

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-SECOND LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

March 7, 2022

Forty-ninth Day

Pursuant to adjournment the House was called to order by Speaker Stutes at 11:04 a.m.

Roll call showed 36 members present. Representative Thompson had been excused from a call of the House today.

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

Representative Carpenter – from today to 1:30 p.m., March 9

Representative Prax – from today to 10:00 p.m., March 10

Representative Rasmussen – from today to 10:00 a.m., March 8

The invocation was offered by the Chaplain, Father Patrick Casey of Cathedral of the Nativity. Representative Story moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

We give you thanks and praise, Almighty God, for having called us this day to serve your people here in the State of Alaska. As we gather in this chamber, we are aware of all the needs of Alaskans. We also pray for the people of Ukraine who are suffering this day at war. We give thanks for our freedom and peace here in our own country, which all of you

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who are gathered here in this chamber are called to uphold.
We pray in your name. Amen.

The Pledge of Allegiance was led by Representative Snyder.

* * * * *

Representative Hopkins introduced Jaxson Butler, Guest Page, from Anchorage.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 44th through 48th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

A letter dated March 2 was received from Lieutenant Governor Meyer, stating he certified the proper filing of the following petition, and it is on file in the Chief Clerk's office: "An Act providing for State of Alaska recognition of federally recognized tribes."

The following were received:

State Commission for Human Rights
2021 Annual Report
(as required by AS 18.80.150)

Dept. of Natural Resources
Division of Geological and Geophysical Surveys
2021 Annual Report
<https://dggs.alaska.gov/webpubs/dggs/ar/text/ar2021.pdf>
(as required by AS 41.08.030)

Dept. of Natural Resources
Division of Geological and Geophysical Surveys
2020 Alaska's Mineral Industry Special Report
<https://dggs.alaska.gov/webpubs/dggs/sr/text/sr076.pdf>
(as required by AS 27.050-060)

REPORTS OF STANDING COMMITTEES

The Health & Social Services Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Matt Heilala
David Wilson

as members of the State Medical Board.

The report was signed by Representatives Snyder and Zulkosky, Co-chairs; and Representatives Kurka, Prax, McCarty, and Spohnholz.

HB 58

The Labor & Commerce Committee considered:

HOUSE BILL NO. 58

"An Act relating to insurance coverage for contraceptives and related services; relating to medical assistance coverage for contraceptives and related services; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 58(L&C)
(same title)

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

Do pass (4): Schrage, Snyder, Fields, Spohnholz

The following fiscal note(s) apply to CSHB 58(L&C):

4. Zero, Dept. of Administration
5. Zero, Dept. of Commerce, Community, & Economic Development
6. Zero, Dept. of Health & Social Services

CSHB 58(L&C) was referred to the Rules Committee.

HB 227

The Community & Regional Affairs Committee considered:

HOUSE BILL NO. 227

"An Act relating to municipal energy and resilience improvement assessment programs; and providing for an effective date."

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

Do pass (3): Drummond, Hannan, Schrage

No recommendation (3): Patkotak, Prax, McCabe

Amend (1): McCarty

The following fiscal note(s) apply:

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

HB 227 was referred to the Rules Committee.

REPORTS OF SPECIAL COMMITTEES

The House Special Committee on Military & Veterans' Affairs reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Tyler Harder

as a member of the Military Appeals Commission.

The report was signed by Representative Tuck, Chair; and Representatives Nelson, Claman, Rauscher, Tarr, and Story.

HJR 35

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

HOUSE JOINT RESOLUTION NO. 35

Supporting the completion of the Northern Rail Extension; supporting the increase in defensive capabilities at Fort Greely, Alaska; and encouraging the development of critical Arctic infrastructure.

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

Do pass (6): Rauscher, Claman, Nelson, Tarr, Story, Tuck

The following fiscal note(s) apply:

1. Zero, House Special Committee on Military & Veterans' Affairs

HJR 35 was referred to the Transportation Committee.

HB 358

The House Special Committee on Energy considered:

HOUSE BILL NO. 358

"An Act relating to the renewable energy grant fund and recommendation program; and providing for an effective date."

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

Do pass (5): Zulkosky, Tuck, Fields, Claman, Schrage

No recommendation (2): Kaufman, Rauscher

The following fiscal note(s) apply:

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

HB 358 was referred to the Finance Committee.

