and
- (6) any other information that justice requires.

Sec. 45.50.680. Private right of action. If a third party providing age verification under AS 45.50.650(c) or social media platform violates AS 45.50.650 - 45.50.690, a parent or other person with legal custody of a minor user who is harmed by the violation may bring an action against the platform in superior court to seek actual damages, punitive damages, attorney fees, and costs.

Sec. 45.50.690. Definitions. In AS 45.50.650 - 45.50.690,

(1) "confirmed parent" means a parent or other person who has legal custody of a minor under 16 years of age and whose identity and relationship to the minor have been verified by a social media platform;

(2) "minor" means an individual under 18 years of age who has not had the disabilities of a minor removed as described in AS 09.55.590;

(3) "social media platform" means an online service, application, or Internet website that is available to the general

HOUSE JOURNAL

2414

April 24, 2024

public and that allows users to create, share, or view user-generated content, including text, images, videos, or audio; "social media platform" does not include an online service, application, or Internet website that exclusively provides

(A) electronic mail services; or

(B) direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and a recipient, without displaying or posting to other users not specifically identified as a recipient by the sender;

(4) "user" means a person who accesses or uses a social media platform."

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

Representative McCormick objected.

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

CSHB 254(JUD) am

Second Reading

Amendment No. 3

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

Yeas: Armstrong, Baker, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Himschoot, C.Johnson, D.Johnson, Josephson, McKay, Mears, Mina, Ortiz, Prax, Ruffridge, Schrage, Stapp, Story, Stutes, Sumner, Tomaszewski, Wright

Nays: Allard, Carpenter, Carrick, Eastman, Hannan, McCabe, McCormick, Rauscher, Saddler, Tilton, Vance

Excused: Foster, Shaw

And so, Amendment No. 3 was adopted and the new title follows:

CS FOR HOUSE BILL NO. 254(JUD) am

"An Act relating to minors and the Internet; and relating to use of social media by minors."

Amendment No. 4 was offered by Representative Eastman:

HOUSE JOURNAL

April 24, 2024

2415

Page 4, line 14, following "material":
Insert "on a webpage"

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

Representative Armstrong objected.

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

CSHB 254(JUD) am

Second Reading

Amendment No. 4

YEAS: 6 NAYS: 32 EXCUSED: 2 ABSENT: 0

Yeas: Carrick, Eastman, D.Johnson, Rauscher, Ruffridge, Tomaszewski

Nays: Allard, Armstrong, Baker, Carpenter, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was not offered.

Amendment No. 6 was offered by Representative Eastman:

Page 2, following line 7:

Insert a new subsection to read:

"(c) An entity that acts with gross negligence when verifying age under (a) of this section is liable to an individual for damages resulting from a minor accessing pornography because of the entity's gross negligence."

Reletter the following subsections accordingly.

HOUSE JOURNAL

2416

April 24, 2024

Page 2, line 9, following "section":

Insert "or an entity alleged to have acted with gross negligence when verifying age under (a) of this section"

Page 2, following line 18:

Insert a new subsection to read:

"(f) In addition to damages under (c) of this section, an entity that acts with gross negligence when verifying age under (a) of this section is liable to the state in a civil action for

(1) a civil penalty of not more than \$250,000 for each individual harmed if, as a result of the entity's gross negligence, a minor accesses pornography; and

(2) full reasonable attorney fees and costs."

Page 2, line 19:

Delete "(d)(2)"

Insert "(e)(2) and (f)(1)"

Representative Eastman moved and asked unanimous consent that Amendment No. 6 be adopted.

There was objection.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

CSHB 254(JUD) am

Second Reading

Amendment No. 6

YEAS: 9 NAYS: 28 EXCUSED: 2 ABSENT: 1

Yeas: Carrick, Eastman, Fields, Galvin, D.Johnson, Josephson, Prax, Ruffridge, Tomaszewski

Nays: Allard, Armstrong, Baker, Carpenter, Coulombe, Cronk, Dibert, Edgmon, Gray, Groh, Hannan, Himschoot, C.Johnson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Rauscher, Saddler, Schrage, Story, Stutes, Sumner, Tilton, Vance, Wright

Excused: Foster, Shaw

Absent: Stapp

And so, Amendment No. 6 was not adopted.

