

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

**Juneau, Alaska**

**Friday**

**May 12, 2017**

**One Hundred Sixteenth Day**

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:48 a.m.

Roll call showed 36 members present. Representatives Chenault and Thompson had been excused from a call of the House today.

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 8:00 a.m., May 13 to 11:00 a.m., May 15

Representative Knopp – from today to 7:00 p.m., May 14

Representative Sullivan-Leonard – from today to 5:00 p.m., May 14

Representative Gara – today

The invocation was offered by the Chaplain, Sister Marie Lucek of the Cathedral of the Nativity of the Blessed Virgin Mary. Representative Westlake moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Respecting differing beliefs among all of us here, I offer this  
prayer:

O God, we see and feel the unfolding of a new spring. Thank you, God, for the change of seasons, for longer days, for the beauty of your creation that is seen in each sign of freshness and new life. In the final days of this session, I ask that you bless our legislators with energy and the stamina they will need as they try to decide the best course to follow for all Alaskans. Gift them with wisdom, clarity, and understanding.

They have said yes to an awesome task: to represent the Alaskan people. They are faced with difficult challenges. At times there are stalemates and no solution seems to be in sight. When this happens, I ask you to give them discerning hearts and guide them to make good decisions. With your guidance and your grace empower them to continue to take on their work with confidence. Bless them also with a sense of joy in accomplishment and the satisfaction of being able to make a difference in the lives of the people they serve. And as we approach Mother's Day I ask you, God, to especially bless the mothers in this Chamber. I humbly ask all of this in the name of God the Father, the Son, and the Holy Spirit. Amen.

The Pledge of Allegiance was led by Representative Kopp.

#### **CERTIFICATION OF THE JOURNAL**

Representative Tuck moved and asked unanimous consent that the journal for the 114th and 115th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE GOVERNOR**

##### **HB 104**

A message dated May 10 was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

##### **HOUSE BILL NO. 104**

"An Act relating to collecting information about civil litigation by the Alaska Judicial Council; repealing Rule 41(a)(3), Alaska Rules

of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate Procedure; and providing for an effective date."

Chapter No. 6, SLA 2017  
Effective Date: May 11, 2017

## **REPORTS OF STANDING COMMITTEES**

### **HB 6**

The Finance Committee considered:

HOUSE BILL NO. 6  
"An Act establishing the Jonesville Public Use Area."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 6(RES)  
(same title)

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

Do pass (8): Tilton, Thompson, Ortiz, Pruitt, Gara, Wilson, Seaton, Foster

No recommendation (2): Grenn, Guttenberg

Amend (1): Kawasaki

The following fiscal note(s) apply to CSHB 6(RES):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Public Safety
3. Zero, Dept. of Public Safety
4. Zero, Dept. of Natural Resources

HB 6 was referred to the Rules Committee for placement on the calendar.

**HB 159**

The Finance Committee considered:

**HOUSE BILL NO. 159**

"An Act relating to the prescription of opioids; establishing the Voluntary Nonopiod Directive Act; relating to the controlled substance prescription database; relating to the practice of dentistry; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; relating to the practice of optometry; relating to the practice of veterinary medicine; related to the duties of the Board of Pharmacy; and providing for an effective date."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 159(FIN)**

"An Act relating to the prescription of opioids; relating to voluntary nonopiod directives; relating to the controlled substance prescription database; relating to the practice of dentistry; relating to the practice of pharmacy; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; relating to the practice of optometry; relating to the practice of veterinary medicine; relating to the duties of the Board of Pharmacy; relating to pharmacists; providing for an effective date by repealing the effective date of sec. 73, ch. 25, SLA 2016; and providing for an effective date."

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

Do pass (7): Pruitt, Ortiz, Thompson, Guttenberg, Grenn, Seaton, Foster

Do not pass (1): Wilson

Amend (3): Kawasaki, Tilton, Gara

The following fiscal note(s) apply to CSHB 159(FIN):

2. Zero, Dept. of Health & Social Services
3. Fiscal, Dept. of Commerce, Community, & Economic Development

HB 159 was referred to the Rules Committee for placement on the calendar.

#### **INTRODUCTION OF CITATIONS**

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam - David Grunwald  
By Representatives Tilton, Johnson

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

In Memoriam - George Brown  
By Representative Tarr

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

##### **HB 248**

HOUSE BILL NO. 248 by Representative Eastman, entitled:

"An Act requiring advisory votes on the enactment of an individual income tax, a statewide sales tax, and legislative action that changes the calculation of the permanent fund dividend."

was read the first time and referred to the State Affairs, Judiciary, and Finance Committees.

