

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Saturday

May 12, 2018

One Hundred Seventeenth Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 3:14 p.m.

Roll call showed 39 members present. Representative Kreiss-Tomkins was absent and his presence was noted later.

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

Heavenly Father,

Thank you for a new day and a new opportunity to serve you and love you by serving our fellow Alaskans. As we conclude the 30th Alaska Legislature and engage with constituents in the interim, I pray that we will cling to your word and not lose sight of your instruction: to rejoice always, to pray without ceasing, to give thanks in all circumstances; for this is your will in Christ Jesus for all of us. Help us to work together, Father, to have your kingdom come and your will be done, in our own selves, in this legislature, and in our state. We pray that you fill our bodies with your power and conviction, fill our minds with your wisdom and understanding, and fill our

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hearts with your spirit and your love. Thank you so much for being a loving and gracious God, for this beautiful land we call home, and for the wonderful friends, family, and neighbors we share it with. Please bless this body and our state and help us to be good stewards and servants on your behalf. With all our heart we thank you and we love you. In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Rauscher.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 116th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 236

A message dated May 10 was read stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 236(FIN)
"An Act extending the Alaska senior benefits payment program."

Chapter No. 8, SLA 2018
Effective Date: August 8, 2018

MESSAGES FROM THE SENATE

HB 18

A message dated May 11 was read stating the Senate passed:

HOUSE BILL NO. 18
"An Act relating to race classics."

HB 18 was referred to the Chief Clerk for enrollment.

HB 47

A message dated May 11 was read stating the Senate passed:

HOUSE BILL NO. 47

"An Act requiring certain municipalities with a population that decreased by more than 25 percent between 2000 and 2010 that participate in the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22 percent of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; authorizing the administrator of the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to reduce the rate of interest payable by certain municipalities that are delinquent in transmitting employee and employer contributions to the retirement plan; and providing for an effective date."

HB 47 was referred to the Chief Clerk for enrollment.

HB 260

A message dated May 11 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 260(FIN) am

"An Act relating to possession of certain licenses, tags, and permits issued by the Department of Fish and Game; and providing for an effective date."

CSHB 260(FIN) am was referred to the Chief Clerk for enrollment.

HB 331

A message dated May 11 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 331(FIN)

"An Act establishing the Alaska Tax Credit Certificate Bond Corporation; relating to the issuance of bonds by the Alaska Tax Credit Certificate Bond Corporation; relating to purchases of tax credit certificates and refunds and payments of tax credits; relating to the oil and gas tax credit fund; relating to overriding royalty interest agreements; providing for an effective date by repealing

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the effective date of secs. 2, 5, 8, 10, 31, 37, and 40, ch. 3, SSSLA 2017; and providing for an effective date."

CSHB 331(FIN) was referred to the Chief Clerk for enrollment.

**The presence of Representative Kreiss-Tomkins was noted.

HB 336

A message dated May 11 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 336(JUD) am
"An Act relating to supported decision-making agreements to provide for decision-making assistance; and amending Rule 402, Alaska Rules of Evidence."

CSHB 336(JUD) am was referred to the Chief Clerk for enrollment.

HB 401

A message dated May 11 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 401(L&C)
"An Act relating to insurance; relating to credit for reinsurance; relating to insurance standard valuation; and providing for an effective date."

CSHB 401(L&C) was referred to the Chief Clerk for enrollment.

HB 79

A message dated May 11 was read stating the Senate passed:

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."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR 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 incorporation of reference materials in workers' compensation regulations; 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; establishing a legislative workers' compensation working group; and providing for an effective date."

(SCR 33 - title change resolution)

CSHB 79(FIN) is under Unfinished Business.

A message dated May 11 was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SCR 33**

SENATE CONCURRENT RESOLUTION NO. 33 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 79, 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"; and relating to the Alaska Workers' Compensation Board's approval of attorney fees in a settlement agreement.

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

COMMUNICATIONS

Letters of disclosure received from the Select Committee on Legislative Ethics, as required by AS 24.60, were published in House Journal Supplement No. 13 and House and Senate Joint Journal Supplement No. 20.

INTRODUCTION OF CITATIONS

The following citations were introduced and taken up on the first special order citation calendar:

Honoring - Jacob Shercliffe and Sam Erickson, 2017 James Madison Cup Winners

By Representative Eastman; Senator Shower

Honoring - Isaac Smoldon

By Representative Eastman; Senator Shower

Honoring - Governor Jay Hammond, Father of the Alaska Permanent Fund Dividend

By Representative Eastman; Senator Shower

Honoring - Gregory N. Brown

By Representatives Johnston, Grenn

Honoring - Dimond High School Riflery Team, 2017 Cook Inlet

Conference Champions

By Senator Costello; Representative Grenn

Honoring - Jewel Lake Tastee-Freez, 60th Anniversary

By Senator Costello; Representative Grenn

In Memoriam - Virgie M. Dunlap-King

By Representatives Kawasaki, Guttenberg

In Memoriam - Poldine Carlo

By Representatives Zulkosky, Kawasaki

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HR 10**

HOUSE RESOLUTION NO. 10 by the House Rules Committee:

Expressing the strong support of the House of Representatives for the Kodiak Seafood and Marine Science Center; and urging the University of Alaska to find a solution to keep the Kodiak Seafood and Marine Science Center operating as a stable resource in the state.

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was read the first time and is on today's calendar.

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the first special order citation calendar 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 first special order citation calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Jacob Shercliffe and Sam Erickson, 2017 James Madison Cup Winners

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

Honoring - Isaac Smoldon

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

Honoring - Governor Jay Hammond, Father of the Alaska Permanent Fund Dividend

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

Honoring - Gregory N. Brown

By Representatives Johnston, Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Foster, Gara, Guttenberg, Johnson,

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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, Zulkosky

Honoring - Dimond High School Riflery Team, 2017 Cook Inlet Conference Champions

By Senator Costello; Representatives Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Foster, Gara, 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, Zulkosky

Honoring - Jewel Lake Tastee-Freez, 60th Anniversary

By Senator Costello; Representatives Grenn, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Foster, Gara, 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, Zulkosky

In Memoriam - Virgie M. Dunlap-King

By Representatives Kawasaki, Guttenberg, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Foster, Gara, Grenn, Johnson, Johnston, Josephson, 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, Zulkosky

In Memoriam - Poldine Carlo

By Representatives Zulkosky. Kawasaki, 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, Thompson, Tilton, Tuck, Wilson, Wool

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Honoring - Set Free Alaska

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

Honoring - Portugal. The Man

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

In Memoriam - Attorney General Avrum Gross

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

CONSIDERATION OF THE DAILY CALENDAR

In accordance with Rule 43(b) of the Uniform Rules, the Speaker announcement that engrossment may be waived on the bills on today's calendar.

In accordance with Rule 30(c) of the Uniform Rules, the Speaker announced that reconsideration was not available today.

SECOND READING OF SENATE BILLS

SB 45

The Speaker stated that, without objection, the following would be moved to the bottom of the calendar:

CS FOR SENATE BILL NO. 45(FIN)

"An Act relating to an exemption from the regulation of construction contractors."

SB 63

The following was read the second time:

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."

with the:

Journal Page

CRA RPT HCS(CRA) 3DP 3NR 1AM	1262
FN2: ZERO(DEC)	1262
FN3: ZERO(DHS)	1262
FN4: ZERO(DPS)	1262
FN5: ZERO(CED)	1262
FN6: ZERO(DOT)	1262
JUD RPT HCS(JUD) 4DP 1NR 2AM	2253
FN7: ZERO(CED)	2254
FN8: ZERO(DEC)	2254
FN9: ZERO(DHS)	2254
FN10: ZERO(DPS)	2254
FN11: ZERO(DOT)	2254
RLS RPT HCS(RLS) NT 1DP 1DNP 2NR 2AM	3159
FN7: ZERO(CED)	3160
FN8: ZERO(DEC)	3160
FN9: ZERO(DHS)	3160
FN10: ZERO(DPS)	3160
FN11: ZERO(DOT)	3160

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. 63(RLS)

"An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; relating to municipal regulation of smoking in certain places; relating to established

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villages and local option elections to allow smoking in public places; and providing for an effective date."

(HCR 29 - title change resolution)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Josephson and Pruitt:

Page 13, line 3:

Delete all material.

Renumber the following paragraphs accordingly.

Page 13, lines 15 - 16:

Delete "or the use of marijuana"

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

There was objection.

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

HCS CSSB 63(RLS)

Second Reading

Amendment No. 1

YEAS: 35 NAYS: 4 EXCUSED: 0 ABSENT: 1

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

Nays: Eastman, Kawasaki, LeDoux, Neuman

Absent: Rauscher

And so, Amendment No. 1 was adopted.

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Amendment No. 2 was offered by Representative Grenn:

Page 1, line 10, following "tobacco":

Insert ", e-cigarettes, or other oral smoking devices"

Page 1, line 12:

Delete ""enclosed area""

Insert ""e-cigarette," "enclosed area,""

Page 3, line 23:

Delete "smoke"

Insert "e-cigarette vapor or aerosol"

Page 3, line 24:

Delete "and"

Page 3, line 27, following "facility":

Insert "and

(iv) smoking is limited to the use of an e-cigarette;"

Page 4, lines 16 - 21:

Delete all material and insert:

"(g) Notwithstanding (a) and (b) of this section, an individual may smoke at

(1) a private club if the private club

(A) has been in continuous operation at the same location since January 1, 2017;

(B) is not licensed to serve alcoholic beverages; and

(C) is not a place of employment;

(2) an e-cigarette store if the e-cigarette store has been in continuous operation at the same location since January 1, 2017."

Page 5, line 16, following "tobacco":

Insert "or e-cigarette store"

Page 5, line 18, following "cigarettes":

Insert "e-cigarettes,"

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Page 5, line 19, following "smoking":
Insert "or e-cigarette"

Page 5, line 22, following "cigarettes,":
Insert "e-cigarettes,"

Page 5, line 23, following "smoking":
Insert "or e-cigarette"

Page 5, line 25, following "tobacco":
Insert "or e-cigarette"

Page 13, line 13, following "means":
Insert "using an e-cigarette or other oral smoking device or"

Page 13, line 15:
Delete "using an e-cigarette or other oral smoking device or"

Representative Grenn moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Wilson objected.

Representative Tuck placed a call of the House and lifted the call.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 63(RLS) am H

Second Reading

Amendment No. 2

YEAS: 29 NAYS: 10 EXCUSED: 0 ABSENT: 1

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

Nays: Chenault, Eastman, Kawasaki, Knopp, LeDoux, Neuman, Sullivan-Leonard, Thompson, Tilton, Wilson

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Absent: Rauscher

And so, Amendment No. 2 was adopted.

Amendment No. 3 was offered by Representative Guttenberg:

Page 4, line 31:

Delete "that is freestanding"

Page 5, line 1, following the first occurrence of "the":

Insert "(A)"

Page 5, line 2, following "AS 17.38.080":

Insert ";

(B) employees of the establishment are not required as a condition of employment to enter an area where smoking is occurring; and

(C) establishment is

(i) freestanding; or

(ii) attached to another business or building, and smoke and odor from the establishment cannot travel into the attached business"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Josephson objected.

