

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-SECOND LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

March 22, 2022

Sixty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Stutes at 10:06 a.m.

Roll call showed 39 members present. Representative Claman had been excused from a call of the House today.

The invocation was offered by the Chaplain, Pastor Greg Weinert of Emmanuel Baptist Church. Representative Thompson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In deepest reverence for the beliefs of all Alaskans, I invite you into a time of reflection on our solemn covenant as servants of the people:

Our Father, creator of this magnificent, beautiful, and boundless land, we praise your inspiration and holiness.

We invoke your divine guidance on the people of this chamber, so dedicated to service and entrusted with the stewardship of this state and its people's welfare. Send us wisdom and discernment. Help them to do and say what is right and just, and not what is simply expedient.

Protect us from the pettiness of partisanship, but rather open our hearts and minds to respect for you and your creation, including the dignity of the human soul. We are called to this

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as a sacred task: to extend grace for all, to love not only our neighbors, but our enemies as well.

As Alaskans, we have been blessed with the bounty of the land, the sea, and the sky. You, Father, have delivered these provisions in your providence. Let the abundance you have provided to us inspire us to provide for those who are in need; to bind up the wounds of all those who are in pain; and to speak for those who have no voice.

This we pray and petition, not to our glory, Lord, but to yours and yours alone. Amen.

The Pledge of Allegiance was led by Representative Tilton.

CERTIFICATION OF THE JOURNAL

Representative Tuck moved and asked unanimous consent that the journal for the 63rd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated March 21 was read stating the Senate passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 168

SENATE BILL NO. 168 by Senators Myers, Kiehl, Micciche, Costello, Bishop, Stevens, Holland, Kawasaki, and Shower, entitled:

"An Act relating to program receipts; and relating to the acceptance of gifts, donations, and grants for the purpose of providing signage for assets under the control of the Department of Transportation and Public Facilities."

was read the first time and referred to the Finance Committee.

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SB 185

CS FOR SENATE BILL NO. 185(L&C) by the Senate Labor and Commerce Committee, entitled:

"An Act relating to exemptions from minimum wage."

was read the first time and referred to the Labor & Commerce Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

In Memoriam - Karl Amylon
By Representative Ortiz; Senator Stedman

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 403

HOUSE BILL NO. 403 by the House Rules Committee by request of the Governor, entitled:

"An Act exempting certain ambulatory surgical center employees from overtime pay requirements; and providing for an effective date."

was read the first time and referred to the Labor & Commerce Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

The Governor's transmittal letter dated March 21 follows:

"Dear Speaker Stutes:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to State of Alaska overtime law and ambulatory surgical centers.

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Alaska law requires overtime pay for eligible workers to begin after eight working hours in a day or forty cumulative hours in a week. Certain employers, such as hospitals, have an exemption from the eight-hour requirement, allowing critical healthcare workers to be on staff to meet the needs of patients.

The use of ambulatory surgical centers has grown nationally as many procedures do not require hospital admissions. However, these centers are not treated the same as hospitals for purposes of overtime rules which creates significant management challenges. The result has been a noticeable migration of nurses and other critical health staff to hospitals where a more flexible schedule allows the worker a greater say in their work scheduling.

This bill would place ambulatory surgical centers on an equal footing with hospitals in relation to overtime rules. Like hospitals, ambulatory surgical centers would still be bound by the federal forty-hour weekly overtime rule. This change is one step toward greater flexibility for healthcare workers and stability for Alaska's healthcare system.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Mike Dunleavy
Governor"

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 227

The following was read the second time:

HOUSE BILL NO. 227

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

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with the:

Journal Page

ENE RPT 4DP 2NR	1732
FN1: ZERO(CED)	1732
CRA RPT 3DP 3NR 1AM	2018
FN1: ZERO(CED)	2018

Amendment No. 1 was offered by Representative McCabe:

Page 3, lines 25 - 26:

Delete "electric vehicle charging stations."

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

Representative Hannan objected.

