

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

April 30, 2018

One Hundred Fifth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:08 a.m.

Roll call showed 37 members present. Representatives Knopp and Thompson had been excused from a call of the House today. Representative Chenault was absent and his presence was noted later.

The invocation was offered by the Chaplain, Representative Saddler. 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:

Father in Heaven, we come before you with hearts full of gratitude for the chance to enjoy this day that you have made for us.

We ask your blessing on every man and woman in this House, as we do our best to serve the people of our state.

We recognize that seeking to know your will and striving to perform it to the best of our ability, offer the best possible assurance that our work here might find favor in your sight. So, we ask for your inspiration and direction, so that we can better fulfil the purpose for which you have sent us here.

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We acknowledge that while we are human beings created in your image, we are yet imperfect. So, we ask your forgiveness when we make unintentional errors in judgement, or act in ways that are not pleasing to you.

Father, grant us your unearned – but earnestly sought and gratefully accepted – grace, so that we can better resolve the many challenges yet remaining before us in the closing days of this legislature.

Finally, Lord, we ask a special blessing on our colleagues and friends who face difficulties, both known and unknown to us, so that they might be restored to full health and wholeness, according to your will.

In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Representative Kito.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 103rd and 104th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES

HR 7

The Education Committee considered:

HOUSE RESOLUTION NO. 7

Recognizing the importance of safe school environments for students, staff, and their families; and supporting improvement of school safety measures.

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

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Do pass (3): Parish, Spohnholz, Drummond

No recommendation (1): Talerico

The following fiscal note(s) apply:

1. Zero, House Education Committee

HR 7 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Chenault was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HR 8

HOUSE RESOLUTION NO. 8 by the House Community and Regional Affairs Committee:

Requesting the National Oceanic and Atmospheric Administration to locate its Alaska-focused employees, programs, and assets in the state.

was read the first time and referred to the Community & Regional Affairs Committee.

HCR 33

HOUSE CONCURRENT RESOLUTION NO. 33 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. 134, relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rules 1 and 6, Alaska Adoption Rules.

was read the first time and taken up as a Special Order of Business.

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SPECIAL ORDER OF BUSINESS

HCR 33

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

HOUSE CONCURRENT RESOLUTION NO. 33

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 134, relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rules 1 and 6, Alaska Adoption Rules.

There being no objection, it was so ordered.

The question being: "Shall HCR 33 pass the House?" The roll was taken with the following result:

HCR 33

Special Order of Business

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Birch, Chenault, Claman, Drummond, Eastman, Edgmon, 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, Tilton, Tuck, Wilson, Wool, Zulkosky

Excused: Knopp, Thompson

Absent: Foster

And so, HCR 33 passed the House and was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 92

The following was read the second time:

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CS FOR SENATE BILL NO. 92(FIN) am

"An Act relating to abandoned and derelict vessels; relating to the registration of vessels; relating to certificates of title for vessels; relating to the duties of the Department of Administration; relating to the duties of the Department of Natural Resources; establishing the derelict vessel prevention program; establishing the derelict vessel prevention program fund; relating to the authority of certain persons to enforce laws relating to derelict vessels; and providing for an effective date."

with the:

Journal Page

FIN RPT HCS(FIN) 5DP 6NR	3352
FN3: ZERO(DEC)	3353
FN4: ZERO(DNR)	3353
FN7: (ADM)	3353
FN8: (DNR/FUND CAP)	3353

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

HOUSE CS FOR CS FOR SENATE BILL NO. 92(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Eastman:

Page 2, line 8:

Delete "90"

Insert "150[90]"

Representative Eastman moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Seaton objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

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HCS CSSB 92(FIN)

Second Reading

Amendment No. 1

YEAS: 2 NAYS: 36 EXCUSED: 2 ABSENT: 0

Yea: Eastman, Johnson

Nay: Birch, Chenault, Claman, Drummond, Edgmon, 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, Tilton, Tuck, Wilson, Wool, Zulkosky

Excused: Knopp, Thompson

And so, Amendment No. 1 was not adopted.

Representative Tuck moved and asked unanimous consent that HCS CSSB 92(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HCS CSSB 92(FIN) will advance to third reading on tomorrow's calendar.

SB 126

The following was read the second time:

SENATE BILL NO. 126

"An Act providing for an exception to the regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state."

with the:

Journal Page

L&C RPT 6DP	2716
FN1: (CED)	2716
FIN RPT 10DP	3191
FN1: (CED)	3191

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Representative Tuck moved and asked unanimous consent that SB 126 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

SB 126 will advance to third reading on tomorrow's calendar.

SB 155

The following was read the second time:

CS FOR SENATE BILL NO. 155(FIN)

"An Act relating to the registration and regulation of real estate appraisal management companies; relating to the establishment of fees by the Department of Commerce, Community, and Economic Development; relating to the Board of Certified Real Estate Appraisers; relating to real estate appraisers; and providing for an effective date."

with the:

Journal Page

L&C RPT HCS(L&C) 2DP 1DNP 4NR	3005
FN2: (CED)	3006
FIN RPT HCS(L&C) 4DP 2DNP 4NR	3235
FN2: (CED)	3236

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

HOUSE CS FOR CS FOR SENATE BILL NO. 155(L&C) (same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Guttenberg:

Page 6, following line 20:

Insert a new section to read:

"Sec. 08.87.142. Statement of fees. (a) When reporting to a client, an appraisal management company shall separately state the fees

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(1) paid to an appraiser for the completion of an appraisal; and

(2) charged to the client for appraisal management services by the appraisal management company.

