

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

February 9, 2018

Twenty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:41 a.m.

Roll call showed 34 members present. Representatives Fansler, Knopp, Neuman, and Pruitt 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 Ortiz – today

Representative Reinbold – from today to 10:00 a.m., February 12

The invocation was offered by the Chaplain, the Reverend Tari Stage-Harvey of Shepherd of the Valley Lutheran Church. Representative Grenn moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

On behalf of all Alaskans, I offer the following prayer:

We give thanks for hard work. Grace long days with justice that we may never value things over people or surrender honor to gain power.

Be with all those whose work brings no joy, with those who suffer want and anxiety from losing work, for those who lack the resources to find meaningful and sustaining work. May we build communities where work provides dignity and a fair reward for labor.

We give thanks for rest. May we find the space and time for re-creation for our own selves as well as others. Give us courage to work against all degrading practices that rob people of self-respect and meaning. We give thanks for your call to work and your call to rest. Give us the wisdom to protect them both. Amen.

The Pledge of Allegiance was led by Representative Foster.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 23th and 24th legislative days and Senate and House Joint Journal Supplement No. 14 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Parish introduced Jason Gordon, Faith Kellar, and Mason Jacobs, Guest Pages, from Juneau.

MESSAGES FROM THE SENATE

A message dated February 7 was read stating the Senate passed the following, and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 152

SENATE BILL NO. 152 by Senators Meyer, Micciche, Coghill, Hughes, Bishop, Stedman, Costello, Giessel, MacKinnon, Hoffman, von Imhof, Stevens, and Kelly, entitled:

"An Act establishing September 11 of each year as Patriot Day."

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

COMMUNICATIONS

The following was received:

Dept. of Health & Social Services
Statewide Suicide Prevention Council
State of Alaska Suicide Prevention Plan 2018-2022
(as required by AS 44.29.360)

REPORTS OF STANDING COMMITTEES

HCR 10

The State Affairs Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 10
Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the jurisdiction of standing committees.

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

Do pass (6): Birch, Knopp, LeDoux, Wool, Johnson, Kreiss-Tomkins

No recommendation (1): Tuck

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HCR 10 was referred to the Finance Committee.

HJR 31

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 31

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

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

Do pass (5): Tuck, Knopp, LeDoux, Wool, Kreiss-Tomkins

Do not pass (1): Birch

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HJR 31 was referred to the Rules Committee for placement on the calendar.

HB 142

The Finance Committee considered:

HOUSE BILL NO. 142

"An Act relating to unemployment insurance benefits; increasing the maximum weekly unemployment insurance benefit rate; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 142(FIN)
(same title)

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

Do pass (5): Gara, Kawasaki, Guttenberg, Seaton, Foster

No recommendation (4): Wilson, Thompson, Grenn, Tilton

The following fiscal note(s) apply to CSHB 142(FIN):

2. Zero, Dept. of Labor & Workforce Development
3. Indeterminate, Office of the Governor/Various Depts.

HB 142 was referred to the Rules Committee for placement on the calendar.

HB 168

The State Affairs Committee considered:

HOUSE BILL NO. 168

"An Act relating to regulation notice and review by the legislature; and relating to the Administrative Regulation Review Committee."

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

Do pass (6): Birch, Knopp, LeDoux, Wool, Johnson, Kreiss-Tomkins

No recommendation (1): Tuck

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HB 168 was referred to the Finance Committee.

HB 214

The Education Committee considered:

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."

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

Do pass (6): Talerico, Parish, Spohnholz, Kopp, Johnston, Drummond

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

HB 214 was referred to the Rules Committee for placement on the calendar.

HB 259

The Transportation Committee considered:

HOUSE BILL NO. 259

"An Act relating to containing or confining loads being transported on highways."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 259(TRA)
(same title)

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

Do pass (1): Stutes

Amend (5): Kopp, Claman, Drummond, Eastman (alternate), Wool

The following fiscal note(s) apply to CSHB 259(TRA):

1. Zero, Dept. of Transportation & Public Facilities

HB 259 was referred to the Judiciary Committee.

HB 269

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 269

"An Act relating to distillery licenses."

The report was signed by Representative Parish, Co-chair, with the following individual recommendations:

Do pass (4): Kreiss-Tomkins (alternate), Lincoln, Drummond, Parish

No recommendation (2): Saddler, Talerico

The following fiscal note(s) apply:

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

HB 269 was referred to the Labor & Commerce Committee.

