

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**May 10, 2017**

**One Hundred Fourteenth Day**

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:43 a.m.

Roll call showed 38 members present. Representative Gara was absent and his presence was noted later.

Representative Tuck moved and asked unanimous consent that Representative Chenault be excused from a call of the House from today to 8:00 a.m., May 15. There being no objection, it was so ordered.

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

Good and Gracious God,

We give thanks for your constant presence in our lives. Make us aware of our call to be a reflection of you. Teach us to walk softly in our lives. Guide us to places of love and humility. Create in us a peace that passes understanding. And inspire us to seek out justice for those who find far too little of it in this world. You have shown us what is good, Lord.

I ask today that you show us when to act with justice, how to love with mercy and kindness, and where to walk humbly with you. Guide us, Lord, that your thoughts become our thoughts and your ways become our path. Amen.

The Pledge of Allegiance was led by Representative Kito.

### **CERTIFICATION OF THE JOURNAL**

Representative Tuck moved and asked unanimous consent that the journal for the 109th through 113th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **REPORTS OF STANDING COMMITTEES**

#### **HB 74**

The Finance Committee considered:

#### HOUSE BILL NO. 74

"An Act relating to the implementation of the federal REAL ID Act of 2005; and relating to issuance of identification cards and driver's licenses; and providing for an effective date."

and recommends it be replaced with:

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

"An Act relating to the implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

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

Do pass (4): Grenn, Gara, Seaton, Foster

Amend (7): Kawasaki, Tilton, Pruitt, Ortiz, Thompson, Stutes (alternate), Wilson

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

1. Zero, Dept. of Military & Veterans' Affairs
2. Zero, Dept. of Public Safety
4. Fiscal, Dept. of Administration

HB 74 was referred to the Rules Committee for placement on the calendar.

\*\*The presence of Representative Gara was noted.

**HB 124**

The Finance Committee considered:

HOUSE BILL NO. 124

"An Act relating to corporations, including benefit corporations, and other entities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 124(FIN)  
(same title)

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

Do pass (5): Thompson, Grenn, Gara, Seaton, Foster

Do not pass (3): Tilton, Pruitt, Wilson

No recommendation (2): Ortiz, Stutes (alternate)

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHB 124(FIN):

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

HB 124 was referred to the Rules Committee for placement on the calendar.

**HB 150**

The Finance Committee considered:

## HOUSE BILL NO. 150

"An Act relating to pay, allowances, and benefits for members of the organized militia."

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

Do pass (11): Wilson, Kawasaki, Tilton, Ortiz, Thompson, Grenn, Pruitt, Stutes (alternate), Gara, Seaton, Foster

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Military & Veterans' Affairs

HB 150 was referred to the Rules Committee for placement on the calendar.

**HB 173**

The State Affairs Committee considered:

## HOUSE BILL NO. 173

"An Act establishing the Alaska Climate Change Response Commission; relating to the powers and duties of the Alaska Climate Change Response Commission; establishing the climate change response fund; and relating to the surcharge on oil produced in the state."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 173(STA)

"An Act establishing the Alaska Climate Change Response Commission; and relating to the powers and duties of the Alaska Climate Change Response Commission."

The report was signed by Representative Kreiss-Tomkins, Chair, with the following individual recommendations:

Do pass (2): Wool, Kreiss-Tomkins

Do not pass (3): Birch, Knopp, Johnson

No recommendation (2): Tuck, LeDoux

The following fiscal note(s) apply to CSHB 173(STA):

1. Zero, Dept. of Environmental Conservation
2. Fiscal, Office of the Governor
3. Fiscal, Dept. of Revenue

HB 173 was referred to the Resources Committee.

### **HB 215**

The Health & Social Services Committee considered:

#### HOUSE BILL NO. 215

"An Act relating to program receipts; and relating to fees for services provided by the Department of Health and Social Services."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 215(HSS)  
(same title)

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

Do pass (3): Johnston, Edgmon, Spohnholz

No recommendation (2): Sullivan-Leonard, Kito

Amend (1): Eastman

The following fiscal note(s) apply to CSHB 215(HSS):

1. Fiscal, Dept. of Health & Social Services

HB 215 was referred to the Finance Committee.

### **INTRODUCTION OF CITATIONS**

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

Honoring - Claire Smith  
By Representative Birch

Honoring - Patricia Ann Stutes, Victor Ashenfelder, and Sidney A. Eilerson  
By Representative Stutes; Senator Stevens

Honoring - American Heritage Girls  
By Representative Eastman; Senator Dunleavy

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HJR 24**

HOUSE JOINT RESOLUTION NO. 24 by Representatives Talerico, Johnston, Birch, Wilson, Tilton, Millett, and Johnson:

Urging the governor and the Alaska delegation in Congress to expedite the responsible development of oil fields in the state to increase the volume of oil transported through the Trans Alaska Pipeline System.

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

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS**

#### **HB 246**

HOUSE BILL NO. 246 by Representatives Guttenberg, Gara, Tuck, and Drummond, entitled:

"An Act creating the Broadband Development Commission."

was read the first time and referred to the State Affairs and Labor & Commerce Committees.

