

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

March 8, 2023

Fifty-first Day

Pursuant to adjournment the House was called to order by Speaker Tilton at 11:01 a.m.

Roll call showed 39 members present.

Representative Saddler 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 Carpenter – from today to 11:30 p.m., March 10

The invocation was offered by the Chaplain, Reverend Karen Perkins of Resurrection Lutheran Church. Representative Vance 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:

Renewing, abiding, and righteous God,
The foundations of the earth bear witness to your faithfulness.
Inspire people with reverent awe to honor all you have made.
You make foolish the wisdom of the world. Cultivate humility among us. Raise up honorable leaders who seek justice, love, mercy, and pursue peace. Turn all from self-seeking interests toward cooperation and constructive dialogue. Guide elected officials to govern with equity, vision, and integrity. Elevate the work of peacemakers. Shape our communities to be places

of kindness, especially for those who are most vulnerable.
I lift this to you, trusting in your wisdom. Amen.

The Pledge of Allegiance was led by Representative McCormick.

CERTIFICATION OF THE JOURNAL

Representative Saddler moved and asked unanimous consent that the journal for the 49th and 50th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Vance introduced Regan Baker, Guest Page, from Homer.

MESSAGES FROM THE GOVERNOR

A message dated March 7 was read stating that on January 31 in accordance with Article III, Sections 26 and 27 of the Alaska Constitution and Alaska Statute 39.05.080, the Governor submitted a list of appointees for confirmation.

The following appointee is withdrawn from consideration, effective immediately:

Alaska Gasline Development Corporation

Mike Chenault – Kenai

Appointed: 4/11/2022

Term Expires: 12/1/2026

The appointment had been referred to the Resources and Finance Committees (page 126).

REPORTS OF STANDING COMMITTEES

HB 17

The Health & Social Services Committee considered:

HOUSE BILL NO. 17

"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. 17(HSS)
(same title)

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

Do pass (3): Ruffridge, Sumner, Mina

No recommendation (2): Saddler, Prax

The following fiscal note(s) apply to CSHB 17(HSS):

1. Zero, Dept. of Administration
2. Zero, Dept. of Commerce, Community, & Economic Development
3. Zero, Dept. of Health

HB 17 was referred to the Community & Regional Affairs Committee.

HB 29

The Labor & Commerce Committee considered:

HOUSE BILL NO. 29
"An Act relating to insurance discrimination."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 29(L&C)
(same title)

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

Do pass (1): Carrick

Do not pass (1): Fields

No recommendation (5): Prax, Wright, Saddler, Ruffridge, Sumner

The following fiscal note(s) apply to CSHB 29 (L&C):

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

HB 29 was referred to the Judiciary Committee.

HB 58

The Health & Social Services Committee considered:

HOUSE BILL NO. 58

"An Act relating to medical assistance for recipients of Medicaid waivers; establishing an adult care home license and procedures; providing for the transition of individuals from foster care to adult home care settings; and providing for an effective date."

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

Do pass (6): Fields, Sumner, Ruffridge, McCormick, Mina, Prax

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health
2. Fiscal, Dept. of Health

HB 58 was referred to the Labor & Commerce Committee.

HB 59

The Health & Social Services Committee considered:

HOUSE BILL NO. 59

"An Act relating to Medicaid eligibility; expanding eligibility for postpartum mothers; conditioning the expansion of eligibility on approval by the United States Department of Health and Human Services; and providing for an effective date."

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

Do pass (6): Fields, Sumner, Ruffridge, McCormick, Mina, Prax

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health

HB 59 was referred to the Finance Committee.

HB 81

The Transportation Committee considered:

HOUSE BILL NO. 81

"An Act relating to the transfer of a title on the death of the owner; and providing for an effective date."

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

Do pass (6): C. Johnson, Sumner, McKay, Mina, Vance, McCabe

No recommendation (1): Stutes

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Administration

HB 81 was referred to the State Affairs Committee.

