

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

March 9, 2018

Fifty-third Day

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

Roll call showed 29 members present. Representatives Chenault, Knopp, Kopp, Saddler, Spohnholz, and Sullivan-Leonard had been previously excused from a call of the House today. There was one vacancy.

Representative Tuck moved and asked unanimous consent that Representatives Foster, Guttenberg, Ortiz, 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, Michelle Hale, Council Member of the Juneau Shambhala Center. Representative Grenn moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Thank you for welcoming me this week to give the invocations. It has been an honor to be here and to share a few words.

You all may have heard of Shambhala, the mythical land whose people were pure and good. Shambhala Buddhism draws from this idea the notion of an uplifted, beautiful society where we are consistently kind and caring for ourselves, others, and our world.

On Wednesday as I sat here while the House Chamber filled, the beauty of the room struck me. The physical space – uplifted, dignified; the way everyone dresses – professionally, beautifully, with care; and the forms you follow as you conduct your business. You follow and uphold a long tradition of treating the space and each other with respect and decorum. We Alaskans can learn from your example of upholding this space and this tradition of governance in such a strong manner.

Blessings to you all as you go about your day and move into the weekend, and blessings in particular to those in this body who are ill and recovering.

The Pledge of Allegiance was led by Representative LeDoux.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 51st and 52nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

OATH OF OFFICE

The Speaker appointed Representatives Lincoln and Johnston to escort Tiffany Zulkosky to the rostrum.

Speaker Edgmon administered the oath of office to Tiffany Zulkosky.

The Speaker stated that, without objection, the House would recess for a Committee on Committees meeting; and so, the House recessed at 10:58 a.m.

AFTER RECESS

The Speaker called the House back to order at 11:08 a.m.

MESSAGES FROM THE SENATE

Messages dated March 7 and 8 were read stating the Senate passed the following, and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 15**

CS FOR SENATE BILL NO. 15(FIN) by the Senate Finance Committee, entitled:

"An Act relating to possession of an electronic smoking product or a product containing nicotine by a minor and to selling or giving a product containing nicotine or an electronic smoking product to a minor; relating to business license endorsements to sell cigarettes, cigars, tobacco, products containing tobacco, electronic smoking products, or products containing nicotine; and relating to citations for certain offenses concerning tobacco, products containing nicotine, or electronic smoking products."

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

SB 204

SENATE BILL NO. 204 by Senator Egan, entitled:

"An Act relating to special registration plates for vehicles owned by veterans with disabilities."

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

COMMUNICATIONS

The following were received:

Alaska Aerospace Corporation
2017 Annual Report

Dept. of Health & Social Services
Status Report on Health Information Exchange in Alaska
2017
(as required by AS 18.23.315)

Dept. of Natural Resources
Determination to Take Oil and Gas Royalty In-Value
March 7, 2018
(as required by AS 38.05.182)

REPORTS OF STANDING COMMITTEES

The Education Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

James Fields
Sandra Kowalski
Lorri Van Diest

as members of the Board of Education and Early Development.

Diane Kardash
Phillip Graham
Kent Runion

as members of the Professional Teaching Practices Commission.

The report was signed by Representative Drummond, Chair; and Representatives Talerico, Parish, and Johnston.

HCR 19

The Community & Regional Affairs Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 19
Urging Governor Bill Walker to issue an administrative order recognizing a linguistic emergency.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(CRA)
(same title)

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

Do pass (5): Saddler, Drummond, Lincoln, Rauscher, Parish

The following fiscal note(s) apply to CSHCR 19(CRA):

1. Zero, Legislative Agency

HCR 19 was referred to the Rules Committee for placement on the calendar.

HJR 38

The State Affairs Committee considered:

HOUSE JOINT RESOLUTION NO. 38

Relating to certain conveyances to the Alaska Railroad Corporation under the Alaska Railroad Transfer Act of 1982.

