

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
SECOND SESSION

Juneau, Alaska

Thursday

January 18, 2024

Third Day

Pursuant to adjournment the House was called to order by Speaker Tilton at 11:06 a.m.

Roll call showed 40 members present.

The invocation was offered by the Chaplain, Pastor Tari Stage-Harvey of Shepherd of the Valley 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.

Etched in a cellar wall in Cologne, Germany written by a person hiding from the Nazis:

*I believe in the sun even when it is not shining.
I believe in love even when feeling it not.
I believe in God even when God is silent.*

As we gather in this land that knows brilliant light and overwhelming darkness, ground us in belief. Open us to trust love even when we cannot see or feel it.

Keep us from making idols that promise false security and supremacy, but focus our eyes on the treasures of justice, grace, and peace.

Compel us to care for generations to come. Surprise us with joy in the midst of the mundane, abundance in the midst of scarcity.

Give us courage when our patience wears thin with the world so we may dream of a community that may be.

Help us to tell the stories of our lives in such a way that they weave into the story of your eternal love.

Guide us into believing, into hoping, into loving so we may have the strength to see through the present day into a brighter future. Amen.

The Pledge of Allegiance was led by Representative Hannan.

CERTIFICATION OF THE JOURNAL

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

MESSAGES FROM THE GOVERNOR

A letter dated January 17 was read stating that, in accordance with AS 14.40.150 and art. VII, sec. 3, Constitution of the State of Alaska, the Governor submits the following names for legislative confirmation of appointment to the positions noted.

The Speaker referred the following to the Education Committee:

University of Alaska Board of Regents

Seth Church – Fairbanks

Appointed: 6/22/2023

Term Expires: 2/4/2027

Stephen Colligan – Wasilla

Appointed: 9/5/2023

Term Expires: 2/6/2031

Resumes for the appointments are on file in the Chief Clerk's office.

COMMUNICATIONS

The following were received:

Dept. of Commerce, Community, & Economic Development
Division of Community & Regional Affairs
2023 Alaska Taxable Report
(as required by AS 14.17.510)

Alaska Court System
FY 2023 Annual Report
<https://courts.alaska.gov/admin/index.htm#annualrep>
(as required by AS 22.20.310)

Dept. of Education & Early Development
Alaska's Public Schools: A Report Card to the Public
January 12, 2024
<https://education.alaska.gov/compass/report-card>
(as required by 14.03.120)

Dept. of Health
Individuals with Developmental Disabilities
Registration and Review Report
Fiscal Year 2023
(as required by AS 47.80.130)

Dept. of Health
Annual Medicaid Reform Report: FY 2023
January 15, 2024
(as required by AS 47.05.270)

Dept. of Law
Federal Laws and Litigation Report
January 15, 2024
(as required by AS 44.23.020)

Dept. of Natural Resources
Division of Mining, Land and Water
2024 Reports to the Alaska Legislature on:
Identified RS 2477 Rights-of-Way

Availability of the Annual Mining Report
Status of the Land Disposal Income Fund
Status of Land in the Land Disposal Bank
Water Removals and Exports
Notification of Interim Classifications (Closing Land to Mineral Entry)
Cooperative Resource Management or Development Agreements
Efforts to Maintain or Enhance Access to and along Fishing Streams
Aquatic Farm Leasing Program
Carbon Management Purpose Leasing
January 2024
(as required by AS 19.30.400, 27.05.060, 38.04.022, 38.04.020, 46.15.020, 38.05.300, 38.05.027, 38.04.205, 38.05.035, and 35.05.081 respectively)

Dept. of Natural Resources
Division of Parks and Outdoor Recreation
Incompatible Use in a Park, Area, or Preserve
Disabled Veteran Campsite Permit Report
January 18, 2024
(as required by AS 41.21.020 and AS 41.21.026)

Dept. of Revenue
Alaska ABLE Annual Report
January 16, 2024
(as required by AS 06.65.350)

Dept. of Revenue
Alaska Marine Highway System Fund
Alaska Marine Highway Vessel Replacement Fund
Investment Earnings Reports
January 16, 2024
(as required by AS 19.65.070 and 37.05.550)

The following audit reports were received from the Division of Legislative Audit, Legislative Budget & Audit Committee, as required by AS 24.20.311:

Annual Report 2023, Unabridged
Annual Report 2023, Condensed

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Dept. of Commerce, Community, & Economic Development
Board of Massage Therapists
Sunset Review
August 14, 2023

Dept. of Commerce, Community, & Economic Development
Marijuana Control Board
Sunset Review
October 30, 2023

