

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

February 5, 2016

Eighteenth Day

Pursuant to adjournment the House was called to order by Speaker pro tempore Millett at 10:34 a.m.

Roll call showed 38 members present. Representatives Chenault and Pruitt had been excused from a call of the House today.

The invocation was offered by the Chaplain, the Reverend Tari Stage-Harvey of Shepherd of the Valley Lutheran Church. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer.

We give thanks for the leaders here and their willingness to share their gifts. We praise you for their joys and accomplishments, and we commend their work to you. May their service be built on integrity and respect.

Fill us all with charity so we may look upon one another with favor and grace not judgement and disdain. Fill us with courage so we may take risks and engage complexities. Fill us with awe so we may approach the tasks before us with humility and reverence.

Guide us into your way of truth and justice, so all may know the fullness of life. In you we place our trust. Amen.

The Pledge of Allegiance was led by Representative Gruenberg.

CERTIFICATION OF THE JOURNAL

Representative Herron, Acting Majority Leader, moved and asked unanimous consent that the journal for the 16th and 17th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

The following were received:

Alaska Court System
2015 Travel and Compensation Report
February 1, 2016
(as required by AS 22.20.037)

Dept. of Natural Resources
Office of the Commissioner
Determination to Take Oil and Gas Royalty In-Value
February 3, 2016
(as required by AS 38.05.182)

REPORTS OF STANDING COMMITTEES

HB 226

The Health & Social Services Committee considered:

HOUSE BILL NO. 226

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

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

Do pass (7): Tarr, Stutes, Vazquez, Talerico, Foster, Wool, Seaton

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services
3. Fiscal, Dept. of Health & Social Services

HB 226 was referred to the Finance Committee.

SB 23

The Health & Social Services Committee considered:

CS FOR SENATE BILL NO. 23(JUD)

"An Act relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 23(HSS)

"An Act relating to the practice of pharmacy; relating to the dispensing of opioid overdose drugs by a pharmacist; and relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs."

(pending title change resolution)

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

Do pass (7): Vazquez, Stutes, Tarr, Talerico, Foster, Wool, Seaton

The following fiscal note(s) apply to HCS CSSB 23(HSS):

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

CSSB 23(JUD) was referred to the Judiciary Committee.

REPORTS OF SPECIAL COMMITTEES**HJR 28**

The House Special Committee on Fisheries considered:

HOUSE JOINT RESOLUTION NO. 28

Opposing the United States Food and Drug Administration's approval of AquaBounty AquAdvantage genetically engineered salmon; urging the United States Congress to enact legislation that requires prominently labeling genetically engineered products with the words "Genetically Modified" on the product's packaging; and encouraging the restoration of wild, native populations of salmon in areas where development has negatively affected salmon.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 28(FSH)

Opposing the United States Food and Drug Administration's approval of AquaBounty AquAdvantage genetically engineered salmon; urging the United States Congress to enact legislation that requires prominently labeling genetically engineered products with the words "Genetically Modified" on the product's packaging; and supporting the efforts of the state's congressional delegation to delay the confirmation of the new commissioner of the United States Food and Drug Administration until the United States Food and Drug Administration agrees to require labeling for genetically engineered salmon.

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

Do pass (4): Herron, Kreiss-Tomkins, Ortiz, Stutes

The following fiscal note(s) apply to CSHJR 28(FSH):

1. Zero, Legislative Agency

HJR 28 was referred to the Labor & Commerce Committee.

INTRODUCTION OF CITATIONS

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

Commemorating - The 60th Anniversary of the Signing of the Constitution of the State of Alaska
By Representative Tuck; Senator Gardner

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

Honoring - Rebecca Carrillo
By Representatives Munoz, Kito; Senator Egan

Honoring - Fred John
By Representative Ortiz; Senator Stedman

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**HCR 20**

HOUSE CONCURRENT RESOLUTION NO. 20 by Representative Kito:

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the vote required for the passage of a joint resolution.

was read the first time and referred to the State Affairs Committee.

HCR 21

HOUSE CONCURRENT RESOLUTION NO. 21 by Representative Tarr:

Urging Governor Bill Walker to join with the Alaska State Legislature to respond to the public and behavioral health epidemic of adverse childhood experiences by establishing a statewide policy and providing programs to address this epidemic.

was read the first time and referred to the Health & Social Services and Finance Committees.

HCR 22

HOUSE CONCURRENT RESOLUTION NO. 22 by the House Health and Social Services Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 23, relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 224**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 224 by Representative Hawker, entitled:

"An Act relating to income of the Alaska permanent fund; relating to the disposition of income of the Alaska permanent fund; establishing and relating to the distribution account; relating to the calculation of permanent fund dividends; relating to the dividend fund; and providing for an effective date."

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

HB 297

HOUSE BILL NO. 297 by Representative Saddler, entitled:

"An Act relating to the Board of Pharmacy; relating to the licensing and inspection of certain facilities located outside the state; relating to drug supply chain security; and creating a position of executive administrator for the Board of Pharmacy."

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

HB 298

HOUSE BILL NO. 298 by Representatives Tilton and Gattis, entitled:

"An Act relating to school districts; and relating to layoff plans for tenured teachers."