Representative Tuck moved and asked unanimous consent that Representative Rauscher be excused until 4:45 p.m., today. There being no objection, it was so ordered.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 63(RLS) am H

Second Reading

Amendment No. 3

YEAS: 18 NAYS: 21 EXCUSED: 1 ABSENT: 0

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Yeas: Chenault, Drummond, Eastman, Foster, Gara, Guttenberg, Kawasaki, Kreiss-Tomkins, LeDoux, Lincoln, Ortiz, Parish, Saddler, Seaton, Tarr, Tilton, Wilson, Wool

Nays: Birch, Claman, Edgmon, Grenn, Johnson, Johnston, Josephson, Kito, Knopp, Kopp, Millett, Neuman, Pruitt, Reinbold, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Thompson, Tuck, Zulkosky

Excused: Rauscher

And so, Amendment No. 3 was not adopted.

Representative Tuck moved and asked unanimous consent that HCS CSSB 63(RLS) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 63(RLS) am H was read the third time.

Representative Wool 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 HCS CSSB 63(RLS) am H pass the House?" The roll was taken with the following result:

HCS CSSB 63(RLS) am H

Third Reading

Final Passage

YEAS: 32 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

Nays: Eastman, LeDoux, Neuman, Sullivan-Leonard, Thompson, Tilton, Wilson

Excused: Rauscher

And so, HCS CSSB 63(RLS) am H 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.

HCS CSSB 63(RLS) am H was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 29

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

HOUSE CONCURRENT RESOLUTION NO. 29

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 63, prohibiting smoking in certain places; and relating to education on the smoking prohibition.

There being no objection, it was so ordered.

The question being: "Shall HCR 29 pass the House?" The roll was taken with the following result:

HCR 29

Special Order of Business

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

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

Nays: Eastman, Wilson

Excused: Rauscher

And so, HCR 29 passed the House and was referred to the Chief Clerk for engrossment.

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**The presence of Representative Rauscher, who was excused (page 3711), was noted.

UNFINISHED BUSINESS

SB 196

Representative Chenault, citing Uniform Rule 48(d), moved and asked unanimous consent that the following be discharged from the Finance Committee:

CS FOR SENATE BILL NO. 196(FIN)(efd fld)
"An Act relating to an appropriation limit; and relating to the budget responsibilities of the governor."

There was objection.

The question being: "Shall CSSB 196(FIN)(efd fld) be discharged from the Finance Committee?" The roll was taken with the following result:

CSSB 196(FIN)(efd fld)
Discharge from Finance Committee and Placed on Supplemental Calendar today

YEAS: 18 NAYS: 22 EXCUSED: 0 ABSENT: 0

Yea: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Nay: Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Lincoln, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Wool, Zulkosky

And so, the motion failed.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE**HB 106**

A message dated May 12 was read stating the Senate passed HB 106 with the following amendment, and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 106(FIN)

"An Act allowing appropriations to the civil legal services fund from court filing fees."

HB 106 is under Unfinished Business.

HB 119

A message dated May 12 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 119(FIN)

"An Act relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; relating to the meanings of 'mark-to-market fair value,' 'net income,' 'project or development,' and 'unrestricted net income' for purposes of the Alaska Industrial Development and Export Authority; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 119(FIN) am S

"An Act relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; relating to the meanings of 'mark-to-market fair value,' 'net income,' 'project or development,' and 'unrestricted net income' for purposes of the Alaska Industrial Development and Export Authority; extending the expiration date of the authorization to finance and issue bonds through the Alaska Industrial Development and Export Authority for a liquefied natural gas production system and natural gas distribution system for an Interior energy project; relating to land of the Alaska Railroad Corporation; relating to the sale of Alaska

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Railroad Corporation land; relating to the financing and bonding authority of the Alaska Railroad Corporation; authorizing the exchange of land between the Alaska Railroad Corporation and Eklutna, Inc.; authorizing the transfer of land from the Alaska Railroad Corporation to the Municipality of Anchorage; authorizing the transfer of land from the Alaska Railroad Corporation to Usibelli Coal Mine, Inc.; authorizing the transfer of land in the Chena Landings Subdivision from the Alaska Railroad Corporation; authorizing the transfer of land from the Alaska Railroad Corporation to Alaska Tourism Development, LLC; authorizing the transfer of land from the Alaska Railroad Corporation to NeighborWorks Alaska; authorizing the transfer of land from the Alaska Railroad Corporation to 1048 Whitney Road, Anchorage, LLC; authorizing the transfer of land from the Alaska Railroad Corporation to 660 Western Drive, Anchorage, LLC; and providing for an effective date."

(SCR 34 - title change resolution)

CSHB 119(FIN) is under Unfinished Business.

HB 285

A message dated May 12 was read stating the Senate adopted the Conference Committee with limited powers of free conference report on CSHB 285(FIN) and SCS CSHB 285(FIN), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 285

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

The report is under Unfinished Business.

HB 286

A message dated May 12 was read stating the Senate adopted the Conference Committee with limited powers of free conference report on CSHB 286(FIN) am(brf sup maj fld)(efd fld) and SCS CSHB 286(FIN), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 286

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

The report is under Unfinished Business.

A message dated May 12 was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 34

SENATE CONCURRENT RESOLUTION NO. 34 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 119, relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; and relating to the meanings of "mark-to-market fair value," "net income," "project or development," and "unrestricted net income" for purposes of the Alaska Industrial Development and Export Authority.

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

UNFINISHED BUSINESS

HB 286

Representative Tuck moved and asked unanimous consent that the House waive Uniform Rule 42 for the limited purpose of including approval of bargaining agreements for certain public employees of the State of Alaska and appropriations adopted as fiscal notes.

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Representative Eastman objected.

The question being: "Shall the House waive Uniform Rule 42?" The roll was taken with the following result:

HB 286

Waive Uniform Rule 42

YEAS: 31 NAYS: 9 EXCUSED: 0 ABSENT: 0

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

Nays: Birch, Eastman, Johnson, Neuman, Pruitt, Rauscher, Reinbold, Tilton, Wilson

And so, the motion passed.

Representative Tuck moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report (page 3661) on CSHB 286(FIN) am(brf sup maj fld)(efd fld) and SCS CSHB 286(FIN). There being no objection, it was so ordered.

Representative LeDoux moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and she was required to vote.

Representative Tuck moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting the following:

CONFERENCE CS FOR HOUSE BILL NO. 286

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

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The question being: "Shall the House adopt the report?" The roll was taken with the following result:

CCS HB 286

Adopt

YEAS: 21 NAYS: 19 EXCUSED: 0 ABSENT: 0

Yea: Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Lincoln, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Wool, Zulkosky

Nay: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, LeDoux, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

And so, the House adopted CCS HB 286.

Representative Tuck moved that the appropriations from the constitutional budget reserve fund in Section 29 (Article IX, Section 17(c) of the Constitution of the State of Alaska) be adopted.

The question being: "Shall the House adopt the constitutional budget reserve fund appropriations in Section 29?" The roll was taken with the following result:

CCS HB 286

Adopt

Constitutional Budget Reserve Appropriations

YEAS: 32 NAYS: 8 EXCUSED: 0 ABSENT: 0

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

Nay: Eastman, Johnson, Neuman, Rauscher, Reinbold, Sullivan-Leonard, Tilton, Wilson

And so, the constitutional budget reserve fund appropriations in Section 29 were adopted.

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Representative Tuck moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CCS HB 286

Adopt

Effective Date

YEAS: 33 NAYS: 7 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, 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, Zulkosky

Nays: Eastman, Neuman, Rauscher, Reinbold, Sullivan-Leonard, Tilton, Wilson

And so, the effective date clause was adopted.

The Chief Clerk notified the Senate.

The Senate adopted the Conference Committee with limited powers of free conference report May 12.

CCS HB 286 was referred to the Chief Clerk for engrossment and enrollment.

HB 285

Representative Tuck moved and asked unanimous consent that the House waive Uniform Rule 42 for the limited purpose of including approval of bargaining agreements for certain public employees of the State of Alaska and appropriations adopted as fiscal notes.

Representative Eastman objected.

The question being: "Shall the House waive Uniform Rule 42?" The roll was taken with the following result:

HB 285

Waive Uniform Rule 42

YEAS: 27 NAYS: 13 EXCUSED: 0 ABSENT: 0

Yea: Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Millett, Ortiz, Parish, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Wool, Zulkosky

Nay: Birch, Chenault, Eastman, Johnson, Johnston, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Tilton, Wilson

And so, the motion passed.

Representative Tuck moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report (page 3661) on CSHB 285(FIN) and SCS CSHB 285(FIN). There being no objection, it was so ordered.

Representatives LeDoux and Saddler moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and they were required to vote.

Representative Tuck moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting the following:

CONFERENCE CS FOR HOUSE BILL NO. 285

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

The question being: "Shall the House adopt the report?" The roll was taken with the following result:

CCS HB 285

Adopt

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

Yea: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Kopp,

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Kreiss-Tomkins, LeDoux, Lincoln, Millett, Ortiz, Parish, Pruitt, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Wool, Zulkosky

Nays: Eastman, Johnson, Knopp, Neuman, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Tilton, Wilson

And so, the House adopted CCS HB 285.

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 Senate adopted the Conference Committee with limited powers of free conference report May 12.

CCS HB 285 was referred to the Chief Clerk for engrossment and enrollment.

CONCUR IN SENATE AMENDMENTS

HB 79

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3700) on the following:

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."

and

SENATE CS FOR 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 incorporation of reference materials in workers' compensation regulations; 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; establishing a legislative workers' compensation working group; and providing for an effective date."

(SCR 33 - 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 CSHB 79(FIN)

Concur

YEAS: 34 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Kopp,

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Kreiss-Tomkins, LeDoux, Lincoln, Millett, Neuman, Ortiz, Parish, Pruitt, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tuck, Wool, Zulkosky

Nays: Eastman, Johnson, Knopp, Rauscher, Tilton, Wilson

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 79(FIN).

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.

SPECIAL ORDER OF BUSINESS

SCR 33

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

SENATE CONCURRENT RESOLUTION NO. 33

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 79, 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

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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"; and relating to the Alaska Workers' Compensation Board's approval of attorney fees in a settlement agreement.

There being no objection, it was so ordered.

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

SCR 33

Special Order of Business

YEAS: 38 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Eastman, Wilson

And so, SCR 33 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 6:09 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:17 p.m.

SECOND READING OF SENATE BILLS

(continued)

SB 105

The following was read the second time:

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CS FOR SENATE BILL NO. 105(FIN)

"An Act relating to the licensure of marital and family therapists; relating to medical assistance for marital and family therapy services; and providing for an effective date."

with the:

Journal Page

FIN RPT HCS(FIN) 5DP 1DNP 1NR 4AM	3406
FN3: (CED)	3407
FN4: (DHS)	3407

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. 105(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Spohnholz, Grenn, Josephson, Gara, Kawasaki, Zulkosky, Sullivan-Leonard, Claman, Tarr, Wool, Parish, Tuck, and Drummond:

Page 1, line 2, following "services;" (title amendment):

Insert "**relating to disclosure of health care services and price information; relating to health care insurers;**"

Page 3, following line 13:

Insert new bill sections to read:

"* **Sec. 3. AS 18.15.360(a)** is amended to read:

(a) The department is authorized to collect, analyze, and maintain databases of information related to

(1) risk factors identified for conditions of public health importance;

(2) morbidity and mortality rates for conditions of public health importance;

(3) community indicators relevant to conditions of public health importance;

(4) longitudinal data on traumatic or acquired brain injury from the registry established under

AS 47.80.500(c)(1); [AND]

(5) health care services and price information collected under AS 18.23.400; and

(6) any other data needed to accomplish or further the mission or goals of public health or provide essential public health services and functions.

