

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-FIRST LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

February 12, 2020

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:38 a.m.

Roll call showed 39 members present. District 3 was vacant.

The invocation was offered by the Chaplain, the Reverend Dr. Anna Frank, Second Chief Fairbanks of Denakkanaaga, Inc. Representative Drummond moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Lord, we thank you for the opportunity to come and to serve you.

Help us not to forget the under-privileged, those that have no voice, the elders, who can no longer speak for themselves, and others who struggle to keep their families together.

We also want to thank you for all that you have given to the people of Alaska to make it a better place to live and work.

Your ability to recognize the differences of people shape the decisions that are made for all Alaskans.

We thank you for our governor and our legislators. I ask your blessings on their families. Amen.

The Pledge of Allegiance was led by Representative Merrick.

CERTIFICATION OF THE JOURNAL

Representative Thompson moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that, without objection, the House would recess to allow members of the Senate to enter the House Chamber; and so, the House recessed at 10:50 a.m.

AFTER RECESS

The Speaker called the House back to order at 11:07 a.m.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Edgmon turned the gavel over to President Giessel who called the joint session to order at 11:07 a.m.

The purpose of the joint session was to hear the State of the Judiciary Address by the Honorable Joel H. Bolger, Chief Justice of the Alaska Supreme Court.

Senator Hoffman moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Thompson moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Giessel appointed Representative Stutes and Senator Coghill to escort the Honorable Joel H. Bolger to the joint session.

The Senate Sergeant-at-Arms announced the Chief Justice's entrance into the House Chamber.

Chief Justice Bolger was escorted to the rostrum and welcomed by President Giessel.

Chief Justice Bolger delivered his address, and it is published in House and Senate Joint Journal Supplement No. 13.

The Chief Justice received a standing ovation and was escorted from the Chamber by Representative Stutes and Senator Coghill.

Senator Hoffman moved and asked unanimous consent that the joint session adjourn. There being no objection, President Giessel adjourned the joint session at 11:30 a.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 11:39 a.m.

MESSAGES FROM THE GOVERNOR

A letter dated February 10 was read stating that on February 4, in accordance with Article III, Sections 26 and 27, of the Alaska Constitution, the Governor submitted a list of appointees for confirmation.

The following appointee has withdrawn her name from consideration, effective immediately, which had been referred to the Labor & Commerce Committee (page 1532):

Board of Barbers and Hairdressers

Jessica Steele – Wasilla

The following appointee, which had been referred to the Labor & Commerce Committee (page 1535), was resubmitted with corrections for typographical errors:

Board of Veterinary Examiners

Scott Flamme – Fairbanks

Appointed: 3/1/2020

Term Expires: 3/1/2023

COMMUNICATIONS

The following was received:

University of Alaska Fairbanks
College of Fisheries and Ocean Sciences
Kodiak Seafood and Marine Science Center
Annual Report
FY 2019
January 2020
<https://www.uaf.edu/files/cfos/Locations/kodiak/annual-report-fy-19-KSMSC.pdf>
(as required by AS 16.52.050)

REPORTS OF STANDING COMMITTEES

HJR 15

The Judiciary Committee considered:

HOUSE JOINT RESOLUTION NO. 15
Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto.

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

Do pass (3): Drummond, Stutes, Claman

Do not pass (1): Eastman

No recommendation (3): LeDoux, Kopp, Shaw

The following fiscal note(s) apply:

1. Zero, Office of the Governor

HJR 15 was referred to the Finance Committee.

HB 133

The Judiciary Committee considered:

HOUSE BILL NO. 133

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

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

Do pass (3): Drummond, Stutes, Claman

No recommendation (2): Shaw, Eastman

The following fiscal note(s) apply:

2. Zero, Dept. of Health & Social Services

HB 133 was referred to the Rules Committee for placement on the calendar.

HB 182

The State Affairs Committee considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 182

"An Act relating to testing of sexual assault examination kits; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
182(STA)
(same title)

The report was signed by Representatives Fields and Kreiss-Tomkins, Co-chairs, with the following individual recommendations:

Do pass (7): Vance, Hopkins, Thompson, Shaw, Story, Fields, Kreiss-Tomkins

The following fiscal note(s) apply to CSSSHB 182(STA):

1. Fiscal, Dept. of Public Safety

SSHB 182 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 223

The House Special Committee on Military & Veterans' Affairs considered:

HOUSE BILL NO. 223

"An Act naming the Vietnam Helicopter Pilots' Memorial Bridge."