REPORTS OF SPECIAL COMMITTEES

HJR 4

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

HOUSE JOINT RESOLUTION NO. 4

Honoring the Alaska-Korea relationship; and celebrating the 70th anniversary of the Mutual Defense Treaty between the United

States and the Republic of Korea, the 70th anniversary of the Korean Armistice Agreement, and the 120th anniversary of the first Korean immigration to the United States.

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

Do pass (5): Gray, Saddler, Shaw, Groh, Wright

The following fiscal note(s) apply:

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

HJR 4 was referred to the State Affairs Committee.

HB 74

The House Special Committee on Energy considered:

HOUSE BILL NO. 74

"An Act relating to geothermal resources; relating to the definition of 'geothermal resources'; and providing for an effective date."

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

Do pass (5): McKay, Wright, Prax, Schrage, Rauscher

No recommendation (1): Carrick

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Fiscal, Dept. of Natural Resources

HB 74 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring – Michael Armstrong
By Representative Vance; Senator Stevens

Honoring – Salome Hanauer
By Senator Myers

In Memoriam – Connie Louise Ford
By Representative Groh; Senators Wielechowski, Tobin

In Memoriam – Timothy McKay
By Senator Myers

In Memoriam – Ruth May
By Senator Myers

In Memoriam – Dr. Fredric M. Husby
By Senator Myers

In Memoriam – John Edward Ellis
By Senator Myers

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 11

HOUSE JOINT RESOLUTION NO. 11 by Representatives Stapp, Carrick, Dibert, Tomaszewski, Prax, Cronk, McCabe, Coulombe, Vance, Wright, and Saddler:

Urging the United States Environmental Protection Agency to develop a woodstove certification program that addresses the threat to clean and healthy winter air in Fairbanks; and urging the state Department of Environmental Conservation to develop an economically and legally defensible state implementation plan for the Fairbanks North Star Borough nonattainment area.

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

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

HB 16

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 16 by Representative Josephson, entitled:

"An Act requiring the state medical assistance program to provide certain services; relating to cost containment measures for the state medical assistance program; relating to payment for adult dental services; and providing for an effective date."

was read the first time and referred to the Health & Social Services and Finance Committees.

HB 99

HOUSE BILL NO. 99 by Representatives Armstrong, Gray, Carrick, Himschoot, Mina, Story, Groh, Josephson, Galvin, Fields, Mears, Foster, McCormick, Hannan, and Edgmon, entitled:

"An Act relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

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

HB 100

HOUSE BILL NO. 100 by Representative Armstrong, entitled:

"An Act relating to teacher and public employee leave."

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

HB 101

HOUSE BILL NO. 101 by Representatives Armstrong and Eastman, entitled:

"An Act relating to the use of campaign funds for dependent care, protection, and supervision."

was read the first time and referred to the Health & Social Services, State Affairs, and Judiciary Committees.

HB 102

HOUSE BILL NO. 102 by Representative Armstrong, entitled:

"An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

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

HB 103

HOUSE BILL NO. 103 by Representatives Cronk and Rauscher, entitled:

"An Act extending the termination date of the Alaska Minerals Commission."

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

HB 104

HOUSE BILL NO. 104 by Representatives Cronk, Rauscher, and McCabe, entitled:

"An Act relating to expedited timber sales."

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

HB 105

HOUSE BILL NO. 105 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to parental rights in a child's education; relating to access to school records; relating to sex education, human reproduction education, and human sexuality education; relating to school disciplinary and safety programs; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

The Governor's transmittal letter dated March 7 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill amending Alaska's education statutes to increase opportunities for parental involvement in their children's education by creating meaningful notice and consent requirements. The bill requires school districts to allow parental access to school records and to develop policies requiring written consent prior to providing instruction related to human reproduction and sexual matters.