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INTRODUCTION OF CITATIONS

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

Honoring - Luke Jager

By Senator Wielechowski; Representative Spohnholz

Honoring - Alaska Housing Finance Corporation's 50th Anniversary

By Senator Wilson

Honoring - Alaska Pacific University's Nordic Ski Center

By Senators Wielechowski, Gray-Jackson; Representative Josephson

In Memoriam - Specialist Karolina Ferrer-Padilla

By Senator Wielechowski; Representatives Spohnholz, Nelson

In Memoriam - Patricia Ann Thurman

By Senator Bishop

In Memoriam - Michael Gary Wilson

By Senator Bishop

In Memoriam - Norman Woods

By Senator Wilson

CONSIDERATION OF THE DAILY CALENDAR

HOUSE BILLS IN SECOND READING

HB 90

The following, which could not be considered in the technical session (page 2007), was before the House in second reading:

HOUSE BILL NO. 90 am

"An Act relating to rental vehicles; relating to vehicle rental networks; relating to vehicle rental taxes; relating to vehicle rental fees; and providing for an effective date."

Amendment No. 19 was offered by Representative Wool:

Page 1, line 2: (title amendment)

Delete "**liability for**"

Page 1, line 2, following "**taxes;**":

Insert "**relating to vehicle rental fees;**"

Page 1, following line 6:

Insert new bill sections to read:

"* **Sec. 2.** AS 43.52.020 is amended to read:

Sec. 43.52.020. Rate of passenger vehicle rental tax. The rate of the tax levied in AS 43.52.010 is

(1) 10 percent of the total fees and costs charged for the lease or rental of a [THE] passenger vehicle **by a vehicle rental business; or**

(2) eight percent of the total fees and costs charged for the lease or rental of a passenger vehicle by a vehicle rental individual."

Renumber the following bill sections accordingly.

Page 1, line 12, following "**business**":

Insert "**or vehicle rental individual**"

Page 2, lines 4 - 5:

Delete ""vehicle rental business" and "vehicle rental network" have the meanings"

Insert ""vehicle rental network" has the meaning"

Page 2, following line 5:

Insert a new bill section to read:

"* **Sec. 5.** AS 43.52.099 is amended by adding new paragraphs to read:

(6) "vehicle rental business" has the meaning given in AS 45.45.459;

(7) "vehicle rental individual" has the meaning given in AS 45.45.459;"

Renumber the following bill sections accordingly.

Page 2, line 7, following "business":

Insert "or vehicle rental individual"

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Page 2, line 13, following "business" in both places:

Insert "or vehicle rental individual" in both places

Page 2, line 15, following "business":

Insert "or vehicle rental individual"

Page 2, line 20, following "business" in both places:

Insert "**or vehicle rental individual**" in both places

Page 2, line 27, following "business":

Insert "**or vehicle rental individual**"

Page 2, line 29, following "business" in both places:

Insert "**or vehicle rental individual**" in both places

Page 3, line 1, following "business":

Insert "**or vehicle rental individual**"

Page 3, line 2, following "business's":

Insert "**or vehicle rental individual's**"

Page 3, line 3, following "business":

Insert "**or vehicle rental individual**"

Page 3, line 8, following "business":

Insert "**or vehicle rental individual**"

Page 3, line 28, following "**who**":

Insert "**(A)**"

Page 3, line 30, following "**state:**":

Insert "**and**

(B) rents four or more vehicles in the state;"

Page 3, following line 30:

Insert a new paragraph to read:

**"(8) "vehicle rental individual" means a person who
(A) engages in the business of renting a vehicle in
the state or, through a vehicle rental network, arranging
or executing a vehicle rental in the state; and
(B) rents three or fewer vehicles in the state"**

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Renumber the following paragraph accordingly.

Representative Wool moved and asked unanimous consent that Amendment No. 19 be adopted.

Representative McCabe objected.

The question being: "Shall Amendment No. 19 be adopted?" The roll was taken with the following result:

HB 90 am

Second Reading

Amendment No. 19

YEAS: 20 NAYS: 16 EXCUSED: 4 ABSENT: 0

Yeas: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Tuck, Wool, Zulkosky

Nays: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Vance

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, Amendment No. 19 was adopted.

The Speaker stated that all further amendments to HB 90 must be submitted within fifteen minutes.

Representative McCabe moved and asked unanimous consent to rescind action in adopting Amendment No. 19.

There was objection.

Representative McCabe moved and asked unanimous consent to withdraw the motion to rescind previous action. There being no objection, it was so ordered.

Amendment No. 20 was offered by Representative Johnson:

Page 1, line 2: (title amendment)

Delete "**liability for**"

Page 1, following line 6:

Insert a new bill section to read:

** **Sec. 2.** AS 43.52.010 is amended to read:

Sec. 43.52.010. Levy of passenger vehicle rental tax. Except as provided in AS 43.52.070(b) and 43.52.090(b), an excise tax [THERE] is imposed [AN EXCISE TAX] on the charge for the lease or rental of a passenger vehicle in this state if the lease or rental of the passenger vehicle does not exceed a period of 90 consecutive days."

