

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

April 24, 2023

Ninety-eighth Day

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

Roll call showed 38 members present. Representatives Patkotak and Sumner had been excused from a call of the House today.

The invocation was offered by the Chaplain, Reverend Caroline Malseed of St. Brendan's Episcopal 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:

Blessed Creator, who brought the land and peoples of the State of Alaska into being, we ask you to endow this House of Representatives with the spirit of justice and respect for all creation. Give them wisdom to create laws that will benefit all who live here. Guide them so that only truth will be spoken and only truth will be heard. Grant them patience and understanding in their listening and in their speaking. Help them to seek the good in all that they undertake, and to remember their responsibility to lead courageously and with integrity. All these things we ask you in every name by which you are known to us. Amen.

The Pledge of Allegiance was led by Representative Wright.

CERTIFICATION OF THE JOURNAL

Representative Saddler moved and asked unanimous consent that the journal for the 94th, 95th, 96th, and 97th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

The following were received:

Dept. of Administration

Monetary Terms of Agreement

Between the State and the Public Safety Employees Association representing members of the Department of Transportation and Public Facilities

April 18, 2023

(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

Dept. of Commerce, Community, & Economic Development

Division of Community & Regional Affairs

AmeriCorps

ServeAlaska

2022 Annual Report

REPORTS OF STANDING COMMITTEES

The State Affairs Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Jason Brune

as Lieutenant Governor Successor.

Daniel Carothers

Stephen Dutra

Rebecca Hamon

as members of the Alaska Police Standards Council.

The report was signed by Representative Shaw, Chair; and Representatives Armstrong, C. Johnson, Allard, Story, and Wright.

HB 28

The Judiciary Committee considered:

HOUSE BILL NO. 28

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 28(JUD)
(same title)

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

Do pass (2): C. Johnson, Gray

No recommendation (2): Carpenter, Vance

Amend (2): Groh, Eastman

The following fiscal note(s) apply to CSHB 28(JUD):

1. Zero, Alaska Judiciary System
2. Fiscal, Dept. of Public Safety

HB 28 was referred to the Finance Committee.

HB 124

The Transportation Committee considered:

HOUSE BILL NO. 124

"An Act relating to commercial motor vehicle drivers' license requirements; and providing for an effective date."

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

Do pass (5): C. Johnson, McKay, Vance, Mina, McCabe

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 124 was referred to the Labor & Commerce Committee.

SB 38

The State Affairs Committee considered:

SENATE BILL NO. 38

"An Act establishing the crime of interference with emergency communications."

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

Do pass (6): Armstrong, Story, Allard, C. Johnson, Wright, Shaw

The following fiscal note(s) apply:

3. Zero, Dept. of Corrections
4. Zero, Dept. of Law
5. Zero, Dept. of Public Safety
6. Zero, Dept. of Administration
7. Zero, Dept. of Administration

SB 38 was referred to the Rules Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Ted Wilson

By Representatives Story, Hannan; Senator Kiehl

Honoring - Dr. John H. Eiler

By Representatives Story, Hannan; Senator Kiehl

Honoring - Wayne Stevens

By Representatives Story, Hannan; Senator Kiehl

Honoring - Austin Quinn-Davidson

By Representative Armstrong; Senators Dunbar, Claman

Honoring - American Legion Auxiliary, Jack Henry Unit 1

By Representatives Stutes, Josephson; Senator Tobin

Honoring - Diane Susan Kaplan

By Senators Tobin, Claman; Representative Armstrong

Honoring - Duke Russell

By Senators Tobin, Gray-Jackson; Representative Galvin

Honoring - Linda Combs

By Senator Hughes; Representative D. Johnson

In Memoriam - Jerome "Jerry" Vonnahme

By Representative Carrick

In Memoriam - Bruce Earl James

By Representative Carrick

In Memoriam - Reynaldo Rafanan Caparas

By Representatives Story, Hannan; Senator Kiehl

In Memoriam - David Wayne Schade

By Representative Allard

In Memoriam - James "Jim" W. Watts

By Representative Allard

In Memoriam - Marta Agramonte

By Representative Allard

In Memoriam - Verner Stor Wilson III

By Representative Edgmon; Senators Hoffman, Dunbar

In Memoriam - Margaret Spils
By Representative Josephson

In Memoriam - Victor "Vic" Van Ballenberghe
By Representative Josephson

In Memoriam - Francis Xavier Nolan, Jr.
By Representative Josephson; Senator Gray-Jackson

In Memoriam - William E. Fread
By Senator Hughes

In Memoriam - Darlene Bess
By Senator Hughes; Representative D. Johnson

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

HB 168

HOUSE BILL NO. 168 by Representative Foster, entitled:

"An Act relating to alcohol; relating to local option elections; relating to the statewide database of alcohol purchases; relating to alcohol licenses, endorsements, and permits; relating to municipal regulation and taxation of alcoholic beverages; and providing for an effective date."

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

HB 169

HOUSE BILL NO. 169 by Representative Cronk, entitled:

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

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

HB 170

HOUSE BILL NO. 170 by Representative Cronk, entitled:

"An Act relating to the misuse of an official position."