Parental involvement initiatives in public education have been increasing nationwide. In Alaska, parents are becoming more actively involved in the content and quality of instruction provided in public schools. This involvement has resulted in an increased focus on the presentation of content and materials that may not be age-appropriate for all children. This bill addresses these concerns by placing matters of personal identification and sexual education directly in the hands of parents at the local level.

Under the terms of the bill, school districts must adopt rules that provide for notice and affirmative written consent prior to any activity, class, or program that includes sensitive and personal content involving gender identity, human reproduction, or sexual matters, and a class involving sex education may not be attended by a child enrolled in a grade below fourth grade. In addition, the bill recognizes the rights of parents to designate the official name used by schools when addressing or referring to enrolled students. The bill authorizes the enforcement of these policies through the use of civil litigation by parents against school districts that knowingly or recklessly refuse to comply with the statute.

A parent's right to information about a student's physical, medical, and mental health is absolutely critical to ensure the safety and privacy of their children. Given the complex and dynamic nature of the modern school environment, it is counterproductive to create situations where a child's various caregivers are not all operating on the same page. To that end, this bill also prevents school districts from refusing to release sensitive and personal student records to the child's legal parent or guardian.

Finally, the bill recognizes every child's right to privacy by requiring school districts to adopt procedures addressing the physical safety and privacy of students in locker rooms and restrooms in public schools.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 106

HOUSE BILL NO. 106 by the House Rules Committee by request of the Governor, entitled:

"An Act authorizing lump sum payments for certain teachers as retention and recruitment incentives; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

The Governor's transmittal letter dated March 7 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill to provide an annual lump sum

payment for classroom teachers in Alaska for a period of three years. This bill authorizes the Department of Education and Early Development (DEED) to make lump sum payments to teachers in the amount of \$5,000, \$10,000, or \$15,000, depending on the school district.

Education in Alaska is a matter of significant government concern. Competition for quality teachers is a nationwide issue and multiple jurisdictions have adopted legislation to incentivize teacher recruitment. Attracting and retaining top quality educators to the state is absolutely vital to fulfilling Alaska's obligation to provide a useful education to our children. However, due to the uniqueness of Alaska's geography and the remoteness of some of our schools, we are experiencing a crisis in recruiting and retaining the best teachers for our children. This bill establishes a pilot program designed to improve teacher recruitment and retention by incentivizing teachers to accept positions in Alaska, including the most remote parts of Alaska, with a particular emphasis on rural schools that have struggled to keep pace with their peers.

Under the terms of the bill, certificated full-time teachers assigned to a classroom teaching assignment receive a lump sum payment on, or around, July 1, 2024, July 1, 2025, and July 1, 2026. The bill limits the payment to full-time teachers and specifically excludes temporary, substitute, or assistant teachers. In order to be eligible for the lump sum payment, a teacher must occupy a teaching position for the entirety of the school term for the school year immediately preceding the date of payment. The purpose of the bill is to provide a post-school year payment to encourage teachers to remain in Alaska for the entirety of the school year, thereby promoting continuity for Alaska's students and maximizing education outcomes. The payment of the lump sum is contingent on appropriation.

The bill identifies pay tiers for each school district individually in the amount of \$5,000, \$10,000, or \$15,000. The highest tier payments are directed to our remote and rural schools, which have most significantly struggled with producing quality education outcomes. This category recognizes the realities faced by remote and rural school districts in hiring and keeping educators.

The \$10,000 tier is targeted towards our rural schools that, despite their remoteness, are sufficiently linked to Alaska's urban network to allow for more regular access to goods and services.

The smallest tier is focused on incentivizing teachers in Alaska's most urbanized areas. While no portion of Alaska can be considered "urbanized" in comparison to the mega-cities of the contiguous United States, the \$5,000 tier recognizes that our urban public school system should not cannibalize resources for our rural areas, while still providing a significant incentive to teach in Alaska's cities and major population boroughs.

