

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

January 31, 2018

Sixteenth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 11:16 a.m.

Roll call showed 37 members present. There was one vacancy.

Representative Tuck moved and asked unanimous consent that Representative Fansler be excused from a call of the House today and Representative Wilson be excused from a call of the House from today to 10:00 a.m., February 5. There being no objection, it was so ordered.

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

Knowing that we do not all share the same religious beliefs, I offer this prayer in the words of the psalmist:

God owns this planet and all its riches. The earth and every creature belong to God. God set the land on top of the seas and anchored it in the deep. Who is fit to climb God's mountain and stand in God's holy place? Whoever has integrity: not chasing shadows, not living lies. God will bless them.

I ask this blessing on all gathered here today, gathered to work on behalf of all Alaskans. Amen.

The Pledge of Allegiance was led by Representative Chenault.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 11th through 15th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Kopp introduced Victoriah Haakenson, Guest Page, from Anchorage.

MESSAGES FROM THE GOVERNOR

The following letter dated January 24 was read:

"Dear Speaker Edgmon:

Pursuant to my authority under Article II, Section 4 of the Alaska Constitution, I have appointed John Lincoln to fill the vacancy in the Alaska State House of Representatives, District 40.

Subject to confirmation by the House Democrats, John Lincoln will hold this office for the remainder of the unexpired term for House District 40.

Sincerely,
/s/
Bill Walker
Governor"

A letter dated January 25 was read requesting legislative concurrence to fund the initial Finance Plan (as required by AS 26.23.020) for the 2017 North Slope Storm Disaster. The Finance Plan and accompanying letter were copied to the Finance Committee Co-chairs and are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

A message dated January 29 was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SCR 14**

SENATE CONCURRENT RESOLUTION NO. 14 by Senators Costello, Wielechowski, MacKinnon, Giessel, Bishop, Stedman, Stevens, von Imhof, Micciche, Hoffman, Gardner, Egan, Hughes, Begich, Coghill, Meyer, Wilson, and Kelly:

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

COMMUNICATIONS

The following were received:

A letter dated January 17 was received from Craig Stowers, Chief Justice of the Alaska Supreme Court, stating that he nominated the following public member to serve on the Select Committee on Legislative Ethics pursuant to AS 24.60.130:

Dennis "Skip" Cook

The Speaker referred the appointment to the Judiciary Committee.

Dept. of Administration
Office of Administrative Hearings
Fourteenth Annual Report
January 31, 2018
(as required by AS 44.64.020)

Dept. of Health & Social Services
Annual Report
FY 2017

http://dhss.alaska.gov/Documents/Publications/AnnualReport_2017.pdf
(as required by AS 18.05.020)

Dept. of Natural Resources
Division of Oil and Gas
5-Year Program of Proposed Oil and Gas Lease Sales &
Gas-Only Lease Sales
January 30, 2018
(as required by AS 38.05.180)

The following letter dated January 25 was read:

"Dear Governor Walker:

This letter affirms that on January 25, 2018, the members of the House of Representatives who are Democrats unanimously confirmed the Governor's appointment of John Agnaqluk Lincoln to fill the vacant seat in House District 40 on January 25, 2018.

I sign this letter on behalf of Alaska House Democrats and other members of the Alaska House Majority Coalition.

Sincerely,

/s/

Bryce Edgmon
Speaker of the House"

OATH OF OFFICE

The Speaker appointed Representatives Foster and Millett to escort John Lincoln to the rostrum.

Speaker Edgmon administered the oath of office to John Lincoln.

REPORTS OF STANDING COMMITTEES

HB 180

The Labor & Commerce Committee considered:

HOUSE BILL NO. 180

"An Act relating to money transmission and currency exchange businesses; relating to transmitting value that substitutes for money; relating to licensing requirements and registration through the Nationwide Multistate Licensing System and Registry; relating to surety bonding requirements; authorizing certain licensees to contract to use subdelegates for reloading funds on certain stored-value cards; relating to record retention, reporting requirements, and enforcement provisions; relating to exemptions; relating to money services Internet activities; relating to transmitting value and currency; and providing for an effective date."