**HB 247**

HOUSE BILL NO. 247 by Representatives Edgmon and Gara, entitled:

"An Act naming bridge number 1902 over the Wood River the Raymond Conquest Bridge."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF SENATE BILLS**

**SB 88**

The following was read the second time:

CS FOR SENATE BILL NO. 88(RES)

"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."

with the:

Journal Page

FIN RPT 8DP 2NR

1172

FN1: ZERO(DNR)

1172

Representative Tuck moved and asked unanimous consent that CSSB 88(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 88(RES) was read the third time.

Representative Saddler moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and he was required to vote.

The question being: "Shall CSSB 88(RES) pass the House?" The roll was taken with the following result:

CSSB 88(RES)  
Third Reading  
Final Passage

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

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Kawasaki, Kito, Knopp, 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

Nays: Josephson

Excused: Chenault

And so, CSSB 88(RES) passed the House.

Representative Tuck 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 88(RES) was signed by the Speaker and Chief Clerk and returned to the Senate.

### **THIRD READING OF HOUSE BILLS**

#### **HB 131**

The following, which was advanced to third reading from the May 5 calendar (page 1319), and held to today's calendar due to technical session (page 1331), was read the third time:

HOUSE BILL NO. 131

"An Act relating to relocation assistance for federally assisted public construction and improvement projects and programs; and providing for an effective date."

The question being: "Shall HB 131 pass the House?" The roll was taken with the following result:



HB 131  
Third Reading  
Final Passage

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

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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

Excused: Chenault

And so, HB 131 passed the House.

Representative Tuck 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.

HB 131 was referred to the Chief Clerk for engrossment.

**HB 195**

The following, which was advanced to third reading from the May 5 calendar (page 1320), and held to today's calendar due to technical session (page 1331), was read the third time:

HOUSE BILL NO. 195

"An Act relating to insurer actions based on credit history and insurance scores at insurance policy renewal; and providing for insurer consideration of consumer requests for exceptions of credit history or insurance scores."

Representative Wool moved and asked unanimous consent that HB 195 be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Wool, LeDoux, Tuck, Gara, Kawasaki, and Drummond:

Page 1, lines 1 - 3 (title amendment):

Delete all material and insert:

**""An Act prohibiting an insurer from using a consumer's credit history in underwriting, rating, or determining premiums or eligibility for personal insurance.""**

Page 1, line 5, through page 10, line 9:

Delete all material and insert:

**\*\* Section 1.** AS 21.36.460 is repealed and reenacted to read:

**Sec. 21.36.460. Restriction on the use of consumer credit history.** (a) An insurer may not use a consumer's credit history to underwrite, rate, or determine premiums or eligibility for personal insurance.

(b) The prohibition against using a consumer's credit history under this section may be waived by the consumer.

(c) In this section,

(1) "consumer" means an individual policyholder or an applicant for personal insurance;

(2) "credit history" means written, oral, or other communication of information by a consumer credit reporting agency or other source relating to a consumer's creditworthiness, credit standing, or credit capacity;

(3) "personal insurance" means

(A) private passenger automobile or motorcycle coverage;

(B) homeowner coverage, including mobile homeowner's, manufactured homeowner's, condominium owner's, and renter's coverage;

(C) dwelling property coverage;

(D) earthquake coverage for a residence or personal property;

(E) personal liability and theft coverage;

(F) personal property inland marine coverage;

(G) personal boat, watercraft, snowmobile, and recreational vehicle coverage; and

(H) umbrella insurance coverage.

**\* Sec. 2.** AS 21.39.035 and AS 45.48.210(a)(11) are repealed."

Representative Wool moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Kito objected.

Amendment No. 1 to Amendment No. 1 was offered by Representative Wool:

Following "insurance.":

Delete "(b) The prohibition against using a consumer's credit history under this section may be waived by the consumer."

Reletter the following bill section accordingly.

Representative Wool moved and asked unanimous consent that Amendment No. 1 to Amendment No. 1 be adopted.

Representative Wilson objected.

The question being: "Shall Amendment No. 1 to Amendment No. 1 be adopted?" The roll was taken with the following result:

HB 195

Second Reading

Amendment No. 1 to Amendment No. 1

**YEAS: 20 NAYS: 19 EXCUSED: 1 ABSENT: 0**

Yeas: Claman, Drummond, Edgmon, Fansler, Gara, Grenn, Guttenberg, Johnson, Josephson, Kawasaki, Kreiss-Tomkins, LeDoux, Neuman, Ortiz, Parish, Spohnholz, Stutes, Tarr, Tuck, Wool

Nays: Birch, Eastman, Foster, Johnston, Kito, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Sullivan-Leonard, Talerico, Thompson, Tilton, Westlake, Wilson

Excused: Chenault

And so, Amendment No. 1 to Amendment No. 1 was adopted.