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

Do pass (1): Birch

No recommendation (4): LeDoux, Wool, Johnson, Kreiss-Tomkins

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HJR 38 was referred to the Judiciary Committee.

HB 336

The Health & Social Services Committee considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 336(HSS)
(same title)

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

Do pass (6): Johnston, Claman (alternate), Edgmon, Sullivan-Leonard, Kito, Tarr

The following fiscal note(s) apply to CSHB 336(HSS):

1. Fiscal, Dept. of Health & Social Services

HB 336 was referred to the Judiciary Committee.

HB 351

The Health & Social Services Committee considered:

HOUSE BILL NO. 351

"An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to adjudication of minor delinquency and the deoxyribonucleic acid identification registration system; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; repealing a requirement for administrative revocation of a minor's driver's license, permit, privilege to drive, or privilege to obtain a license for consumption or possession of alcohol or drugs; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 351(HSS)
(same title)

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

Do pass (6): Johnston, Claman (alternate), Edgmon, Sullivan-Leonard, Kito, Tarr

The following fiscal note(s) apply to CSHB 351(HSS):

1. Zero, Dept. of Health & Social Services

HB 351 was referred to the Judiciary Committee.

SCR 10

The State Affairs Committee considered:

CS FOR SENATE CONCURRENT RESOLUTION NO.
10(STA)
Proclaiming 2019 to be the Year of Innovation in Alaska.

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

Do pass (5): LeDoux, Wool, Johnson, Birch, Kreiss-Tomkins

The following fiscal note(s) apply:

2. Zero, Legislative Agency

CSSCR 10(STA) was referred to the Labor & Commerce Committee.

REPORTS OF SPECIAL COMMITTEES

A report of the Committee on Committees dated March 9 was read submitting amendments to the January 17, 2018, report (page 10). Additional reports are on pages 193, 2282, and 2558. The amendments follow:

Community & Regional Affairs: Zulkosky replaced Fansler as Co-chair

Education: Zulkosky replaced Fansler

Health & Social Services: Zulkosky replaced Edgmon as Vice Chair

Judiciary: Stutes replaced Fansler; Zulkosky replaced Stutes as alternate; Kreiss-Tomkins added as Vice Chair

Joint Armed Services: Zulkosky replaced Fansler

Rules: Tuck added as alternate

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

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

The House Special Committee on Fisheries reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Vance Fate Putman
Dale Kelley

as members of the Alaska Commercial Fisheries Entry Commission.

Mark Saldi

as a member of the Fishermen's Fund Advisory and Appeals Council.

The report was signed by Representative Stutes, Chair; and Representatives Kreiss-Tomkins, Tarr, and Neuman.

HJR 33

The House Special Committee on Arctic Policy, Economic Development, & Tourism considered:

HOUSE JOINT RESOLUTION NO. 33

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.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 33(AET)

Urging the Alaska delegation in Congress to pursue the establishment of a U.S. Coast Guard port in the Arctic region; supporting the increase in defensive capabilities in the Arctic region; and encouraging the development of critical Arctic infrastructure.

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

Do pass (4): Edgmon, Josephson, Tuck, Lincoln

Amend (2): Neuman, Talerico

The following fiscal note(s) apply to CSHJR 33(AET):

1. Zero, Legislative Agency

HJR 33 was referred to the Rules Committee for placement on the calendar.

HB 354

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 354

"An Act relating to dive fishery management assessment procedures."

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

Do pass (3): Tarr, Kreiss-Tomkins, Stutes

No recommendation (1): Neuman

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Revenue

HB 354 was referred to the Resources Committee.

HB 374

The House Special Committee on Energy considered:

HOUSE BILL NO. 374

"An Act relating to on-bill financing by an electric or gas distribution utility for certain energy efficiency and conservation improvements."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 374(ENE)
(same title)

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

Do pass (2): Claman, Wool

No recommendation (1): Johnson

Amend (2): Johnston, Rauscher

The following fiscal note(s) apply to CSHB 374(ENE):

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

HB 374 was referred to the Labor & Commerce Committee.