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

Do pass (3): Stutes, Wool, Kito

No recommendation (4): Sullivan-Leonard, Josephson, Birch, Knopp

The following fiscal note(s) apply:

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

HB 180 was referred to the Judiciary Committee.

HB 216

The Judiciary Committee considered:

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."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
216(JUD)

"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 contributions from dividends; relating to delinquent minors; and providing for an effective date."

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

Do pass (5): Kopp, LeDoux, Millett, Kreiss-Tomkins, Claman

Amend (1): Eastman

The following fiscal note(s) apply to CSSSHB 216(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Health & Social Services
3. Zero, Dept. of Health & Social Services
4. Fiscal, Judiciary
5. Fiscal, Dept. of Corrections
6. Fiscal, Legislative Agency
7. Fiscal, Dept. of Revenue

SSHB 216 was referred to the Finance Committee.

HB 273

The Labor & Commerce Committee considered:

HOUSE BILL NO. 273

"An Act extending the termination date of the Marijuana Control Board; and providing for an effective date."

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

Do pass (6): Sullivan-Leonard, Stutes, Wool, Birch, Knopp, Kito

No recommendation (1): Josephson

The following fiscal note(s) apply:

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

HB 273 was referred to the Finance Committee.

HB 274

The Labor & Commerce Committee considered:

HOUSE BILL NO. 274

"An Act extending the termination date of the Board of Psychologist and Psychological Associate Examiners; and providing for an effective date."

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

Do pass (7): Sullivan-Leonard, Stutes, Wool, Josephson, Birch, Knopp, Kito

The following fiscal note(s) apply:

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

HB 274 was referred to the Finance Committee.

HB 275

The Labor & Commerce Committee considered:

HOUSE BILL NO. 275

"An Act extending the termination date of the Board of Massage Therapists; and providing for an effective date."

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

Do pass (5): Sullivan-Leonard, Stutes, Wool, Knopp, Kito

No recommendation (2): Josephson, Birch

The following fiscal note(s) apply:

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

HB 275 was referred to the Finance Committee.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 12:03 p.m.

AFTER RECESS

The Speaker called the House back to order at 1:49 p.m.

Representative Tuck moved and asked unanimous consent that Representative Reinbold be excused from a call of the House until 4:00 p.m., today. There being no objection, it was so ordered.

REPORTS OF SPECIAL COMMITTEES

A report of the Committee on Committees dated January 31 was read submitting amendments to the January 17, 2017, report (page 10). An additional report is on page 193. The amendments follow:

Community & Regional Affairs: Lincoln replaced Westlake

Resources: Lincoln replaced Westlake

Rules: Millett added as alternate

HR 1

House Special Committee on Arctic Policy, Economic Development, & Tourism: Lincoln replaced Westlake as Chair

HR 2

House Special Committee on Energy: Lincoln replaced Westlake

The report was signed by Representative Edgmon, Chair; and Representatives Foster, LeDoux, Seaton, Tuck, Millett, and Chenault.

Representative Tuck moved and asked unanimous consent that the House adopt the Committee on Committees report. There being no objection, it was so ordered.

INTRODUCTION OF CITATIONS

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

In Memoriam - Robert Dennis
By Representative Claman

In Memoriam - Sheela Lorene Grennan-Hull
By Senator Wilson; Representative Sullivan-Leonard

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 316**

HOUSE BILL NO. 316 by Representatives Drummond and Spohnholz, entitled:

"An Act relating to the sealing of certain court records; restricting the publication of certain records of convictions on a publicly available website; relating to public records; and amending Rule 37.6, Alaska Rules of Administration."