HB 298

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 298

"An Act relating to the number of superior court judges in the first judicial district; and providing for an effective date."

The report was signed by Representative Parish, Co-chair, with the following individual recommendations:

Do pass (6): Talerico, Drummond, Lincoln, Saddler, Kreiss-Tomkins (alternate), Parish

The following fiscal note(s) apply:

1. Zero, Judiciary
2. Zero, Dept. of Public Safety

HB 298 was referred to the Judiciary Committee.

HB 312

The Judiciary Committee considered:

HOUSE BILL NO. 312

"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."

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

Do pass (4): Kopp, Kreiss-Tomkins, Stutes (alternate), Claman

Amend (3): Eastman, LeDoux, Reinbold

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Law

HB 312 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - William "Bill" Mendenhall
By Senator Coghill; Representative Wilson

In Memoriam - Kaye Ferguson
By Representative Guttenberg; Senator Gardner

In Memoriam - Bob C. Thomas
By Senator Coghill; Representative Wilson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 33

HOUSE JOINT RESOLUTION NO. 33 by Representatives Tuck, Millett, and Kawasaki:

Urging the Alaska delegation in Congress to pursue the establishment of an Arctic naval station; supporting the increase in defensive capabilities in the Arctic region; and encouraging the development of critical Arctic infrastructure.

was read the first time and referred to the House Special Committee on Arctic Policy, Economic Development, & Tourism.

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

HB 337

HOUSE BILL NO. 337 by Representative Tarr, entitled:

"An Act requiring the Department of Health and Social Services to provide family support services information to the parent or guardian of a child who is the subject of a report of harm."

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

HB 338

HOUSE BILL NO. 338 by Representative Guttenberg, entitled:

"An Act relating to a procurement preference for the University of Alaska."

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

HB 339

HOUSE BILL NO. 339 by Representatives Gara, Drummond, Spohnholz, Kawasaki, Tuck, Josephson, and Parish, entitled:

"An Act relating to the base student allocation; and providing for an effective date."

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

HB 340

HOUSE BILL NO. 340 by the House Rules Committee by request of the Governor, entitled:

"An Act repealing the Alaska BIDCO Assistance program and repealing requirements for an annual examination of a BIDCO by

the Department of Commerce, Community, and Economic Development."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated February 8 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill that would repeal the BIDCO loan assistance program.

A "BIDCO" is a person licensed by the Department of Commerce, Community, and Economic Development to provide financial and management assistance to businesses. Under current law, the Department is required to examine a BIDCO annually and the cost for these examinations borne by the BIDCO. This bill would remove the requirement for an annual examination of a BIDCO, but continue to allow the Department to examine a BIDCO at any time. Repealing the annual schedule while leaving in place the ability to conduct these examinations when necessary to protect the public while removing unnecessary, burdensome, and costly requirements.

The bill would also repeal the BIDCO assistance program (AS 37.17), including the Alaska BIDCO fund. The assistance program has not been funded, since it has not been used, and is unnecessary and should be repealed.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor"

HB 341

HOUSE BILL NO. 341 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the athletic commission and the commissioner of athletics; and relating to boxing, sparring, and wrestling contests, matches, and exhibitions."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated February 8 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to repealing the athletic commission, and requirements for boxing and wrestling to obtain licenses.

The athletic commission is established in title 5, chapter 5 and consists of four members appointed by the governor. However, the commission has not been staffed, nor have Commissioners been appointed, since 1997 when the commission was deactivated by the Governor's Office.

The Department of Commerce, Community, and Economic Development continued to issue licenses for boxing and wrestling matches under AS 05.10.010, but in 2002 notified the Alaska Boxing Commission that the Department had stopped licensing professional and club boxers, wrestlers, and events. Since the fees established in AS 05.10.120 are insufficient to cover the costs of licensing and oversight of boxing and wrestling, and since the program has not been funded adequately for a number of years, this bill would repeal this unused statute. Currently, there are federal law provisions that apply to

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boxing. Further, under the Muhammad Ali Boxing Reform Act, the Attorney General, as chief law enforcement officer, could maintain a civil action in federal district court to enjoin a professional boxing match, enforce compliance with federal law, or obtain fines.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor"

HB 342

HOUSE BILL NO. 342 by the House Rules Committee by request of the Governor, entitled:

"An Act amending and repealing registration filing provisions of the Uniform Land Sales Practices Act; relating to the jurisdiction of the office of administrative hearings; and providing for an effective date."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated February 8 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill that would amend and repeal registration filing provisions of the Uniform Land Sales Practices Act.