#### **CONSIDERATION OF THE DAILY CALENDAR**

#### **SECOND READING OF HOUSE BILLS**

##### **HB 74**

The following was read the second time:

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."

with the: Journal Page

|                                 |      |
|---------------------------------|------|
| STA RPT CS(STA) NT 1DP 2DNP 3NR | 1056 |
| FN1: ZERO(MVA)                  | 1056 |
| FN2: ZERO(DPS)                  | 1056 |
| FN3: (ADM)                      | 1056 |
| FIN RPT CS(FIN) NT 4DP 7AM      | 1338 |
| FN1: ZERO(MVA)                  | 1339 |
| FN2: ZERO(DPS)                  | 1339 |
| FN4: (ADM)                      | 1339 |

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. 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."

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 74(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 74(FIN) will advance to third reading on tomorrow's calendar.

**SECOND READING OF SENATE BILLS**

**SB 3**

The following was read the second time:

## SENATE BILL NO. 3

"An Act relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; relating to art requirements for certain public facilities; and providing for an effective date."

with the:

Journal Page

|                                 |      |
|---------------------------------|------|
| TRA RPT HCS(TRA) NT 5DP 1NR     | 367  |
| FN1: ZERO(DEC)                  | 368  |
| FN2: ZERO(DOT)                  | 368  |
| FIN RPT HCS(TRA) NT 9DP 1NR 1AM | 1113 |
| FN1: ZERO(DEC)                  | 1113 |
| FN3: ZERO(DOT)                  | 1113 |

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

## HOUSE CS FOR SENATE BILL NO. 3(TRA)

"An Act relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; and providing for an effective date."

(HCR 9 – title change resolution)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that HCS SB 3(TRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS SB 3(TRA) was read the third time.

The question being: "Shall HCS SB 3(TRA) pass the House?" The roll was taken with the following result:

HCS SB 3(TRA)

Third Reading

Final Passage

**YEAS: 35 NAYS: 1 EXCUSED: 4 ABSENT: 0**

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

Nay: Kawasaki

Excused: Chenault, Gara, Knopp, Thompson

And so, HCS SB 3(TRA) 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.

HCS SB 3(TRA) was referred to the Chief Clerk for engrossment.

### **SPECIAL ORDER OF BUSINESS**

#### **HCR 9**

Representative Tuck moved and asked unanimous consent that the following be taken up as a Special Order of Business:

#### **HOUSE CONCURRENT RESOLUTION NO. 9**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 3, relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; and relating to art requirements for certain public facilities.

There being no objection, it was so ordered.

The question being: "Shall HCR 9 pass the House?" The roll was taken with the following result:

HCR 9

Special Order of Business

**YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0**

Yea: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, 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, Tilton, Tuck, Westlake, Wilson, Wool

Excused: Chenault, Gara, Knopp, Thompson

And so, HCR 9 passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### **HJR 19**

The following was read the second time:

#### HOUSE JOINT RESOLUTION NO. 19

Commending the Arctic Waterways Safety Committee; supporting the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures in the Arctic; and urging the state's delegation in the United States Congress and the governor to promote the adoption of spill prevention measures into international agreements; urging the President of the United States and the United States Department of State to initiate negotiations to enter into international agreements to ensure safe and environmentally responsible marine operations in the Arctic.

with the:

Journal Page

|                        |      |
|------------------------|------|
| AET RPT CS(AET) NT 6DP | 1214 |
| FN1: ZERO(LEG)         | 1214 |

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. 19(AET)

Commending the Arctic Waterways Safety Committee; supporting the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures

in the Arctic; urging the state's delegation in the United States Congress and the governor to promote the adoption of spill prevention measures into international agreements; and urging the President of the United States and the United States Department of State to initiate negotiations to enter into international agreements to ensure safe and environmentally responsible marine operations in the Arctic.

(technical title correction)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHJR 19(AET) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHJR 19(AET) will advance to third reading on tomorrow's calendar.

#### **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 - Claire Smith

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

Honoring - Patricia Ann Stutes, Victor Ashenfelder, and Sidney A. Eilerson

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

## Honoring - American Heritage Girls

By Representatives Eastman, Edgmon, Birch, Chenault, Claman, Drummond, 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, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool; Senator Dunleavy

**UNFINISHED BUSINESS**

Representative Tuck moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Birch – from 7:00 a.m., May 13 to 10:00 a.m., May 15

**CONCUR IN SENATE AMENDMENTS****HB 59**

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 881) on the following:

## CS FOR HOUSE BILL NO. 59(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 59(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 no.