The question being: "Shall Amendment No. 1 as amended be adopted?" The roll was taken with the following result:

HB 195

Second Reading

Amendment No. 1 as amended

**YEAS: 18 NAYS: 21 EXCUSED: 1 ABSENT: 0**

Yeas: Claman, Drummond, Edgmon, Fansler, Gara, Guttenberg, Josephson, Kawasaki, Kreiss-Tomkins, LeDoux, Neuman, Ortiz, Parish, Spohnholz, Stutes, Tarr, Tuck, Wool

Nays: Birch, Eastman, Foster, Grenn, Johnson, Johnston, Kito, Knopp, Kopp, Millett, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Sullivan-Leonard, Talerico, Thompson, Tilton, Westlake, Wilson

Excused: Chenault

And so, Amendment No. 1 as amended was not adopted.

HB 195 was automatically in third reading.

The question being: "Shall HB 195 pass the House?" The roll was taken with the following result:

HB 195

Third Reading

Final Passage

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

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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

Excused: Chenault

And so, HB 195 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would revert to:

#### **MESSAGES FROM THE SENATE**

##### **HB 57**

A message dated May 10 was read stating the Senate failed to recede from its amendment to:

CS FOR HOUSE BILL NO. 57(FIN) am(brf sup maj fld)(efd fld)  
"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; repealing appropriations; and making supplemental appropriations and reappropriations."

namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 57(FIN) am S  
"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; repealing appropriations; making supplemental appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(technical title change)

The President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Hoffman, Chair  
Senator MacKinnon  
Senator Olson

The Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Seaton, Chair  
Representative Foster  
Representative Pruitt

The Speaker stated that Uniform Rule 23(d) is now in effect.

**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 Thompson – from 6:00 p.m., May 11 to 10:00 a.m., May 15

Representative Johnston – from 7:00 p.m., May 11 to 10:00 p.m., May 15

**CONCUR IN SENATE AMENDMENTS****HB 141**

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 1164) on the following:

**HOUSE BILL NO. 141**

"An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 141(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Tuck moved that the House concur in the Senate amendment and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment?" The roll was taken with the following result:

SCS HB 141(FIN)

Concur

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

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki,

Kito, Knopp, 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

Excused: Chenault

And so, the House concurred in the Senate amendment, thus adopting SCS HB 141(FIN).

Representative Tuck 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.

The bill was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

Representative Spohnholz moved and asked unanimous consent that Representative Eastman be censured for offensive, insulting, and unsubstantiated statements that undermine the dignity of the House.

There was objection.

The Speaker stated that, without objection, the House would recess to 1:45 p.m.; and so, the House recessed at 12:44 p.m.

### **AFTER RECESS**

The Speaker called the House back to order at 1:56 p.m.

### **SPECIAL ORDER OF BUSINESS**

(continued)

The censure of Representative Eastman was before the House.

Representative Eastman moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and he was required to vote.

The question being: "Shall the House censure Representative Eastman?" The roll was taken with the following result:

Censure Representative Eastman

**YEAS: 25 NAYS: 14 EXCUSED: 1 ABSENT: 0**

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

Nays: Birch, Eastman, Johnston, Kopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Tilton, Wilson

Excused: Chenault

And so, the motion passed.

### **UNFINISHED BUSINESS**

#### **HJR 9**

Representative Stutes added as a cosponsor to:

##### 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.

#### **HB 124**

Representatives Gara and Kawasaki added as cosponsors to:

##### HOUSE BILL NO. 124

"An Act relating to corporations, including benefit corporations, and other entities; and providing for an effective date."

#### **HB 141**

Representative Spohnholz added as a cosponsor to:



## SENATE CS FOR HOUSE BILL NO. 141(FIN)

"An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date."

**HB 199**

Representative Gara added as a cosponsor to:

## HOUSE BILL NO. 199

"An Act establishing general fish and wildlife permits and major and minor anadromous fish habitat permits for certain activities; establishing related penalties; and relating to the protection of fish and game and fish and game habitat."

**HB 205**

Representative Rauscher added as a cosponsor to:

## HOUSE BILL NO. 205

"An Act prohibiting a municipality from adopting or enforcing a policy or ordinance relating to sanctuary jurisdictions; and providing for an effective date."

**HB 243**

Representative Rauscher added as a cosponsor to:

## HOUSE BILL NO. 243

"An Act requiring an advisory vote on the enactment of an individual income tax."

**SB 88**

Representatives Sullivan-Leonard and Saddler added as cross sponsors to:

## CS FOR SENATE BILL NO. 88(RES)

"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."

**ANNOUNCEMENTS**

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of May 10.

House committee schedules are published under separate cover.

The following meeting today was changed:

Finance Committee CANCELED

Labor & Commerce Committee CANCELED

**ENGROSSMENT****HB 131**

HB 131 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 195**

HB 195 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 208**

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. 208

"An Act relating to trusts and powers of appointment; and providing for an effective date."

**ADJOURNMENT**

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:30 a.m., May 12. There being no objection, the House adjourned at 4:48 p.m.

Crystaline Jones  
Chief Clerk