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

Do pass (7): Jackson, Tuck, Kopp, Rauscher, Spohnholz, Shaw, Thompson

The following fiscal note(s) apply:

1. Fiscal, Dept. of Transportation & Public Facilities

HB 223 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Elizabeth Peratrovich Day & The 75th Anniversary of the Anti-Discrimination Act

By Representatives Story, Hannan; Senator Kiehl

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

Honoring - Joe Leman

By Representative Vance

Honoring - Homer High School Varsity Volleyball Team, 2019 Alaska 3A State Champions

By Representative Vance; Senator Stevens

Honoring - National Engineers Week 2020

By Representatives Story, Hannan; Senator Kiehl

Honoring - Dimond High School, Girls Swimming and Diving 2019 State Champions

By Senator Costello; Representative Rasmussen

Honoring - Dimond High School, Boys Cross Country Running 2019 State Champions

By Senator Costello; Representative Rasmussen

Honoring - West Anchorage High School, Tennis Team 2019 State Co-Champions

By Senator Costello; Representatives Claman, Drummond

In Memoriam - Connie Parks-Karl

By Senator Coghill; Representatives Talerico, Hopkins

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

HB 210

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 210 by Representative Jackson, entitled:

"An Act relating to the public defender agency; relating to speedy trial time limits; and amending Rules 45(b), 45(c)(6), and 45(d)(7), Alaska Rules of Criminal Procedure."

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

HB 244

HOUSE BILL NO. 244 by Representative Jackson, entitled:

"An Act relating to the expenditure of state grant money by nonprofit corporations; and providing for an effective date."

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

HB 245

HOUSE BILL NO. 245 by Representatives Johnson, Jackson, Rauscher, LeDoux, and LeBon, entitled:

"An Act relating to the definition of 'disaster.'"

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

HB 246

HOUSE BILL NO. 246 by the House Rules Committee by request of the Governor, entitled:

"An Act establishing the Alaska Lottery Corporation; relating to the powers, duties, and laws applicable to the Alaska Lottery Corporation; establishing a lottery profits fund as an account of the general fund; establishing the crime of unlawful sale of a lottery ticket; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Public Safety
2. Fiscal, Dept. of Education & Early Development
3. Indeterminate, Dept. of Revenue

The Governor's transmittal letter dated February 11 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill creating the Alaska Lottery Corporation as a new public corporation of the state.

The bill creates the Alaska Lottery Corporation to establish and operate lottery games in the state and to participate in multi-state lotteries operated in conjunction with other lottery authorities. Forty-five states, plus the District of Columbia, currently have some form of state lottery. State lotteries have evolved significantly since the earliest states began to create state-owned organizations to operate and regulate the sale of traditional lottery and raffle tickets. More recently, state-owned organizations have begun to regulate electronic and video lottery terminals. Currently, Alaska allows charitable and certain gaming activities and collects taxes on cruise ship gaming, activities regulated by the Department of Revenue. The establishment of the Alaska Lottery Corporation will not change or further regulate these gaming activities.

Aside from creating a pathway that could lead to new business opportunities, the purpose of the bill is to generate new revenues for the State. The bill proposes to allow the net profits generated from lottery activities in the state to be made available for appropriation for Kindergarten through Grade 12 education and to support public health and welfare programs, including those for domestic violence prevention, drug abuse prevention, foster care, and homelessness.

In an era of declining state revenues, it is imperative for Alaska to consider new ways of funding government services that satisfy the public health and welfare needs of our citizens. Establishing the Alaska Lottery Corporation as a means to generate new revenues for

the State will be one step in this direction. I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Mike Dunleavy
Governor"

HB 247

HOUSE BILL NO. 247 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the fish and game fund; establishing the sport fishing enhancement surcharge; relating to the repeal of the sport fishing facility surcharge; providing for an effective date by amending the effective date of sec. 21, ch. 18, SLA 2016; and providing for an effective date."

was read the first time and referred to the House Special Committee on Fisheries and the Finance Committee.

The following fiscal note(s) apply:

1. Fiscal, Dept. of Fish & Game

The Governor's transmittal letter dated February 11 follows:

"Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to sportfish hatchery bond surcharges.

This bill would allow the Department of Fish and Game to continue collecting a reduced sportfishing license surcharge beyond the date it is set to expire. Currently, the sportfishing facility surcharge is collected in order to pay off bonds issued to construct the Ruth Burnett hatchery in Fairbanks and the William Jack Hernandez hatchery in Anchorage. The surcharge also funds Chinook and Coho salmon production for southeast Alaska, which will be lost when the surcharge sunsets.

The statutes authorizing the bonds and the surcharge will sunset on January 1 of the calendar year following the repayment of the bond obligations, which is anticipated to be later in 2020. This bill would retain the statute authorizing the department to collect the surcharge but at a reduced rate. The surcharge revenue would be used for ongoing maintenance and repairs at state sport fish hatchery facilities as well as enhancement of sport fisheries in southeast Alaska, directly benefiting sport anglers. This is an effective way to support economic development with only a small remaining surcharge for Alaskan residents, accordingly, I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

CONSIDERATION OF THE DAILY CALENDAR

THIRD READING OF HOUSE BILLS

HB 83

The following, which was advanced to third reading from the February 10 calendar (page 1591), was read the third time:

CS FOR HOUSE BILL NO. 83(STA) am(efd del)

"An Act relating to voting by electronic transmission in a state election."