Renumber the following bill sections accordingly.

Page 2, lines 4 - 5:

Delete ""vehicle rental business" and "vehicle rental network" have the meanings"

Insert ""vehicle rental network" has the meaning"

Page 2, following line 5:

Insert new bill sections to read:

** **Sec. 5.** AS 43.52.070 is amended to read:

Sec. 43.52.070. Relationship to municipal levies. Except as provided in (b) of this section, the [THE] taxes imposed by AS 43.52.010 - 43.52.099 are in addition to taxes that may be imposed on vehicle rentals by a municipality under AS 29.45.

* **Sec. 6.** AS 43.52.070 is amended by adding a new subsection to read:

(b) If the combination of the state and municipal vehicle rental taxes imposed on a passenger vehicle exceeds 10 percent of total fees and costs charged for the lease or rental of the passenger vehicle, the tax under this chapter is the difference between the municipal tax and 10 percent of the total fees and costs charged for the lease or rental of the passenger vehicle. The tax levied under this chapter is zero if municipal taxes are equal to or exceed 10 percent of the total fees and costs charged for the lease or rental of the passenger vehicle.

* **Sec. 7.** AS 43.52.090 is amended by adding a new subsection to read:

(b) For each of the first five consecutive calendar years that a vehicle rental business leases or rents a vehicle, the passenger vehicle tax applies only to fees and costs received for the lease or rental of the vehicle in excess of \$20,000 in the calendar year.

* **Sec. 8.** AS 43.52.099 is amended by adding a new paragraph to read:

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(6) "vehicle rental business" has the meaning given in AS 45.45.459."

Renumber the following bill sections accordingly.

Representative Johnson moved and asked unanimous consent that Amendment No. 20 be adopted.

Representative Wool objected.

The question being: "Shall Amendment No. 20 be adopted?" The roll was taken with the following result:

HB 90 am

Second Reading

Amendment No. 20

YEAS: 15 NAYS: 21 EXCUSED: 4 ABSENT: 0

Yeas: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Vance

Nays: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, LeBon, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Tuck, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, Amendment No. 20 was not adopted.

Amendment No. 21 was not offered.

Amendment No. 22 was offered by Representative LeBon:

Page 1, line 1, following "**networks**";: (title amendment)
Insert "**relating to the passenger vehicle rental tax**;"

Page 1, following line 6:

Insert a new bill section to read:

"* **Sec. 2.** AS 43.52.020 is amended to read:

Sec. 43.52.020. Rate of passenger vehicle rental tax. The rate of the tax levied in AS 43.52.010 is

(1) five percent of the total fees and costs charged for

the lease or rental of a passenger vehicle arranged or executed through a vehicle rental network;

(2) 10 percent of the total fees and costs charged for the lease or rental of **a** [THE] passenger vehicle **not arranged or executed through a vehicle rental network.**"

Renumber the following bill sections accordingly.

Page 2, lines 4 - 5:

Delete "and "vehicle rental network" have the meanings"

Insert "has the meaning"

Page 2, following line 5:

Insert a new bill section to read:

"* **Sec. 5.** AS 43.52.099 is amended by adding a new paragraph to read:

(6) "vehicle rental network" has the meaning given in AS 45.45.459."

Renumber the following bill sections accordingly.

Representative LeBon moved and asked unanimous consent that Amendment No. 22 be adopted.

Representative Fields objected.

Amendment No. 1 to Amendment No. 22 was offered by Representative Kurka:

Page 1, line 12:

Delete "10"

Insert "**5**"

Representative Kurka moved and asked unanimous consent that Amendment No. 1 to Amendment No. 22 be adopted.

Representative Fields objected.

The question being: "Shall Amendment No. 1 to Amendment No. 22 be adopted?" The roll was taken with the following result:

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Second Reading

Amendment No. 1 to Amendment No. 22

YEAS: 16 NAYS: 20 EXCUSED: 4 ABSENT: 0

Yeas: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Vance

Nays: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Tuck, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, Amendment No. 1 to Amendment No. 22 was not adopted.

Amendment No. 2 to Amendment No. 22 was offered by Representative Eastman:

Page 1, line 9:

Delete "total fees and"

Page 1, line 12:

Delete: "total fees and"

Insert: "[TOTAL FEES AND]"

Representative Eastman moved and asked unanimous consent that Amendment No. 2 to Amendment No. 22 be adopted.

Representative Wool objected.

