

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

March 16, 2016

Fifty-eighth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 10:35 a.m.

Roll call showed 36 members present. Representatives Hawker and Kito had been excused from a call of the House today. Representative Pruitt was absent and his presence was noted later.

Representative Millett moved and asked unanimous consent that Representative Tarr be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, the Reverend Dr. Douglas Dye of Chapel by the Lake Presbyterian Church. Representative Wilson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O God, the Psalmist declares, "The earth is the Lord's, and everything in it, the world, and all who live in it." (Ps 24:1)

I thank you, loving and gracious Creator, for the extraordinary way you display your creative power and glory in creation. This great state of Alaska, which you have so generously placed us in, proclaims your goodness and presence. I thank you for this grand and glorious land. Its shimmering mountains and deep forests, its wind-swept islands and vast seas, its sprawling tundra landscapes – for all of it, O God, I praise you.

I also thank you for the people of this "last frontier". We live in isolated homesteads, villages, small towns, and cities. We are extraordinarily diverse and face challenges of all sorts. Help the people of our beloved Alaska to live in safe and prosperous communities.

Today, as the women and men of the House of Representatives gather to do the work of our state, help them to serve Alaska well. Remind them that they are stewards of an extraordinary place – beautiful and blessed beyond measure. Give them wisdom to govern well, grant them joy in their work, empower them to build in harmony a fair and just home for all Alaskans. And, O God, protect their health and well-being.

I pray these things in the name of my Lord, Jesus. Amen.

The Pledge of Allegiance was led by Representative Olson.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 56th and 57th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Johnson introduced Emilia and Cole Whitt, Guest Pages, from Anchorage.

Representative Wool introduced his daughters, Evelyn and Abby Wool, Guest Pages, from Fairbanks.

MESSAGES FROM THE GOVERNOR

SB 23

A message dated March 14, 2016, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 23(JUD)

"An Act relating to the practice of pharmacy; relating to the dispensing of opioid overdose drugs by a pharmacist; relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs; and providing for an effective date."

Chapter No. 2, SLA 2016

Effective Date: March 15, 2016

MESSAGES FROM THE SENATE**HB 12**

A message dated February 24, 2016, was read stating the Senate passed CSHB 12(L&C) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 12(L&C)

"An Act relating to mortgage lending, mortgage loan originators, and depository institutions; and providing for an effective date."

CSHB 12(L&C) is under Unfinished Business.

**The presence of Representative Pruitt was noted.

HB 75

A message dated February 24, 2016, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 75(JUD) am

"An Act relating to the registration of marijuana establishments by municipalities; relating to the definition of 'marijuana'; clarifying standards for personal use of marijuana by persons 21 years of age or older; prohibiting the public consumption of marijuana; authorizing the registration of marijuana clubs; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

2d SENATE CS FOR CS FOR HOUSE BILL NO. 75(RLS)

"An Act relating to background checks for persons applying to operate marijuana establishments; relating to possessing, using, displaying, purchasing, growing, processing, transporting, and transferring marijuana; relating to assisting another person 21 years of age or older in activities related to marijuana; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

(SCR 14 - title change resolution)

CSHB 75(JUD) is under Unfinished Business.

HB 256

A message dated March 14, 2016, was read stating the Senate passed CSHB 256(FIN) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 256(FIN)

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

CSHB 256(FIN) is under Unfinished Business.

HB 257

A message dated March 14, 2016, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 257(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; making supplemental appropriations; and providing for an effective date."

with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

(SCR 21 - title change resolution)

CSHB 257(FIN) is under Unfinished Business.

A message dated March 14, 2016, was read stating the Senate passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 21

SENATE CONCURRENT RESOLUTION NO. 21 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 257, making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and making supplemental appropriations.

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

COMMUNICATIONS

Letters of disclosure received from the Select Committee on Legislative Ethics, as required by AS 24.60, were published in House Journal Supplement No. 4 and House and Senate Joint Journal Supplement No. 15.