* **Sec. 4.** AS 18.23 is amended by adding a new section to read:

Article 4. Health Care Services and Price Information.

Sec. 18.23.400. Disclosure and reporting of health care services, price, and fee information. (a) A health care provider shall annually compile a list, including a brief description in plain language that an individual with no medical training can understand, of the 10 health care services most commonly performed by the health care provider in the state in the previous calendar year from each of the six sections of Category I, Current Procedural Terminology, adopted by the American Medical Association and, for each of those services, state

- (1) the procedure code;
- (2) the undiscounted price; and
- (3) any facility fees.

(b) A health care facility in the state shall annually compile a list, including a brief description in plain language that an individual with no medical training can understand, of the 10 health care services most commonly performed at the health care facility in the previous calendar year from each of the six sections of Category I, Current Procedural Terminology, adopted by the American Medical Association and, for each of those services, state

- (1) the procedure code;
- (2) the undiscounted price; and
- (3) any facility fees.

(c) If, in the annual reporting period under this section, fewer than the number of health care services described under (a) or (b) of this section are performed by a health care provider or at a health care facility in the state, the provider or facility shall include in the list required under this section all of the health care services performed by the provider or at the facility from each of the six sections described under (a) or (b) of this section.

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(d) A health care provider who provides health care services at a health care facility in a group practice is not required to compile and publish a list under (a) and (e) of this section if

(1) the health care facility where the provider is in a group practice compiles and publishes a list in compliance with (b) and (e) of this section; and

(2) the prices and fees that the provider charges are reflected in the list compiled and published by the health care facility.

(e) A health care provider and health care facility shall publish the lists compiled under (a) and (b) of this section by January 31 each year

(1) by providing the list to the department for entry in the department's database under AS 18.15.360 along with the name and location of the health care provider or health care facility;

(2) by posting a copy of the list

(A) in a font not smaller than 20 points;

(B) in a conspicuous public reception area at the health care provider's office or health care facility where the services are performed;

(C) that includes the address for the department's Internet website;

(D) that may include a statement explaining that the undiscounted price may be higher or lower than the amount an individual actually pays for the health care services described in the list;

(E) that includes a statement substantially similar to the following: "You will be provided with an estimate of the anticipated charges for your nonemergency care upon request. Please do not hesitate to ask for information."; and

(F) that lists any health care insurers with which the health care provider or health care facility has a contract to provide health care services as an in-network preferred provider; and

(3) if the health care provider or health care facility has an Internet website, by posting the list on the

website.

(f) The department shall annually compile the lists provided under (a) and (b) of this section by health care service and, where relevant, health care provider and health care facility name and location, post the information on the department's Internet website, and enter the information in the database maintained under AS 18.15.360.

(g) If a patient who is receiving nonemergency health care services requests an estimate from a health care provider, health care facility, or health care insurer of the reasonably anticipated charges for treating the patient's specific condition, the health care provider, health care facility, or health care insurer

(1) shall provide a good faith estimate before the nonemergency health care services are provided and not later than 10 business days after receiving the request;

(2) shall provide the estimate in whichever of the following formats the patient requests: orally, in writing, or by electronic means; if the estimate is provided orally, the health care provider, health care facility, or health care insurer shall keep a record of the estimate;

(3) is not required to disclose the charges for the total anticipated course of treatment for the patient, but if the estimate does not include charges for the total anticipated course of treatment, the estimate must include a statement explaining that the estimate only includes charges for a portion of the total anticipated course of treatment; and

(4) may provide an estimate that includes a reasonable range of charges for anticipated health care services if the charges for the services will vary significantly in response to conditions that the health care provider, health care facility, or health care insurer cannot reasonably assess before the services are provided.

(h) A good faith estimate provided by a health care provider or health care facility under (g) of this section must include

(1) a brief description in plain language that an individual with no medical training can understand of the health care services, products, procedures, and supplies that are included in the estimate;

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(2) a notice disclosing the health care provider's or health care facility's in-network or out-of-network status that is substantially similar to one of the following forms:

(A) "(Name of health care provider or health care facility) is a contracted, in-network preferred provider for ONLY the following plan networks: (list each network or state 'NONE. YOU MAY INCUR OUT-OF-NETWORK CHARGES.');"

(B) "(Name of health care provider or health care facility) is a contracted, in-network preferred provider for your insurance plan."; or

(C) "(Name of health care provider or health care facility) is NOT a contracted, in-network preferred provider for your insurance plan. YOU MAY INCUR OUT-OF-NETWORK CHARGES.";

(3) the procedure code for each health care service included in the estimate;

(4) any facility fees, along with an explanation of the facility fees; and

(5) the identity, or suspected identity, of any other person that may charge the patient for a service, product, procedure, or supply in connection with the health care services included in the estimate, along with an explanation of whether the charges are included in the estimate.

(i) A health care provider or health care facility that provides a good faith estimate to a patient under (g) and (h) of this section or a health care insurer that provides a good faith estimate to a patient under (g) of this section is not liable for damages or other relief if the estimate differs from the amount actually charged to the patient.

(j) The requirement for a health care facility to provide a good faith estimate of reasonably anticipated charges for nonemergency health care services under (e)(2)(E), (g), and (h) of this section does not apply to a health care facility that is an emergency department.

(k) A health care provider or a health care facility that fails to comply with the requirements of (a) - (e), (g), or

(h) of this section or a health care insurer that fails to comply with the requirements of (g) of this section is liable for a civil penalty not to exceed \$10,000 for each violation. The department may impose a penalty,

(1) for failure to comply with (a) - (e) of this section, of not more than \$100 for each day of noncompliance after March 31; or

(2) for failure to provide a good faith estimate under (g) or (h) of this section, of not more than \$100 for each day of noncompliance.

(l) A health care provider, health care facility, or health care insurer penalized under (k) of this section is entitled to a hearing conducted by the office of administrative hearings under AS 44.64.

(m) A municipality may not enact or enforce an ordinance that is inconsistent with or imposes health care price or fee disclosure requirements in addition to the requirements under this section or regulations adopted under this section.

(n) In this section,

(1) "department" means the Department of Health and Social Services;

(2) "facility fee" means a charge or fee billed by a health care provider or health care facility that is in addition to fees billed for a health care provider's professional services and is intended to cover building, electronic medical records system, billing, and other administrative and operational expenses;

(3) "health care facility" means a private, municipal, or state hospital, psychiatric hospital, emergency department, independent diagnostic testing facility, residential psychiatric treatment center as defined in AS 47.32.900, kidney disease treatment center (including freestanding hemodialysis units), the offices of private physicians or dentists whether in individual or group practice, ambulatory surgical center as defined in AS 47.32.900, free-standing birth center as defined in AS 47.32.900, and rural health clinic as defined in AS 47.32.900; "health care facility" does not include

(A) the Alaska Pioneers' Home and

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the Alaska Veterans' Home administered by the department under AS 47.55;

(B) an assisted living home as defined in AS 47.33.990;

(C) a nursing facility licensed by the department to provide long-term care;

(D) a facility operated by an Alaska tribal health organization; and

(E) a hospital operated by the United States Department of Veterans Affairs or the United States Department of Defense, or any other federally operated hospital or institution;

(4) "health care insurer" has the meaning given in AS 21.54.500;

(5) "health care provider" means an individual licensed, certified, or otherwise authorized or permitted by law to provide health care services in the ordinary course of business or practice of a profession;

(6) "health care service" means a service or procedure provided in person or remotely by telemedicine or other means by a health care provider or at a health care facility for the purpose of or incidental to the care, prevention, or treatment of a physical or mental illness or injury;

(7) "nonemergency health care service" means a health care service other than a health care service that is immediately necessary to prevent the death or serious impairment of the health of the patient;

(8) "patient" means an individual to whom health care services are provided in the state by a health care provider or at a health care facility;

(9) "third party" means a public or private entity, association, or organization that provides, by contract, agreement, or other arrangement, insurance, payment, price discount, or other benefit for all or a portion of the cost of health care services provided to a recipient; "third party" does not include a member of the recipient's immediate family;

(10) "undiscounted price" means an amount billed for a service rendered without complications or exceptional circumstances; "undiscounted price" does not include a negotiated discount for an in-network or out-of-

network service rendered or the cost paid by a third party for that service.

* **Sec. 5.** AS 21.96 is amended by adding a new section to read:

Sec. 21.96.200. Good faith estimate. Upon request of a covered person who is receiving nonemergency health care services, a health care insurer shall provide a good faith estimate of the amount of the reasonably anticipated charges for treating the patient's specific condition under AS 18.23.400(g)."

Renumber the following bill sections accordingly.

Page 4, line 13:

Delete "sec. 3"

Insert "sec. 6"

Page 4, line 19:

Delete "Section 4"

Insert "Section 7"

Page 4, line 20:

Delete "sec. 6"

Insert "sec. 9"

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

There was objection.

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

HCS CSSB 105(FIN)

Second Reading

Amendment No. 1

YEAS: 31 NAYS: 8 EXCUSED: 0 ABSENT: 1

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

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Nays: Eastman, Johnson, Knopp, Neuman, Rauscher, Reinbold, Tilton, Wilson

Absent: Chenault

And so, Amendment No. 1 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 105(FIN) am H
"An Act relating to the licensure of marital and family therapists; relating to medical assistance for marital and family therapy services; relating to disclosure of health care services and price information; relating to health care insurers; and providing for an effective date."

Amendment No. 2 was offered by Representatives Tarr, Spohnholz, Kawasaki, Gara, Parish, Lincoln, Drummond, Seaton, Josephson, Ortiz, Stutes, and Millett:

Page 1, line 1, following "**therapists;**" (title amendment):

Insert "**providing for a state policy relating to children;**"

Page 3, following line 13:

Insert a new bill section to read:

"* **Sec. 3.** AS 47.05.060 is amended to read:

Sec. 47.05.060. Purpose and policy relating to children.

The purpose of this title as it relates to children is to secure for each child the care and guidance, preferably in the child's own home, that will serve the moral, emotional, mental, and physical welfare of the child and the best interests of the community; to preserve and strengthen the child's family ties unless efforts to preserve and strengthen the ties are likely to result in physical or emotional damage to the child, removing the child from the custody of the parents only as a last resort when the child's welfare or safety or the protection of the public cannot be adequately safeguarded without removal; and, when the child is removed from the family, to secure for the child adequate custody and care and adequate planning for permanent placement of the child. **It is the policy of the state to acknowledge and take into account the principles of early childhood and youth brain development and, whenever possible, consider the concepts of early adversity, toxic stress, childhood trauma, and the promotion**

of resilience through protective relationships, supports, self-regulation, and services."

Renumber the following bill sections accordingly.

Page 4, line 13:

Delete "sec. 3"
Insert "sec. 4"

Page 4, line 19:

Delete "Section 4"
Insert "Section 5"

Page 4, line 20:

Delete "sec. 6"
Insert "sec. 7"

Representative Tarr moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Wilson objected and withdrew the objection. There being no further objection, Amendment No. 2 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 105(FIN) am H
"An Act relating to the licensure of marital and family therapists; providing for a state policy relating to children; relating to medical assistance for marital and family therapy services; relating to disclosure of health care services and price information; relating to health care insurers; and providing for an effective date."

Representative Tuck moved and asked unanimous consent that HCS CSSB 105(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 105(FIN) am H was read the third time.