HOUSE JOURNAL

April 24, 2024

2417

Amendment No. 7 was offered by Representative Eastman:

Page 2, line 15, following "\$250,000":

Insert "for each individual harmed"

Representative Eastman moved and asked unanimous consent that Amendment No. 7 be adopted.

There was objection.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

CSHB 254(JUD) am

Second Reading

Amendment No. 7

YEAS: 7 NAYS: 31 EXCUSED: 2 ABSENT: 0

Yeas: Eastman, Galvin, Himschoot, Josephson, Ortiz, Ruffridge, Tomaszewski

Nays: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Gray, Groh, Hannan, C.Johnson, D.Johnson, McCabe, McCormick, McKay, Mears, Mina, Prax, Rauscher, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 7 was not adopted.

Amendment No. 8 was offered by Representative Eastman:

Page 1, line 10, following "older.":

Insert "When the commercial entity invites the person to use the commercially reasonable age verification method, the entity shall prominently display a message to inform the person that the webpage contains adult material."

Representative Eastman moved and asked unanimous consent that Amendment No. 8 be adopted.

HOUSE JOURNAL

2418

April 24, 2024

There was objection.

The question being: "Shall Amendment No. 8 be adopted?" The roll was taken with the following result:

CSHB 254(JUD) am

Second Reading

Amendment No. 8

YEAS: 18 NAYS: 20 EXCUSED: 2 ABSENT: 0

Yeas: Armstrong, Carrick, Eastman, Fields, Galvin, Himschoot, D.Johnson, Josephson, Ortiz, Prax, Rauscher, Ruffridge, Schrage, Stapp, Story, Stutes, Sumner, Tomaszewski

Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Dibert, Edgmon, Gray, Groh, Hannan, C.Johnson, McCabe, McCormick, McKay, Mears, Mina, Saddler, Tilton, Vance, Wright

Excused: Foster, Shaw

Allard changed from "YEA" to "NAY"

Armstrong changed from "NAY" to "YEA"

D.Johnson changed from "NAY" to "YEA"

Fields changed from "NAY" to "YEA"

McCabe changed from "YEA" to "NAY"

Tilton changed from "YEA" to "NAY"

And so, Amendment No. 8 was not adopted.

Amendment No. 9 was offered by Representative Eastman:

Page 2, following line 28:

Insert a new subsection to read:

"(f) A commercial entity that intentionally publishes or distributes in this state material that is proscribed under AS 11.61.127 is liable to an individual for damages resulting from a minor accessing the material."

Reletter the following subsections accordingly.

Representative Eastman moved and asked unanimous consent that Amendment No. 9 be adopted.

HOUSE JOURNAL

April 24, 2024

2419

There was objection.

The question being: "Shall Amendment No. 9 be adopted?" The roll was taken with the following result:

CSHB 254(JUD) am

Second Reading

Amendment No. 9

YEAS: 16 NAYS: 22 EXCUSED: 2 ABSENT: 0

Yea: Armstrong, Eastman, Galvin, Gray, Groh, Himschoot, Josephson, Mina, Ortiz, Ruffridge, Schrage, Stapp, Story, Stutes, Sumner, Tomaszewski

Nay: Allard, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Hannan, C.Johnson, D.Johnson, McCabe, McCormick, McKay, Mears, Prax, Rauscher, Saddler, Tilton, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 9 was not adopted.

Representative Saddler moved and asked unanimous consent that CSHB 254(JUD) am be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 254(JUD) am will advance to third reading on the April 26 calendar.

HB 285

The following was read the second time:

HOUSE BILL NO. 285

"An Act relating to insurance; relating to mammograms; and providing for an effective date."

HOUSE JOURNAL

2420

April 24, 2024

with the:

Journal Page

L&C RPT 3DP 4NR	1944
FN1: ZERO(CED)	1944
HSS RPT 5DP 1NR	2317
FN1: ZERO(CED)	2317

Amendment No. 1 was offered by Representative Eastman:

Page 2, line 20, following "insured":

Insert "who is female"

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

Representative Stapp objected.

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

HB 285
Second Reading
Amendment No. 1

YEAS: 1 NAYS: 37 EXCUSED: 2 ABSENT: 0

Yeas: Eastman

Nays: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 1 was not adopted.

Representative Saddler moved and asked unanimous consent that HB 285 be considered engrossed, advanced to third reading, and placed on final passage.

