

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-NINTH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Tuesday**

**April 5, 2016**

**Seventy-eighth Day**

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:04 a.m.

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

The invocation was offered by the Chaplain, the Reverend Gordon Blue of Holy Trinity Episcopal 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.

Eternal God, fountain of wisdom; by your word all things were created, without your word not one thing is made. This teaches that nothing is so difficult, O Lord, as to reconcile the paths of old with the ways that are new, yet in difficult times this is what we are called upon to do.

Bless this House and inspire them, Lord, *Lead us, O Lord, in your righteousness, because of those who lie in wait; make your way straight before us.* (Ps. 5:8)

Creator God, you have filled the world with your grace: mercifully look upon the efforts of the Alaska House and guide them. Refresh them with the beauty of your creation, fill their hearts

with gladness in their work together, and let that work be a blessing of the people and a gift to the future generations of Alaskans. Amen.

The Pledge of Allegiance was led by Representative Tuck.

### **CERTIFICATION OF THE JOURNAL**

Representative Millett moved and asked unanimous consent that the journal for the 77th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **REPORTS OF STANDING COMMITTEES**

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

Laraine Derr

as a member of the Alaska Mental Health Trust Authority Board of Trustees.

The report was signed by Representatives Neuman and Thompson, Co-chairs; and Representatives Saddler, Kawasaki, Pruitt, Wilson, Gara, Guttenberg, Gattis, Edgmon, and Munoz.

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

Dean Williams

as the Commissioner of the Department of Corrections.

Keith Hamilton

as a member of the Personnel Board.

Brad Reich

as a member of the Alaska Police Standards Council.

The report was signed by Representative Lynn, Chair; and Representatives Spohnholz, Stutes, Keller, Talerico, Vazquez, and Kreiss-Tomkins.

**HCR 21**

The Health & Social Services Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 21

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.

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

Do pass (4): Tarr, Foster, Wool, Seaton

The following fiscal note(s) apply:

1. Zero, House Health & Social Services Committee

HCR 21 was referred to the Finance Committee.

**HJR 29**

The Judiciary Committee considered:

HOUSE JOINT RESOLUTION NO. 29

Requesting the United States Congress to call a convention of the states to propose an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate; and urging the legislatures of the other 49 states to request the United States Congress to call a convention of the states.

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

Do pass (1): LeDoux

No recommendation (3): Millett, Lynn, Claman

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HJR 29 was referred to the Rules Committee for placement on the calendar.

**HB 156**

The Finance Committee considered:

HOUSE BILL NO. 156

"An Act relating to compliance with federal education laws; relating to public school accountability; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 156(EDC)

"An Act relating to the duties of the Department of Education and Early Development and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; and providing for an effective date."

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

Do pass (3): Wilson, Gattis, Thompson

Do not pass (1): Kawasaki

No recommendation (4): Saddler, Pruitt, Edgmon, Munoz

Amend (1): Guttenberg

The following fiscal note(s) apply to CSHB 156(EDC):

1. Indeterminate, Dept. of Education & Early Development

HB 156 was referred to the Rules Committee for placement on the calendar.

**HB 209**

The Finance Committee considered:

HOUSE BILL NO. 209

"An Act relating to an Alaska Water and Sewer Advisory Committee; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 209(FIN)  
(same title)

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

Do pass (7): Saddler, Kawasaki, Guttenberg, Gattis, Edgmon, Munoz, Thompson

The following fiscal note(s) apply to CSHB 209(FIN):

1. Zero, Legislative Agency

HB 209 was referred to the Rules Committee for placement on the calendar.

**HB 254**

The Finance Committee considered:

HOUSE BILL NO. 254

"An Act extending the termination date of the Big Game Commercial Services Board; and providing for an effective date."

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

Do pass (6): Gara, Guttenberg, Gattis, Edgmon, Munoz, Thompson

No recommendation (4): Saddler, Pruitt, Wilson, Neuman

Amend (1): Kawasaki

The following fiscal note(s) apply:

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

HB 254 was referred to the Rules Committee for placement on the calendar.

**HB 266**

The Resources Committee considered:

HOUSE BILL NO. 266

"An Act relating to the authority of the Board of Game to adopt, amend, or repeal certain regulations."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 266(RES)

(same title)

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

Do pass (2): Talerico, Nageak

Do not pass (1): Josephson

No recommendation (6): Johnson, Herron, Chenault (alternate), Olson, Tarr, Seaton

The following fiscal note(s) apply to CSHB 266(RES):

1. Fiscal, Dept. of Fish & Game
2. Fiscal, Dept. of Fish & Game

HB 266 was referred to the Rules Committee for placement on the calendar.

**HB 317**

The Judiciary Committee considered:

HOUSE BILL NO. 317

"An Act relating to forfeiture to the state; relating to criminal law; amending Rules 3, 4, 11, 12, 16, 32, 32.2, 32.3, 39, 39.1, and 42, Alaska Rules of Criminal Procedure, Rules 501, 801, and 803, Alaska Rules of Evidence, and Rules 202, 209, and 217, Alaska Rules of Appellate Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 317(JUD)

"An Act relating to civil in rem forfeiture actions; and providing for an effective date."

