

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Sunday

April 16, 2017

Ninetieth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 1:05 p.m.

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

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

Thank you for the immense gifts you have blessed us with. Today marks Easter Sunday, which represents the ultimate sacrifice of Jesus Christ. Let us remember that we are servants of our state, of our district, of our neighbors, and we too must understand the gravity of the word 'sacrifice.' Give us the strength to act with courage and to do the right thing for all Alaskans. Resurrection Sunday also marks immense hope and peace. Fill our actions with hope and peace as we work cooperatively with each other. During each legislative gathering on the floor, each committee hearing, and each private conversation that takes place in this building, guide us

to look for the commonalities that bond us together. Keep us from slipping into political divides but rather may our thoughts and actions be examples of unity in purpose as we search for solutions. I pray that you fill each member of this Alaska State Legislature with hope, dedication, and cooperation as we move forward. Thank you, Father. Amen.

The Pledge of Allegiance was led by Representative Eastman.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 89th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated April 15 was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 45

CS FOR SENATE BILL NO. 45(FIN) by the Senate Finance Committee, entitled:

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

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

SB 83

CS FOR SENATE BILL NO. 83(HSS) by the Senate Health and Social Services Committee, entitled:

"An Act relating to the protection of vulnerable adults and residents of long term care facilities."

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

COMMUNICATIONS

The following was received:

Alaska Legislative Task Force on Civics Education
Final Report
April 16, 2017
(as required by Legislative Resolve No. 34, SLA 2016)

INTRODUCTION OF CITATIONS

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

Honoring - Dr. Paul Barney
By Senator Giessel; Representative Spohnholz

In Memoriam - Albert G. Feller, Sr.
By Representative Ortiz

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 21**

HOUSE JOINT RESOLUTION NO. 21 by Representatives Guttenberg, Drummond, and Tarr:

Urging the federal government to respect previous federal guidance on marijuana policy; and urging the federal government not to interfere in state marijuana policy.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 234**

HOUSE BILL NO. 234 by Representative Guttenberg, entitled:

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

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

HB 235

HOUSE BILL NO. 235 by Representative Kreiss-Tomkins, entitled:

"An Act creating the North Star Medal."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 170

The following was read the second time:

HOUSE BILL NO. 170

"An Act relating to securities, registration, exempt securities, exempt transactions, broker-dealers, agents, investment advice, investment advisers, investment adviser representatives, federal covered securities, federal covered investment advisers, viatical settlement interests, small intrastate security offerings, Canadian broker-dealers, and Canadian agents; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; relating to an investor training fund; establishing increased civil penalties for harming older persons and vulnerable adults; relating to corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure, and Rule 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

with the:

Journal Page

L&C RPT 6DP 1NR	779
FN1: ZERO(CED)	779
FN2: ZERO(DHS)	779
JUD RPT CS(JUD) NT 1DP 4NR	1077
FN1: ZERO(CED)	1078
FN2: ZERO(DHS)	1078

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. 170(JUD)

"An Act relating to securities, registration, exempt securities, exempt transactions, broker-dealers, agents, investment advice, investment advisers, investment adviser representatives, federal covered securities, federal covered investment advisers, viatical settlement interests, small intrastate security offerings, Canadian broker-dealers, and Canadian agents; relating to protecting older and vulnerable adults from financial exploitation; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; relating to an investor training fund; establishing increased civil penalties for harming older persons and vulnerable adults; relating to corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure, and Rule 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 170(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 170(JUD) will advance to third reading on tomorrow's calendar.

HB 204

The following was read the second time:

HOUSE BILL NO. 204

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

HOUSE JOURNAL

1138

April 16, 2017

with the:	Journal Page
TRA RPT 2DP 5AM	888
FN1: ZERO(DPS)	888
JUD RPT CS(JUD) 4DP 3NR	1098
FN1: ZERO(DPS)	1098

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. 204(JUD)
(same title)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 204(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 204(JUD) will advance to third reading on tomorrow's calendar.

