

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-FIRST LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

February 25, 2019

Forty-second Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 11:07 a.m.

Roll call showed 38 members present.

Representative Thompson moved and asked unanimous consent that Representatives Neuman and Rasmussen be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible Church. Representative Shaw moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Recognizing the variety of faiths that are represented here today, I do thank you for the opportunity to open this day and your week in prayer:

Dear Lord:

I praise you and acknowledge my need of you as I pray with the Psalmist who said, *I lift up my eyes to the mountains—where does my help come from? My help comes from the Lord, the Maker of heaven and earth.*

Another week is starting for the legislature. A week full of committee meetings where the business of Alaska is discussed

and its laws are crafted according to the will of the people. These representatives need your guidance today. As the Psalmist reminded us, our help truly does come from the Lord. Thank you for this great country we are living in. Even with all the turmoil, it is the greatest country in the world! Please enable these representatives to lead our state forward as an example to the rest of our country. Even with all their diversity, help them to be unified in purpose. They have a hard job to do, and I ask you to help them to accomplish it. Thank you that I can lift these men and women before you in prayer. In the name of Jesus Christ I lift this prayer today. Amen.

The Pledge of Allegiance was led by Representative Shaw.

CERTIFICATION OF THE JOURNAL

Representative Thompson moved and asked unanimous consent that the journal for the 38th, 39th, 40th, and 41st legislative days and Senate and House Joint Journal Supplement No. 5 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

A letter dated February 22 was read stating that, in accordance with AS 39.05.080 and art. III, secs. 26 and 27, Constitution of the State of Alaska, the Governor submits the following name for legislative confirmation of appointment to the position noted.

The Speaker referred the following to the Resources Committee:

Board of Game

Jerry Burnett – Juneau

Appointed: 2/21/2019

Term Expires: 6/30/2021

A resume for the appointment is on file in the Chief Clerk's office.

COMMUNICATIONS

The following were received:

Dept. of Education & Early Development
Annual Report
February 15, 2019
(as required by AS 14.03.078)

Regulatory Commission of Alaska
Report to the Legislature
February 15, 2019
(as required by Chapter No. 17, SLA 2018)

The following audit report was received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

Dept. of Commerce, Community, & Economic Development
Alaska Gasline Development Corporation
Select Financial Issues
July 31, 2018

INTRODUCTION OF CITATIONS

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - Richard Burnham
By Senator Olson; Representative Foster

In Memoriam - Kathleen "Mike" Dalton
By Representative Wilson; Senators Coghill, Birch

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

Honoring - Dr. Donn Bennice
By Senators Wilson, Hughes

In Memoriam - George Wilber Meeker
By Senator Stevens; Representative Vance

In Memoriam - Donald L. Felton
By Senator Stevens; Representative Vance

In Memoriam - Corwin "Corky" Armstead Matthews
By Senator Wilson

In Memoriam - Pamela "PJ" Ross
By Senator Wilson

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

HR 5

HOUSE RESOLUTION NO. 5 by Representatives Edgmon and Tuck:

Establishing a House Special Committee on Tribal Affairs.

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

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

HB 9

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 9 by
Representative Rauscher, entitled:

"An Act relating to criminal law and procedure; relating to controlled substances; relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violating municipal ordinances; relating to parole; relating to community work service; relating to the duties of the commissioner of corrections; relating to the duties of the Department of Health and Social Services; relating to civil in rem forfeiture actions; repealing Rules

38(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date."

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

HB 70

HOUSE BILL NO. 70 by Representative Rasmussen, entitled:

"An Act relating to health education and physical activity requirements for students in grades kindergarten through eight; and establishing the Thursday in February immediately following Presidents' Day as PLAAY Day."

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

HB 71

HOUSE BILL NO. 71 by Representatives Story, Shaw, Tuck, and Revak, entitled:

"An Act relating to hiring for positions in state service based on substitution of military work experience or training for required civilian work experience or training."

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

HB 72

HOUSE BILL NO. 72 by Representatives Story, Spohnholz, Revak, and Jackson, entitled:

"An Act establishing the month of February as Black History Month."

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

HB 73

HOUSE BILL NO. 73 by the House Rules Committee by request of the Governor, entitled:

"An Act establishing an exception from permit and fee requirements for certain charitable gaming activities; relating to fees for applicants for a charitable gaming permit; amending the definition of 'permittee'; and providing for an effective date."

was read the first time and referred to the Community & Regional Affairs, Labor & Commerce, and Finance Committees.

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

The Governor's transmittal letter dated February 21 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill that would reduce unnecessary regulatory requirements for municipalities and qualified organizations operating small charitable gaming fundraisers.

Per AS 05.15.690(39), a "qualified organization" means "a bona fide civic or service organization or a bona fide religious, charitable, fraternal, veterans, labor, political, or educational organization, police or fire department and company, dog mushers' association, outboard motor association, or fishing derby or nonprofit trade association in the state, that operates without profits to its members and that has been in existence continually for a period of three years immediately before applying for the license or permit; the organization may be a firm, corporation, company, association, or partnership."