Dept. of Family and Community Services
Office of Children's Services
Compliance with Foster Care Reform Laws, Part 2
Special Review
November 21, 2023

Dept. of Health
Alaska Commission on Aging
Sunset Review
October 6, 2023

Dept. of Labor & Workforce Development
Technical Vocational Education Program
Special Review
October 10, 2023

REPORTS OF STANDING COMMITTEES

HB 4

The Judiciary Committee considered:

HOUSE BILL NO. 4
"An Act relating to elections."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 4(JUD)
(same title)

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

Do pass (4): Eastman, Allard, Carpenter, Vance

Do not pass (2): Gray, Groh

No recommendation (1): C. Johnson

The following fiscal note(s) apply to CSHB 4(JUD):

2. Zero, House Judiciary Committee

HB 4 was referred to the Finance Committee.

HB 129

The Judiciary Committee considered:

HOUSE BILL NO. 129

"An Act relating to voter registration; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 129(JUD)
(same title)

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

Do pass (4): C. Johnson, Carpenter, Allard, Vance

No recommendation (2): Gray, Groh

Amend (1): Eastman

The following fiscal note(s) apply to CSHB 129(JUD):

2. Zero, Office of the Governor

HB 129 was referred to the Rules Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 7**

HOUSE CONCURRENT RESOLUTION NO. 7 by Representative
Sumner:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 93, relating to claims for injury, disability, or heart attack payable from the fishermen's fund; relating to claims against protection and indemnity insurance policies of vessel owners; and relating to the definition of "occupational disease".

was read the first time.

HJR 17

HOUSE JOINT RESOLUTION NO. 17 by Representatives
McCormick, Himschoot, and Fields:

Urging the United States Congress to pass the Truth and Healing Commission on Indian Boarding School Policies Act.

was read the first time and referred to the House Special Committee on Tribal Affairs.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 272**

HOUSE BILL NO. 272 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to big game hunts for persons with physical disabilities; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game

The Governor's transmittal letter dated January 16 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to big game hunts for persons with physical disabilities.

This bill would authorize the Board of Game to establish annual big game hunting seasons in appropriate areas of the State for persons with physical disabilities. Under existing law, a "person with physical disabilities" is one who provides documentation to the Department of Fish and Game that he or she receives at least 70 percent disability compensation from a government entity or an affidavit from an Alaska licensed physician that he or she is at least 70 percent physically disabled. A physically disabled person participating in a hunt authorized by the bill would be required to be accompanied by a licensed hunter capable of retrieving game.

In 2001, to encourage adults to take children hunting, the "Take-A-Child-Hunting" bill was enacted to allow the Board of Game to establish annual hunting seasons for children accompanied by family members to participate in big game hunts. This bill would create a similar opportunity for persons with physical disabilities to participate in big game hunts.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 273

HOUSE BILL NO. 273 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the power of the Alaska Housing Finance Corporation to make or purchase mortgage loans."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

The Governor's transmittal letter dated January 16, follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to the power of the Alaska Housing Finance Corporation (Corporation) to make or purchase mortgage loans for single family residences. This bill will provide Alaskans with greater access to quality housing by removing current restrictions on the Corporation's power to make, purchase, and participate in the purchase of first and second mortgage loans for single family residences.

The Corporation's primary business is to provide home loans to Alaskans. In making or purchasing these loans, the Corporation competes with government sponsored entities, including the Federal National Mortgage Association (Fannie Mae) which can offer home loans with down payments as low as three percent. However, many families in Alaska cannot qualify for a loan from a government sponsored entity and existing statutory restrictions prohibit the Corporation from purchasing or making a first mortgage loan that has a loan-to-value ratio that exceeds 95 percent. Removal of this limitation will allow the Corporation to modify its residential lending programs to provide additional loan opportunities for these families.

The bill would also simplify the Corporation's ability to make or purchase second mortgages by removing duplicative language regarding loan-to-value calculations and limits tied to loans purchased by Fannie Mae for similar housing. If the bill passes, simplified statutory language would prohibit the Corporation from making, purchasing, or participating in the purchase of a second mortgage on a single-family residence that, when combined with the principal balance of a first mortgage loan on the property, has a loan-to-value-ratio that exceeds 90 percent.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 274

HOUSE BILL NO. 274 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to screening reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three."

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 January 16 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to screening reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three.