(b) An appraisal management company may not

(1) prohibit an appraiser from recording in the body of the report submitted by the appraiser to the appraisal management company the fee that the appraiser was paid by the appraisal management company; or

(2) include any fees for appraisal services listed in (a)(1) of this section as charges for an appraisal management service listed in (a)(2) of this section."

Representative Guttenberg moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Wilson objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

HCS CSSB 155(L&C)

Second Reading

Amendment No. 1

YEAS: 21 NAYS: 17 EXCUSED: 2 ABSENT: 0

Yeas: Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Josephson, Kawasaki, Kreiss-Tomkins, LeDoux, Lincoln, Ortiz, Parish, Pruitt, Reinbold, Seaton, Spohnholz, Stutes, Tarr, Tuck, Zulkosky

Nays: Birch, Chenault, Eastman, Grenn, Johnson, Johnston, Kito, Kopp, Millett, Neuman, Rauscher, Saddler, Sullivan-Leonard, Talerico, Tilton, Wilson, Wool

Excused: Knopp, Thompson

And so, Amendment No. 1 was adopted.

Representative Tuck moved and asked unanimous consent that HCS CSSB 155(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage.

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There was objection.

HCS CSSB 155(FIN) am H will advance to third reading on tomorrow's calendar.

SB 165

The following was read the second time:

SENATE BILL NO. 165

"An Act relating to the Alaska comprehensive health insurance fund; and providing for an effective date."

with the:

Journal Page

L&C RPT 2DP 2NR	2968
FN1: ZERO(ADM)	2969
FN3: (CED)	2969
FIN RPT 10DP	3161
FN1: ZERO(ADM)	3161
FN3: (CED)	3161

Representative Tuck moved and asked unanimous consent that SB 165 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

SB 165 will advance to third reading on tomorrow's calendar.

SB 216

The following was read the second time:

CS FOR SENATE BILL NO. 216(FIN)

"An Act relating to the calculation of state aid for schools that consolidate; relating to the determination of the number of schools in a district; and providing for an effective date."

with the:

Journal Page

FIN RPT 4DP 7NR	3407
FN3: (EED/FUND CAP)	3407
FN4: ZERO(EED)	3407

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Representative Tuck moved and asked unanimous consent that CSSB 216(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSSB 216(FIN) will advance to third reading on tomorrow's calendar.

CONCUR IN SENATE AMENDMENTS

HB 170

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3436) on the following:

CS FOR HOUSE BILL NO. 170(JUD)

"An Act relating to securities, registration, exempt securities, exempt transactions, broker-dealers, agents, investment advice, investment advisers, investment adviser representatives, federal covered securities, federal covered investment advisers, viatical settlement interests, small intrastate security offerings, Canadian broker-dealers, and Canadian agents; relating to protecting older and vulnerable adults from financial exploitation; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; relating to an investor training fund; establishing increased civil penalties for harming older persons and vulnerable adults; relating to corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure, and Rule 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 170(L&C) (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 yes.

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The question being: "Shall the House concur in the Senate amendment?" The roll was taken with the following result:

SCS CSHB 170(L&C)

Concur

YEAS: 33 NAYS: 4 EXCUSED: 2 ABSENT: 1

Yeas: Birch, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Millett, Neuman, Ortiz, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Tilton, Tuck, Wilson, Wool, Zulkosky

Nays: Eastman, Johnson, Parish, Rauscher

Excused: Knopp, Thompson

Absent: Chenault

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 170(L&C).

Representative Tuck moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes. There being no objection, it was so ordered.

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.

The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

HJR 21

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3371) on the following:

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

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honor previous federal guidance on marijuana policy; and urging the federal government to reconsider its listing of marijuana as a schedule I controlled substance.

and

SENATE CS FOR SS FOR HOUSE JOINT RESOLUTION NO. 21(JUD)

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

(SCR 23 - title change resolution)

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 yes.

The question being: "Shall the House concur in the Senate amendment?" The roll was taken with the following result:

SCS SSHJR 21(JUD)

Concur

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, 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, Tilton, Tuck, Wilson, Wool, Zulkosky

Excused: Knopp, Thompson

Absent: Chenault

And so, the House concurred in the Senate amendment, thus adopting SCS SSHJR 21(JUD).

The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 23

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

SENATE CONCURRENT RESOLUTION NO. 23

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning 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.

There being no objection, it was so ordered.

The question being: "Shall SCR 23 pass the House?" The roll was taken with the following result:

SCR 23

Special Order of Business

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Birch, Claman, Drummond, Eastman, Edgmon, 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, Tilton, Tuck, Wilson, Wool, Zulkosky

Excused: Knopp, Thompson

Absent: Chenault

And so, SCR 23 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

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UNFINISHED BUSINESS

SB 165

Representative Gara added as a cross sponsor to:

SENATE BILL NO. 165

"An Act relating to the Alaska comprehensive health insurance fund; and providing for an effective date."

SB 134

The following, which was engrossed and signed by the Speaker and Chief Clerk (page 3488), was transmitted to the Senate for consideration:

SENATE BILL NO. 134 am H

"An Act relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rule 90.3, Alaska Rules of Civil Procedure, and Rules 1 and 6, Alaska Adoption Rules."

ENGROSSMENT

HCR 33

HCR 33 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ENROLLMENT

HB 287

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 9:52 a.m., April 30:

SENATE CS FOR HOUSE BILL NO. 287(FIN)

"An Act making appropriations for public education and transportation of students; 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 April 13.

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House committee schedules are published under separate cover.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 1. There being no objection, the House adjourned at 11:13 a.m.

Crystaline Jones
Chief Clerk