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

Do pass (4): Kreiss-Tomkins, Lynn, Claman, LeDoux

The following fiscal note(s) apply to CSHB 317(JUD):

1. Fiscal, Dept. of Law
2. Indeterminate, Dept. of Public Safety

HB 317 was referred to the Finance Committee.

**SB 32**

The Resources Committee considered:

## CS SENATE BILL NO. 32(RES)

"An Act relating to the sale of timber on state land; and providing for an effective date."

and recommends it be replaced with:

## HCS CS FOR SENATE BILL NO. 32(RES)

(same title)

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

Do pass (5): Johnson, Chenault (alternate), Olson, Talerico, Nageak

No recommendation (4): Josephson, Herron, Seaton, Tarr

The following fiscal note(s) apply to HCS CSSB 32(RES):

2. Zero, Dept. of Natural Resources

CSSB 32(RES) was referred to the Finance Committee.

**SB 125**

The Labor & Commerce Committee considered:

## CS FOR SENATE BILL NO. 125(RES)

"An Act adding legislative nonvoting members to the board of directors of the Alaska Gasline Development Corporation."

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 125(RES)

"An Act relating to the board of directors of the Alaska Gasline Development Corporation; adding legislators as nonvoting members of the board of directors of the Alaska Gasline Development Corporation; and providing for an effective date."

(HCR 28 – title change resolution)



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

Do pass (1): Olson

Do not pass (2): Kito, Josephson

No recommendation (4): LeDoux, Tilton, Colver, Hughes

The following fiscal note(s) apply to HCS CSSB 125(RES):

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

CSSB 125(RES) was referred to the Rules Committee for placement on the calendar.

### INTRODUCTION OF CITATIONS

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

Honoring - Dona Helmer, 2015 School Librarian of the Year  
By Representatives Pruitt, Josephson

Honoring - Queen and King Louella and Fred Hupprich  
By Representative Kawasaki; Senator Kelly

Honoring - Del Juan X. Avila, Alaska Air National Guardsman of the Year  
By Representative LeDoux; Senator Wielechowski

Honoring - James Harris, 2015 BP Teachers of Excellence Award  
By Representative Olson; Senator Micciche

Honoring - Matthew Widaman, 2015 BP Teachers of Excellence Award  
By Representative Olson; Senator Micciche

Honoring - Neil Alexander Moss  
By Representatives Gattis, Tilton, Hughes, Colver, Neuman, Keller;  
Senators Huggins, Dunleavy, Stoltze

Honoring - Bob Hajdukovich, 2016 UAF Business Leader of the Year  
By Representatives Kawasaki, Thompson

Honoring - St. Mary's Episcopal Church  
By Representatives Josephson, Drummond

Honoring - 2015 UAA Women's Volleyball Team  
By Representative Josephson

Honoring - The Fairbanks Four  
By Representatives Kawasaki, Guttenberg

Honoring - Older Americans Month 2016  
By Representatives Kawasaki, Wool

Honoring - Alaska Federation of Natives 50th Anniversary  
By Representatives Kawasaki, Edgmon

Honoring - Soldotna High School Football Team, 2015 Medium  
School State Champions  
By Representative Olson; Senator Micciche

Honoring - The Alaska State Troopers, 75 Years Protecting the People  
of Alaska  
By Representative Neuman; Senator Bishop

Honoring - The Tatsuda Family  
By Representative Ortiz; Senator Stedman

Honoring - Susan Drathman  
By Senator Stevens; Representative Seaton

Honoring - Larry DeVilbiss  
By Senators Stoltze, Huggins; Representatives Hughes, Tilton

Honoring - Interior Alaska Wolverines, 18U Tier III Hockey Team,  
Alaska State Competitive Championship  
By Senator Dunleavy; Representative Colver

Honoring - Mat-Su Regional Medical Center on Ten Years of Service  
By Senator Stoltze; Representatives Hughes, Tilton

In Memoriam - Edward Voke, M.D.  
By Representative Josephson

In Memoriam - Artis Flanagan, Jr.  
By Representative Kawasaki

In Memoriam - Margaret E. Von Wichman  
By Representative Olson; Senator MacKinnon

In Memoriam - Roy Allen Roth  
By Senator Stoltze; Representatives Hughes, Tilton

In Memoriam - Walter John Gilmour  
By Senators Stoltze, McGuire

In Memoriam - Thomas and Maxine McKinley  
By Senators Stoltze, MacKinnon; Representatives Saddler, Reinbold,  
Tilton

In Memoriam - Charles Michael Reader  
By Senator Olson; Representative Foster

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **LEGISLATIVE CITATIONS**

Representative Millett 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 - Isabella Weiss, 2016 Spirit of Community Award  
By Representatives Hughes, Gattis, Tilton, Neuman, Keller, Colver, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Hawker, Herron, Johnson, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Vazquez, Wilson, Wool; Senators Stoltze, Dunleavy, Huggins

Honoring - Blaine Sharrock and Johnathan Stephens and the 2015-2016 All Cook Inlet Conference Boys Hockey Team  
By Representatives Millett, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Hawker, Herron, Hughes,

Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Meyer

Honoring - Michael Martinez

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

Honoring - Valdez High School Academic Decathlon Team

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

In Memoriam - Ellen L. Whitcher

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

## UNFINISHED BUSINESS

### HB 266

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 266

"An Act relating to the authority of the Board of Game to adopt, amend, or repeal certain regulations."