The Uniform Land Sales Practices Act requires that a person may not offer or dispose of certain subdivided land in Alaska unless the person is registered and offers a public offering statement to the purchaser.

The current law provides that the Department of Commerce, Community and Economic Development implement the Act through regulation. The Department has authority to accept registrations for the sale of subdivided land, but no registration filings have been received since before 2000. Further, the National Conference of Commissioners on Uniform State Laws reports that this Act was withdrawn as obsolete in 2012.

While the bill would remove the filing and registration requirements, which are unnecessary and burdensome, it would retain the laws that impose criminal penalties for fraudulent or prohibited practices. Therefore, it would still be unlawful for a person, in connection with the sale of land, to attempt to defraud the purchaser, or to make an untrue statement of material fact, or otherwise engage in an act to operate as a fraud or deceive the person. Any action for a fraudulent sale of private land would be a private one, and not overseen by a state agency. However, to the extent offers, dispositions, or sales were made before the effective date of the Act, those offers, dispositions, or sales would be governed by the law in existence at the time.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Bill Walker
Governor"

HB 343

HOUSE BILL NO. 343 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to examination of premium finance companies."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated February 8 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to the examination of premium financing companies.

This bill makes a change to the banks and financial institutions code relating to the examination of financial institutions (AS 06.01).

The bill amends section AS 06.01.015 by exempting premium finance companies from the required examination, at least every 18 months, of financial institutions licensed under the banks and financial institutions code. Premium finance companies are licensed and regulated under AS 06.40 and are defined under AS 06.40.190(4) as "a person engaged in the business of entering into premium finance agreements with borrowers or of acquiring premium finance agreements from insurance agents, brokers or other premium finance companies." A premium finance agreement is defined in AS 06.40.190(3) as an agreement where the borrower agrees to pay a premium finance company for an amount advanced by the premium finance company to an insurer, or agent, or broker, in payment of premiums on an insurance policy.

Historically, premium finance companies are located outside of Alaska; the Division of Banking and Securities staff have found no substantive problems with violations of Alaska law by these companies. Additionally, premium finance companies primarily fund commercial insurance premiums, not premiums for individual consumers.

Under this bill, premium finance companies would no longer be subject to the mandatory examination requirement of AS 06.01.015, but would still be subject to examination as needed under AS 06.40.100. This would reduce the regulatory burden on both the companies and division of banking and securities staff and resources to focus on higher risk areas.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Bill Walker
Governor"

HB 344

HOUSE BILL NO. 344 by Representative Eastman, entitled:

"An Act establishing September 11 of each year as Patriot Day."

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

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

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

Honoring - The 30th Anniversary of the Legislative Internship Program

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

In Memoriam - Robert Wagstaff

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

UNFINISHED BUSINESS

HB 212

Representative Foster, citing Uniform Rule 35, moved and asked unanimous consent that his name be added as prime sponsor to the following:

HOUSE BILL NO. 212

"An Act relating to funding for school construction and major maintenance; and relating to the regional educational attendance area and small municipal school district fund."

There being no objection, it was so ordered. (Representative Westlake resigned, page 2169).

HB 212 was reprinted today. The sponsors are: Representatives Foster and Westlake.

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 Wool – from today to 9:30 a.m., February 12

HJR 21

Representative Kito added as a cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION
NO. 21

Urging the federal government to respect the authority of the state to regulate marijuana use, production, and distribution and to honor previous federal guidance on marijuana policy; and urging the federal government to reconsider its listing of marijuana as a schedule I controlled substance.

HB 25

Representative Kreiss-Tomkins added as a cosponsor to:

HOUSE BILL NO. 25

"An Act relating to insurance coverage for contraceptives and related services; relating to medical assistance coverage for contraceptives and related services; and providing for an effective date."

HB 214

Representatives Kopp, Johnston, and Pruitt 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 240

Representatives Parish and Kito added as cosponsors 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."

HB 336

Representative Gara added as a cosponsor to:

HOUSE BILL NO. 336

"An Act relating to supported decision-making agreements to provide for decision-making assistance; and amending Rule 402, Alaska Rules of Evidence."

SB 152

Representatives Millett, Tilton, Grenn, and Tuck added as cross sponsors to:

SENATE BILL NO. 152

"An Act establishing September 11 of each year as Patriot Day."

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., February 12. There being no objection, the House adjourned at 11:19 a.m.

Crystaline Jones
Chief Clerk