The question being: "Shall HCS CSSB 105(FIN) am H pass the House?" The roll was taken with the following result:

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HCS CSSB 105(FIN) am H

Third Reading

Final Passage

YEAS: 29 NAYS: 11 EXCUSED: 0 ABSENT: 0

Yea: Birch, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, Lincoln, Millett, Ortiz, Parish, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Tuck, Wool, Zulkosky

Nay: Chenault, Eastman, Knopp, LeDoux, Neuman, Pruitt, Rauscher, Reinbold, Thompson, Tilton, Wilson

And so, HCS CSSB 105(FIN) am H 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.

HCS CSSB 105(FIN) am H was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 36

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

HOUSE CONCURRENT RESOLUTION NO. 36

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 105, relating to the licensure of marital and family therapists; and relating to medical assistance for marital and family therapy services.

There being no objection, it was so ordered.

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The question being: "Shall HCR 36 pass the House?" The roll was taken with the following result:

HCR 36

Special Order of Business

YEAS: 35 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Eastman, Neuman, Reinbold, Tilton, Wilson

And so, HCR 36 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE

HB 213

A message dated May 12 was read stating the Senate passed:

CS FOR HOUSE BILL NO. 213(FIN)(efd fld)

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

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 213(RLS)

"An Act creating the education endowment fund and the dividend raffle fund; relating to the definition of 'gambling'; relating to the investment, appropriation, and administration of the public school trust fund; authorizing donations from the permanent fund dividend for educational purposes and to enter the permanent fund dividend raffle; relating to transfers from the dividend raffle fund and the education endowment fund; relating to the duties of the Department of Revenue; and providing for an effective date."

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(SCR 36 - title change resolution)

CSHB 213(FIN)(efd fld) is under Unfinished Business.

HB 233

A message dated May 12 was read stating the Senate passed CSHB 233(FIN) am with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 233(FIN)

"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."

CSHB 233(FIN) am is under Unfinished Business.

A message dated May 12 was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SCR 36

SENATE CONCURRENT RESOLUTION NO. 36 by the Senate Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 213, relating to the investment, appropriation, and administration of the public school trust fund.

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

SCR 37

SENATE CONCURRENT RESOLUTION NO. 37 by the Senate Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 280, extending the termination date of the Board of Marital and Family Therapy.

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

REPORTS OF STANDING COMMITTEES**SB 142**

The Finance Committee considered:

CS FOR SENATE BILL NO. 142(FIN) am

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 142(FIN)

(same title)

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

Do pass (1): Seaton

Do not pass (1): Tilton

No recommendation (4): Gara, Guttenberg, Grenn, Ortiz

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Amend (5): Wilson, Pruitt, Kawasaki, Thompson, Foster

CSSB 142(FIN) am is on today's calendar.

The House advanced to:

SECOND READING OF SENATE BILLS
(continued)

SB 142

The following was read the second time:

CS FOR SENATE BILL NO. 142(FIN) am

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

with the:

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FIN RPT HCS(FIN) 1DP 1DNP 4NR 5AM

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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. 142(FIN)
(same title)

There being no objection, it was so ordered.

Representative Tuck placed a call of the House.

The Speaker stated the call was satisfied.

The Speaker stated that, without objection, HCS CSSB 142 (FIN) would be moved to the bottom of the calendar.

CONCUR IN SENATE AMENDMENTS**HB 213**

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3737) on the following:

CS FOR HOUSE BILL NO. 213(FIN)(efd fld)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 213(RLS)

"An Act creating the education endowment fund and the dividend raffle fund; relating to the definition of 'gambling'; relating to the investment, appropriation, and administration of the public school trust fund; authorizing donations from the permanent fund dividend for educational purposes and to enter the permanent fund dividend raffle; relating to transfers from the dividend raffle fund and the education endowment fund; relating to the duties of the Department of Revenue; and providing for an effective date."

(SCR 36 - title change resolution)

There being no objection, it was so ordered.

Representative Tuck placed a call of the House.

The Speaker stated the call was satisfied.

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 CSHB 213(RLS)

Concur

YEAS: 26 NAYS: 14 EXCUSED: 0 ABSENT: 0

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Yea: Birch, Claman, Drummond, Edgmon, Foster, Gara, Johnson, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, Lincoln, Neuman, Ortiz, Parish, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Wilson, Wool

Nay: Chenault, Eastman, Grenn, Guttenberg, Kawasaki, Kito, LeDoux, Millett, Pruitt, Rauscher, Reinbold, Spohnholz, Tuck, Zulkosky

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 213(RLS).

Representative Tuck moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

SCS CSHB 213(RLS)

Effective Date

Concur

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

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

Nay: Eastman, Guttenberg, LeDoux

And so, the effective date clause was adopted.

The House later rescinded action in concurring, and concurrence was taken up then.

SPECIAL ORDER OF BUSINESS

SCR 36

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

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SENATE CONCURRENT RESOLUTION NO. 36

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 213, relating to the investment, appropriation, and administration of the public school trust fund.

There being no objection, it was so ordered.

The question being: "Shall SCR 36 pass the House?" The roll was taken with the following result:

SCR 36

Special Order of Business

YEAS: 38 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

Nay: Eastman

Absent: Wool

And so, SCR 36 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

SENATE BILLS IN SECOND READING

SB 104

The Speaker stated that, without objection, the following, which was held in second reading from the May 11 calendar (page 3690) would be moved to the bottom of the calendar:

HOUSE CS FOR CS FOR SENATE BILL NO. 104(FIN)

"An Act relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula;

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and relating to a system for managing student information and records related to individualized education programs for children with disabilities."

SECOND READING OF HOUSE RESOLUTIONS

HR 10

The Speaker stated that, without objection, the following, would be moved to the bottom of the calendar:

HOUSE RESOLUTION NO. 10

Expressing the strong support of the House of Representatives for the Kodiak Seafood and Marine Science Center; and urging the University of Alaska to find a solution to keep the Kodiak Seafood and Marine Science Center operating as a stable resource in the state.

SECOND READING OF SENATE BILLS

(continued)

SB 45

The Speaker stated that, without objection, the following, which was moved to the bottom of the calendar (page 3706), would be moved to the bottom of the calendar:

CS FOR SENATE BILL NO. 45(FIN)

"An Act relating to an exemption from the regulation of construction contractors."

SB 142

The following, which was moved to the bottom of the calendar (page 3740), was before the House in second reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 142(FIN)

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

Representative Tuck placed a call of the House.

Amendment No. 1 was offered by Representative Eastman:

Page 39, following line 30:

Insert a new subsection to read:

"(c) The unexpended and unobligated general fund balances, estimated to be a total of \$340,000, of the appropriations made in sec. 1, ch. 16, SLA 2014, page 41, line 26, as amended by sec. 37(a), ch. 38, SLA 2015 (Office of the Governor, Arctic policy leadership and economic development projects, including oil and gas development), sec. 1, ch. 16, SLA 2014, page 41, line 28, as amended by sec. 37(a), ch. 38, SLA 2015 (Office of the Governor, Arctic policy leadership and economic development projects, including oil and gas development), sec. 1, ch. 16, SLA 2014, page 42, lines 8 - 9, as amended by sec. 37(a), ch. 38, SLA 2015 (Office of the Governor, Arctic policy leadership and economic development projects, including oil and gas development), sec. 1, ch. 16, SLA 2014, page 42, line 13, as amended by sec. 37(a), ch. 38, SLA 2015 (Office of the Governor, Arctic policy leadership and economic development projects, including oil and gas development), and sec. 1, ch. 16, SLA 2014, page 42, line 16, as amended by sec. 37(a), ch. 38, SLA 2015 (Office of the Governor, Arctic policy leadership and economic development projects, including oil and gas development) are reappropriated to the community assistance fund (AS 29.60.850) to be added to the amount to be distributed under AS 29.60.850(c), before the distribution under AS 29.60.855."

Page 41, line 24:

Delete "23(a)"

Insert "23(a) and (c)"

Page 41, line 25:

Delete "23(a)"

Insert "23(a) and (c)"

Page 41, line 31:

Delete "23(a)"

Insert "23(a) and (c)"

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

Representative Foster objected.

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

HCS CSSB 142(FIN)
Second Reading
Amendment No. 1

YEAS: 14 NAYS: 26 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Eastman, Johnson, Millett, Neuman, Parish, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Tilton, Wilson

Nays: Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Ortiz, Seaton, Spohnholz, Stutes, Tarr, Thompson, Tuck, Wool, Zulkosky

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was not offered.

Amendment No. 3 was offered by Representatives Tilton, Seaton, Neuman, Foster, Sullivan-Leonard, Johnson, and Rauscher:

Page 28, following line 6:

Insert a new bill section to read:

"* **Sec. 14. DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.** The sum of \$2,000,000 is appropriated from the general fund to the Department of Transportation and Public Facilities for the Knik-Goose Bay Road reconstruction, Vine Road to Settler's Bay Drive project."

Renumber the following bill sections accordingly.

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Page 41, lines 16 - 17:

Delete "17(2), 18, 19, 20(a), 21, 22, and 30"

Insert "14, 18(2), 19, 20, 21(a), 22, 23, and 31"

Page 41, line 18:

Delete "secs. 14, 15, 17(1), 23, and 24"

Insert "secs. 15, 16, 18(1), 24, and 25"

Page 41, line 22:

Delete "secs. 4 - 15"

Insert "secs. 4 - 16"

Page 41, line 23:

Delete "secs. 4 - 15"

Insert "secs. 4 - 16"

Page 41, line 24:

Delete "secs. 19, 20(a), 21, 22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "secs. 20, 21(a), 22, 23(a), (b), (e), (h), and (i), 24(a), and 29 - 31"

Page 41, line 25:

Delete "secs. 19, 20(a), 21, 22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "secs. 20, 21(a), 22, 23(a), (b), (e), (h), and (i), 24(a), and 29 - 31"

Page 41, line 27:

Delete "16 - 18, 20(b) - (d), 22(c), (d), (f), (g), and (j), 23(b), and 24 - 27"

Insert "17 - 19, 21(b) - (d), 23(c), (d), (f), (g), and (j), 24(b), and 25 - 28"

Page 41, lines 28 - 29:

Delete "16 - 18, 20(b) - (d), 22(c), (d), (f), (g), and (j), 23(b), and 24 - 27"

Insert "17 - 19, 21(b) - (d), 23(c), (d), (f), (g), and (j), 24(b), and 25 - 28"

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Page 41, line 30:

Delete "10 - 15, and 32"

Insert "10 - 16, and 33"

Page 41, line 31:

Delete "Sections 19, 20(a), 21, 22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "Sections 20, 21(a), 22, 23(a), (b), (e), (h), and (i), 24(a), and 29 - 31"

Page 42, line 2:

Delete "secs. 33 and 34"

Insert "secs. 34 and 35"

Representative Tilton moved and asked unanimous consent that Amendment No. 3 be adopted. There being no objection, it was so ordered.

Representative Tuck lifted the call.

The Speaker stated that, without objection, CSSB 142(FIN) am H would be moved to the bottom of the calendar.

CONCUR IN SENATE AMENDMENTS

HB 106

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3715) on the following:

HOUSE BILL NO. 106

"An Act allowing appropriations to the civil legal services fund from court filing fees."

and

SENATE CS FOR HOUSE BILL NO. 106(FIN)
(same title)

There being no objection, it was so ordered.