Representative Fields 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 Amendment No. 1 be adopted?" The roll was taken with the following result:

HB 227

Second Reading

Amendment No. 1

YEAS: 19 NAYS: 20 EXCUSED: 1 ABSENT: 0

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

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

Excused: Claman

And so, Amendment No. 1 was not adopted.

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Representative Tuck moved and asked unanimous consent that HB 227 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 227 will advance to third reading on tomorrow's calendar.

Representative LeBon moved and asked unanimous consent that the House revert to Introduction of Guests. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House advance to Second Reading of House Bills. There being no objection, the House advanced to:

SECOND READING OF HOUSE BILLS

HB 304

The following was read the second time:

HOUSE BILL NO. 304

"An Act modifying the boundary of Chugach State Park; directing the sale of land to the Eagle River Lions Club; and providing for an effective date."

with the:

Journal Page

RES RPT 7DP 1NR
FN1: ZERO(DNR)

2186
2186

Representative Tuck moved and asked unanimous consent that HB 304 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 304 was read the third time.

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

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The question being: "Shall HB 304 pass the House?" The roll was taken with the following result:

HB 304

Third Reading

Final Passage

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

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

Nays: Eastman, Kurka

Excused: Claman

And so, HB 304 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.

HB 304 was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 30

The following, which was advanced to third reading from the March 22 calendar (page 2189), was read the third time:

CS FOR HOUSE BILL NO. 30(FIN)

"An Act relating to the payment of workers' compensation benefits in the case of permanent partial impairment; relating to the payment of workers' compensation death benefits; and providing for an effective date."

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

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The Speaker stated that, without objection, the House would recess to 12:15 p.m.; and so, the House recessed at 11:44 a.m.

AFTER RECESS

The Speaker called the House back to order at 12:18 p.m.

Representative Wool moved and asked unanimous consent that the House revert to Introduction of Guests. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House advance to Third Reading of House Bills. There being no objection, the House advanced to:

THIRD READING OF HOUSE BILLS

HB 30

The following was before the House in third reading:

CS FOR HOUSE BILL NO. 30(FIN)

"An Act relating to the payment of workers' compensation benefits in the case of permanent partial impairment; relating to the payment of workers' compensation death benefits; and providing for an effective date."

Representative Josephson placed a call of the House.

The call was satisfied.

The question being: "Shall CSHB 30(FIN) pass the House?" The roll was taken with the following result:

CSHB 30(FIN)

Third Reading

Final Passage

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

Yeas: Cronk, Drummond, Edgmon, Fields, Foster, Hannan, Hopkins, Johnson, Josephson, Kaufman, Kreiss-Tomkins, LeBon, McCarty, McKay, Merrick, Nelson, Ortiz, Patkotak, Rasmussen, Schrage, Snyder, Spohnholz, Story, Stutes, Tarr, Thompson, Tuck, Wool, Zulkosky

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Nays: Carpenter, Eastman, Gillham, Kurka, McCabe, Prax, Rauscher, Shaw, Tilton, Vance

Excused: Claman

And so, CSHB 30(FIN) 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.

CSHB 30(FIN) was referred to the Chief Clerk for engrossment.

HB 209

The following, which was advanced to third reading from the March 22 calendar (page 2189), was read the third time:

CS FOR HOUSE BILL NO. 209(FIN)

"An Act relating to emergency firefighters; and providing for an effective date."

The question being: "Shall CSHB 209(FIN) pass the House?" The roll was taken with the following result:

CSHB 209(FIN)

Third Reading

Final Passage

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

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

Excused: Claman

And so, CSHB 209(FIN) 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.

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CSHB 209(FIN) was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Tuck 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 - Kuskokwim Campus Fiftieth Anniversary
By Senator Hoffman; Representative Zulkosky

In Memoriam - Alfred Joseph Romaszewski
By Representative McCarty

SPECIAL ORDER OF BUSINESS

Representative Tuck moved and asked unanimous consent that the following, which had been tabled (page 2031), be taken up as a Special Order of Business:

In Memoriam - Lynette Marie Clark
By Senator Bishop

There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House approve the citation.

There was objection.

Amendment No. 1 was offered by Representative Eastman:

Page 1, paragraph 7:

 Delete all material.