Under this bill, teachers are required to submit an application to be eligible for payment and school districts are responsible for certifying the applications. The bill also makes all lump sum payments compensation for the purposes of the Teachers' Retirement System. This bill supports Alaska's educators who sacrifice so much to provide our children with the best possible education.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

Representative Saddler moved and asked unanimous consent that the House approve the citations on the calendar.

Representative Eastman objected and moved and asked unanimous consent to divide the question to consider separately the citation, In Memoriam - Michael J. Motti. There being no objection, the citations were divided.

The question being: "Shall the House approve the citation, In Memoriam - Michael J. Motti?" The roll was taken with the following result:

In Memoriam - Michael J. Motti
Approve Citation(s) on Calendar

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

Yeas: Allard, Armstrong, Carrick, Coulombe, Cronk, Dibert, Edgmon, Fields, Foster, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Patkotak, Prax, Rauscher, Ruffridge, Saddler, Schrage, Shaw, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Nays: Eastman

Excused: Carpenter

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

In Memoriam - Michael J. Motti
By Representative Himschoot; Senator Stedman

Representative Saddler moved and asked unanimous consent that the House approve the remaining citations on the calendar.

There was objection.

The question being: "Shall the House approve the remaining citations on the calendar?" The roll was taken with the following result:

Approve Remaining Citation(s) on Calendar

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

Yeas: Allard, Armstrong, Carrick, Coulombe, Cronk, Dibert, Eastman, Edgmon, Fields, Foster, Galvin, Gray, Groh, Hannan, Himschoot, C.Johnson, D.Johnson, Josephson, McCabe, McCormick, McKay, Mears, Mina, Ortiz, Patkotak, Prax, Rauscher, Ruffridge, Saddler, Schrage, Shaw, Stapp, Story, Stutes, Sumner, Tilton, Tomaszewski, Vance, Wright

Excused: Carpenter

And so, the following citations were approved and sent to enrolling:

Honoring - 2023 Nominees to US Military Academies - Diamond, Eagle River, and Grace Christian High Schools
By Representatives Groh, Wright, Shaw

Honoring - Trident Seafoods Fiftieth Anniversary
By Senator Stevens; Representative Stutes

In Memoriam - Leandra Scalph
By Senator Wielechowski; Representative Wright

UNFINISHED BUSINESS

Representative Saddler 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 Foster – from 7:30 p.m., March 9 to 9:30 p.m., March 12

Representative Tomaszewski – from 1:00 p.m., March 10 to 9:30 p.m., March 11

Representative Gray – from 4:00 p.m., March 10 to 8:00 a.m., March 13

Representative Hannan – from 5:30 p.m., March 10 to 11:00 a.m., March 13

Representative Dibert – from 2:00 p.m., March 10 to 10:00 p.m., March 12

HJR 9

Representatives Sumner and Wright removed and Representatives Dibert and Fields added as cosponsors to:

HOUSE JOINT RESOLUTION NO. 9

Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund and to appropriations from the Alaska permanent fund.

HB 17

Representative Foster added as a cosponsor to:

HOUSE BILL NO. 17

"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."

HB 28

Representatives Coulombe, Dibert, and McCormick added as cosponsors to:

HOUSE BILL NO. 28

"An Act restricting the release of certain records of convictions; and providing for an effective date."

HB 38

Representative Sumner added as a cosponsor to:

HOUSE BILL NO. 38

"An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; and providing for an effective date."

HB 56

Representatives McCormick, Himschoot, and Stutes added as cosponsors to:

HOUSE BILL NO. 56

"An Act exempting controlled substances prescribed or dispensed by a veterinarian to treat an animal from the requirements of the controlled substance prescription database."

HB 65

Representative Mina added as a cosponsor to:

HOUSE BILL NO. 65

"An Act relating to education; increasing the base student allocation; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Saddler moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 10. There being no objection, the House adjourned at 12:04 p.m.

Crystaline Jones
Chief Clerk