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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 HB 106(FIN)

Concur

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Zulkosky

And so, the House concurred in the Senate amendment, thus adopting SCS HB 106(FIN).

The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

HB 119

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3715) on the following:

CS FOR HOUSE BILL NO. 119(FIN)

"An Act relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; relating to the meanings of 'mark-to-market fair value,' 'net income,' 'project or development,' and 'unrestricted net income' for purposes of the Alaska Industrial Development and Export Authority; and providing for an effective date."

and

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SENATE CS FOR CS FOR HOUSE BILL NO. 119(FIN) am S
"An Act relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; relating to the meanings of 'mark-to-market fair value,' 'net income,' 'project or development,' and 'unrestricted net income' for purposes of the Alaska Industrial Development and Export Authority; extending the expiration date of the authorization to finance and issue bonds through the Alaska Industrial Development and Export Authority for a liquefied natural gas production system and natural gas distribution system for an Interior energy project; relating to land of the Alaska Railroad Corporation; relating to the sale of Alaska Railroad Corporation land; relating to the financing and bonding authority of the Alaska Railroad Corporation; authorizing the exchange of land between the Alaska Railroad Corporation and Eklutna, Inc.; authorizing the transfer of land from the Alaska Railroad Corporation to the Municipality of Anchorage; authorizing the transfer of land from the Alaska Railroad Corporation to Usibelli Coal Mine, Inc.; authorizing the transfer of land in the Chena Landings Subdivision from the Alaska Railroad Corporation; authorizing the transfer of land from the Alaska Railroad Corporation to Alaska Tourism Development, LLC; authorizing the transfer of land from the Alaska Railroad Corporation to NeighborWorks Alaska; authorizing the transfer of land from the Alaska Railroad Corporation to 1048 Whitney Road, Anchorage, LLC; authorizing the transfer of land from the Alaska Railroad Corporation to 660 Western Drive, Anchorage, LLC; and providing for an effective date."

(SCR 34 - title change resolution)

There being no objection, it was so ordered.

Representative Sullivan-Leonard moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and she was required to vote.

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 119(FIN) am S

Concur

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

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Kawasaki, Knopp, 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, Zulkosky

Nays: Eastman, Josephson, Kito

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 119(FIN) am S.

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.

SPECIAL ORDER OF BUSINESS

SCR 34

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

SENATE CONCURRENT RESOLUTION NO. 34

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 119, relating to a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; relating to dividends from the Alaska Industrial Development and Export Authority; and relating to the meanings of "mark-to-market fair value," "net income," "project or

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development," and "unrestricted net income" for purposes of the Alaska Industrial Development and Export Authority.

There being no objection, it was so ordered.

The question being: "Shall SCR 34 pass the House?" The roll was taken with the following result:

SCR 34
Special Order of Business

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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, Zulkosky

Nays: Eastman

And so, SCR 34 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 233

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3738) on the following:

CS FOR HOUSE BILL NO. 233(FIN) am

"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,

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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."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 233(FIN)
(same title)

There being no objection, it was so ordered.

Representative Kreiss-Tomkins moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and he was required to vote.

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 CSHB 233(FIN)

Concur

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yea: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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, Zulkosky

Nay: Eastman

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 233(FIN).

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.

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The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE

HB 280

A message dated May 12 was read stating the Senate passed:

HOUSE BILL NO. 280

"An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 280(RLS)

"An Act extending the termination date of the Board of Marital and Family Therapy; relating to the State Medical Board; relating to the licensing of physicians, osteopaths, and podiatrists; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; and providing for an effective date."

(SCR 37 - title change resolution)

HB 280 is under Unfinished Business.

HB 374

A message dated May 12 was read stating the Senate passed CSHB 374(L&C) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 374(CRA)

"An Act relating to on-bill financing by a utility for certain energy efficiency and conservation improvements."

CSHB 374(L&C) is under Unfinished Business.

CONCUR IN SENATE AMENDMENTS**HB 280**

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3754) on the following:

HOUSE BILL NO. 280

"An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 280(RLS)

"An Act extending the termination date of the Board of Marital and Family Therapy; relating to the State Medical Board; relating to the licensing of physicians, osteopaths, and podiatrists; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; and providing for an effective date."

(SCR 37 - 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 HB 280(RLS)

Concur

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Eastman, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Knopp, 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, Zulkosky

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May 12, 2018

Nays: Kito

And so, the House concurred in the Senate amendment, thus adopting SCS HB 280(RLS).

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.

SPECIAL ORDER OF BUSINESS

SCR 37

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

SENATE CONCURRENT RESOLUTION NO. 37

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 280, extending the termination date of the Board of Marital and Family Therapy.

There being no objection, it was so ordered.

The question being: "Shall SCR 37 pass the House?" The roll was taken with the following result:

SCR 37

Special Order of Business

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Reinbold, Saddler,

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Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Zulkosky

And so, SCR 37 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 374

Representative Tuck moved and asked unanimous consent that the House consider the Senate message (page 3754) on the following:

CS FOR HOUSE BILL NO. 374(L&C)

"An Act relating to on-bill financing by a utility for certain energy efficiency and conservation improvements."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 374(CRA)
(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.

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

SCS CSHB 374(CRA)

Concur

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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, Zulkosky

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May 12, 2018

Nays: Eastman

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 374(CRA).

The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

SECOND READING OF SENATE BILLS (continued)

SB 45

The Speaker stated that, without objection, the following, which was moved to the bottom of the calendar (page 3744), would be moved to the bottom of the calendar.

CS FOR SENATE BILL NO. 45(FIN)

"An Act relating to an exemption from the regulation of construction contractors."

SENATE BILLS IN SECOND READING. (continued)

SB 104

The Speaker stated that, without objection, the following, which was moved to the bottom of the calendar (page 3743), would be moved to the bottom of the calendar.

HOUSE CS FOR CS FOR SENATE BILL NO. 104(FIN)

"An Act relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula; and relating to a system for managing student information and records related to individualized education programs for children with disabilities."

SECOND READING OF HOUSE RESOLUTIONS (continued)

HR 10

The Speaker stated that, without objection, the following, which was moved to the bottom of the calendar (page 3744), would be moved to the bottom of the calendar.

HOUSE RESOLUTION NO. 10

Expressing the strong support of the House of Representatives for the Kodiak Seafood and Marine Science Center; and urging the University of Alaska to find a solution to keep the Kodiak Seafood and Marine Science Center operating as a stable resource in the state.

SECOND READING OF SENATE BILLS

(continued)

SB 142

The following, which had been moved to the bottom of the calendar (page 3748), was before the House in second reading.

HOUSE CS FOR CS FOR SENATE BILL NO. 142(FIN) am H

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

Amendment No. 4 was offered by Representative Foster:

Page 31, following line 22:

Insert new bill sections to read:

**** Sec. 22. DEPARTMENT OF FISH AND GAME.** The sum of \$5,000 is appropriated from the general fund to the Department of Fish and Game, sport fisheries, for publication of an informational pamphlet regarding aquatic invasive species for the fiscal year ending June 30, 2019.

*** Sec. 23. DEPARTMENT OF HEALTH AND SOCIAL SERVICES.** (a) The sum of \$760,000 is appropriated from the marijuana education and treatment fund (AS 43.61.010(f)) to the Department of Health and Social Services, public health, public health administration, for implementation and administration of a comprehensive marijuana use education and treatment program for the fiscal year ending June 30, 2019.

(b) The sum of \$65,000 is appropriated from the marijuana education and treatment fund (AS 43.61.010(f)) to the Department of Health and Social Services, behavioral health, behavioral health treatment and recovery grants, for development and implementation of

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training for screening, brief intervention, and referral to treatment for the fiscal year ending June 30, 2019.

* **Sec. 24. DEPARTMENT OF REVENUE.** (a) The sum of \$10,000 is appropriated from the general fund to the Department of Revenue, taxation and treasury, permanent fund dividend division, for programming changes to the permanent fund dividend division database and online dividend applications for the fiscal year ending June 30, 2019.

(b) The sum of \$25,000 is appropriated to the Department of Revenue, taxation and treasury, tax division, for advertising and promotion of the permanent fund dividend raffle for the fiscal year ending June 30, 2019."

Renumber the following bill sections accordingly.

Page 41, line 17:

Delete "22, and 30"

Insert "25, and 33"

Page 41, line 18:

Delete "23, and 24"

Insert "26, and 27"

Page 41, line 24:

Delete "22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "25(a), (b), (e), (h), and (i), 26(a), and 31 - 33"

Page 41, line 25:

Delete "22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "25(a), (b), (e), (h), and (i), 26(a), and 31 - 33"

Page 41, line 27:

Delete "22(c), (d), (f), (g), and (j), 23(b), and 24 - 27"

Insert "22 - 24, 25(c), (d), (f), (g), and (j), 26(b), 27 - 30, 34, and 36"

Page 41, lines 28 - 29:

Delete "22(c), (d), (f), (g), and (j), 23(b), and 24 - 27"

Insert "22 - 24, 25(c), (d), (f), (g), and (j), 26(b), 27 - 30, 34, and 36"

Page 41, following line 29:

Insert a new bill section to read:

**** Sec. 36. CONTINGENCIES.** (a) The appropriation made in sec. 22 of this Act is contingent on the passage by the Thirtieth Alaska State Legislature in the Second Regular Session and enactment into law of a bill relating to the response to, and control of, aquatic invasive species.

(b) The appropriations made in sec. 23 of this Act are contingent on the passage by the Thirtieth Alaska State Legislature in the Second Regular Session and enactment into law of a bill establishing the marijuana education and treatment fund and a comprehensive marijuana use education and treatment program.

(c) The appropriations made in sec. 24 of this Act are contingent on the passage by the Thirtieth Alaska State Legislature in the Second Regular Session and enactment into law of a bill establishing a permanent fund dividend raffle."

Renumber the following bill sections accordingly.

Page 41, line 30:

Delete "32"

Insert "35"

Page 41, line 31:

Delete "22(a), (b), (e), (h), and (i), 23(a), and 28 - 30"

Insert "25(a), (b), (e), (h), and (i), 26(a), and 31 - 33"

Page 42, line 2:

Delete "secs. 33 and 34"

Insert "secs. 37 and 38"

Representative Foster moved and asked unanimous consent that Amendment No. 4 be adopted.

There was objection.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

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HCS CSSB 142(FIN) am H

Second Reading

Amendment No. 4

YEAS: 35 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Chenault, Eastman, Knopp, Rauscher, Reinbold

And so, Amendment No. 4 was adopted.

Amendment No. 5 was offered by Representatives Wilson, Foster, Seaton, Tuck, Stutes, Tarr, Zulkosky, Kreiss-Tomkins, Kawasaki, Josephson, Wool, Drummond, Guttenberg, Spohnholz, and Ortiz:

Page 39, following line 30:

Insert a new subsection to read:

"(c) The sum of \$19,500,000 is appropriated from the general fund to the curriculum improvement and best practices fund (AS 14.07.182)."

Page 41, following line 15:

Insert a new bill section to read:

"* **Sec. 31.** Section 2, CCS HB 286, Thirtieth Alaska State Legislature, page 46, lines 17 - 20, is repealed."

Renumber the following bill sections accordingly.