HOUSE JOURNAL

April 24, 2024

2421

There was objection.

HB 285 will advance to third reading on the April 26 calendar.

HB 309

The following was read the second time:

HOUSE BILL NO. 309

"An Act relating to the practice of optometry; and relating to the delegation of routine services of optometry."

with the:

Journal Page

HSS RPT 3DP 2NR	2035
FN1: ZERO(CED)	2035
L&C RPT 4DP 2NR	2294
FN1: ZERO(CED)	2294

Amendment No. 1 was offered by Representative Eastman:

Page 1, line 1, following "Act" (title amendment):

Insert **"relating to the practice of chiropractic; relating to the delegation of routine services of chiropractic to chiropractic clinical assistants; relating to the scope of practice of chiropractic clinical assistants;"**

Page 1, following line 3:

Insert a new bill section to read:

"* **Section 1.** AS 08.20.168(b) is repealed and reenacted to read:

(b) The board shall adopt regulations authorizing a person licensed under this chapter to delegate routine services of chiropractic to a chiropractic clinical assistant. The regulations must

(1) require that the chiropractic clinical assistant perform duties delegated under this subsection only if the chiropractic clinical assistant meets applicable standards established by the board; and

(2) define the phrase "routine services of chiropractic.""

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 2**"

HOUSE JOURNAL

2422

April 24, 2024

Renumber the following bill sections accordingly.

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

There was objection.

Representative McCabe, citing Mason's Manual Section 402, rose to a point of order stating that Amendment No. 1 was not germane.

The Speaker ruled that Amendment No. 1 was germane.

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

HB 309

Second Reading

Amendment No. 1

YEAS: 1 NAYS: 37 EXCUSED: 2 ABSENT: 0

Yea: Eastman

Nays: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Eastman:

Page 1, line 1, following "Act" (title amendment):

Insert **"relating to the practice of dentistry; relating to the delegation of routine services of dentistry to dental assistants; relating to the scope of practice of dental assistants;"**

Page 1, following line 3:

Insert a new bill section to read:

**** Section 1.** AS 08.36.346(a) is repealed and reenacted to read:

(a) The board shall adopt regulations authorizing a licensed dentist to delegate routine services of dentistry to a dental assistant. The regulations must

(1) require that the dental assistant may perform duties delegated under this paragraph only if the dental assistant meets applicable standards established by the board;

(2) prohibit a licensed dentist from delegating duties related to pain management and opioid use and addiction; and

(3) define the phrase "routine services of dentistry."

*** Sec. 2.** AS 08.36.347 is amended by adding a new subsection to read:

(c) In this section, "direct supervision" means a dentist licensed in this state is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and, before dismissal of the patient, evaluates the performance of the dental assistant."

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 3**"

Renumber the following bill sections accordingly.

Page 2, following line 30:

Insert a new bill section to read:

"* Sec. 6. AS 08.36.342, 08.36.344, 08.36.346(b), and 08.36.349 are repealed."

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

Representative Ruffridge objected.

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

HB 309

Second Reading

Amendment No. 2

HOUSE JOURNAL

2424

April 24, 2024

YEAS: 1 NAYS: 37 EXCUSED: 2 ABSENT: 0

Yea: Eastman

Nay: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Eastman:

Page 1, line 4, through page 2, line 30:

Delete all material and insert:

"* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

DELEGATION OF ROUTINE SERVICES OF OPTOMETRY.

(a) The Board of Examiners in Optometry shall adopt regulations authorizing an optometrist licensed under AS 08.72 to delegate routine services of optometry to an agent of the optometrist. The regulations must

(1) require that an agent who is not licensed under AS 08.72 may perform duties delegated under this subsection only if the agent meets applicable standards established by the Board of Examiners in Optometry;

(2) prohibit the optometrist from delegating duties related to pain management and opioid use and addiction; and

(3) define the phrase "routine services of optometry."

(b) Notwithstanding AS 08.72.110 or 08.72.280, an agent of an optometrist does not violate AS 08.72 by practicing optometry under (a) of this section without a license.

* **Sec. 2.** Section 1 of this Act is repealed July 1, 2026."

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

Representative Ruffridge objected.