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

HB 299

HOUSE BILL NO. 299 by Representative Wilson, entitled:

"An Act excluding certain persons from participating in the Public Employees' Retirement System of Alaska."

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

HB 300

HOUSE BILL NO. 300 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to management of enhanced stocks of fish; authorizing the operation of nonprofit shellfish hatcheries; relating to application fees for salmon and shellfish hatchery permits; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Fish & Game

The Governor's transmittal letter dated February 4, 2016, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to management of enhanced stocks of fish; authorizing the operation of nonprofit

shellfish hatcheries; and application fees for salmon and shellfish hatchery permits.

The bill would authorize the Commissioner of Fish and Game to permit the construction and operation of shellfish hatcheries by nonprofit corporations for the purpose of enhancing shellfish fisheries. The bill would also make several other related amendments to State law relating to shellfish hatcheries.

The Board of Fisheries is statutorily tasked to manage fish stocks in the state; fish stocks include invertebrate species, such as shellfish. Currently, under AS 16.40.100 - 16.40.199 the Commissioner may permit the construction and operation of shellfish hatcheries for the purpose of supplying shellfish to an aquatic farm, but may not permit the construction and operation of shellfish hatcheries for the purpose of enhancing shellfish fisheries. The bill is largely modeled after AS 16.10.375 - 16.10.480, which authorizes the Commissioner of Fish and Game to permit the construction and operation of salmon hatcheries for the purpose of enhancing salmon fisheries.

The bill would also make conforming amendments to the determination of authorized gear to allow use of legal gear to harvest shellfish, to allow donations of shellfish to a food bank, and to exempt from State corporate income tax income from a nonprofit corporation holding a permit to operate a shellfish hatchery for enhancement of shellfish stock.

In addition, the bill would update the application fee for a salmon hatchery permit.

Enhancement of the State's shellfish fisheries would benefit the state's economy by providing a method to increase the available harvest of shellfish for public use in an environmentally safe manner.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Bill Walker
Governor"

HB 301

HOUSE BILL NO. 301 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the duties of the Department of Administration; relating to payment of judgment against the state; relating to pre-audit of claims; relating to travel costs and travel outside the state; repealing authorization and administration of the Department of Administration to make advances to the University of Alaska; and repealing the United States savings bond purchase plan."

was read the first time and referred to the State Affairs and Finance Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

The Governor's transmittal letter dated February 4, 2016, follows:

"Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the duties of the Department of Administration (DOA).

The bill would update certain statutes and repeal other statutes in order to better reflect the practices and duties of the DOA.

The bill would amend AS 09.50.270 to reflect the current practice regarding payment of judgments issued against the State. It would amend AS 37.05.190 to acknowledge a change in technology and clarify decentralization of certain financial functions. It would amend AS 39.20.140 regarding travel to reflect current industry language and to comply with an audit recommendation from the legislative audit division. The bill would repeal AS 37.10.088 to acknowledge that advances are no longer provided by the DOA to the University of Alaska. The bill would also repeal AS 39.40.010 and AS 39.40.020 due to changes in how United States savings bonds are purchased.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor"

HB 302

HOUSE BILL NO. 302 by Representative Tarr, entitled:

"An Act relating to school discipline."

was read the first time and referred to the Education and Judiciary Committees.

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

Representative Herron moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Little Italy Restaurant

By Representatives Millett, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Meyer

Honoring - Hecla Mining Company

By Senator Giessel; Representatives Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

Honoring - The Homer High School 'Mariners' Wrestling Team, 2015 Class 1-2-3A State Champions

By Senator Stevens; Representatives Seaton, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Captain John William Spriggs, USPHS

By Representatives Herron, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton Tuck, Vazquez, Wilson, Wool; Senator Hoffman

In Memoriam - Ted F. Vanderweyst

By Representatives Kawasaki, Guttenberg, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Hawker, Herron, Hughes, Johnson, Josephson, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

UNFINISHED BUSINESS

Representative Herron 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 Colver – from 5:00 p.m., February 5 to 10:00 p.m., February 7

Representative Foster – from 8:00 a.m., February 7 to 8:00 p.m., February 10 (amended from page 1570)

SPECIAL ORDER OF BUSINESS

Representative Herron moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Commemorating - The 60th Anniversary of the Signing of the Constitution of the State of Alaska, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Herron moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Commemorating - The 60th Anniversary of the Signing of the Constitution of the State of Alaska

By Representatives Tuck, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Gruenberg, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Vazquez, Wilson, Wool; Senator Gardner

UNFINISHED BUSINESS**HB 188**

Representative Gara added as a cosponsor to:

HOUSE BILL NO. 188

"An Act relating to financial accounts for persons with disabilities; relating to financial institutions; relating to property exemptions; relating to securities; and providing for an effective date."

SB 23

Representative Gattis added as a cross sponsor to:

CS FOR SENATE BILL NO. 23(JUD)

"An Act relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Herron moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 8, 2016. There being no objection, the House adjourned at 11:14 a.m.

Crystaline Jones
Chief Clerk