This bill would make two amendments to the Alaska Reads Act (Chapter 40, SLA 2022 (HB 114)) designed to assist school districts with implementation of literacy screening assessments and scheduling of non-progression meetings with parents. The first change would align the Act's literacy screening requirements with best practices by requiring administration of the assessment three times a year for all students in grades kindergarten through three. The second change adjusts the statutory timeline for administration of the spring literacy screener to accommodate school district calendars by adjusting the

time period during which the spring assessment and parent meeting are scheduled.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 275

HOUSE BILL NO. 275 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to sexual assault examination kits; establishing the sexual assault examination kit tracking system; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Public Safety

The Governor's transmittal letter dated January 16 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill to establish timelines for submitting sexual assault examination kits to the lab for testing and to establish a sexual assault examination kit tracking system. The amendments in this bill will assist in the timely transmission and testing of sexual assault examination kits, as well as assist victims in tracking the kits associated with their cases.

When a sexual assault examination kit is used to collect evidence, it is the responsibility of law enforcement to submit that kit to the lab for testing. This means that if a health care provider uses a sexual assault

examination kit to collect evidence, law enforcement is responsible for picking up the kit from the health care provider and submitting it to the lab. Current law contains timelines for law enforcement agencies to submit sexual assault examination kits to the lab for testing; however, the law does not include timelines for the health care providers who collect evidence using the kits to notify law enforcement that the kits are available for pickup.

Therefore, this legislation requires health care providers to notify law enforcement that a kit is available for pickup within seven days of using the kit to collect evidence. Adding this timeline for health care providers will help ensure that sexual assault examination kits do not sit awaiting pickup and submission longer than necessary. This will, in turn, help ensure that sexual assault examination kits are processed in a timelier manner as intended by the underlying statute.

Additionally, this legislation establishes a sexual assault examination kit tracking system. The tracking system will be used throughout the collection and testing process. Health care providers and law enforcement will be able to upload information about when a kit was collected and sent to the lab. The lab will also be able to update the information as the kit is processed for testing. Victims will have the ability to log into the system and see where the kit associated with their case is in the process. They may even elect to receive automated notifications as the kit moves through the process. Requiring the use of the sexual assault examination kit tracking system at every phase of the process will go a long way towards helping victims stay informed.

These changes will help ensure timely processing of important evidence and will help increase transparency and accountability as sexual assault examination kits moves through the process. This is the least we can do for the victims of these horrendous crimes.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 276

HOUSE BILL NO. 276 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to temporarily reduced royalty on oil and gas from pools without previous commercial sales in the Cook Inlet sedimentary basin; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Natural Resources

The Governor's transmittal letter dated January 16 follows:

"Dear Speaker Tilton:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to temporarily reduced royalty on oil and gas from pools with no previous commercial sales in the Cook Inlet sedimentary basin.

This bill is a key component of the State's efforts to incentivize and develop critical energy resources in the Cook Inlet. To meet the needs of the current environment, the bill modernizes a long-standing royalty reduction statute. The bill provides a royalty rate of five percent for oil or gas pools in the Cook Inlet sedimentary basin that have not previously produced oil or gas for commercial sale. The proposed statutory changes, similar to the existing framework, would apply to existing leases and future leases provided that the oil or gas pool has not previously produced for commercial sales and the lease is part of a unit. The payment of royalty on oil or gas at five percent under the bill would apply for 10 years following the commercial sale of that production.

The reduced royalty rate of five percent in the bill would not apply to leases that already have a royalty rate of five percent or less due to other incentives. The bill would not apply to leases issued with only net profit shares and no royalty rate.

This bill has an immediate effective date to allow the Department of Natural Resources to implement these incentives as soon as possible. This bill is part of my broader strategy for Cook Inlet and attracting investment to Alaska.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor"

HB 277

HOUSE BILL NO. 277 by the House Special Committee on Ways and Means, entitled:

"An Act relating to occupational licensing; and providing for an effective date."

was read the first time and referred to the House Special Committee on Ways & Means and the Labor & Commerce and Finance Committees.

HB 278

HOUSE BILL NO. 278 by the House Special Committee on Ways and Means, entitled:

"An Act establishing the administrative regulation review division."

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

HB 279

HOUSE BILL NO. 279 by Representative Cronk, entitled:

"An Act relating to the Local Boundary Commission; and providing for an effective date."

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

HB 280

HOUSE BILL NO. 280 by Representative Prax, entitled:

"An Act relating to education; relating to local contributions of a city or borough school district; relating to school funding; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**LEGISLATIVE CITATIONS**

Representative Saddler 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 - Patricia Belle "Pat" Branson
By Senator Stevens, Kiehl; Representative Stutes

Honoring - 2024 Alaska Business Hall of Fame
By Senator Kaufman; Representatives Schrage, Coulombe

UNFINISHED BUSINESS**HB 267**

The Speaker removed a Finance Committee referral for the following:

HOUSE BILL NO. 267

"An Act relating to property exempt from municipal taxation."