The following were received:

Alaska Court System
Appellate & Trial Courts
2015 Time-To-Disposition Reports
(as required by AS 22.20.310)

Alaska Court System
Travel for Justices, Judges, and Magistrate Judges and Affidavit
Information, 2015
(as required by AS 22.20.310)

Dept. of Revenue
Treasury Division
Annual Report on the Constitutional Budget Reserve Fund
March 15, 2016
(as required by AS 37.10.430)

State Commission for Human Rights
2015 Annual Report
(as required by AS 18.80.150)

REPORTS OF STANDING COMMITTEES

HCR 17

The Transportation Committee considered:

HOUSE CONCURRENT RESOLUTION NO. 17
Supporting the aviation industry; and urging the governor to make
state-owned land available to the unmanned aircraft systems
industry for the management and operation of unmanned aircraft
systems and related research, manufacturing, testing, and training.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(TRA)
(same title)

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

Do pass (5): Nageak, Stutes, Claman, Hughes, Foster

No recommendation (1): Ortiz

The following fiscal note(s) apply to CSHCR 17(TRA):

1. Zero, Legislative Agency

HCR 17 was referred to the Rules Committee for placement on the calendar.

HB 162

The State Affairs Committee considered:

HOUSE BILL NO. 162

"An Act relating to administrative revocation of a driver's license; and repealing Rule 603(a)(3), Alaska Rules of Appellate Procedure."

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

Do pass (3): Stutes, Keller, Lynn

No recommendation (4): Spohnholz, Talerico, Vazquez, Kreiss-Tomkins

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 162 was referred to the Judiciary Committee.

HB 260

The Health & Social Services Committee considered:

HOUSE BILL NO. 260

"An Act relating to the recovery of overpayments of day care assistance and child care grants; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 260(HSS)

"An Act relating to benefits for public assistance programs administered by the Department of Health and Social Services; and providing for an effective date."

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

Do pass (5): Vazquez, Stutes, Talerico, Foster, Seaton

No recommendation (1): Wool

The following fiscal note(s) apply to CSHB 260(HSS):

1. Zero, Dept. of Revenue
2. Fiscal, Dept. of Health & Social Services

HB 260 was referred to the Finance Committee.

HB 262

The Health & Social Services Committee considered:

HOUSE BILL NO. 262

"An Act relating to eligibility requirements of the Alaska senior benefits payment program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 262(HSS)
(same title)

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

Do pass (2): Vazquez, Seaton

No recommendation (4): Stutes, Talerico, Foster, Wool

The following fiscal note(s) apply to CSHB 262(HSS):

2. Fiscal, Dept. of Health & Social Services

HB 262 was referred to the Finance Committee.

HB 273

The State Affairs Committee considered:

HOUSE BILL NO. 273

"An Act relating to the transfer of the title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 273(STA)

"An Act relating to the transfer of the title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; allowing a person to act for the surviving spouse of a decedent to make a demand of the personal representative of the decedent's estate related to enforcing a liability against real property or an interest in real property transferred at death by a transfer on death deed; and providing for an effective date."

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

Do pass (7): Stutes, Spohnholz, Keller, Talerico, Kreiss-Tomkins, Vazquez, Lynn

The following fiscal note(s) apply to CSHB 273(STA):

1. Zero, Dept. of Administration

HB 273 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam - Lois Feaster

By Senators Stoltze, Huggins, Dunleavy; Representatives Tilton, Hughes, Gattis, Keller, Neuman, Colver

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

Honoring - Janette Bower

By Representatives Hughes, Colver, Gattis, Keller, Neuman, Tilton;
Senators Stoltze, Dunleavy, Huggins

Honoring - Charles "Bud" Cassidy, Upon His Retirement as Manager,
Kodiak Island Borough

By Senator Stevens; Representative Stutes

Honoring - Spenard JazzFest

By Senator Gardner; Representative Drummond

Honoring - American Legion Auxiliary Alaska Girls State

By Senator Gardner; Representative Drummond

Honoring - Alaska Department of Fish and Game, Hunter Information
and Training (HIT) Program

By Senator Gardner

Honoring - The Alaska State School for the Deaf and Hard of Hearing

By Senator Gardner

In Memoriam - Layton Bennett

By Representative Kito; Senator Egan

In Memoriam - Michael Arnold Carson

By Representatives Gattis, Colver, Hughes, Keller, Neuman, Tilton;
Senators Huggins, Stoltze, Dunleavy

In Memoriam - Elizabeth Anne Newman

By Senator Gardner; Representative Josephson

In Memoriam - Irene Aukongak

By Senator Olson; Representative Foster

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 125**

The following was read the second time:

HOUSE BILL NO. 125

"An Act relating to the sale of products containing dextromethorphan; relating to the regulation of dextromethorphan by municipalities; and providing for an effective date."

with the:	Journal Page
JUD RPT 1DP 6NR	823
FN1: ZERO(LAW)	823

The Rules Committee submitted the following updated fiscal note:

2. Zero, Dept. of Law

Representative Millett moved and asked unanimous consent that HB 125 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 125 was read the third time.