The bill would provide that a charitable gaming permit or fee is no longer required for a qualified organization that did not hold a permit during the preceding year or that had gross receipts of less than \$20,000 from charitable gaming fundraisers during the preceding year. The bill would have a positive impact on about 400 permittees by reducing costs and regulatory burdens of reporting for small charitable gaming activities. The qualified organization will still need to certify to the State of Alaska each year that all charitable gaming activities were conducted by law.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy
Governor"

HB 74

HOUSE BILL NO. 74 by the House Rules Committee by request of the Governor, entitled:

"An Act repealing the ocean rangers program; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation
2. Fiscal, Dept. of Environmental Conservation
3. Fiscal, Dept. of Environmental Conservation
4. Fiscal, Dept. of Environmental Conservation

The Governor's transmittal letter dated February 21 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill repealing the Ocean Rangers Program.

The Ocean Rangers Program, codified at AS 46.03.476, requires large commercial vessels operating in state waters to have independent observers, "ocean rangers," on board to monitor compliance with marine discharge and pollution laws. To pay for the program, AS 46.03.480(d) imposes a \$4 fee for each berth on commercial passenger vessels with 250 or more berths. The Department of Environmental Conservation (DEC) administers the program indirectly through a contractor that hires and supervises the rangers.

This program provides limited benefit to residents of the state but imposes a \$4 fee for each berth on large commercial passenger vessels. Repealing the program will reduce the state's budget by nearly \$4,000,000.00 each year.

Eliminating this program does not significantly affect the regulation of cruise ships in state water. The program itself does not establish substantive environmental standards. Department permitting and compliance staff will still monitor cruise ships for compliance with state wastewater and air quality permits and regulations through records reviews, inspections in port, opacity monitoring, and vessel tracking.

The existing Ocean Rangers contract expires on October 31, 2019. The effective date of January 1, 2020 would allow the program to run through the summer 2019 cruise ship season and complete any post-season work or fee reconciliation.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy

Governor"

HB 75

HOUSE BILL NO. 75 by Representatives Rasmussen and Tuck, entitled:

"An Act relating to funding for Internet services for school districts; and relating to the Alaska higher education investment fund."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HR 5

The following was read the second time:

HOUSE RESOLUTION NO. 5

Establishing a House Special Committee on Tribal Affairs.

Amendment No. 1 was offered by Representatives Zulkosky and Wilson:

Page 2, lines 1 - 2:

Delete "and sovereignty of"

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

Representative Eastman objected.

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

HR 5

Second Reading

Amendment No. 1

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

Yeas: Carpenter, Claman, Drummond, Eastman, Edgmon, Fields, Foster, Hannan, Hopkins, Jackson, Johnson, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, LeBon, LeDoux, Lincoln, Merrick, Ortiz, Pruitt, Rauscher, Revak, Shaw, Spohnholz, Story, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Vance, Wilson, Wool, Zulkosky

Excused: Neuman, Rasmussen

And so, Amendment No. 1 was adopted.

The question being: "Shall HR 5 am pass the House?" The roll was taken with the following result:

HR 5 am

Second Reading

Final Passage

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

Yeas: Carpenter, Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Jackson, Johnson, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, LeBon, LeDoux, Lincoln, Merrick, Ortiz, Pruitt, Rauscher, Revak, Shaw, Spohnholz, Story, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Vance, Wilson, Wool, Zulkosky

Nays: Eastman

Excused: Neuman, Rasmussen

And so, HR 5 am passed the House and was referred to the Chief Clerk for engrossment and enrollment.

LEGISLATIVE CITATIONS

Representative Thompson moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Jim Jansen

By Senators Birch, von Imhof; Representative Kopp

Honoring - National Engineers Week 2019

By Senator Birch

UNFINISHED BUSINESS

The Speaker made the following appointments:

Pursuant to AS 44.19.642, the Speaker appointed Representative Claman to the Alaska Criminal Justice Commission.

HR 5

House Special Committee on Tribal Affairs: Zulkosky, Chair; Edgmon, Vice Chair; Lincoln, Kopp, Kreiss-Tomkins, Talerico

Representative Thompson moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Stutes – from noon, February 26 to 2:00 p.m., March 3

Representative Vance – from 5:45 a.m., February 28 to 10:30 p.m.,
March 4

Representative Rasmussen – from 11:30 a.m., March 1 to 10:30 a.m.,
March 4

SPECIAL ORDER OF BUSINESS

Representative Thompson moved and asked unanimous consent that the notice and publication requirements be waived and the citations, Honoring - Richard Burnham and In Memoriam - Kathleen "Mike" Dalton, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Thompson moved and asked unanimous consent that the House approve the citations. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Richard Burnham
By Senator Olson; Representative Foster

In Memoriam - Kathleen "Mike" Dalton
By Representative Wilson; Senators Coghill, Birch

UNFINISHED BUSINESS

HB 3

Representative Revak added as a cosponsor to:

HOUSE BILL NO. 3

"An Act relating to the purchase and sale of state land; relating to discounts for veterans on state land purchases; and relating to assignments of permanent fund dividends."

HB 44

Representative Revak added as a cosponsor to:

HOUSE BILL NO. 44

"An Act relating to fees for using an automated teller machine; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Thompson moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 27. There being no objection, the House adjourned at 12:06 p.m.

Crystalline Jones
Chief Clerk