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

HB 171

HOUSE BILL NO. 171 by the House Rules Committee by request of the Governor, entitled:

"An Act establishing the Alaska opioid settlement investment fund; establishing the Alaska opioid remediation fund; and providing for an effective date."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated April 20 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill to establish two new state funds for the purpose of combating opioid addiction in the state. This bill creates the Opioid Settlement Investment Fund (OSIF) and the Opioid Remediation Fund (ORF) authorizing the state to invest and expend money related to the various settlement agreements entered into by the state and the commercial manufacturers and distributors of opioids.

Opioid overdose deaths have risen steadily in Alaska and the United States since 2010. Increased provider prescriptions of medications like oxycodone and hydrocodone have led to widespread misuse of both prescription and non-prescription opioids. This rise in prescriptions was fueled, in part, by aggressive marketing pushes from pharmaceutical companies seeking to profit on the over-prescription of

opioid medications. As a result of these pharmaceutical industry practices, Alaska joined in litigation with other states against the manufactures of high-risk medications. In February 2022, the states and distributors finalized the first series of settlement agreements that will result in Alaska receiving approximately \$58.5 million over the next 18 years. Pursuant to the terms of the settlement, this money can only be spent on opioid remediation efforts.

This bill establishes the OSIF outside the general fund as a separate investment fund of the state. The goal of the OSIF is to allow the state to accumulate and leverage the money received from the current and anticipated opioid settlement agreements to provide a sustainable, long-term solution to the opioid epidemic in the state. Under the terms of the bill, the Department of Revenue will invest the amounts received from the settlement agreements with a goal of growing the fund, while still allowing for an annual appropriation from the fund for the purposes of remediating opioid addiction in the state. This is accomplished through a percent-of-market-value approach to ensure that future generations of Alaskans will have the support and assistance they need to combat and recover from opioid addiction.

The bill also creates the ORF as a special fund of the state. The purpose of the ORF is to serve as a target for the proceeds of the OSIF. The ORF authorizes the Department of Health to expend money in the fund without further legislative appropriation for the purpose of supporting opioid addiction treatment, recovery, remediation, and education. The establishment of the ORF will facilitate compliance with the various opioid settlement agreements by empowering the Department of Health (DOH) to spend the funds generated by the OSIF with the necessary flexibility to address opioid addiction quickly and accurately in the state. The ORF will primarily be comprised of money appropriated to it by the legislature from the OSIF. By providing DOH with the ability to spend directly from the ORF, we can ensure that critical services reach Alaskans in a timely manner.

Opioid addiction is a generational problem. Through the use of this legislation, we are empowering ourselves, our children, and our grandchildren for success in remediating opioid addiction in the state. Providing sustainable, long-term funding that is insulated from certain political machinations – a requirement of the current settlement

agreements – will ensure the money received by the state from the opioid settlement agreements is properly used for the benefit for all Alaskans, present and future.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 172

HOUSE BILL NO. 172 by Representative Mears, entitled:

"An Act extending the termination date of the State Medical Board; and providing for an effective date."

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

HB 173

HOUSE BILL NO. 173 by Representative McCabe, entitled:

"An Act relating to public construction contracts; and providing for an effective date."

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

HB 174

HOUSE BILL NO. 174 by Representative McCabe, entitled:

"An Act restricting fiduciary actions by a fiduciary of a state fund, the Alaska Retirement Management Board, and the Alaska Permanent Fund Corporation Board that have the purpose of furthering social, political, or ideological interests."

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

HB 175

HOUSE BILL NO. 175 by Representative Allard, entitled:

"An Act relating to midwives and the practice of midwifery; relating to apprentice midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of Licensed Midwives; relating to the Board of Licensed Midwives; extending the termination date of the Board of Licensed Midwives; relating to insurance; and providing for an effective date."

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

HB 176

HOUSE BILL NO. 176 by Representatives Hannan and Galvin, entitled:

"An Act relating to tobacco, tobacco products, electronic smoking products, nicotine, and products containing nicotine; raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products and vapor products; and providing for an effective date."

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

HB 177

HOUSE BILL NO. 177 by Representatives Saddler and Fields, entitled:

"An Act relating to critical and essential minerals and the global energy transition."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 60**

The following was read the second time:

HOUSE BILL NO. 60

"An Act relating to the licensing of runaway shelters; relating to advisors to the board of trustees of the Alaska Mental Health Trust Authority; relating to the sharing of confidential health information between the Department of Health and the Department of Family and Community Services; relating to the duties of the Department of Health and the Department of Family and Community Services; and providing for an effective date."

with the:	Journal Page
HSS RPT CS(HSS) 1DP 5NR	477
FN1: ZERO(DFC)	477
FN2: ZERO(DOH)	477
L&C RPT CS(HSS) 2DP 3NR	743
FN1: ZERO(DFC)	743
FN2: ZERO(DOH)	743

Representative Saddler moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 60(HSS)
(same title)

Representative Eastman objected and withdrew the objection. There being no further objection, CSHB 60(HSS) was adopted.