HB 267 is in the Community & Regional Affairs Committee.

Representative Himschoot moved and asked unanimous consent that the House invite the other body to a joint session on January 18, 2024, at 2:00 p.m. to consider the override of the Governor's vetoes to funding for K-12 education.

There was objection.

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The Speaker stated that, without objection, the House would recess to 1:00 p.m.; and so, the House recessed at 11:57 a.m.

AFTER RECESS

The Speaker called the House back to order at 4:07 p.m.

UNFINISHED BUSINESS

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

The Speaker, citing art. II, sec. 16, Constitution of the State of Alaska and Uniform Rule 51, announced the invitation of the Senate to meet in joint session at 8:00 p.m., January 18, 2024, for the purpose of considering the Governor's vetoes.

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

The Speaker stated that, without objection, the House would advance to Unfinished Business.

The Speaker stated that, without objection, the House would recess to 8:00 p.m.; and so, the House recessed at 4:09 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:02 p.m.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE

A message dated January 18 was read stating the Senate accepted the invitation to meet in joint session in the House chamber at 8:00 p.m., on January 18, 2024 to consider the Governor's vetoes.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Tilton turned the gavel over to President Stevens who called the joint session to order at 8:09 p.m.

The purpose of the joint session was to consider the Governor's line item vetoes of the following bill:

HB 39-APPROP: OPERATING BUDGET; CAP; SUPP

Roll call of the Senate showed 19 members present.

Roll call of the House showed 40 members present.

HB 39

Senator Giessel moved that the line item on page 148, line 3 of the following become law notwithstanding the Governor's veto:

SENATE CS FOR CS FOR HOUSE BILL NO. 39(FIN) am S

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; repealing appropriations; amending appropriations; making capital appropriations, supplemental appropriations, and reappropriations; and providing for an effective date."

The question being: "Shall the line item on page 148, line 3 of SCS CSHB 39(FIN) am S become law notwithstanding the Governor's veto?" The roll of the House was taken with the following result:

HOUSE

SCS CSHB 39(FIN) am S

Override Line Item Veto

Page 148, line 3

YEAS: 19 NAYS: 21 EXCUSED: 0 ABSENT: 0

Yeas: Armstrong, Carrick, Dibert, Edgmon, Fields, Foster, Galvin, Gray, Groh, Hannan, Himschoot, Josephson, McCormick, Mears, Mina, Ortiz, Schrage, Story, Stutes

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Nays: Allard, Baker, Carpenter, Coulombe, Cronk, Eastman, C.Johnson, D.Johnson, McCabe, McKay, Prax, Rauscher, Ruffridge, Saddler, Shaw, Stapp, Sumner, Tilton, Tomaszewski, Vance, Wright

The roll of the Senate was taken with the following result:

SENATE

SCS CSHB 39(FIN) am S

Override Line Item Veto

Page 148, line 3

YEAS: 14 NAYS: 5 EXCUSED: 1 ABSENT: 0

Yeas: Bishop, Claman, Dunbar, Giessel, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Merrick, Olson, Stedman, Stevens, Tobin, Wielechowski

Nays: Bjorkman, Hughes, Kaufman, Myers, Wilson

Excused: Shower

TOTALS: YEAS: 33 NAYS: 26 EXCUSED: 1 ABSENT: 0

And so, lacking the required 45 votes, the Governor's line item veto on page 148, line 3 was sustained.

Senator Giessel moved and asked unanimous consent that the joint session adjourn.

Representative Eastman objected.

The question being: "Shall the Joint Session adjourn?" The roll of the Senate was taken with the following result:

SENATE

Adjourn Joint Session?

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

Yeas: Bishop, Bjorkman, Claman, Dunbar, Giessel, Gray-Jackson, Hoffman, Hughes, Kaufman, Kawasaki, Kiehl, Merrick, Myers, Olson, Stedman, Stevens, Tobin, Wielechowski, Wilson

Excused: Shower

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The roll of the House was taken with the following result:

HOUSW

Adjourn

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

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

Nays: Eastman

TOTALS: YEAS: 58 NAYS: 1 EXCUSED: 1 ABSENT: 0

And so, the joint session adjourned at 8:17 p.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 8:19 p.m.

Representative McCabe placed a call of the House.

The call was satisfied.

UNFINISHED BUSINESS

HB 149

Representative Foster added as a cosponsor to:

HOUSE BILL NO. 149

"An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

HB 161

Representative Gray added as a cosponsor to:

HOUSE BILL NO. 161

"An Act relating to appropriations to the civil legal services fund."

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., January 22. There being no objection, the House adjourned at 8:26 p.m.

Crystalline Jones
Chief Clerk