

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

April 14, 2017

Eighty-eighth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:39 a.m.

Roll call showed 39 members present. Representative Pruitt was absent and later excused.

The invocation was offered by the Chaplain, Student Rabbi Avi Fine of Congregation Sukkat Shalom. Representative Westlake moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With deep respect for the religious beliefs of each person here, I offer the following:

The Jewish people are in the middle of celebrating Passover, the holiday that celebrates the ancient Israelites' escape from slavery in Egypt. Though this biblical event took place centuries ago, we are commanded to see ourselves, as if each one of us, left Egypt. We eat matzah, a dry, flat, cracker-like food, to recreate the sensation of not having proper food to eat. We dip our vegetables in salt water to recall the tears shed during our slavery. Each of these immerse us in the experience of the ancient slaves. We recall our past as slaves not to wallow in it, but to guide our actions in the present, as we look toward the future. We know what it was like to be enslaved, we therefore must fight slavery and oppression today.

Passover is also a time of hope. As we tell our story of redemption, we taste the bitterness of slavery and the sweetness of freedom. Passover coincides with the thawing of the ground and the new growth of plants. It is a time of rebirth and renewal. Yet, there are too many in our country and world who are stuck in oppression and slavery and cannot experience the sweetness of freedom and renewal.

In this time of hope, O God, may you help all of us find the eternal message of liberation in our hearts. May each of your work in this Chamber seek to aid those who need it most. And may the message of Passover inspire within us the desire to bring hope and freedom to all. And let us say: Amen.

The Pledge of Allegiance was led by Representative Claman.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 87th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 48

A message dated April 13 was read stating the Senate passed:

HOUSE BILL NO. 48

"An Act relating to the composition of the State Board of Registration for Architects, Engineers, and Land Surveyors; extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

HB 48 was referred to the Chief Clerk for enrollment.

A message dated April 13 was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 88**

CS FOR SENATE BILL NO. 88(RES) by the Senate Resources Committee, entitled:

"An Act authorizing a land exchange with the federal government in which certain Alaska mental health trust land is exchanged for certain national forest land and relating to the costs of the exchange; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES**HJR 9**

The Resources Committee considered:

HOUSE JOINT RESOLUTION NO. 9

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 9(FSH)
(same title)

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

Do pass (4): Parish, Drummond, Josephson, Tarr

No recommendation (2): Birch, Johnson

The following fiscal note(s) apply to CSHJR 9(FSH):

1. Zero, Legislative Agency

HJR 9 was referred to the Rules Committee for placement on the calendar.

HB 47

The Finance Committee considered:

HOUSE BILL NO. 47

"An Act requiring certain municipalities with a population that decreased by more than 25 percent between 2000 and 2010 that participate in the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22 percent of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; authorizing the administrator of the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to reduce the rate of interest payable by certain municipalities that are delinquent in transmitting employee and employer contributions to the retirement plan; and providing for an effective date."

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

Do pass (5): Ortiz, Guttenberg, Gara, Seaton, Foster

Amend (6): Wilson, Kawasaki, Thompson, Tilton, Grenn, Pruitt

The following fiscal note(s) apply:

2. Zero, Dept. of Administration
3. Fiscal, Dept. of Administration/Retirement Payments

HB 47 was referred to the Rules Committee for placement on the calendar.

HB 79

The Judiciary Committee considered:

HOUSE BILL NO. 79

"An Act relating to workers' compensation; repealing the second injury fund upon satisfaction of claims; relating to service fees and civil penalties for the workers' safety programs and the workers' compensation program; relating to the liability of specified officers and members of specified business entities for payment of workers' compensation benefits and civil penalties; relating to civil penalties for underinsuring or failing to insure or provide security for workers' compensation liability; relating to preauthorization and timely payment for medical treatment and services provided to injured employees; relating to incorporation of reference materials in workers' compensation regulations; relating to proceedings before the Workers' Compensation Board; providing for methods of payment for workers' compensation benefits; relating to the workers' compensation benefits guaranty fund authority to claim a lien; excluding independent contractors from workers' compensation coverage; establishing the circumstances under which certain nonemployee executive corporate officers and members of limited liability companies may obtain workers' compensation coverage; relating to the duties of injured employees to report income or work; relating to misclassification of employees and deceptive leasing; defining 'employee'; relating to the Workers' Compensation Board's approval of attorney fees in a settlement agreement; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 79(JUD)

