

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

January 26, 2018

Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:37 a.m.

Roll call showed 36 members present. Representative Foster was absent. There was one vacancy.

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

The invocation was offered by the Chaplain, the Reverend Karen Perkins of Resurrection Lutheran Church. Representative Ortiz 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:

Almighty God, I lift before you all who govern the State of Alaska. May those who hold power understand that it is a trust from you to be used, not for personal glory or profit, but for the service of the people. Drive from all of us cynicism, selfishness, and corruption; grant in your mercy just and honest government; and give us grace to live together in unity and peace; through our Holy Lord. Amen.

The Pledge of Allegiance was led by Representative Birch.

CERTIFICATION OF THE JOURNAL

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

MESSAGES FROM THE SENATE**HB 186**

A message dated January 24 was read stating the Senate passed:

HOUSE BILL NO. 186

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

HB 186 was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

The following were received:

Alaska Criminal Justice Commission
Recommendations
January 25, 2018
(as required by AS 44.19.645-646)

The Speaker referred the recommendations to the Judiciary Committee.

Alaska Commission on Postsecondary Education
Dept. of Education & Early Development
Dept. of Labor & Workforce Development
University of Alaska
Alaska Performance Scholarship Outcomes Report 2011-2017
January 25, 2018
(as required by AS 14.43.840)

Dept. of Health & Social Services
Annual Medicaid Reform Report FY 2017
November 15, 2017
Revised January 24, 2018
(as required by AS 47.05.270)

Dept. of Health & Social Services
FY 2018 Operating Grants
<http://dhss.alaska.gov/fms/Documents/FY18GrantBook.pdf>
(as required by AS 18.25.110)

Dept. of Labor & Workforce Development
Technical and Vocational Education Program Report
State Fiscal Year 2017
http://labor.alaska.gov/awib/2017_TVPEP_Report.pdf
(as required by AS 23.15.835)

REPORTS OF STANDING COMMITTEES

SB 63

The Judiciary Committee considered:

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."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 63(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 (1): Reinbold

Amend (2): Eastman, LeDoux

The following fiscal note(s) apply to HCS CSSB 63(JUD):

7. Zero, Dept. of Commerce, Community, & Economic Development
8. Zero, Dept. of Environmental Conservation
9. Zero, Dept. of Health & Social Services
10. Zero, Dept. of Public Safety
11. Zero, Dept. of Transportation & Public Facilities

CSSB 63(FIN) was referred to Rules Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Dale Nelson, P.E., F. ASCE
By Representative Gara; Senator Begich

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

Honoring - Bunnell Street Arts Center
By Representative Seaton; Senator Stevens

In Memoriam - Leslie Rae Isturis
By Representative Parish; Senator Egan

In Memoriam - Harmen Thomas "Herman" Beukers
By Senator Stevens; Representative Stutes

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 31

HOUSE JOINT RESOLUTION NO. 31 by Representatives Kawasaki, Parish, Fansler, Spohnholz, Gara, Tuck, and Drummond:

Urging the United States Congress to overturn the Federal Communications Commission's order ending net neutrality.

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 308**

HOUSE BILL NO. 308 by Representatives Eastman, Rauscher, Sullivan-Leonard, and Tilton, entitled:

"An Act prohibiting the Department of Health and Social Services from receiving or expending funds for a grant to or contract with an entity that performs abortions or maintains or operates a facility where abortions are performed."

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

HB 309

HOUSE BILL NO. 309 by Representative Guttenberg, entitled:

"An Act disapproving all recommendations of the State Officers Compensation Commission relating to the compensation, benefits, and allowances of state officers; and providing for an effective date."

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

HB 310

HOUSE BILL NO. 310 by Representatives Claman, Spohnholz, and Gara, entitled:

"An Act relating to the minimum age of eligibility for marriage."

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

HB 311

HOUSE BILL NO. 311 by Representatives Johnson and Millett, entitled:

"An Act relating to criminal law and procedure; relating to controlled substances; relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violating municipal ordinances; relating to parole; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the duties of the commissioner of corrections; relating to the duties of the Department of Health and Social Services; relating to civil in rem forfeiture actions; providing for an effective date by repealing sec. 193, ch. 36, SLA 2016, sec. 79, ch. 1, 4SSLA 2017, sec. 81, ch. 1, 4SSLA 2017, and sec. 83, ch. 1, 4SSLA 2017; and providing for an effective date."

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

HB 312

HOUSE BILL NO. 312 by Representatives Claman, Kopp, Millett, Grenn, Kawasaki, Tuck, and Johnston, entitled:

"An Act relating to arrest without a warrant for assault in the fourth degree at a health care facility; and relating to an aggravating factor at sentencing for a felony offense against a medical professional at a health care facility."

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

HB 313

HOUSE BILL NO. 313 by Representatives Grenn and Tuck, entitled:

"An Act relating to payments to providers and covered persons and recovery of payments by health care insurers."

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

HB 314

HOUSE BILL NO. 314 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to commercial motor vehicles."

was read the first time and referred to the Transportation and State Affairs Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

The Governor's transmittal letter dated January 25 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the definition of a commercial motor vehicle.

