

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

April 11, 2016

Eighty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:01 a.m.

Roll call showed 38 members present. Representative Hawker had been excused from a call of the House today. Representative Kreiss-Tomkins was absent and his presence was noted later.

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

I offer this prayer with the deepest respect for religious traditions and spiritual practices of all Alaskans:

Lord, your word tells us every person is to be in subjection to the governing authorities for there is no authority except from you, and those which exist are established by you, O Lord.

Scripture tells us: *Submit yourselves for the Lord's sake to every human institution, whether to a king as the one in authority, or to governors as sent by him for the punishment of evildoers and the praise of those who do right.*

God of power and might, wisdom and justice, through you, authority is rightly administered, laws are enacted, and judgment is decreed. Assist with your spirit of counsel and

fortitude the members of this body and all the elected and appointed officials of the State of Alaska. May we always seek the ways of righteousness, justice, and mercy. God grant that we may be enabled by your powerful protection to lead our state with honesty and integrity. We ask this through Christ our Lord. Amen.

The Pledge of Allegiance was led by Representative Gara.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 83rd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

SB 74

The Finance Committee considered:

CS FOR SENATE BILL NO. 74(FIN) am

"An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed professional counselor, marriage and family therapist, psychologist, psychological associate, and social worker by audio, video, or data communications; relating to the duties of the State Medical Board; relating to limitations of actions; establishing the Alaska Medical Assistance False Claim and Reporting Act; relating to medical assistance programs administered by the Department of Health and Social Services; relating to the controlled substance prescription database; relating to the duties of the Board of Pharmacy; relating to the duties of the Department of Commerce, Community, and Economic Development; relating to accounting for program receipts; relating to public record status of records related to the Alaska Medical Assistance False Claim and Reporting Act; establishing a telemedicine business registry; relating to competitive bidding for medical assistance products and services; relating to verification of eligibility for public assistance programs administered by the Department of Health and Social Services; relating to annual

audits of state medical assistance providers; relating to reporting overpayments of medical assistance payments; establishing authority to assess civil penalties for violations of medical assistance program requirements; relating to seizure and forfeiture of property for medical assistance fraud; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; relating to the duties of the Department of Administration; relating to the Alaska Mental Health Trust Authority; relating to feasibility studies for the provision of specified state services; amending Rules 4, 5, 7, 12, 24, 26, 27, 41, 77, 79, 82, and 89, Alaska Rules of Civil Procedure, and Rule 37, Alaska Rules of Criminal Procedure; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 74(FIN)

"An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed audiologist, speech-language pathologist, professional counselor, marriage and family therapist, psychologist, psychological associate, social worker, physical therapist, occupational therapist, and registered speech-language pathologist assistant by audio, video, or data communications; relating to the duties of the State Medical Board; relating to limitations of actions; establishing the Alaska Medical Assistance False Claim and Reporting Act; relating to medical assistance programs administered by the Department of Health and Social Services; relating to the controlled substance prescription database; relating to the duties of the Board of Pharmacy; relating to the duties of the Board of Dental Examiners; relating to the duties of the Board of Nursing; relating to the duties of the Board of Examiners in Optometry; relating to the duties of the Department of Commerce, Community, and Economic Development; relating to the duties of the Department of Corrections; relating to accounting for program receipts; relating to public record status of records related to the Alaska Medical Assistance False Claim and Reporting Act; establishing a telemedicine business registry; relating to verification of eligibility

for public assistance programs administered by the Department of Health and Social Services; relating to annual audits of state medical assistance providers; relating to reporting overpayments of medical assistance payments; establishing authority to assess civil penalties for violations of medical assistance program requirements; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; relating to the duties of the Department of Administration; relating to the Alaska Mental Health Trust Authority; relating to feasibility studies for the provision of specified state services; relating to a report by the Board of Pharmacy, Board of Examiners in Optometry, Board of Dental Examiners, Board of Nursing, and State Medical Board; amending Rules 4, 5, 7, 12, 24, 26, 27, 41, 77, 79, and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

(pending title change resolution)

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

Do pass (2): Munoz, Thompson

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

Amend (5): Kawasaki, Gara, Wilson, Guttenberg, Neuman

The following fiscal note(s) apply to HCS CSSB 74(FIN):

29. Fiscal, Dept. of Administration
45. Fiscal, Dept. of Health & Social Services
46. Fiscal, Dept. of Health & Social Services
47. Fiscal, Dept. of Health & Social Services
48. Fiscal, Dept. of Health & Social Services
49. Fiscal, Dept. of Health & Social Services
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56. Fiscal, Dept. of Health & Social Services
57. Fiscal, Dept. of Health & Social Services
58. Fiscal, Dept. of Commerce, Community, & Economic
Development
59. Fiscal, Dept. of Law
60. Fiscal, Dept. of Corrections

CSSB 74(FIN) am was referred to the Rules Committee for placement on the calendar.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 30