SECOND READING OF HOUSE RESOLUTIONS

HJR 15

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 15
Encouraging repeal of the REAL ID Act of 2005.

with the:	Journal Page
STA RPT CS(STA) 7DP	824
FN1: ZERO(LEG)	824

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

CS FOR HOUSE JOINT RESOLUTION NO. 15(STA)
(same title)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHJR 15(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 15(STA) was read the third time.

Representative LeDoux rose to a point of order.

The Speaker cautioned the member that reference to the other body is not appropriate.

The question being: "Shall CSHJR 15(STA) pass the House?" The roll was taken with the following result:

CSHJR 15(STA)

Third Reading

Final Passage

YEAS: 38 NAYS: 1 EXCUSED: 1 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

Nays: Kito

Excused: Neuman

And so, CSHJR 15(STA) passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Tuck 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 - Laura Norton-Cruz

By Representatives Tarr, 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, Talerico, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

Honoring - Ray Stokes

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

Honoring - Vertical Harvest Hydroponics of Alaska

By Representatives Tarr, 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, Talerico, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

RECONSIDERATION

HB 115

Representative Millett brought up reconsideration of the vote on CSHB 115(FIN) am (page 1130).

The following was before the House in third reading:

CS FOR HOUSE BILL NO. 115(FIN) am

"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."

The question to be reconsidered: "Shall CSHB 115(FIN) am pass the House?" The roll was taken with the following result:

CSHB 115(FIN) am
Third Reading
Final Passage
Reconsideration

YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0

Yeas: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Excused: Neuman

And so, CSHB 115(FIN) am passed the House on reconsideration.

Representative Tuck moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 115(FIN) am
Third Reading
Effective Date
Reconsideration

YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0

Yeas: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Excused: Neuman

Eastman changed from "Yea" to "Nay".

And so, lacking the required 27 votes, the effective date clause was not adopted, and the new title follows:

CS FOR HOUSE BILL NO. 115(FIN) am(efd fld)

"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; and repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act."

CSHB 115(FIN) am(efd fld) was referred to the Chief Clerk for engrossment.

Representative Tuck placed a call of the House.

The call was satisfied.

RECEDE

SB 26

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 1108) on the following:

HOUSE CS FOR CS FOR SENATE BILL NO. 26(FIN)(efd fld H)

"An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; relating to the Alaska permanent fund, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to the mental health trust fund; relating to deposits into the dividend fund; and relating to the calculation and payment of permanent fund dividends."

and

CS FOR SENATE BILL NO. 26(FIN)

"An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; relating to the Alaska permanent fund, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation and payment of permanent fund dividends; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Representative Tuck moved that the House recede from its amendment, namely HCS CSSB 26(FIN)(efd fld H), and recommended that the members vote no.

The question being: "Shall the House recede from its amendment?"
The roll was taken with the following result:

HCS CSSB 26(FIN)(efd fld H)

Recede

YEAS: 17 NAYS: 22 EXCUSED: 1 ABSENT: 0

Yeas: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Nays: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

Excused: Neuman

And so, the House failed to recede.

The Chief Clerk notified the Senate.

Representative Tuck lifted the call of the House.

UNFINISHED BUSINESS

HJR 15

Representatives Grenn, Parish, Millett, and Sullivan-Leonard added as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 15(STA)

Encouraging repeal of the REAL ID Act of 2005.

HB 151

Representatives Spohnholz, Drummond, Parish, Fansler, Tuck, Grenn, and Ortiz added as cosponsors to:

HOUSE BILL NO. 151

"An Act relating to the duties of the Department of Health and Social Services; relating to training and workload standards for

employees of the Department of Health and Social Services; relating to foster care licensing; relating to placement of a child in need of aid; relating to the rights and responsibilities of foster parents; relating to subsidies for adoption or guardianship of a child in need of aid; requiring the Department of Health and Social Services to provide information to a child or person released from the department's custody; and providing for an effective date."

ENGROSSMENT

HJR 15

CSHJR 15(STA) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 115

CSHB 115(FIN) am(efd fld) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 120

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration:

HOUSE BILL NO. 120

"An Act relating to the Department of Law public advocacy function to participate in matters that come before the Federal Energy Regulatory Commission."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:30 a.m., April 17. There being no objection, the House adjourned at 2:48 p.m.

Crystaline Jones
Chief Clerk