The question being: "Shall Amendment No. 2 to Amendment No. 22 be adopted?" The roll was taken with the following result:

HB 90 am

Second Reading

Amendment No. 2 to Amendment No. 22

YEAS: 17 NAYS: 19 EXCUSED: 4 ABSENT: 0

Yeas: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Snyder, Tilton, Vance

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Nays: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Spohnholz, Story, Stutes, Tarr, Tuck, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, Amendment No. 2 to Amendment No. 22 was not adopted.

The question being: "Shall Amendment No. 22 be adopted?" The roll was taken with the following result:

HB 90 am
Second Reading
Amendment No. 22

YEAS: 17 NAYS: 19 EXCUSED: 4 ABSENT: 0

Yeas: Cronk, Drummond, Eastman, Gillham, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Tuck, Vance

Nays: Claman, Edgmon, Fields, Foster, Hannan, Hopkins, Johnson, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, Amendment No. 22 was not adopted.

Representative Ortiz moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 18.

There was objection.

The question being: "Shall the House rescind previous action in adopting Amendment No. 18?" The roll was taken with the following result:

HB 90 am
Second Reading
Rescind Previous Action in Adopting Amendment No. 18

YEAS: 20 NAYS: 16 EXCUSED: 4 ABSENT: 0

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2029

Yeas: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Tuck, Wool, Zulkosky

Nays: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Vance

Excused: Carpenter, Prax, Rasmussen, Thompson

And so, the motion passed.

Amendment No. 18 (page 1995) was before the House.

Amendment No. 1 to Amendment No. 18 was offered by Representative Eastman:

Page 1, line 1:

Delete: **"*Sec. 8.** AS 43.52.020 is repealed effective January 1, 2027."

Insert: **"*Sec. 8.** AS 43.52.020(2) is repealed effective December 31, 2027."

Representative Eastman moved and asked unanimous consent that Amendment No. 1 to Amendment No. 18 be adopted.

Representative Wool objected.

The question being: "Shall Amendment No. 1 to Amendment No. 18 be adopted?" The roll was taken with the following result:

HB 90 am

Second Reading

Amendment No. 1 to Amendment No. 18

YEAS: 16 NAYS: 19 EXCUSED: 4 ABSENT: 1

Yeas: Cronk, Eastman, Gillham, Johnson, Kaufman, Kurka, LeBon, McCabe, McCarty, McKay, Nelson, Patkotak, Rauscher, Shaw, Tilton, Vance

Nays: Claman, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Josephson, Kreiss-Tomkins, Merrick, Ortiz, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

Absent: Tuck

And so, Amendment No. 1 to Amendment No. 18 was not adopted.

Representative Eastman moved and asked unanimous consent that Amendment No. 18 be withdrawn. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that HB 90 am be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 90 am will advance to third reading on the March 9 calendar.

SECOND READING OF HOUSE RESOLUTIONS

HCR 9

The following, which could not be considered in the technical session (page 2007), was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 9

Designating May 1 - 7, 2022, as Tardive Dyskinesia Awareness Week.

The Rules Committee submitted the following fiscal note:

1. Zero, House Rules Committee

The question being: "Shall HCR 9 pass the House?" The roll was taken with the following result:

HCR 9

Second Reading

Final Passage

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

Yeas: Claman, Cronk, Drummond, Eastman, Edgmon, Fields, Foster, Gillham, Hannan, Hopkins, Johnson, Josephson, Kaufman, Kreiss-Tomkins, Kurka, LeBon, McCabe, McCarty, McKay, Merrick, Nelson, Ortiz, Rauscher, Schrage, Shaw, Snyder, Spohnholz, Story, Stutes, Tarr, Tilton, Tuck, Vance, Wool, Zulkosky

Excused: Carpenter, Prax, Rasmussen, Thompson

Absent: Patkotak

And so, HCR 9 passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Tuck moved and asked unanimous consent that the House table the citation, In Memoriam - Lynette Marie Clark. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House approve the remaining citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam - Randall James Blevins
By Senator Bishop

UNFINISHED BUSINESS

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

Representative Ortiz – from 6:00 a.m., March 10 to 9:30 p.m., March 13

Representative Drummond – from 2:30 p.m. to 5:00 p.m., March 9

A message dated March 1 was received stating the Speaker made the following appointments:

Council on Missing and Murdered Indigenous Persons
Representative Zulkosky

HB 162

Representative Gillham added as a cosponsor to:

HOUSE BILL NO. 162

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

ENGROSSMENT

HCR 9

HCR 9 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

The following meeting today was changed:

Resources Committee

CHANGED TO:

2:00 p.m.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 9. There being no objection, the House adjourned at 1:11 p.m.

Crystalline Jones
Chief Clerk