HOUSE JOURNAL

April 24, 2024

2425

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

HB 309

Second Reading

Amendment No. 3

YEAS: 3 NAYS: 35 EXCUSED: 2 ABSENT: 0

Yea: Eastman, Josephson, Ortiz

Nay: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, McCabe, McCormick, McKay, Mears, Mina, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Eastman:

Page 2, following line 30:

Insert new bill sections to read:

"* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REGULATIONS RELATING TO AGENTS OF OPTOMETRISTS. The regulations adopted by the board under AS 08.72.050(7), added by sec. 1 of this Act, must require that an agent of an optometrist performing routine services of optometry be an individual.

* **Sec. 5.** Section 4 of this Act is repealed July 1, 2026."

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

Representative Ruffridge objected.

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

HOUSE JOURNAL

2426

April 24, 2024

HB 309

Second Reading

Amendment No. 4

YEAS: 3 NAYS: 35 EXCUSED: 2 ABSENT: 0

Yea: Eastman, Sumner, Tomaszewski

Nays: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Tilton, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representative Carrick:

Page 1, lines 1 - 2 (title amendment):

Delete "**the delegation of routine services of optometry**"

Insert "**optometric assistants**"

Page 1, line 4, through page 2, line 8:

Delete all material.

Page 2, line 9:

Delete "**Sec. 2**"

Insert "**Section 1**"

Renumber the following bill section accordingly.

Page 2, lines 10 - 11:

Delete "**for the practice of routine services of optometry delegated under AS 08.72.050(7)**"

Insert "**as provided under AS 08.72.277**"

Page 2, lines 14 - 15:

Delete "**for the practice of routine services of optometry delegated under AS 08.72.050(7)**"

Insert "**as provided under AS 08.72.277**"

Page 2, following line 23:

Insert a new bill section to read:

"* **Sec. 2.** AS 08.72 is amended by adding a new section to read:

Sec. 08.72.277. Optometric assistants. (a) A licensee may employ one or more optometric assistants.

(b) An optometric assistant acting under the responsibility and direct supervision of an optometrist licensed under this chapter may

(1) fit, sell, and dispose of spectacles, eyeglasses, and lenses for the correction or relief of an optical or visual defect of the human eye;

(2) take, receive, and solicit an order for the fitting, sale, or disposition of spectacles, eyeglasses, and lenses for the correction or relief of an optical or visual defect of the human eye;

(3) sell spectacles, eyeglasses, and lenses from house to house or in the streets or highways;

(4) prepare patients for examination;

(5) collect preliminary patient data, including a patient history;

(6) perform simple noninvasive testing of visual acuity, pupils, and ocular motility;

(7) perform automated visual field testing, ophthalmic photography, digital imaging, tonometry, lensometry, nonsubjective auto refraction, pachymetry, keratometry, A scan and B scan ultrasound testing, and electrodiagnostic testing;

(8) perform a preliminary subjective refraction procedure and use appropriate equipment during the procedure, including a phoropter, trial lenses, and retinoscope, if

(A) the optometric assistant has completed at least 45 hours of documented training in subjective refraction procedures and the training has been approved by the supervising licensee;

(B) the optometric assistant performs the procedure in connection with

(i) finalizing subjective refraction procedures performed by an ophthalmologist or supervising licensee; and

(ii) an examination performed by the supervising licensee;

(C) the supervising licensee is physically present

HOUSE JOURNAL

2428

April 24, 2024

while the procedure is performed; and

(D) the supervising licensee is not concurrently supervising more than three optometric assistants while the procedure is performed; and

(9) administer, for ophthalmic purposes, cycloplegics, mydriatics, and topical anesthetics that are not controlled substances.

(c) In this section, "optometric assistant" means a person who provides clinical assistance to an optometrist."

Renumber the following bill section accordingly.

Page 2, lines 27 - 28:

Delete "**the practice of routine services of optometry delegated under AS 08.72.050(7)**"

Insert "**services offered under AS 08.72.277**"

Representative Carrick moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Stapp objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HB 309

Second Reading

Amendment No. 5

YEAS: 16 NAYS: 22 EXCUSED: 2 ABSENT: 0

Yeas: Armstrong, Carrick, Dibert, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Ortiz, Schrage, Story, Stutes

Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, Edgmon, C.Johnson, D.Johnson, McCabe, McKay, Mina, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, Amendment No. 5 was not adopted.

HOUSE JOURNAL

April 24, 2024

2429

Representative Saddler moved and asked unanimous consent that HB 309 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 309 was read the third time.