The question being: "Shall CSHB 83(STA) am(efd del) pass the House?" The roll was taken with the following result:

CSHB 83(STA) am(efd del)

Third Reading

Final Passage

YEAS: 28 NAYS: 11 EXCUSED: 0 ABSENT: 0 VACANT: 1

Yeas: Carpenter, Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, LeBon, Lincoln, Merrick, Ortiz, Pruitt, Rasmussen,

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Shaw, Spohnholz, Story, Stutes, Tarr, Thompson, Tuck, Wool, Zulkosky

Nays: Eastman, Gillis, Jackson, Johnson, LeDoux, Neuman, Rauscher, Sullivan-Leonard, Talerico, Tilton, Vance

Vacant: District 3

And so, CSHB 83(STA) am(efd del) passed the House and was referred to the Chief Clerk for engrossment.

HB 115

The following, which was advanced to third reading from the February 10 calendar (page 1580), was read the third time:

HOUSE BILL NO. 115(efd am)

"An Act relating to absentee voting; and providing for an effective date."

The question being: "Shall HB 115(efd am) pass the House?" The roll was taken with the following result:

HB 115(efd am)

Third Reading

Final Passage

YEAS: 24 NAYS: 15 EXCUSED: 0 ABSENT: 0 VACANT: 1

Yeas: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Johnston, Josephson, Knopp, Kopp, Kreiss-Tomkins, LeBon, LeDoux, Lincoln, Ortiz, Spohnholz, Story, Stutes, Tarr, Thompson, Tuck, Wool, Zulkosky

Nays: Carpenter, Eastman, Gillis, Jackson, Johnson, Merrick, Neuman, Pruitt, Rasmussen, Rauscher, Shaw, Sullivan-Leonard, Talerico, Tilton, Vance

Vacant: District 3

And so, HB 115(efd am) passed the House.

Representative Thompson moved the effective date clause.

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

HB 115(efd am)
Third Reading
Effective Date

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

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

Nays: Jackson

Vacant: District 3

And so, the effective date clause was adopted.

HB 115(efd am) was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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 Neuman – from 11:30 a.m., February 13 to 10:30 a.m., February 17

Representative Jackson – from 11:30 a.m., February 14 to 1:00 p.m., February 17

Representative Thompson – from 11:30 a.m., February 14 to 10:00 a.m., February 17

Representative LeBon – from 6:30 p.m., February 14 to 9:30 a.m., February 17

Representative Spohnholz – from 7:00 p.m., February 14 to 10:30 p.m., February 16

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Representative Shaw – from 7:30 a.m., February 15 to 9:30 a.m.,
February 17

Representative Ortiz – from 1:00 p.m., February 15 to 1:00 p.m.,
February 16

Representative Merrick – from 6:00 a.m., February 15 to 10:00 a.m.,
February 17

Representative Tilton – from 8:00 p.m., February 16 to 10:00 p.m.,
February 22

SPECIAL ORDER OF BUSINESS

Representative Thompson moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Elizabeth Peratrovich Day & The 75th Anniversary of the Anti-Discrimination Act, 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 citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Elizabeth Peratrovich Day & The 75th Anniversary of the
Anti-Discrimination Act
By Representatives Story, Hannan; Senator Kiehl

UNFINISHED BUSINESS

HB 83

Representative Neuman removed as a cosponsor to:

CS FOR HOUSE BILL NO. 83(STA) am(efd del)
"An Act relating to voting by electronic transmission in a state
election."

HB 115

Representative Tarr added as a cosponsor to:

HOUSE BILL NO. 115(efd am)

"An Act relating to absentee voting; and providing for an effective date."

HB 199

Representative Vance added as a cosponsor to:

HOUSE BILL NO. 199

"An Act relating to certain fish; and establishing a fisheries rehabilitation permit."

HB 223

Representative Kopp added as a cosponsor to:

HOUSE BILL NO. 223

"An Act naming the Vietnam Helicopter Pilots' Memorial Bridge."

ENGROSSMENT

HB 83

CSHB 83 (STA) am(efd del) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 115

HB 115(efd am) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ENROLLMENT

HJR 9

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:24 p.m., February 11:

CS FOR HOUSE JOINT RESOLUTION NO. 9(STA)

Requesting the United States Secretary of the Treasury to mint not less than 5,000,000 \$1 coins honoring Elizabeth Peratrovich under the Native American \$1 Coin Act.

Legislative Resolve No. 15

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 14 for a technical session. There being no objection, the House adjourned at 12:18 p.m.

Crystalline Jones
Chief Clerk