HB 379

The House Special Committee on Fisheries considered:

HOUSE BILL NO. 379

"An Act relating to claims against protection and indemnity insurance policies of vessel owners."

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

Do pass (3): Tarr, Kreiss-Tomkins, Stutes

Amend (1): Neuman

The following fiscal note(s) apply:

1. Fiscal, Dept. of Labor & Workforce Development

HB 379 was referred to the Labor & Commerce Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Women's History Month 2018
By Representatives Tarr, Drummond

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

Honoring - National Federation of Independent Businesses, 75th Anniversary
By Representatives Millett, Wilson

Honoring - Keegan Messing
By Senator Giessel; Representative Johnston

Honoring - Valley Community for Recycling Solutions
By Senators Wilson, Hughes

Honoring - Kenneth Wayne Neese, Alaska Aviation Museum Hall of Fame
By Senators Coghill, Costello

Honoring - Howard "Mike" Hunt, Alaska Aviation Museum Hall of Fame
By Senators Coghill, Costello; Representative LeDoux

In Memoriam - Leah Michelle Ridgway
By Representatives Kito, Parish; Senator Egan

In Memoriam - Jonnie A. Netherton Jr.
By Senators Wilson, Wielechowski; Representative LeDoux

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 259**

The following was read the second time:

HOUSE BILL NO. 259

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

with the:	Journal Page
TRA RPT CS(TRA) 1DP 5AM	2374
FN1: ZERO(DOT)	2374
JUD RPT CS(JUD) 5DP 1NR 1AM	2625
FN1: ZERO(DOT)	2625

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. 259(JUD)
(same title)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that CSHB 259(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 259(JUD) will advance to third reading on the March 12 calendar.

THIRD READING OF HOUSE BILLS

HB 79

The Speaker stated that, without objection, the following, which was held from the March 7 calendar (page 2635), would be held to the March 12 calendar:

CS FOR HOUSE BILL NO. 79(FIN)

"An Act relating to workers' compensation; relating to the second injury fund; relating to service fees and civil penalties for the workers' safety programs and the workers' compensation program; relating to the liability of business entities and certain persons for

payment of workers' compensation benefits and civil penalties; relating to civil penalties for underinsuring or failing to insure or provide security for workers' compensation liability; relating to preauthorization and timely payment for medical treatment and services provided to injured employees; relating to incorporation of reference materials in workers' compensation regulations; relating to proceedings before the Alaska Workers' Compensation Board; relating to the authorization of the workers' compensation benefits guaranty fund to claim a lien; excluding independent contractors from workers' compensation coverage; establishing the circumstances under which certain nonemployee executive corporate officers and members of limited liability companies may obtain workers' compensation coverage; relating to the duties of injured employees to report income or work; relating to misclassification of employees and deceptive leasing; defining 'employee'; relating to the Alaska Workers' Compensation Board's approval of attorney fees in a settlement agreement; and providing for an effective date."

HB 142

The Speaker stated that, without objection, the following, which was held from the March 7 calendar (page 2636), would be held to the March 12 calendar:

CS FOR HOUSE BILL NO. 142(FIN)

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

HB 176

The following, which was held from the March 7 calendar (page 2633), was read the third time:

CS FOR HOUSE BILL NO. 176(FIN)

"An Act relating to medical assistance reimbursement for emergency medical transportation services; and providing for an effective date."

The question being: "Shall CSHB 176(FIN) pass the House?" The roll was taken with the following result:

CSHB 176(FIN)
Third Reading
Final Passage

YEAS: 30 NAYS: 0 EXCUSED: 10 ABSENT: 0

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, Gara, Grenn, Johnson, Johnston, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Lincoln, Millett, Neuman, Parish, Pruitt, Rauscher, Seaton, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Zulkosky

Excused: Chenault, Foster, Guttenberg, Knopp, Kopp, Ortiz, Reinbold, Saddler, Spohnholz, Sullivan-Leonard

And so, CSHB 176(FIN) 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.