The Department of Transportation and Public Facilities is responsible for the construction and maintenance of the state highway system. With respect to commercial motor vehicles which use the state highway system, the Department is responsible for establishing weight, use, and size restrictions for vehicles, and for assuring implementation of federal statutes or regulations relating to commercial motor vehicles. In order to assure continued alignment with federal law, the bill would modify the existing definition of a commercial motor vehicle to be consistent with federal law. This bill would add provisions to address school buses and the type of covered farm vehicle not designated as a commercial vehicle. This would ease restrictions on persons who operate farm vehicles by freeing them to drive beyond the current limitation, a 150-mile boundary, and reduce use restrictions. In addition, a school bus used intrastate for the transport of public pre-elementary, elementary, and secondary school students to and from home and school would not be considered a commercial motor vehicle under this bill.

I urge your prompt and favorable consideration of this bill.

Sincerely,
/s/
Bill Walker
Governor"

HB 315

HOUSE BILL NO. 315 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the confidentiality of certain records on animals and crops; and providing for an effective date."

was read the first time and referred to the Judiciary and Resources Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

The Governor's transmittal letter dated January 25 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to confidentiality of animal and crop records.

The bill would make confidential certain records of animal or crop importation and lab testing. Farmers in Alaska must provide certain practices and information in order to comply with federal and state regulations. Commonly, farmers disclose animal importation records, farm locations, test results, and animal identification to the State. Farmers may be reluctant to participate in voluntary testing of animals in order to protect their information and competitive advantage, which increases the risk of animal disease outbreaks. Providing confidentiality for these records will promote farmer participation in voluntary testing. Confidentiality would also limit a competitor's unfair advantage in the market by not making available information regarding trade secrets and proprietary business information. Confidential records may still be disclosed if there is a threat to the

health or safety of an animal, crop, or to the public. This bill also provides a definition for 'varietal'.

I urge your prompt and favorable action on this bill.

Sincerely,

/s/

Bill Walker
Governor"

CONSIDERATION OF THE DAILY 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 - Rod Christiansen

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

Honoring - Jerry "Chuthmuk" Liboff

By 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, Wilson, Wool; Senator Hoffman

In Memoriam - Bryan Robert Anderson

By 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, Wilson, Wool; Senator Hoffman

In Memoriam - Martin McGuinness

By Senator Begich; Representatives 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, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Dale Nelson, P.E., F.ASCE, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

Honoring - Dale Nelson, P.E., F.ASCE

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

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 Kopp – from 7:00 p.m., today to 10:00 a.m., January 29

Representative Neuman – from 1:30 p.m., today to 10:00 a.m., January 29

Representative Thompson – from 12:30 p.m., today to 10:30 a.m., January 29

HJR 30

Representative Guttenberg added as a cosponsor to:

HOUSE JOINT RESOLUTION NO. 30

Urging the United States Congress to reaffirm the commitment of the United States to promote the safety, health, and well-being of refugees and displaced persons; urging the United States government to uphold its international leadership role in responding to displacement crises with humanitarian assistance and to work with the international community and the United Nations High Commissioner for Refugees to find solutions to conflicts and protect refugees; and urging the President of the United States to continue to mitigate the burden placed on frontline refugee host countries.

HB 38

Representative Gara added as a cosponsor to:

HOUSE BILL NO. 38

"An Act relating to the calculation and payment of workers' compensation benefits in the case of permanent partial impairment; relating to the calculation and payment of workers' compensation death benefits payable to a child of an employee where there is no surviving spouse; relating to the calculation and payment of workers' compensation death benefits for an employee without a surviving spouse or child; relating to notice of workers' compensation death benefits; and providing for an effective date."

HB 214

Representatives Birch and Parish added as cosponsors 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 Fansler added as a cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 216

"An Act relating to restitution; relating to the office of victims' rights; relating to transfers from the dividend fund; creating the restorative justice account; relating to appropriations from the restorative justice account for services for and payments 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; relating to delinquent minors; and providing for an effective date."

HB 233

Representative Millett added as a cosponsor to:

HOUSE BILL NO. 233

"An Act relating to the insurance tax education credit, the income tax education credit, the oil or gas producer education credit, the property tax education credit, the mining business education credit, the fisheries business education credit, and the fisheries resource landing tax education credit; providing for an effective date by repealing the effective dates of secs. 3, 5, 7, 10, 14, 16, 18, 21, 23, 25, 28, 30, 32, 35, 37, 39, 42, 44, 46, 49, 51, 53, and 55, ch. 92, SLA 2010, sec. 14, ch. 7, FSSLA 2011, secs. 15, 17, 19, 21, 23, and 25, ch. 74, SLA 2012, sec. 49, ch. 14, SLA 2014, secs. 37, 40, 43, and 46, ch. 15, SLA 2014, and secs. 26 and 31, ch. 61, SLA 2014; providing for an effective date by amending the effective date of secs. 1, 2, and 21, ch. 61, SLA 2014; and providing for an effective date."

HB 267

Representative Kreiss-Tomkins added as a cosponsor to:

HOUSE BILL NO. 267

"An Act requiring the release of certain records relating to big game hunters, guided hunts, and guided sport fishing activities to municipalities for verification of taxes payable; and providing for an effective date."

SB 63

Representative Fansler 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."

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., January 29. There being no objection, the House adjourned at 11:25 a.m.

Crystaline Jones
Chief Clerk

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