HOUSE CONCURRENT RESOLUTION NO. 30 by the House Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 74, relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed professional counselor, marriage and family therapist, psychologist, psychological associate, and social worker by audio, video, or data communications; relating to the duties of the State Medical Board; relating to limitations of actions; establishing the Alaska Medical Assistance False Claim and Reporting Act; relating to medical assistance programs administered by the Department of Health and Social Services; relating to the controlled substance prescription database; relating to the duties of the Board of Pharmacy; relating to the duties of the Department of Commerce, Community, and Economic Development; relating to accounting for program receipts; relating to public record status of records related to the Alaska Medical Assistance False Claim and Reporting Act; establishing a telemedicine business registry; relating to competitive bidding for medical assistance products and services; relating to verification of eligibility for public assistance programs administered by the Department of Health and Social Services; relating to annual

audits of state medical assistance providers; relating to reporting overpayments of medical assistance payments; establishing authority to assess civil penalties for violations of medical assistance program requirements; relating to seizure and forfeiture of property for medical assistance fraud; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; relating to the duties of the Department of Administration; relating to the Alaska Mental Health Trust Authority; relating to feasibility studies for the provision of specified state services; and amending Rules 4, 5, 7, 12, 24, 26, 27, 41, 77, 79, 82, and 89, Alaska Rules of Civil Procedure, and Rule 37, Alaska Rules of Criminal Procedure.

was read the first time.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 148

The following was read the second time:

CS FOR SENATE BILL NO. 148(L&C)

"An Act relating to the reporting of workplace injuries to the division of labor standards and safety; and providing for an effective date."

with the:

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L&C RPT 5DP 2NR
FN1: ZERO(LWF)

2110
2110

**The presence of Representative Kreiss-Tomkins was noted.

Representative Millett moved and asked unanimous consent that CSSB 148(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 148(L&C) was read the third time.

The question being: "Shall CSSB 148(L&C) pass the House?" The roll was taken with the following result:

CSSB 148(L&C)

Third Reading

Final Passage

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

Yeas: Chenault, Claman, 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, Tilton, Tuck, Vazquez, Wilson, Wool

Excused: Hawker

Absent: Colver, Thompson

And so, CSSB 148(L&C) passed the House.

Representative Millett 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.

CSSB 148(L&C) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 204

The following was read the second time:

SENATE BILL NO. 204

"An Act naming a shooting range in the Knik River Public Use Area the Kenny and Patti Barber Shooting Range."

with the:

Journal Page

RES RPT 9DP

2150

FN1: ZERO(DNR)

2150

Representative Millett moved and asked unanimous consent that SB 204 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 204 was read the third time.

The question being: "Shall SB 204 pass the House?" The roll was taken with the following result:

SB 204

Third Reading

Final Passage

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

Yeas: 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, SB 204 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

THIRD READING OF HOUSE BILLS

HB 247

The Speaker stated that, without objection, the following, which was held to today's calendar (page 2192), would be held to tomorrow's calendar:

CS FOR HOUSE BILL NO. 247(FIN)

"An Act relating to interest applicable to delinquent tax; relating to the oil and gas production tax, tax payments, and credits; relating to the minimum oil and gas production tax; relating to refunds for the gas storage facility tax credit, the liquefied natural gas storage facility tax credit, and the qualified in-state oil refinery infrastructure expenditures tax credit; relating to the assessment of an oil and gas production tax imposed; relating to oil and gas lease

expenditures and production tax credits for municipal entities; relating to a bond or cash deposit required for an oil or gas business; establishing a legislative working group to study the tax structure for oil and gas produced south of 68 degrees North latitude; and providing for an effective date."

SECOND READING OF SENATE RESOLUTIONS

SCR 20

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 20
Proclaiming April 2016 as Sexual Assault Awareness Month.

with the:	Journal Page
STA RPT 7DP	2108
FN1: ZERO(S.STA)	2108

The question being: "Shall SCR 20 pass the House?" The roll was taken with the following result:

SCR 20

Second Reading

Final Passage

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

Yeas: 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, SCR 20 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

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:

In Memoriam - Coogan Fox

By Representatives Stutes, 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, Saddler, Seaton, Spohnholz, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Stevens

In Memoriam - Dr. Mary Anne Navitsky

By Senator Stedman; 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, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

UNFINISHED BUSINESS**HB 81**

Representative Saddler added as a cosponsor to:

HOUSE BILL NO. 81

"An Act relating to an exemption from the regulation of construction contractors."

HB 234

Representative Tilton added as a cosponsor to:

HOUSE BILL NO. 234

"An Act relating to insurance coverage for mental health benefits provided through telemedicine."

SCR 20

Representatives Millett, Johnson, Josephson, Spohnholz, Tuck, Kito, and Guttenberg added as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 20

Proclaiming April 2016 as Sexual Assault Awareness Month.

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 6, 2016.

House committee schedules are published under separate cover.

The following meetings today were changed:

Education Committee

CHANGED TO:

noon

Finance Committee

8:30 a.m. meeting

CANCELED

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 12, 2016. There being no objection, the House adjourned at 11:26 a.m.

Crystaline Jones
Chief Clerk