HB 266 was removed from the Rules Committee and referred to the Finance Committee.

**CONCUR IN SENATE AMENDMENTS****HB 75**

Representative Millett moved and asked unanimous consent that the House consider the Senate message (page 1839) on the following:

CS FOR HOUSE BILL NO. 75(JUD) am

"An Act relating to the registration of marijuana establishments by municipalities; relating to the definition of 'marijuana'; clarifying standards for personal use of marijuana by persons 21 years of age or older; prohibiting the public consumption of marijuana; authorizing the registration of marijuana clubs; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

and

2d SENATE CS FOR CS FOR HOUSE BILL NO. 75(RLS)

"An Act relating to background checks for persons applying to operate marijuana establishments; relating to possessing, using, displaying, purchasing, growing, processing, transporting, and transferring marijuana; relating to assisting another person 21 years of age or older in activities related to marijuana; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

(SCR 14 - title change resolution)

There being no objection, it was so ordered.

Representative Millett moved that the House concur in the Senate amendment to CSHB 75(JUD) am, thus adopting 2d SCS CSHB 75(RLS), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 75(JUD) am?" The roll was taken with the following result:

2D SCS CSHB 75(RLS)

Concur

**YEAS: 0 NAYS: 39 EXCUSED: 1 ABSENT: 0**

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

Excused: Hawker

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Tilton, Chair  
Representative Millett  
Representative Drummond

**HB 256**

Representative Millett moved and asked unanimous consent that the House consider the Senate message (page 1840) on the following:

CS FOR HOUSE BILL NO. 256(FIN)

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; repealing appropriations; making supplemental appropriations; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 256(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Millett moved that the House concur in the Senate amendment to CSHB 256(FIN), thus adopting SCS CSHB 256(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 256(FIN)?" The roll was taken with the following result:

SCS CSHB 256(FIN)

Concur

**YEAS: 0 NAYS: 39 EXCUSED: 1 ABSENT: 0**

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

Excused: Hawker

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Neuman, Chair  
Representative Thompson  
Representative Gara

The Speaker stated that Uniform Rule 23(d) will be in effect when the Senate appoints members to the Conference Committee.

**HB 257**

Representative Millett moved and asked unanimous consent that the House consider the Senate message (page 1840) on the following:

CS FOR HOUSE BILL NO. 257(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; making supplemental appropriations; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

(SCR 21 - title change resolution)

There being no objection, it was so ordered.

Representative Millett moved that the House concur in the Senate amendment to CSHB 257(FIN), thus adopting SCS CSHB 257(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 257(FIN)?" The roll was taken with the following result:

SCS CSHB 257(FIN)

Concur

**YEAS: 0 NAYS: 39 EXCUSED: 1 ABSENT: 0**

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



Excused: Hawker

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Neuman, Chair  
Representative Thompson  
Representative Gara

### UNFINISHED BUSINESS

#### **HB 156**

Representatives Colver and Wilson added as cosponsors to:

HOUSE BILL NO. 156

"An Act relating to compliance with federal education laws; relating to public school accountability; and providing for an effective date."

#### **HB 236**

Representatives LeDoux, Hughes, and Saddler added as cosponsors to:

HOUSE BILL NO. 236

"An Act relating to marriage solemnization."

#### **HB 298**

Representative Saddler added as a cosponsor to:

HOUSE BILL NO. 298

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

**HB 347**

Representative LeDoux added as a cosponsor to:

## HOUSE BILL NO. 347

"An Act relating to the limitation period to commence a false claims action; relating to recovery for false claims for state or municipal funds; and amending Rules 4, 24, and 46, Alaska Rules of Civil Procedure."

**HB 352**

Representative Lynn added as a cosponsor to:

## HOUSE BILL NO. 352

"An Act relating to disciplinary sanctions imposed by the State Medical Board; restricting employees and representatives of abortion services providers, and affiliates of abortion services providers, from delivering instruction or distributing materials in public schools and providing civil penalties for violations; relating to revocation or suspension of teacher certificates; relating to the receipt of state funds by teachers and school board members; and providing for an effective date."

**SB 1**

Representative Talerico added as a cross sponsor to:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.  
1(FIN)

"An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date."

**ANNOUNCEMENTS**

House committee schedules are published under separate cover.

**ADJOURNMENT**

Representative Millett moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 6, 2016. There being no objection, the House adjourned at 11:43 a.m.

Crystaline Jones  
Chief Clerk