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

HB 317

HOUSE BILL NO. 317 by the House Rules Committee by request of the Governor, entitled:

"An Act amending requirements for qualifications to acquire or hold mining rights; amending rental rates for mining locations and leases; repealing annual labor requirements for mining locations; providing for waiver of a cure penalty for abandonment because of failure to properly record a statement of labor; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Natural Resources

The Governor's transmittal letter dated January 26 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to amendments to qualifications to acquire or hold mining rights and to annual rental rates for mining claims, leasehold location, prospecting site and mining lease.

The bill would repeal State annual labor requirements for State and federal mining claims, as well as annual labor requirements for State mining leasehold locations. Administration of the annual labor requirements is costly to the Department of Natural Resources. Minor errors on affidavits may result in unintentional abandonment of a claim or leasehold location by the locator. Further, miners on State land are already able to avoid conducting labor by paying a fee in lieu of labor. Instead of requiring annual labor or payment in lieu of labor, the progressive rental rates for State mining locations and leases will be increased. This will ease administration of mining claims and also discourage individuals from holding claims without developing them.

The bill also provides for a new requirement in order to be qualified to acquire or hold a mining right. A person or entity must be a "bona fide miner" in addition to the other requirements of AS 38.05.190. A "bona fide" miner is defined as one who locates or holds a mining

claim or lease in good faith for purposes of mineral exploration and development and not for the prevention of mineral exploration or development. The bill also provides a method for the Department of Natural Resources to request affidavits stating that a miner is "bona fide." This provision provides additional assurance that mining locations and leases will be acquired and held in good faith.

For State claims and leasehold locations, the bill would also provide a waiver of the penalty for cure of abandonment caused by a failure to properly record a statement of annual labor as required before the effective date of sections 8 and 9 of the bill.

The bill contains a transition provision providing for authority for the Department of Natural Resources to adopt regulations necessary to implement the changes made by the bill, effective immediately. The rest of the bill is effective September 2, 2018, and an applicability provision makes it clear that for purposes of annual labor, the bill will be applicable to the labor year that otherwise would begin September 1, 2018.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor"

HB 318

HOUSE BILL NO. 318 by Representative Spohnholz, entitled:

"An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date."

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

HB 319

HOUSE BILL NO. 319 by Representative Josephson, entitled:

"An Act relating to criminal background checks for marijuana establishment registrations and renewals; and providing for an effective date."

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

HB 320

HOUSE BILL NO. 320 by Representatives Neuman and Rauscher, entitled:

"An Act relating to possession of deadly weapons by a person who is 18 years of age or older."

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

HB 321

HOUSE BILL NO. 321 by the House Rules Committee by request of the Governor, entitled:

"An Act making supplemental appropriations and other appropriations; making an appropriation to capitalize a fund; amending appropriations; and providing for an effective date."

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

The Governor's transmittal letter dated January 29 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to supplemental appropriations for the State's operating and capital budgets for Fiscal Year 2018 (FY 2018).

A limited number of requests that were not anticipated when the FY 2019 Governor's budget was submitted on December 15, 2017 are being submitted for your consideration. Capitalization of the Disaster Relief Fund, shortfalls in the Office of Children's Services, payments

required to meet federal maintenance of effort, and Permanent Fund Corporation investment management fees constitute the largest portion of the supplemental request. While the supplemental items included in the December 15, 2017 budget primarily represent items that were knowingly underfunded at enactment of the FY2018 budget, the items included in this bill represent unexpected shortfalls in their respective programs.

Two bargaining unit contracts for fiscal year 2018 have been negotiated and are included for legislative approval, however neither have a budgetary impact. A reduction to the State costs for the Alaska Reinsurance Program is included which reflects the transfer to the program made by Premera.

Thank you for your consideration of this bill.

Sincerely,

/s/

Bill Walker
Governor"

HB 322

HOUSE BILL NO. 322 by the House Resources Committee, entitled:

"An Act relating to penalties for discharges of oil and other pollution violations; relating to oil discharge prevention and contingency plans for commercial motor vehicles transporting crude oil; and providing for an effective date."