Amendment No. 1 was offered by Representative Vance:

Page 5, line 25, following "Services":

Insert "or law enforcement"

Page 5, line 28, following "AS 47.17.290":

Insert ", or of human trafficking or sex trafficking"

Page 5, line 30, following "neglect":

Insert "or of human trafficking or sex trafficking"

Page 6, line 5:

Delete "and"

Insert "[AND]"

Page 6, line 13, following "older":

Insert "**; and**

(7) provide an explanation and materials to a minor who seeks assistance from the program on the signs and risks of human trafficking and sex trafficking and the services available to victims of human trafficking and sex trafficking"

Page 6, following line 13:

Insert a new bill section to read:

"* **Sec. 9.** AS 47.10.310 is amended by adding a new subsection to read:

(f) In this section,

(1) "human trafficking" means an act in violation of AS 11.41.360 or 11.41.365;

(2) "sex trafficking" means an act in violation of AS 11.66.110 - 11.66.135."

Renumber the following bill sections accordingly.

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

Representative Fields objected and withdrew the objection.

Representative Hannan objected.

Amendment No. 1 to Amendment No. 1 was offered by Representative Hannan:

Page 1, line 2 of the amendment:

Delete "**or**"

Insert "**and if applicable**"

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

Representative Eastman objected and withdrew the objection. There being no further objection, Amendment No. 1 to Amendment No. 1 was adopted.

Representative Hannan withdrew the objection. There being no further objection, Amendment No. 1 as amended was adopted.

Representative Saddler moved and asked unanimous consent that CSHB 60(HSS) am be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 60(HSS) am will advance to third reading on the April 26 calendar.

THIRD READING OF HOUSE BILLS

HB 75

The Speaker stated that, without objection, the following, which was held from the April 20 calendar (page 806), would be held to the April 26 calendar:

CS FOR HOUSE BILL NO. 75(L&C)

"An Act relating to coverage for additional insureds under owner and contractor controlled insurance programs; and providing for an effective date."

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 and take up the citation, Honoring – Suzanne LaFrance last. There being no objection, the question was divided and the remaining citations were approved and sent to enrolling:

Honoring – Mike Huisingh

By Representative Rauscher; Senator Shower

Honoring – Elizabeth Kvamme

By Representative Ruffridge; Senator Bjorkman

In Memoriam – Thomas C. Gregori
By Senator Merrick; Representative Saddler

The question being: "Shall the House approve the citation, Honoring – Suzanne LaFrance?" The roll was taken with the following result:

Honoring - Suzanne LaFrance
Approve Citation(s) on Calendar

YEAS: 28 NAYS: 10 EXCUSED: 2 ABSENT: 0

Yeas: Armstrong, Carpenter, Carrick, Cronk, Dibert, Edgmon, Fields, Foster, Galvin, Gray, Groh, Hannan, Himschoot, D.Johnson, Josephson, McCormick, Mears, Mina, Ortiz, Prax, Ruffridge, Schrage, Stapp, Story, Stutes, Tilton, Vance, Wright

Nays: Allard, Coulombe, Eastman, C.Johnson, McCabe, McKay, Rauscher, Saddler, Shaw, Tomaszewski

Excused: Patkotak, Sumner

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

Honoring – Suzanne LaFrance
By Representatives Schrage, Fields; Senator Dunbar

UNFINISHED BUSINESS

HB 81

The Speaker added a Finance Committee referral for the following:

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."

HB 81 was referred to the Finance Committee.

HB 80

The Speaker removed the State Affairs Committee referral for the following:

HOUSE BILL NO. 80

"An Act relating to competency to stand trial; relating to commitment based on a finding of incompetency; relating to

administration of psychotropic medication; and relating to victims' rights during certain civil commitment proceedings."

HB 80 is in the Health & Social Services Committee with further referral to the Judiciary Committee.

HB 61

Representative McCormick added as a cosponsor to:

HOUSE BILL NO. 61

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

HB 80

Representative McCormick added as a cosponsor to:

HOUSE BILL NO. 80

"An Act relating to competency to stand trial; relating to commitment based on a finding of incompetency; relating to administration of psychotropic medication; and relating to victims' rights during certain civil commitment proceedings."

HB 93

Representative Prax added as a cosponsor to:

HOUSE BILL NO. 93

"An Act relating to a lumber grading training program and lumber grading certificates; relating to use of lumber graded and certified by a person holding a lumber grading training program certificate; and providing for an effective date."

HB 124

Representatives McCabe and Vance added as cosponsors to:

HOUSE BILL NO. 124

"An Act relating to commercial motor vehicle drivers' license requirements; and providing for an effective date."

HB 144

Representative Prax added as a cosponsor to:

HOUSE BILL NO. 144

"An Act relating to education tax credits; and providing for an effective date by repealing the effective date of secs. 1, 2, and 21, ch. 61, SLA 2014."

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Saddler moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 26. There being no objection, the House adjourned at 12:08 p.m.

Crystalline Jones
Chief Clerk