Page 41, line 27, following "24 - 27":

Insert "31, 32, and 34"

Page 41, line 29, following "24 - 27":

Insert "31, 32, and 34"

Page 41, following line 29:

Insert a new bill section to read:

"* **Sec. 34.** CONTINGENCY. (a) Sections 23(c) and 31 of this Act

are contingent on the passage by the Thirtieth Alaska State Legislature in the Second Regular Session and enactment into law of a bill establishing the curriculum improvement and best practices fund and relating to school curricula."

Renumber the following bill sections accordingly.

Page 41, line 30:

Delete "32"

Insert "33"

Page 42, following line 1:

Insert a new bill section to read:

"* Sec. 37. Section 23(c) of this Act takes effect July 1, 2019."

Renumber the following bill section accordingly.

Page 42, line 2:

Delete "secs. 33 and 34"

Insert "secs. 35 - 37"

Representative Wilson moved and asked unanimous consent that Amendment No. 5 be adopted.

There was objection.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HCS CSSB 142(FIN) am H

Second Reading

Amendment No. 5

YEAS: 33 NAYS: 6 EXCUSED: 0 ABSENT: 1

Yea: Birch, Chenault, Claman, Drummond, Edgmon, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Lincoln, Millett, Ortiz, Parish, Pruitt, Rauscher, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Zulkosky

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Nays: Eastman, Johnson, Knopp, Neuman, Reinbold,
Sullivan-Leonard

Absent: Foster

And so, Amendment No. 5 was adopted.

Representative Tuck moved and asked unanimous consent that HCS CSSB 142(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 142(FIN) am H was read the third time.

The question being: "Shall HCS CSSB 142(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 142(FIN) am H

Third Reading

Final Passage

YEAS: 27 NAYS: 13 EXCUSED: 0 ABSENT: 0

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

Nays: Chenault, Eastman, Johnston, Knopp, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Tilton, Wilson

And so, HCS CSSB 142(FIN) am H 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.

Engrossment of HCS CSSB 142(FIN) am H was waived (page 3706). It was signed by the Speaker and Chief Clerk and transmitted to the Senate with copies of certified amendments attached.

CONCUR IN SENATE AMENDMENTS**HB 213**

Representative Chenault moved and asked unanimous consent that the House rescind previous action in concurring in the following (page 3741):

SENATE CS FOR CS FOR HOUSE BILL NO. 213(RLS)

"An Act creating the education endowment fund and the dividend raffle fund; relating to the definition of 'gambling'; relating to the investment, appropriation, and administration of the public school trust fund; authorizing donations from the permanent fund dividend for educational purposes and to enter the permanent fund dividend raffle; relating to transfers from the dividend raffle fund and the education endowment fund; relating to the duties of the Department of Revenue; and providing for an effective date."

There being no objection, it was so ordered.

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

SCS CSHB 213(RLS)

Concur

YEAS: 28 NAYS: 12 EXCUSED: 0 ABSENT: 0

Yea: Birch, Claman, Drummond, Edgmon, Foster, Gara, Johnson, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, Lincoln, Neuman, Ortiz, Parish, Rauscher, Reinbold, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Wilson, Wool

Nay: Chenault, Eastman, Grenn, Guttenberg, Kawasaki, Kito, LeDoux, Millett, Pruitt, Spohnholz, Tuck, Zulkosky

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 213(RLS).

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.

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The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

SECOND READING OF SENATE BILLS
(continued)

SB 45

The following, which was moved to the bottom of the calendar (page 3758), was read the second time:

CS FOR SENATE BILL NO. 45(FIN)

"An Act relating to an exemption from the regulation of construction contractors."

with the:	Journal Page
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L&C RPT 5DP	2968
FN2: ZERO(CED)	2968

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representatives Wool, Kawasaki, Tuck, and Drummond:

Page 1, line 1, following "contractors" (title amendment):

Insert "; relating to distillery licenses; 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"

Page 1, line 6:

Delete "sec. 3"

Insert "sec. 11"

Page 1, following line 7:

Insert new bill sections to read:

"* **Sec. 2.** AS 04.11.170 is amended by adding new subsections to read:

(f) The holder of a distillery license may combine the distillery's product under (d) and (e) of this section with other ingredients, including mixers, liquids, or garnishes, that are not alcoholic beverages.

(g) In this section, "distillery's product" means an alcoholic beverage distilled on the licensed premises.

* **Sec. 3.** AS 04.11.295(a) is amended to read:

(a) An applicant for the issuance or transfer of a license or a conditional contractor's permit under this title shall submit to the board, with the application, the applicant's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check. Except as provided under (c) of this section, the [THE] board may require an applicant for renewal of a license or a conditional contractor's permit under this title to submit fingerprints and pay the required fees [AS REQUIRED BY THIS SUBSECTION]. The board shall submit the fingerprints to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400. The Department of Public Safety may submit the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The board shall use the information obtained under this section in its determination of an applicant's qualification for issuance, transfer, or renewal of a license or a conditional contractor's permit.

* **Sec. 4.** AS 04.11.295 is amended by adding a new subsection to read:

(c) For renewal of a license or conditional contractor's permit held by a corporation that is required by federal law to file periodic reports with the United States Securities Exchange Commission, the board may require submission of fingerprints and payment of the required fees of not more than three individuals who are officers of the corporation.

* **Sec. 5.** AS 04.11.330(a) is amended to read:

(a) An application requesting renewal of a license shall be denied if

(1) the board finds, after review of all relevant information, that renewal of the license would not be in the best interests of the public;

(2) the license has been revoked for any cause;

(3) the applicant has not operated the licensed premises for at least **240 hours** [30 EIGHT-HOUR DAYS] during each of the two preceding calendar years, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;

(4) the board finds that issuance of an existing license under AS 04.11.400(d) has not encouraged tourist trade;

(5) the requirements of AS 04.11.420 - 04.11.450 relating to zoning, ownership of the license, and financing of the licensee have not been met;

(6) renewal of the license would violate the restrictions pertaining to the particular license under this title or the license has been operated in violation of a condition or restriction imposed by the board;

(7) renewal of the license is prohibited under this title as a result of an election conducted under AS 04.11.507;

(8) the application has not been completed in accordance with AS 04.11.270; or

(9) the license was issued under AS 04.11.400(g), and the board finds that the public convenience does not require renewal.

* **Sec. 6.** AS 04.11.360 is amended to read:

Sec. 04.11.360. Denial of transfer of a license to another person. An application requesting approval of a transfer of a license to another person under this title shall be denied if

(1) the board finds, after review of all relevant information, that transfer of a license to another person would not be in the best interests of the public;

(2) the application has not been completed in accordance with AS 04.11.280;

(3) the application contains false statements of material fact;

(4) the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless

(A) the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority; or

(B) the transfer is under a promise given as collateral by the transferor to the transferee in the course of an earlier

transfer of the license under which promise the transferor is obliged to transfer the license back to the transferee in the event of default in payment for property conveyed as part of the earlier transfer of the license;

(5) transfer of the license to another person would result in violation of the provisions of this title relating to identity of licensees and financing of licensees;

(6) transfer of the license to another person would violate the restrictions pertaining to the particular license under this title;

(7) transfer of the license to another person is prohibited under the provisions of this title as a result of an election conducted under AS 04.11.507;

(8) the prospective transferee does not have the qualifications required under this title of an original applicant; **however, an application may not be denied because a prospective transferee under AS 04.11.400(d)(2) does not have the qualifications required under AS 04.11.400(d)(1);**

(9) the license was issued under AS 04.11.100(f) or 04.11.400(g); however, this paragraph does not apply to a beverage dispensary license issued before June 6, 1985, under former AS 04.11.400(j) if the transfer does not involve a change in location; or

(10) the license was issued under AS 04.11.135, unless the transferor is also applying to transfer the beverage dispensary license required under AS 04.11.135 to the same transferee.

* **Sec. 7.** AS 04.11.400(d) is amended to read:

(d) The board may approve

(1) the issuance [OR TRANSFER OF OWNERSHIP] of a **new** beverage dispensary or restaurant or eating place license without regard to (a) of this section if it appears that the issuance [OR TRANSFER] will encourage the tourist trade by encouraging the construction or improvement of

(A) [(1)] a hotel, motel, resort, or similar business relating to the tourist trade with a dining facility or having kitchen facilities in a majority of its rental rooms and at least a minimum number of rental rooms required according to the population of the [ESTABLISHED VILLAGE,] incorporated city, unified municipality, or population area established under (a) of this section in which the facility will be located, as follows:

(i) [(A)] 10 rental rooms if the population is less than 1,501;

(ii) [(B)] 20 rental rooms if the population is 1,501 - 2,500;

(iii) [(C)] 25 rental rooms if the population is 2,501 - 5,000;

(iv) [(D)] 30 rental rooms if the population is 5,001 - 15,000;

(v) [(E)] 35 rental rooms if the population is 15,001 - 25,000;

(vi) [(F)] 40 rental rooms if the population is 25,001 - 50,000; and

(vii) [(G)] 50 rental rooms if the population is greater than 50,000; or

(B) [(2)] an airport terminal; and

(2) the renewal or transfer of ownership of a beverage dispensary or restaurant or eating place license issued under (1) of this subsection if the

(A) holder of the license operates a hotel, motel, resort, or similar business relating to the tourist trade that

(i) has a dining facility on the licensed premises or kitchen facilities in a majority of its rental rooms; and

(ii) maintains at least the minimum number of rental rooms that the hotel, motel, resort, or similar business had at the time of initial licensure or that were required at the time of initial licensure; or

(B) licensed premises are located inside an airport terminal.

* **Sec. 8. AS 04.11.491(a)** is amended to read:

(a) If a majority of the persons voting on the question vote to approve the option, a municipality shall adopt a local option to prohibit

(1) the sale of alcoholic beverages;

(2) the sale of alcoholic beverages except by one or more of the following listed on the ballot:

(A) a restaurant or eating place licensee;

(B) a beverage dispensary licensee;

(C) a package store licensee;

(D) a caterer holding a permit under AS 04.11.230 to

sell alcoholic beverages at a site within the municipality who is also licensed under a beverage dispensary license for premises outside of the municipality;

(E) a winery licensee; [OR]

(F) a winery licensee, except that sales may occur only to a person licensed under this title or in another state or country; **or**

(G) an outdoor recreation lodge licensee;

(3) the sale of alcoholic beverages except on premises operated by the municipality and under a type of licensed premises listed on the ballot, that may include one or more of the following:

(A) a restaurant or eating place license;

(B) a beverage dispensary license; or

(C) a package store license;

(4) the sale and importation of alcoholic beverages; or

(5) the sale, importation, and possession of alcoholic beverages.

* **Sec. 9.** AS 04.11.491(b) is amended to read:

(b) If a majority of the persons voting on the question vote to approve the option, an established village shall exercise a local option to prohibit

(1) the sale of alcoholic beverages;

(2) the sale of alcoholic beverages except by one or more of the following listed on the ballot:

(A) a restaurant or eating place licensee;

(B) a beverage dispensary licensee;

(C) a package store licensee;

(D) a caterer holding a permit under AS 04.11.230 to sell alcoholic beverages at a site within the established village who is also licensed under a beverage dispensary license for premises outside of the established village;

(E) a winery licensee; [OR]

(F) a winery licensee, except that sales may occur only to a person licensed under this title or in another state or country; **or**

(G) an outdoor recreation lodge licensee;

(3) the sale and importation of alcoholic beverages; or

(4) the sale, importation, and possession of alcoholic beverages."

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Renumber the following bill sections accordingly.

Page 3, lines 16 - 19:

Delete all material and insert:

"* **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) Section 2 of this Act applies to conduct by a holder of a distillery license occurring before, on, or after the effective date of this Act.