"An Act relating to workers' compensation; relating to the second injury fund; relating to service fees and civil penalties for the workers' safety programs and the workers' compensation program; relating to the liability of business entities and certain persons for payment of workers' compensation benefits and civil penalties; relating to civil penalties for underinsuring or failing to insure or provide security for workers' compensation liability; relating to preauthorization and timely payment for medical treatment and

services provided to injured employees; relating to incorporation of reference materials in workers' compensation regulations; relating to proceedings before the Alaska Workers' Compensation Board; relating to the authorization of the workers' compensation benefits guaranty fund to claim a lien; excluding independent contractors from workers' compensation coverage; establishing the circumstances under which certain nonemployee executive corporate officers and members of limited liability companies may obtain workers' compensation coverage; relating to the duties of injured employees to report income or work; relating to misclassification of employees and deceptive leasing; defining 'employee'; relating to the Alaska Workers' Compensation Board's approval of attorney fees in a settlement agreement; relating to reemployment benefits; and providing for an effective date."

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

Do pass (2): LeDoux, Claman

No recommendation (5): Eastman, Kopp, Kreiss-Tomkins, Fansler, Reinbold

The following fiscal note(s) apply to CSHB 79(JUD):

1. Fiscal, Dept. of Administration
3. Fiscal, Dept. of Labor & Workforce Development
4. Fiscal, Dept. of Labor & Workforce Development

HB 79 was referred to the Finance Committee.

HB 127

The Finance Committee considered:

HOUSE BILL NO. 127

"An Act relating to a permanent fund dividend for an individual whose conviction has been vacated, reversed, or dismissed; and relating to the calculation of the value of the permanent fund dividend by including payment to individuals eligible for a permanent fund dividend because of a conviction that has been vacated, reversed, or dismissed."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 127(FIN)
(same title)

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

Do pass (7): Grenn, Guttenberg, Ortiz, Kawasaki, Gara, Seaton, Foster

No recommendation (2): Thompson, Pruitt

Amend (2): Tilton, Wilson

The following fiscal note(s) apply to CSHB 127(FIN):

1. Zero, Dept. of Revenue

HB 127 was referred to the Rules Committee for placement on the calendar.

HB 201

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 201
"An Act relating to municipal regulation of trapping; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 201(CRA)
(same title)

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

Do pass (2): Drummond, Parish

Do not pass (2): Rauscher, Talerico

No recommendation (2): Westlake, Fansler

The following fiscal note(s) apply to CSHB 201(CRA):

1. Zero, Dept. of Fish & Game

HB 201 was referred to the Resources Committee.

HB 204

The Judiciary Committee considered:

HOUSE BILL NO. 204

"An Act relating to overtaking and passing certain stationary vehicles."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 204(JUD)
(same title)

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

Do pass (4): Kopp, Kreiss-Tomkins, Fansler, Claman

No recommendation (3): Eastman, LeDoux, Reinbold

The following fiscal note(s) apply to CSHB 204(JUD):

1. Zero, Dept. of Public Safety

HB 204 was referred to the Rules Committee for placement on the calendar.

SB 32

The Health & Social Services Committee considered:

SENATE BILL NO. 32

"An Act relating to biological products; relating to the practice of pharmacy; relating to the Board of Pharmacy; and providing for an effective date."

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

Do pass (4): Sullivan-Leonard, Kito, Eastman, Spohnholz

No recommendation (2): Tarr, Edgmon

The following fiscal note(s) apply:

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

SB 32 was referred to the Finance Committee.

SB 55

The Judiciary Committee considered:

CS FOR SENATE BILL NO. 55(FIN)

"An Act relating to criminal law and procedure; relating to controlled substances; relating to sentencing; relating to protective orders; relating to restitution; relating to the period of probation; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to parole; relating to the duties of the Department of Corrections and the Department of Health and Social Services; and providing for an effective date."

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

Do pass (3): Kopp, Kreiss-Tomkins, Claman

Do not pass (1): Reinbold

No recommendation (2): Fansler, LeDoux

Amend (1): Eastman

The following fiscal note(s) apply:

8. Zero, Judiciary
9. Zero, Senate Finance Committee/Various Depts.

CSSB 55(FIN) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

A memo dated April 8 from Representative Kito and Senator MacKinnon, Co-chairs, Victims' Advocate Selection Committee, was read:

The Victim's Advocate Selection Committee conducted a 30-day recruitment for the Victims' Advocate which resulted in a very limited pool of applicants who meet the statutory qualifications.

At this time, the committee respectfully requests permission to conduct another, longer recruitment period later this year and to forward a nominee to be confirmed during the second session of the 30th Legislature.

