

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

April 29, 2016

One Hundred Second Day

The House was called to order by Speaker Chenault at 11:03 a.m.

Roll call showed 32 members present. Representatives Hawker and Thompson had been excused from a call of the House today. Representatives Claman, Pruitt, and Wool were absent.

Representative Millett moved and asked unanimous consent that Representatives Reinbold, Saddler, and Vazquez be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Representative Ortiz. 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.

Dear Father God,

I pray that you will help every member of the Alaska State Legislature to work cooperatively with each other. Give us the conviction to start each day, each legislative gathering on the floor, each committee hearing, and each private conversation in this building to look for the commonalities that bond us. May we be united in the desire to do the right

thing and act in the best long-term interest of every Alaskan; from the newborn to the senior citizen, for those that live as far south as Hyder, as far west as Dutch Harbor, and as far north as Barrow. Help us, dear God, to act courageously, to be guided by the Spirit of God and to glorify you with heart and voice. Keep us from slipping into political divides. May our thoughts and actions be examples of unity in purpose, not only in what we say but in all that we do. I ask this for the sake of the people of Alaska, God. Amen.

The Pledge of Allegiance was led by Representative Josephson.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 100th and 101st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

SB 91

The Finance Committee considered:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(FIN) am

"An Act relating to criminal law and procedure; relating to controlled substances; relating to immunity from prosecution for the crime of prostitution; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to the publication of suspended entries of judgment on a publicly available Internet website; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the excise tax on marijuana; establishing the recidivism reduction fund; relating to the Alaska Criminal Justice Commission; relating

to the disqualification of persons convicted of specified drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)
"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

(HCR 32 – title change resolution)

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

Do pass (4): Gara, Edgmon, Munoz, Thompson

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

Amend (3): Kawasaki, Pruitt, Guttenberg

The following fiscal note(s) apply to HCS CSSSSB 91(FIN):

Fiscal note(s) forthcoming.

CSSSSB 91(FIN) am is on today's calendar.

REPORTS OF SPECIAL COMMITTEES

SB 196

The Conference Committee with limited powers of free conference considering HCS CSSB 196(FIN) and CSSB 196(FIN) recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 196

"An Act relating to the amount appropriated for power cost equalization; relating to the use of certain unexpended earnings from the power cost equalization endowment fund; and providing for an effective date."

The report was signed by Representatives Edgmon (Chair), Saddler, Kawasaki; and Senators Hoffman (Chair), MacKinnon, Bishop.

The following fiscal note(s) apply to CCS SB 196:

1. Fiscal, Senate Finance Committee/Various Depts.
2. Zero, Dept. of Commerce, Community, & Economic Development

Representative Millett moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS SB 196, and recommended that the members vote yes.

The question being: "Shall the House adopt the report?" The roll was taken with the following result:

CCS SB 196

Adopt

YEAS: 32 NAYS: 0 EXCUSED: 5 ABSENT: 3

Yea: Chenault, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller,

Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Seaton, Spohnholz, Stutes, Talerico, Tarr, Tilton, Tuck, Wilson

Excused: Hawker, Reinbold, Saddler, Thompson, Vazquez

Absent: Claman, Pruitt, Wool

And so, the House adopted CCS SB 196.

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.

The Chief Clerk notified the Senate.

CCS SB 196 was referred to the Chief Clerk for engrossment and enrollment.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 91

The following was read the second time:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(FIN) am

"An Act relating to criminal law and procedure; relating to controlled substances; relating to immunity from prosecution for the crime of prostitution; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to the publication of suspended entries of judgment on a publicly available Internet website; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the excise tax on marijuana; establishing the recidivism reduction

fund; relating to the Alaska Criminal Justice Commission; relating to the disqualification of persons convicted of specified drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date."

with the:

Journal Page

JUD RPT HCS(JUD) NT 6DP 1DNP	2323
FN9: ZERO(ADM)	2324
FN16: ZERO(ADM)	2324
FN17: ZERO(ADM)	2324
FN18: (COR)	2324
FN19: (COR)	2324
FN20: ZERO(COR)	2324
FN21: (COR)	2324
FN22: (COR)	2324
FN23: (COR)	2324
FN24: (COR)	2324
FN25: (DHS)	2324
FN26: (DHS)	2324
FN27: ZERO(DHS)	2324
FN28: (DHS)	2324
FN29: ZERO(LAW)	2324
FN30: ZERO(DPS)	2324
FN31: (DPS)	2324
FN32: ZERO(AJS)	2324
FN33: (AJS)	2324
FIN RPT HCS(FIN) NT 4DP 4NR 3AM	2588
FN(S) FORTHCOMING	2590

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

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)
"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances;

relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

(HCR 32 – title change resolution)

There being no objection, it was so ordered.

Representative Millett moved and asked unanimous consent that HCS CSSSSB 91(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HCS CSSSSB 91(FIN) will advance to third reading on the May 2, 2016, 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 - Inge Boyden

By Representatives LeDoux, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler,

Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool; Senator Wielechowski

Honoring - Sean Genson, 2016 Patricia Behring Teacher of the Year
By Representatives Guttenberg, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, 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 - Chugiak and Eagle River, 2016 BP Teachers of Excellence
By Representatives Tilton, Saddler, Reinbold, 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, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Vazquez, Wilson, Wool; Senators Stoltze, MacKinnon

Honoring - Sara Hannan

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

Honoring - Major Burke Barrick

By Senator Coghill; Representatives Wilson, 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, Wool

Honoring - Barrow High School Symphonic Band

By Senator Olson; Representatives Nageak, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito,

Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Neuman, Olson, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

In Memoriam - Gloria Fischer Rubenstein

By Representatives Guttenberg, Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, 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 - David Robert Galla

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

In Memoriam - Thomas Lee Siekawitch

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

In Memoriam - Gregory Gene Scheff

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

UNFINISHED BUSINESS

Representative Millett 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 Chenault – from 1:00 p.m., April 29 to 10:00 a.m., May 1

Representative Olson – from 6:00 a.m., April 30 to 10:00 p.m., May 1

Representative Millett – from 4:00 p.m., April 29 to 9:00 a.m., May 2

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.

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 2, 2016. There being no objection, the House adjourned at 11:25 a.m.

Crystaline Jones
Chief Clerk