(b) AS 04.11.491(a)(2), as amended by sec. 8 of this Act, and AS 04.11.491(b)(2), as amended by sec. 9 of this Act, apply to outdoor recreation lodge licenses issued before, on, or after the effective date of this Act.

(c) Sections 10 and 11 of this Act apply to construction begun under AS 08.18.161(11), as amended by sec. 11 of this Act, on or after the effective date of this Act."

Representative Wool moved and asked unanimous consent that Amendment No. 2 be adopted. There being no objection, it was so ordered, and the new title follows:

CS FOR SENATE BILL NO. 45(FIN) am H

"An Act relating to an exemption from the regulation of construction contractors; relating to distillery licenses; 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."

Representative Tuck moved and asked unanimous consent that CSSB 45(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 45(FIN) am H was read the third time.

Representatives Wool, Johnson, and Tilton moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objection was heard, and they were required to vote.

The question being: "Shall CSSB 45(FIN) am H pass the House?" The roll was taken with the following result:

CSSB 45(FIN) am H
Third Reading
Final Passage

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, 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, Zulkosky

Nays: Eastman

And so, CSSB 45(FIN) am H passed the House and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 37

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

HOUSE CONCURRENT RESOLUTION NO. 37

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 45, relating to an exemption from the regulation of construction contractors.

There being no objection, it was so ordered.

The question being: "Shall HCR 37 pass the House?" The roll was taken with the following result:

HCR 37
Special Order of Business

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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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, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Zulkosky

And so, HCR 37 passed the House and was referred to the Chief Clerk for engrossment.

SENATE BILLS IN SECOND READING

(continued)

SB 104

The following, which was moved to the bottom of the calendar (page 3758), was before the House in second reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 104(FIN)

"An Act relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula; and relating to a system for managing student information and records related to individualized education programs for children with disabilities."

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representatives Spohnholz, Drummond, Zulkosky, and Kawasaki:

Page 1, line 3 (title amendment):

Delete the first occurrence of "**and**"

Page 1, line 4, following "**disabilities**":

Insert "**; establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program**"

Page 9, following line 16:

Insert new bill sections to read:

''* Sec. 8. AS 43.61.010(d) is amended to read:

(d) The legislature may use the annual estimated balance in the recidivism reduction fund to make appropriations to the Department of Corrections, the Department of Health and Social Services, or the Department of Public Safety for recidivism reduction programs.

*** Sec. 9.** AS 43.61.010 is amended by adding a new subsection to read:

(f) The marijuana education and treatment fund is established in the general fund. In addition to the accounting under (c) of this section, the Department of Administration shall separately account for 25 percent of the tax collected under this section and deposit it into the marijuana education and treatment fund. The Department of Administration shall deposit interest earned on the fund into the general fund. Money in the fund does not lapse. The legislature may use the annual estimated balance in the fund to make appropriations to the Department of Health and Social Services for the marijuana use education and treatment program established under AS 44.29.020(a)(17).

*** Sec. 10.** AS 44.29.020(a) is amended to read:

(a) The Department of Health and Social Services shall administer the state programs of public health and social services, including

- (1) maternal and child health services;
- (2) preventive medical services;
- (3) public health nursing services;
- (4) nutrition services;
- (5) health education;
- (6) laboratories;
- (7) mental health treatment and diagnosis;
- (8) management of state institutions, except for adult penal institutions;
- (9) medical facilities;
- (10) adult public assistance;
- (11) the Alaska temporary assistance program;
- (12) child welfare services;
- (13) general relief;
- (14) a comprehensive smoking education, tobacco use

prevention, and tobacco control program; to the maximum extent possible, the department shall administer the program required under this paragraph by grant to or contract with one or more organizations in the state; the department's program must include

(A) a community-based tobacco use prevention and cessation component addressing the needs of youth and adults that includes use of cessation aids such as a nicotine patch or a nicotine gum tobacco substitute;

(B) youth-based efforts that involve youth in the design and implementation of tobacco control efforts;

(C) anti-tobacco counter-marketing targeting both youth and adult populations designed to communicate messages to help prevent youth initiation of tobacco use, promote cessation among tobacco users, and educate the public about the lethal effects of exposure to secondhand smoke;

(D) tobacco use surveys of youth and adult populations concerning knowledge, awareness, attitude, and use of tobacco products; and

(E) an enforcement component;

(15) the Alaska Pioneers' Home and the Alaska Veterans' Home;

(16) licensure and regulation of child care facilities;

(17) a comprehensive marijuana use education and treatment program; to the extent possible, the department shall administer the program required under this paragraph by grant to, or contract with, one or more organizations in the state; the department's program must include

(A) a community-based marijuana misuse prevention component; the community-based component must provide for a youth services grant program to

(i) reduce initiation and promote cessation of marijuana use by youth, reduce youth access to marijuana products, and reduce exposure of youth to impaired driving dangers related to marijuana use;

(ii) provide recreational, educational, and character-building programs for youth outside school hours; and

(iii) address marijuana use prevention through outcome-based curricula, adult and peer

mentoring, and opportunities for positive, prosocial leisure and recreational activities;

(B) marijuana public education designed to communicate messages to help prevent youth initiation of marijuana use, educate the public about the effects of marijuana use, and educate the public about marijuana laws;

(C) surveys of

(i) youth and adult populations concerning knowledge, awareness, attitude, and use of marijuana products;

(ii) the need for trained professionals working in organizations described in this paragraph;

(D) the development of plans to address the need for trained professionals and to assist in implementing a training program for those professionals;

(E) monitoring of population health status related to the consequences of marijuana use; and

(F) substance abuse screening, brief intervention, and referral to treatment."

Renumber the following bill sections accordingly.

Representative Spohnholz moved and asked unanimous consent that Amendment No. 2 be adopted.

There was objection.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 104(FIN)

Second Reading

Amendment No. 2

YEAS: 30 NAYS: 6 EXCUSED: 0 ABSENT: 4

Yeas: Birch, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kopp, LeDoux, Lincoln, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Spohnholz, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Wilson, Wool, Zulkosky

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Nays: Eastman, Kreiss-Tomkins, Neuman, Rauscher, Reinbold, Stutes
Absent: Chenault, Grend, Kito, Knopp

And so, Amendment No. 2 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 104(FIN) am H
"An Act relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula; relating to a system for managing student information and records related to individualized education programs for children with disabilities; establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program."

Amendment No. 3 was offered by Representative Eastman:

Page 1, line 3 (title amendment):

Delete the first occurrence of "**and**"

Page 1, line 4, following "**disabilities**":

Insert "**; and providing for an effective date**"

Page 9, following line 16:

Insert a new bill section to read:

"* **Sec. 8.** The uncodified law of the State of Alaska enacted in sec. 4, SCS HB 214(FIN), Thirtieth Alaska State Legislature, is amended to read:

Sec. 4. **BREE'S LAW: THE BREE MOORE TEEN DATING VIOLENCE AWARENESS AND PREVENTION PROGRAM.** A program approved by the Department of Education and Early Development under AS 14.30.356, as amended by this Act, shall be known as **Bree's Law: the Bree Moore Teen Dating Violence Awareness and Prevention Program.**"

Renumber the following bill sections accordingly.

Page 9, following line 19:

Insert new bill sections to read:

"* **Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. Section 8 of this Act takes effect only if sec. 4 of SCS HB 214(FIN) as passed by the Thirtieth Alaska State Legislature is enacted into law.

* **Sec. 12.** If sec. 8 of this Act takes effect under sec. 11 of this Act, it takes effect on the effective date of sec. 4, SCS HB 214(FIN), Thirtieth Alaska State Legislature."

Representative Eastman moved and asked unanimous consent that Amendment No. 3 be adopted.

There was objection.

Representative Eastman moved and asked unanimous consent to withdraw Amendment No. 3. There being no objection, it was so ordered.

Amendment No. 4 was offered by Representative Eastman:

Page 1, line 3 (title amendment):

Delete the first occurrence of "and"

Page 1, line 4, following "disabilities":

Insert ";" and providing for an effective date"

Page 9, following line 16:

Insert a new bill section to read:

"* **Sec. 8.** The uncodified law of the State of Alaska enacted in sec. 4, SCS HB 214(FIN), Thirtieth Alaska State Legislature, is amended to read:

Sec. 4. BREE MOORE TEEN DATING VIOLENCE AWARENESS AND PREVENTION PROGRAM, ALSO KNOWN AS BREE'S LAW. A program approved by the Department of Education and Early Development under AS 14.30.356, as amended by this Act, shall be known as the Bree Moore Teen Dating Violence Awareness and Prevention Program, also known as Bree's Law."

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Renumber the following bill sections accordingly.

Page 9, following line 19:

Insert new bill sections to read:

"* Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. Section 8 of this Act takes effect only if sec. 4 of SCS HB 214(FIN) as passed by the Thirtieth Alaska State Legislature is enacted into law.

*** Sec. 12.** If sec. 8 of this Act takes effect under sec. 11 of this Act, it takes effect on the effective date of sec. 4, SCS HB 214(FIN), Thirtieth Alaska State Legislature."

Representative Eastman moved and asked unanimous consent that Amendment No. 4 be adopted.

There was objection.

Representative Claman rose to a point of order, citing Mason's Manual 180, stating that the amendment was dilatory.

The Speaker ruled Amendment No. 4 out of order.

Representative Eastman objected.

The question being: "Shall the ruling of the Chair be sustained?" The roll was taken with the following result:

HCS CSSB 104(FIN) am H

Second Reading

Sustain Ruling of the Chair/Amendment No. 4

YEAS: 29 NAYS: 9 EXCUSED: 0 ABSENT: 2

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

Nays: Chenault, Eastman, Millett, Neuman, Rauscher, Reinbold, Talerico, Tilton, Wilson

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Absent: Johnson, Kawasaki

And so, the motion passed.

Representative Tuck moved and asked unanimous consent that HCS CSSB 104(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 104(FIN) am H was read the third time.

Representative Saddler 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 HCS CSSB 104(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 104(FIN) am H

Third Reading

Final Passage

YEAS: 32 NAYS: 8 EXCUSED: 0 ABSENT: 0

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

Nays: Eastman, Knopp, LeDoux, Neuman, Rauscher, Reinbold, Sullivan-Leonard, Tilton

And so, HCS CSSB 104(FIN) am H passed the House and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 34

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

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HOUSE CONCURRENT RESOLUTION NO. 34

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 104, relating to the duties of the Department of Education and Early Development; relating to the duties of the state Board of Education and Early Development; relating to school curricula; and relating to a system for managing student information and records related to individualized education programs for children with disabilities.

There being no objection, it was so ordered.

The question being: "Shall HCR 34 pass the House?" The roll was taken with the following result:

HCR 34

Special Order of Business

YEAS: 38 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Eastman, Sullivan-Leonard

And so, HCR 34 passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONS (continued)

HR 10

The following, which was moved to the bottom of the calendar (page 3758), was read the second time:

HOUSE RESOLUTION NO. 10

Expressing the strong support of the House of Representatives for the Kodiak Seafood and Marine Science Center; and urging the

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University of Alaska to find a solution to keep the Kodiak Seafood and Marine Science Center operating as a stable resource in the state.