The question being: "Shall HB 309 pass the House?" The roll was taken with the following result:

HB 309
Third Reading
Final Passage

YEAS: 35 NAYS: 3 EXCUSED: 2 ABSENT: 0

Yeas: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Rufridge, Saddler, Schrage, Stapp, Story, Stutes, Sumner, Tilton, Vance, Wright

Nays: Eastman, Josephson, Tomaszewski

Excused: Foster, Shaw

And so, HB 309 passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 347

The following, which was advanced to third reading from the April 22 calendar (page 2381), was read the third time:

CS FOR HOUSE BILL NO. 347(CRA) am

"An Act relating to assessment of property, boards of equalization, and certification of assessors; and providing for an effective date."

The question being: "Shall CSHB 347(CRA) am pass the House?" The roll was taken with the following result:

HOUSE JOURNAL

2430

April 24, 2024

CSHB 347(CRA) am

Third Reading

Final Passage

YEAS: 36 NAYS: 2 EXCUSED: 2 ABSENT: 0

Yeas: Allard, Armstrong, Baker, Carpenter, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Prax, Rauscher, Ruffridge, Saddler, Schrage, Stapp, Story, Stutes, Tilton, Tomaszewski, Vance, Wright

Nays: Eastman, Sumner

Excused: Foster, Shaw

And so, CSHB 347(CRA) am passed the House.

Representative Saddler 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.

Representative Eastman gave notice of reconsideration of his vote on CSHB 347(CRA) am.

SECOND READING OF HOUSE RESOLUTIONS

HJR 17

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 17

Urging the United States Congress to pass the Truth and Healing Commission on Indian Boarding School Policies Act.

with the:

Journal Page

TRB RPT 4DP	1763
FN1: ZERO(H.TRB)	1763

Representative Saddler moved and asked unanimous consent that HJR 17 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HJR 17 will advance to third reading on the April 26 calendar.

LEGISLATIVE CITATIONS

Representative Saddler moved and asked unanimous consent that the House approve the citations on the calendar.

Representative Gray objected to the citation, In Memoriam – JJ Redmon, offered remarks and withdrew the objection.

There being no further objection, the following citations were approved and sent to enrolling:

Honoring – Heather Conn
By Representative Himschoot; Senator Stedman

Honoring – Dave Allgood
By Representatives Galvin, Fields; Senator Gray-Jackson

Honoring – Barbara Franks
By Representatives Hannan, McCormick

Honoring – Lillian Outcalt
By Representatives Story, Hannan; Senator Kiehl

Honoring – Jessica Black Ph.D.
By Representative Dibert; Senators Kawasaki, Bishop

Honoring – Elizabeth "Lizzie" Hartman
By Representatives Dibert, Stapp; Senator Kawasaki

Honoring – Alissa Pili
By Representative Josephson; Senators Dunbar, Claman

Honoring – Catherine Walker
By Representative Josephson; Senator Kaufman

HOUSE JOURNAL

2432

April 24, 2024

Honoring – The Fairbanks Community Band, 30th Anniversary
By Representative Dibert; Senator Kawasaki

Honoring – 55th Anniversary of Hipow
By Representative Dibert; Senator Kawasaki

Honoring – 2024 Hockey Club Fairbanks, Girls Tier II 19U 1A
National Champions
By Representative Dibert; Senators Kawasaki, Bishop

Honoring – St. Mary's Eagles Girls 1A Basketball Team, 2024 Alaska
State Tournament
By Senator Olson; Representative Foster

Honoring – Emmonak Huskies Boys 1A Basketball Team, 2024
Alaska State Tournament
By Senator Olson; Representative Foster

Honoring – Brevig Mission Huskies Girls 1A Basketball Team, 2024
Alaska State Tournament
By Senator Olson; Representative Foster

In Memoriam – Dr. Vera Alexander
By Representative Carrick

In Memoriam – JJ Redmon
By Representatives Gray, Coulombe, Ruffridge

In Memoriam – Maxine Rader
By Representative Josephson

In Memoriam – Rosalynn Carter
By Representatives Josephson, Armstrong

In Memoriam – Millet F. Keller
By Representative Josephson

In Memoriam – Kelvin Kiptum
By Representative Josephson

HOUSE JOURNAL

April 24, 2024

2433

In Memoriam – Don Lagerlef
By Representative Josephson

In Memoriam – Elaine Mills
By Representatives Josephson, Fields

In Memoriam – Bonnie Ann Dunbar Hahn
By Senators Tobin, Olson, Bishop

In Memoriam – Howell Calvin Bishop
By Senator Bishop

UNFINISHED BUSINESS

Representative Saddler 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 Allard – from 7:00 p.m., April 26 to 1:00 p.m., April 28