CSHB 176(FIN) was referred to the Chief Clerk for engrossment.

HB 301

The Speaker stated that, without objection, the following, which was advanced to third reading from the March 7 calendar (page 2635), would be held to the March 12 calendar:

CS FOR HOUSE BILL NO. 301(FIN)

"An Act relating to the renewal of a license involving alcoholic beverages; relating to the renewal and transfer of ownership of a beverage dispensary license or restaurant or eating place license; and relating to issuance of an outdoor recreation lodge license in a local option area."

HB 321

The Speaker stated that, without objection, the following, which was held from the March 7 calendar (page 2636), would be held to the March 12 calendar:

CS FOR HOUSE BILL NO. 321(FIN)

"An Act making supplemental appropriations, capital appropriations, and other appropriations; making appropriations to capitalize funds; amending appropriations; and providing for an effective date."

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 - Paul Denkewalter

By Representatives Claman, Johnson, Edgmon, Birch, Chenault, Drummond, Eastman, Foster, Gara, Grenn, Guttenberg, 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 - Carl F. Brady Sr.

By Senators Coghill, Costello; Representatives Edgmon, Birch, Chenault, Claman, Drummond, Eastman, 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 - Samantha Mack

By Senator von Imhof; Representatives Tuck, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, 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, Wilson, Wool

In Memoriam - John Calvin Eads

By Representatives Chenault, Edgmon, Birch, Claman, Drummond, Eastman, 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; Senator Micciche

In Memoriam - Florence J. Marshall

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

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 Millett – from 12:30 p.m., today to 10:00 a.m., March 12

Representative Talerico – from 6:00 p.m., March 13 to 4:00 p.m., March 18

**Representative Thompson, who was excused (page 2578), left the Chamber.

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Women's History Month 2018, 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 - Women's History Month 2018

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

UNFINISHED BUSINESS**HB 27**

Representatives LeDoux and Drummond added as cosponsors to:

HOUSE BILL NO. 27

"An Act relating to chemicals that are of high concern for children and to the manufacture and sale of products containing certain flame retardant chemicals; relating to an interstate chemicals clearinghouse; adding an unlawful act to the Alaska Unfair Trade Practices and Consumer Protection Act; and providing for an effective date."

HB 176

Representatives Birch, Tuck, Josephson, Parish, and Rauscher added as cosponsors to:

CS FOR HOUSE BILL NO. 176(FIN)

"An Act relating to medical assistance reimbursement for emergency medical transportation services; and providing for an effective date."

HB 301

Representatives Birch and Gara added as cosponsors to:

CS FOR HOUSE BILL NO. 301(FIN)

"An Act relating to the renewal of a license involving alcoholic beverages; relating to the renewal and transfer of ownership of a beverage dispensary license or restaurant or eating place license; and relating to issuance of an outdoor recreation lodge license in a local option area."

HB 310

Representative Rauscher removed as a cosponsor to:

HOUSE BILL NO. 310

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

HB 336

Representatives Kito and Johnston added as cosponsors 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 15

Representative Grenn added as a cross sponsor to:

CS FOR SENATE BILL NO. 15(FIN)

"An Act relating to possession of an electronic smoking product or a product containing nicotine by a minor and to selling or giving a product containing nicotine or an electronic smoking product to a minor; relating to business license endorsements to sell cigarettes, cigars, tobacco, products containing tobacco, electronic smoking products, or products containing nicotine; and relating to citations for certain offenses concerning tobacco, products containing nicotine, or electronic smoking products."

SB 204

Representative Tuck added as a cross sponsor to:

SENATE BILL NO. 204

"An Act relating to special registration plates for vehicles owned by veterans with disabilities."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ENGROSSMENT

HB 176

CSHB 176(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 11:00 a.m., March 12. There being no objection, the House adjourned at 11:48 a.m.

Crystaline Jones
Chief Clerk