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

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 - Bunnell Street Arts Center

By Representatives Seaton, 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, Saddler, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool; Senator Stevens

In Memoriam - Leslie Rae Isturis

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

In Memoriam - Harmen Thomas "Herman" Beukers

By Senator Stevens; Representatives Stutes, 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, Saddler, Seaton, Spohnholz, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool

UNFINISHED BUSINESS

Representative Tuck moved and asked unanimous consent, based on the recommendation of the Select Committee on Legislative Ethics in its report dated January 12, that the House remove Representative Eastman from the Select Committee on Legislative Ethics, pursuant to AS 24.60.130.

Representative Tuck rose to a point of order citing AS 24.60.170.

The Speaker acknowledged the point of order.

Representative Tuck placed a call of the House.

The Speaker stated the call was satisfied.

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 remove Representative Eastman from the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Select Committee on Legislative Ethics

Remove - Representative Eastman

YEAS: 31 NAYS: 6 EXCUSED: 3 ABSENT: 0

Yeas: Birch, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Wool

Nays: Chenault, Eastman, Neuman, Rauscher, Sullivan-Leonard, Tilton

Excused: Fansler, Reinbold, Wilson

And so, the member was removed.

Representative Tuck moved that the House confirm the appointment of Representative Sullivan-Leonard to the Select Committee on Legislative Ethics.

The question being: "Shall the House confirm the appointment of Representative Sullivan-Leonard to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Select Committee on Legislative Ethics

Confirm - Representative Sullivan-Leonard

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Fansler, Reinbold, Wilson

And so, the appointment was confirmed.

The Chief Clerk notified the Senate.

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 Chenault – from 12:30 p.m., February 2 to 10:30 p.m., February 4

Representative Millett – from 8:00 a.m., February 2 to 10:00 a.m., February 5

Representative Talerico – from 6:00 a.m., February 1 to 10:00 p.m., February 4

Representative Thompson – from noon, February 2 to 10:30 a.m., February 5

SPECIAL ORDERS

The House honored Pam Varni for her years of dedicated service as Executive Director of the Legislative Affairs Agency.

UNFINISHED BUSINESS

HB 213

Representatives Guttenberg and Gara added as cosponsors to:

HOUSE BILL NO. 213

"An Act relating to the investment, appropriation, and administration of the public school trust fund."

HB 277

Representative Kreiss-Tomkins added as a cosponsor to:

HOUSE BILL NO. 277

"An Act relating to the regulation of broadband Internet; and making certain actions by broadband Internet service providers

unlawful acts or practices under the Alaska Unfair Trade Practices and Consumer Protection Act."

HB 301

Representatives Sullivan-Leonard and Knopp added as cosponsors to:

HOUSE BILL NO. 301

"An Act relating to the renewal and transfer of ownership of a beverage dispensary license or restaurant or eating place license."

SCR 14

Representatives Johnson, Millett, Kawasaki, and Tuck added as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 14

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

SB 93

Representative Kopp added as a cross sponsor to:

SENATE BILL NO. 93

"An Act relating to security freezes on the credit reports or records of incapacitated persons and certain minors."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

The following meetings today were changed:

Finance Committee

CHANGED TO: 10 min. after adjournment

Judiciary Committee

CANCELED

Labor & Commerce Committee

CHANGED TO: after Resources Committee meeting

Resources Committee

CHANGED TO: after adjournment

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:30 a.m., February 2. There being no objection, the House adjourned at 2:50 p.m.

Crystaline Jones
Chief Clerk

HOUSE JOURNAL INDEX

HB 180	2278-2279
HB 213	2290
HB 216	2279-2280
HB 273	2280-2281
HB 274	2281
HB 275	2281-2282
HB 277	2290-2291
HB 301	2291
HB 316	2283
HB 317	2283-2285
HB 318	2285
HB 319	2285-2286
HB 320	2286
HB 321	2286-2287
HB 322	2287
HR 1	2282
HR 2	2283
SB 93	2291
SCR 14	2277, 2291