The question being: "Shall the House concur in the Senate amendment, thus adopting SCS CSHB 59(FIN)?" The roll was taken with the following result:

SCS CSHB 59(FIN)

Concur

**YEAS: 1 NAYS: 34 EXCUSED: 4 ABSENT: 1**

Yea: Talerico

Nays: Birch, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Stutes, Sullivan-Leonard, Tarr, Tilton, Tuck, Westlake, Wilson, Wool

Excused: Chenault, Gara, Knopp, Thompson

Absent: Spohnholz

And so, the House failed to concur in the Senate amendment.

The Chief Clerk notified the Senate and respectfully requested it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Seaton, Chair

Representative Foster

Representative Pruitt

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

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

A message dated May 12 was read stating the Senate invited the House to a joint session at 1:00 p.m., May 16 to consider confirmation of the Governor's appointments.

#### **SPECIAL ORDER OF BUSINESS**

Representative Stutes, Acting Majority Leader, moved and asked unanimous consent that the notice and publication requirements be

waived and the citation, In Memoriam - David Grunwald, be taken up as a Special Order of Business. Representative Tilton objected and withdrew her objection. There being no further objection, it was so ordered.

Representative Stutes moved and asked unanimous consent that the House approve the citation In Memoriam - David Grunwald. There being no objection, the following citation was approved and sent to enrolling:

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

### **UNFINISHED BUSINESS**

#### **HJR 21**

The Speaker removed the Judiciary Committee referral and added a State Affairs Committee referral for the following:

#### **HOUSE JOINT RESOLUTION NO. 21**

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

HJR 21 was removed from the Judiciary Committee and referred to the State Affairs Committee. The bill was reprinted today.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 12:18 p.m.

### **AFTER RECESS**

The Speaker called the House back to order at 3:13 p.m.

\*\*The presence of Representative Gara who was excused (page 1359) was noted.

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

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

##### **HB 59**

A message dated May 12 was read stating the Senate failed to recede from its amendment to:

##### **CS FOR HOUSE BILL NO. 59(FIN)**

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

namely:

##### **SENATE CS FOR CS FOR HOUSE BILL NO. 59(FIN)** (same title)

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 House members of the Conference Committee were appointed May 12 (page 1370).

A message dated May 12 was read stating the Senate passed the following, and it is transmitted for consideration:

#### **FIRST READING AND REFERENCE OF SENATE BILLS**

##### **SB 23**

CS FOR SENATE BILL NO. 23(FIN) am by the Senate Finance Committee, entitled:

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other

appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

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

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

##### **HCR 11**

HOUSE CONCURRENT RESOLUTION NO. 11 by the House Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 100, relating to municipal liens.

was read the first time.

#### **UNFINISHED BUSINESS**

Representative Stutes moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Sullivan-Leonard – from 8:00 a.m., May 13 to 9:45 p.m., May 14 (amended from page 1359)

##### **HJR 19**

Representative Josephson added as a cosponsor to:

##### **HOUSE JOINT RESOLUTION NO. 19**

Commending the Arctic Waterways Safety Committee; supporting the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures in the Arctic; and urging the state's delegation in the United States Congress and the governor to promote the adoption of spill prevention measures into international agreements; urging the President of the United States and the United States Department of State to initiate negotiations to enter into international agreements to ensure safe and environmentally responsible marine operations in the Arctic.

HOUSE JOURNAL

1374

May 12, 2017

**HB 200**

Representative Stutes 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 240**

Representative Ortiz added as a cosponsor to:

HOUSE BILL NO. 240

"An Act relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; and providing for an effective date."

**SB 63**

Representative Josephson 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**

**HCR 9**

HCR 9 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 3**

HCS SB 3(TRA) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ENROLLMENT****HB 49**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 11:47 a.m., May 11.

SENATE CS FOR CS FOR HOUSE BILL NO. 49(L&C)  
"An Act extending the termination date of the Board of Certified Direct-Entry Midwives; 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.

**ADJOURNMENT**

Representative Stutes moved and asked unanimous consent that the House adjourn until 10:30 a.m., May 13. There being no objection, the House adjourned at 3:16 p.m.

Crystaline Jones  
Chief Clerk

**HOUSE JOURNAL INDEX**

|        |                 |
|--------|-----------------|
| HB 6   | 1361            |
| HB 49  | 1375            |
| HB 59  | 1369-1370, 1372 |
| HB 74  | 1363-1364       |
| HB 104 | 1360-1361       |
| HB 159 | 1362-1363       |
| HB 200 | 1374            |
| HB 240 | 1374            |
| HB 248 | 1363            |
| <br>   |                 |
| HCR 9  | 1366-1367, 1374 |
| HCR 11 | 1373            |
| <br>   |                 |
| HJR 19 | 1367-1368, 1373 |
| HJR 21 | 1371            |
| <br>   |                 |
| SB 3   | 1364-1366, 1375 |
| SB 23  | 1372-1373       |
| SB 63  | 1374            |