INTRODUCTION OF CITATIONS

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

Honoring - Steve Johnson
By Representative Spohnholz

Honoring - Michelle Girault and Chuck Wright
By Representative Spohnholz

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 229

HOUSE BILL NO. 229 by Representative Seaton, entitled:

"An Act relating to a bond or cash deposit required for an oil or gas business; relating to claims against an oil and gas business; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 115

The following was read the second time:

HOUSE BILL NO. 115

"An Act relating to the permanent fund dividend; relating to the appropriation of certain amounts of the earnings reserve account; relating to the taxation of income of individuals; relating to a payment against the individual income tax from the permanent fund dividend disbursement; repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act; and providing for an effective date."

with the:	Journal Page
FIN RPT CS(FIN) NT 4DP 4DNP 2NR 1AM	1057
FN1: (ADM)	1057
FN2: (REV)	1057

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

CS FOR HOUSE BILL NO. 115(FIN)

"An Act bearing the short title of the 'Education Funding Act'; relating to the taxation of income of individuals, partners, shareholders in S corporations, trusts, and estates; relating to a payment against the individual income tax from the permanent fund dividend disbursement; repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act; and providing for an effective date."

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 115(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 115(FIN) will advance to third reading on tomorrow's calendar.

HB 186

The following was read the second time:

HOUSE BILL NO. 186

"An Act relating to the donation of food; and relating to food banks."

with the:

Journal Page

HSS RPT 7DP

851

FN1: ZERO(DEC)

851

Representative Tuck moved and asked unanimous consent that HB 186 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 186 was read the third time.

The question being: "Shall HB 186 pass the House?" The roll was taken with the following result:

HB 186

Third Reading

Final Passage

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

Yeas: Birch, Chenault, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Rauscher, Reinbold, Saddler, Seaton,

Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

Excused: Pruitt

And so, HB 186 passed the House and was referred to the Chief Clerk for engrossment.

**The voting record was changed to reflect that Representative Pruitt was excused (page 1103).

Representative Tuck moved and asked unanimous consent that Representative Pruitt be excused from 11:00 a.m., today and that his voting record be changed to reflect that he was excused. There being no objection, it was so ordered.

LEGISLATIVE CITATIONS

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

Honoring - Jean Pollard

By Senators Wielechowski, Begich; Representatives Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

UNFINISHED BUSINESS

Representative Tuck 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 Johnson – from 6:00 p.m., today to 10:00 a.m., April 17

Representative Neuman – from 6:00 p.m., today to 10:00 a.m., April 17

HB 186

Representatives Millett, Tilton, Josephson, Fansler, and Gara added as cosponsors to:

HOUSE BILL NO. 186

"An Act relating to the donation of food; and relating to food banks."

HB 200

Representative Kawasaki added as a cosponsor to:

HOUSE BILL NO. 200

"An Act establishing a top two nonpartisan open primary election system for elective state executive and state and national legislative offices; repealing the special runoff election for the office of United States senator or United States representative; changing appointment procedures relating to precinct watchers and members of precinct election boards, election district absentee and questioned ballot counting boards, and the Alaska Public Offices Commission; requiring certain written notices to appear in election pamphlets and polling places; relating to declarations of candidacy and letters of intent; and amending the definition of 'political party.'"

HB 214

Representative Gara added as a cosponsor to:

HOUSE BILL NO. 214

"An Act renaming a portion of the Alaska Safe Children's Act as Bree's Law; relating to Bree's Law programs and Bree's Law activities; relating to dating violence and abuse policy, training, awareness, prevention, and notices; and providing for an effective date."

HB 216

Representative Westlake added as a cosponsor to:

HOUSE BILL NO. 216

"An Act relating to transfers from the dividend fund; creating the restorative justice account; relating to appropriations from the

restorative justice account for payments for and services to crime victims, operating costs of the Violent Crimes Compensation Board, operation of domestic violence and sexual assault programs, mental health services and substance abuse treatment for offenders, and incarceration costs; and providing for an effective date."

SB 32

Representative Eastman added as a cross sponsor to:

SENATE BILL NO. 32

"An Act relating to biological products; relating to the practice of pharmacy; relating to the Board of Pharmacy; and providing for an effective date."

SB 63

Representative Drummond added as a cross sponsor to:

CS FOR SENATE BILL NO. 63(FIN)

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

ENGROSSMENT**HB 186**

HB 186 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 Tuck moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 15. There being no objection, the House adjourned at 11:42 a.m.

Crystaline Jones
Chief Clerk