 Insert "Throughout her time in Alaska, Lynette was active with the Alaska Independence Party, Alaska's third-largest party, which advocates for limited government and the rights of Alaskans under Article 73 of the Charter of the United Nations. In the 1980's, Lynette served as an aide to the founder of the AIP, Joe Vogler, later, as party president, and, at the time of her death, party chair. She participated in every protest against what she felt were attacks on Alaskans' rights to

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self-govern, and carved a unique place in history. Lynette was a true Alaskan through and through."

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

Representative Edgmon objected.

Representative Johnson rose to a point of order regarding confining remarks to the subject before the body.

The Speaker cautioned the member to confine remarks to the amendment.

Representative Tuck moved and asked unanimous consent that Amendment No. 1 be tabled.

There was objection.

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

Citation - In Memoriam - Lynette Marie Clark
Table Amendment No. 1

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

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

Nays: Eastman, Kurka

Excused: Claman

And so, Amendment No. 1 was tabled.

The question being: "Shall the citation, In Memoriam - Lynette Marie Clark, pass the House?" The roll was taken with the following result:

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Approve Citation

In Memoriam - Lynette Marie Clark

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

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

Nays: Eastman, Kurka

Excused: Claman

And so, the following citation was approved and sent to enrolling:

In Memoriam - Lynette Marie Clark

By Senator Bishop

Representative Gillham moved and asked unanimous consent that the House revert to Introduction of Guests. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House advance to Unfinished Business. There being no objection, the House advanced to:

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 Tarr – from 6:00 a.m., March 24 to 10:00 a.m., March 26

Representative Zulkosky – from noon to 9:30 p.m., March 24

HJR 32

Representatives Fields, Prax, Merrick, and Thompson added as cosponsors to:

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HOUSE JOINT RESOLUTION NO. 32

Encouraging the United States Congress to establish hiring goals for apprentices and veteran apprentices.

HB 30

Representatives Tarr, Drummond, and Tuck added as cosponsors to:

CS FOR HOUSE BILL NO. 30(FIN)

"An Act relating to the payment of workers' compensation benefits in the case of permanent partial impairment; relating to the payment of workers' compensation death benefits; and providing for an effective date."

HB 209

Representatives Josephson, Wool, Hopkins, Tilton, Stutes, Tuck, and Nelson added as cosponsors to:

CS FOR HOUSE BILL NO. 209(FIN)

"An Act relating to emergency firefighters; and providing for an effective date."

HB 227

Representatives Snyder, Josephson, and Wool added as cosponsors to:

HOUSE BILL NO. 227

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

HB 298

Representatives Tuck and Hopkins added as cosponsors to:

HOUSE BILL NO. 298

"An Act establishing the Alaska Food Strategy Task Force; and providing for an effective date."

HB 304

Representatives Schrage, Josephson, McCabe, Johnson, and Cronk added as cosponsors to:

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HOUSE BILL NO. 304

"An Act modifying the boundary of Chugach State Park; directing the sale of land to the Eagle River Lions Club; and providing for an effective date."

SB 136

Representatives Rauscher, Thompson, Gillham, Cronk, and McCarty added as cross sponsors to:

CS FOR SENATE BILL NO. 136(CRA)

"An Act relating to firearms and other weapons restrictions."

SB 150

Representative Cronk added as a cross sponsor to:

SENATE BILL NO. 150

"An Act establishing the second Monday of September of each year as Truck Driver Appreciation Day."

SB 156

Representative McCabe added as a cross sponsor to:

CS FOR SENATE BILL NO. 156(HSS)

"An Act relating to COVID-19 immunization rights; relating to objection to the administration of a COVID-19 vaccine; relating to COVID-19 vaccination status and eligibility for health care insurance; and providing for an effective date."

ENGROSSMENT

HB 30

CSHB 30(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 209

CSHB 209(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

HB 304

HB 304 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.

ADJOURNMENT

Representative Tuck moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 23. There being no objection, the House adjourned at 1:19 p.m.

Crystaline Jones
Chief Clerk