The question being: "Shall HB 125 pass the House?" The roll was taken with the following result:

HB 125

Third Reading

Final Passage

YEAS: 32 NAYS: 3 EXCUSED: 3 ABSENT: 2

Yeas: Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Thompson, Tilton, Tuck, Vazquez

Nays: Kreiss-Tomkins, Wilson, Wool

Excused: Hawker, Kito, Tarr

Absent: Guttenberg, Reinbold

And so, HB 125 passed the House.

Representative Millett 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 125 was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

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

Honoring - The 1894-1898 Alaska Sami Reindeer Herders
By Senator Olson; Representatives Chenault, Claman, Colver, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Hawker, Herron, Hughes, Johnson, Josephson, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Ortiz, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tilton, Tuck, Vazquez, Wilson, Wool

UNFINISHED BUSINESS

Representative Millett 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 Munoz – from noon, today to 5:00 p.m., March 20

Representative Colver – from 6:30 a.m., March 18 to 10:30 a.m., March 21

SB 89

The Speaker removed the Judiciary Committee referral and added a Health & Social Services Committee referral for the following:

CS FOR SENATE BILL NO. 89(RLS) am(efd add)

"An Act relating to a parent's right to direct the education of a child; prohibiting a school district from contracting with an abortion services provider; prohibiting a school district from allowing an abortion services provider to furnish course materials or provide instruction concerning sexuality or sexually transmitted diseases; relating to physical examinations for teachers; and providing for an effective date."

CSSB 89(RLS) am(efd add) is in the Education Committee with a further referral to the Health & Social Services Committee.

SPECIAL ORDER OF BUSINESS

Representative Millett moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - Lois Feaster, be taken up as a Special Order of Business. There being no objection, it was so ordered.

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

In Memoriam - Lois Feaster

By Senators Stoltze, Huggins, Dunleavy; Representatives Tilton, Hughes, Gattis, Keller, Neuman, Colver, Chenault, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Hawker, Herron, Johnson, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Lynn, Millett, Munoz, Nageak, Olson, Ortiz, Pruitt, Saddler, Seaton, Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Vazquez, Wilson, Wool

HB 77

Representative Neuman added as a cosponsor to:

HOUSE BILL NO. 77

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to

driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

HB 125

Representatives Herron and Josephson added as cosponsors to:

HOUSE BILL NO. 125

"An Act relating to the sale of products containing dextromethorphan; relating to the regulation of dextromethorphan by municipalities; and providing for an effective date."

HB 147

Representative Spohnholz added as a cosponsor to:

HOUSE BILL NO. 147

"An Act relating to the investigation of cruelty to animals complaints; relating to the seizure of animals; relating to the destruction of animals; relating to a bond or security posted for the costs of care for an animal; relating to the inclusion of an animal in a protective order and the crimes and arrests for violating that protective order; and relating to the ownership of an animal upon divorce or dissolution of marriage."

HB 276

Representative Kawasaki added as a cosponsor to:

HOUSE BILL NO. 276

"An Act relating to limitation of a driver's license."

HB 328

Representative Munoz added as a cosponsor to:

HOUSE BILL NO. 328

"An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date."

HB 365

Representative Stutes added as a cosponsor to:

HOUSE BILL NO. 365

"An Act relating to the permanent fund dividend disbursement; relating to the taxation of income of individuals; relating to tax credit against the individual income tax in the amount of a permanent fund disbursement; repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act; and providing for an effective date."

SB 53

Representative Kawasaki added as a cross sponsor to:

SENATE BILL NO. 53

"An Act relating to advanced practice registered nursing; relating to certified direct-entry midwifery; and providing for an effective date."

ENGROSSMENT**HB 125**

HB 125 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 Millett moved and asked unanimous consent that the House adjourn until 10:30 a.m., March 18, 2016. There being no objection, the House adjourned at 11:35 a.m.

Crystaline Jones
Chief Clerk