SB 88

Representative Schrage, citing Uniform Rules 24(a) and 48(d), moved and asked unanimous consent that the following be discharged from the State Affairs Committee:

CS FOR SENATE BILL NO. 88(FIN)

"An Act relating to the Public Employees' Retirement System of Alaska 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 of Alaska and the teachers' retirement system; and providing for an effective date."

Representative Vance objected.

Representative McCabe moved the previous question.

There was objection.

HOUSE JOURNAL

2434

April 24, 2024

Representative McCabe moved and asked unanimous consent to withdraw the previous motion. There being no objection, it was so ordered.

The question being: "Shall CSSB 88(FIN) be discharged from the State Affairs Committee?" The roll was taken with the following result:

CSSB 88(FIN)

Discharge Bill from State Affairs Committee

YEAS: 18 NAYS: 20 EXCUSED: 2 ABSENT: 0

Yeas: Armstrong, Carrick, Dibert, Edgmon, Fields, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Foster, Shaw

And so, the motion failed.

HB 226

The Speaker removed a Finance Committee referral from the following:

HOUSE BILL NO. 226

"An Act relating to the Board of Pharmacy; relating to insurance; relating to pharmacies; relating to pharmacists; relating to pharmacy benefits managers; relating to patient choice of pharmacy; and providing for an effective date."

HB 226 was removed from the Finance Committee and referred to the Rules Committee.

SPECIAL PRIVILEGE OF THE FLOOR

Representative Carrick moved and asked unanimous consent for the special privilege of the floor to speak on the subject of "Reflection."

HOUSE JOURNAL

April 24, 2024

2435

Representative Carpenter objected and withdrew the objection.

UNFINISHED BUSINESS

HJR 17

Representatives Story, Baker, Armstrong, and Mina added as cosponsors to:

HOUSE JOINT RESOLUTION NO. 17

Urging the United States Congress to pass the Truth and Healing Commission on Indian Boarding School Policies Act.

HB 202

Representative Galvin added as a cosponsor to:

HOUSE BILL NO. 202

"An Act relating to the availability and administration of opioid overdose drugs in public schools."

HB 226

Representative Galvin added as a cosponsor to:

HOUSE BILL NO. 226

"An Act relating to the Board of Pharmacy; relating to insurance; relating to pharmacies; relating to pharmacists; relating to pharmacy benefits managers; relating to patient choice of pharmacy; and providing for an effective date."

HB 233

Representative Wright added as a cosponsor to:

HOUSE BILL NO. 233

"An Act relating to rates and time allowances for motor vehicle warranty work."

HB 285

Representatives Story, Galvin, and Josephson added as cosponsors to:

HOUSE BILL NO. 285

"An Act relating to insurance; relating to mammograms; and providing for an effective date."

HOUSE JOURNAL

2436

April 24, 2024

HB 309

Representative Saddler added as a cosponsor to:

HOUSE BILL NO. 309

"An Act relating to the practice of optometry; and relating to the delegation of routine services of optometry."

HB 347

Representatives Allard, Cronk, and Saddler added as cosponsors to:

CS FOR HOUSE BILL NO. 347(CRA) am

"An Act relating to assessment of property, boards of equalization, and certification of assessors; and providing for an effective date."

SB 88

Representative Stutes added as a cross sponsor to:

CS FOR SENATE BILL NO. 88(FIN)

"An Act relating to the Public Employees' Retirement System of Alaska 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 of Alaska and the teachers' retirement system; and providing for an effective date."

SB 152

Representative Carrick added as a cross sponsor to:

CS FOR SENATE BILL NO. 152(L&C)

"An Act relating to community energy facilities."

ENGROSSMENT

HB 309

HB 309 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.

ADJOURNMENT

Representative Saddler moved and asked unanimous consent that the House adjourn until 10:30 a.m., April 26. There being no objection, the House adjourned at 11:22 p.m.

Crystaline Jones
Chief Clerk