The question being: "Shall HR 10 pass the House?" The roll was taken with the following result:

HR 10

Second Reading

Final Passage

YEAS: 38 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

Nays: Eastman

Absent: Millett

And so, HR 10 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

CONSIDERATION OF THE SECOND SUPPLEMENTAL CALENDAR

Representative Tuck moved and asked unanimous consent that the House adopt the following Second Supplemental Calendar:

SB 15 E-CIGS/TOBACCO/NICOTINE & MINORS; SALES

There being no objection, it was so ordered.

SECOND READING OF SENATE BILLS

SB 15

The following was read the second time:

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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."

with the:

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L&C RPT HCS(L&C) NT 1DP 3NR	2967
FN6: ZERO(GOV/COMBINED)	2968
FN7: (CED)	2968
FIN RPT HCS(L&C) NT 6DP 2AM	3336
FN6: ZERO(GOV/COMBINED)	3337
FN7: (CED)	3337

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. 15(L&C)

"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; relating to citations for certain offenses concerning tobacco, products containing nicotine, or electronic smoking products; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that HCS CSSB 15(L&C) be considered engrossed, advanced to third reading, and placed on final passage.

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There was objection.

The question being: "Shall HCS CSSB 15(L&C) advance to third reading on the same day?" The roll was taken with the following result:

HCS CSSB 15(L&C)

Second Reading

Advance to Third Reading on the Same Day

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

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

Nay: Eastman

Absent: Neuman, Sullivan-Leonard

And so, the motion passed.

HCS CSSB 15(L&C) was read the third time.

Representative Eastman placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall HCS CSSB 15(L&C) pass the House?" The roll was taken with the following result:

HCS CSSB 15(L&C)

Third Reading

Final Passage

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

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

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Nays: Eastman, Neuman, Sullivan-Leonard

And so, HCS CSSB 15(L&C) 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.

HCS CSSB 15(L&C) was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 12:21 a.m., May 13.

AFTER RECESS

The Speaker called the House back to order at 12:34 a.m., May 13.

**CONSIDERATION OF THE FIRST SUPPLEMENTAL
CALENDAR**

Representative Tuck moved and asked unanimous consent that the House adopt the following First Supplemental Calendar:

SB 199 DALTON HWY: ACCESS TO PRIVATE PROPERTY

There being no objection, it was so ordered.

SECOND READING OF SENATE BILLS

SB 199

The following was read the second time:

SENATE BILL NO. 199 am

"An Act relating to the use of off-road vehicles within the James Dalton Highway corridor."

with the:

Journal Page

TRA RPT 7DP
FN1: ZERO(DOT)

3354
3354

Amendment No. 1 was offered by Representatives Stutes and Drummond:

Page 1, line 2, following "corridor" (title amendment):

Insert "; and relating to containing or confining loads being transported on highways"

Page 2, following line 15:

Insert new bill sections to read:

/* **Sec. 3.** AS 28.35.251 is repealed and reenacted to read:

Sec. 28.35.251. Failure to contain or confine a load. (a) A person commits the crime of failure to contain or confine a load in the first degree if the person, with criminal negligence, violates (c) of this section and, as a result of that violation, causes serious physical injury to another person.

(b) A person commits the crime of failure to contain or confine a load in the second degree if the person, with criminal negligence, violates (c) of this section and damages the property of another person in an amount of \$5,000 or more.

(c) A person commits the offense of failure to contain or confine a load in the third degree if the person drives or moves a motor vehicle loaded with any material on a highway unless

(1) the load is

(A) contained or confined to prevent the load from
(i) dropping, leaking, or escaping; or

(ii) shifting on or within the vehicle to the extent that the motor vehicle's stability or maneuverability is adversely affected; and

(B) subjected to treatment by methods, approved by the commissioner of public safety by regulation, designed to settle the load or remove loose material before the vehicle is driven or moved on the highway; and

(2) at least six inches of freeboard is maintained around the entire perimeter of a load consisting of sand, gravel, dirt, rock, or similar materials or the load is covered and securely fastened to prevent the cover from becoming loose or detached or from being a hazard to other users of the highway.

(d) This section does not apply to

(1) a vehicle that drops, sprinkles, or sprays sand, liquids, or other materials for the purpose of cleaning or maintaining the highway or providing or improving traction;

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(2) a commercial motor vehicle that is subject to the federal motor carrier cargo securement standards implemented through the state or federal law;

(3) the natural accumulation of snow, ice, mud, dirt, or similar materials on a motor vehicle;

(4) a vehicle that is removing snow or hauling snow after removal; or

(5) random litter; in this paragraph, "litter" includes plastic wrappers, empty plastic bags, leaves, paper, or similar soft materials.

(e) Failure to contain or confine a load in the

(1) first degree is a class A misdemeanor punishable as provided in AS 12.55;

(2) second degree is a class B misdemeanor punishable as provided in AS 12.55;

(3) third degree is an infraction punishable by a fine of not more than

(A) \$2,500 if the person has been previously convicted three or more times of a violation of this section;

(B) \$1,500 if the person has been previously convicted twice of a violation of this section;

(C) \$750 if the person has been previously convicted one time of a violation of this section; or

(D) \$300 if the person has not been previously convicted of a violation of this section.

(f) In this section, "criminal negligence" has the meaning given in AS 11.81.900.

* **Sec. 4.** AS 28.35.253 is amended by adding a new subsection to read:

(b) Violation of this section is an infraction.

* **Sec. 5.** AS 28.35.255 is repealed."

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

There was objection.

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

SB 199 am
Second Reading
Amendment No. 1

YEAS: 35 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nay: Eastman, Kito, Neuman, Rauscher, Wilson

And so, Amendment No. 1 was adopted, and the new title follows:

SENATE BILL NO. 199 am H

"An Act relating to the use of off-road vehicles within the James Dalton Highway corridor; and relating to containing or confining loads being transported on highways."

Amendment No. 2 was offered by Representative Wilson:

Page 1, line 13, through page 2, line 10:

Delete all material and insert:

"(3) the use of a snow machine to travel across the highway between October 1 and April 30; or

(4) a person who must use land in the highway corridor to gain access to private property that

(A) is located outside the corridor; and

(B) has an established history of use as a

homestead [CORRIDOR FROM LAND OUTSIDE THE CORRIDOR TO ACCESS LAND OUTSIDE THE OTHER SIDE OF THE CORRIDOR; THIS PARAGRAPH DOES NOT PERMIT THE USE OF A SNOW MACHINE FOR ANY PURPOSE WITHIN THE CORRIDOR IF THE USE BEGINS OR ENDS WITHIN THE CORRIDOR OR WITHIN THE RIGHT-OF-WAY OF THE HIGHWAY OR IF THE USE IS FOR TRAVEL WITHIN THE CORRIDOR THAT IS PARALLEL TO THE RIGHT-OF-WAY OF THE HIGHWAY; IN THIS PARAGRAPH, "HIGHWAY CORRIDOR" MEANS LAND WITHIN FIVE MILES OF THE RIGHT-OF-WAY OF THE HIGHWAY]."

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Representative Wilson moved and asked unanimous consent that Amendment No. 2 be adopted.

There was objection.

Representative Wilson moved and asked unanimous consent to withdraw Amendment No. 2. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that SB 199 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 199 am H was read the third time.

The question being: "Shall SB 199 am H pass the House?" The roll was taken with the following result:

SB 199 am H
Third Reading
Final Passage

YEAS: 38 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Eastman, Neuman

And so, SB 199 am H passed the House and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 35

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

HOUSE CONCURRENT RESOLUTION NO. 35

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 199, relating to the use of off-road vehicles within the James Dalton Highway corridor.

There being no objection, it was so ordered.

The question being: "Shall HCR 35 pass the House?" The roll was taken with the following result:

HCR 35

Special Order of Business

YEAS: 39 NAYS: 1 EXCUSED: 0 ABSENT: 0

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

Nay: Eastman

And so, HCR 35 passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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 Gara – from:

8:00 a.m., September 5 to 5:00 p.m., September 15

8:00 a.m., October 5 to 5:00 p.m., October 13

CONCUR IN SENATE AMENDMENTS**HB 130**

Representative Pruitt moved and asked unanimous consent that the House consider the Senate message (page 3436) on the following and moved that the House concur in the Senate amendment:

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HOUSE BILL NO. 130

"An Act relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 130(RES)

"An Act relating to the purposes of state game refuges and fish and game critical habitat areas; relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Anchorage Coastal Wildlife Refuge, Palmer Hay Flats State Game Refuge, Yakataga State Game Refuge, Mendenhall Wetlands State Game Refuge, Susitna Flats State Game Refuge, Minto Flats State Game Refuge, Trading Bay State Game Refuge, Creamer's Field Migratory Waterfowl Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date."

(SCR 24 - title change resolution)

There was objection.

Representative Tuck moved and asked unanimous consent that the question be divided. There being no objection, it was so ordered.

The question being: "Shall the House take up the Senate message?" The roll was taken with the following result:

SCS HB 130(RES)
Take Up Senate Message

YEAS: 20 NAYS: 20 EXCUSED: 0 ABSENT: 0

Yeas: Birch, Chenault, Drummond, Eastman, Johnson, Johnston, Knopp, Kopp, Lincoln, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Nays: Claman, Edgmon, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Wool, Zulkosky

And so, the motion failed.

UNFINISHED BUSINESS

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 Reinbold – from 7:00 a.m., May 13 to 7:00 a.m., May 20

HB 106

Representative Tuck added as a cosponsor to:

SENATE CS FOR HOUSE BILL NO. 106(FIN)

"An Act allowing appropriations to the civil legal services fund from court filing fees."

HB 374

Representatives Tuck and Thompson added as cosponsors to:

SENATE CS FOR CS FOR HOUSE BILL NO. 374(CRA)

"An Act relating to on-bill financing by a utility for certain energy efficiency and conservation improvements."

SB 15

Representatives Spohnholz, Zulkosky, Saddler, Josephson, Kawasaki, and Tuck added as cross sponsors to:

HOUSE CS FOR CS FOR SENATE BILL NO. 15(L&C)

"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; relating to citations for

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certain offenses concerning tobacco, products containing nicotine, or electronic smoking products; and providing for an effective date."

SB 63

Representatives Tuck, Claman, and Saddler added as cross sponsors to:

HOUSE CS FOR CS FOR SENATE BILL NO. 63(RLS) am H
"An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; relating to municipal regulation of smoking in certain places; relating to established villages and local option elections to allow smoking in public places; and providing for an effective date."

SB 105

Representatives Spohnholz and Drummond added as cross sponsors to:

HOUSE CS FOR CS FOR SENATE BILL NO. 105(FIN) am H
"An Act relating to the licensure of marital and family therapists; providing for a state policy relating to children; relating to medical assistance for marital and family therapy services; relating to disclosure of health care services and price information; relating to health care insurers; and providing for an effective date."

ENGROSSMENT

HCR 29

HCR 29 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HCR 34

HCR 34 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HCR 35

HCR 35 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

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HCR 36

HCR 36 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HCR 37

HCR 37 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 15

HCS CSSB 15(L&C) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 45

CSSB 45(FIN) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 63

HCS CSSB 63(RLS) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 104

HCS CSSB 104(FIN) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 105

HCS CSSB 105(FIN) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

SB 199

SB 199 am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ADJOURNMENT

Representative Guttenberg, citing Uniform Rule 52, moved and asked unanimous consent that the House adjourn sine die. There being no objection, the House of Representatives of the Thirtieth Legislature of the State of Alaska adjourned sine die at 1:48 a.m., May 13.

Crystalline Jones
Chief Clerk