

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Thursday

May 5, 2016

One Hundred Eighth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 11:35 a.m. in the Terry Miller Legislative Office Building gymnasium.

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

The invocation was offered by the Chaplain, Representative Stutes. Representative Wilson 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 all people and all beliefs, I offer the following invocation.

Almighty God,

You are our creator and our sustainer. You are our light and our fortress. You are our wisdom and our strength. We ask for your guiding hand to lead us through this meeting. May we approach our tasks with wisdom, and may we approach our members with respect. May our conduct create an environment of cooperation and kindness. Thank you for helping us to accomplish our work this day. We ask these things in your powerful name. Amen.

The Pledge of Allegiance was led by Representative Drummond.

CERTIFICATION OF THE JOURNAL

Representative Millett moved and asked unanimous consent that the journal for the 107th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR**HB 76**

A message dated May 4, 2016, was read 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 BILL NO. 76

"An Act relating to the Governor's Council on Disabilities and Special Education."

Chapter No. 5, SLA 2016

Effective Date: August 2, 2016

REPORTS OF SPECIAL COMMITTEES**HB 137**

The Conference Committee considering:

CS FOR HOUSE BILL NO. 137(FIN) am

"An Act raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; replacing the permanent sport fishing, hunting, or trapping identification card for certain residents with an identification card valid for three years; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 137(FIN) am S

"An Act establishing an intensive management surcharge; providing for the repeal of the intensive management surcharge; establishing certain special hunting and fishing licenses and permits for residents with developmental disabilities; establishing a separate sustainable wildlife account in the fish and game fund; raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; relating to the regulation of nonresident hunters; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; relating to the Chitina dip net fishery; and providing for an effective date."

(SCR 22 – title change resolution)

requests limited powers of free conference on the following specific point(s):

Section 29 (Senate)

The request was signed by Representatives Talerico (Chair), Nageak, Tarr; and Senators Giessel (Chair), Stoltze, Stevens.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

CONSIDERATION OF THE DAILY CALENDAR

SENATE BILLS IN THIRD READING

SB 91

The following was before the House in third reading:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO. 91(FIN)
am H

"An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances;

relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to identification cards and driver's licenses for parolees; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

In accordance with Rule 43(b) of the Uniform Rules, the Speaker waived engrossment of HCS CSSSSB 91(FIN) am H.

Representative Millett placed a call of the House.

The Speaker lifted the call.

The question being: "Shall HCS CSSSSB 91(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Third Reading

Final Passage

YEAS: 28 NAYS: 11 EXCUSED: 1 ABSENT: 0

Yeas: Spohnholz, Stutes, Talerico, Tarr, Thompson, Tuck, Wilson, Wool, Claman, Drummond, Edgmon, Foster, Gara, Gattis, Guttenberg, Herron, Hughes, Kawasaki, Keller, Kito, Kreiss-Tomkins, LeDoux, Munoz, Nageak, Olson, Saddler, Seaton, Chenault

Nays: Tilton, Vazquez, Colver, Johnson, Josephson, Lynn, Millett, Neuman, Ortiz, Pruitt, Reinbold

Excused: Hawker

And so, HCS CSSSSB 91(FIN) am H 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 court rule changes. There being no objection, it was so ordered.

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.

Representative Pruitt gave notice of reconsideration of the vote on HCS CSSSSB 91(FIN) am H.

SPECIAL ORDER OF BUSINESS

HCR 32

Representative Millett moved and asked unanimous consent that the following be taken up as a Special Order of Business:

HOUSE CONCURRENT RESOLUTION NO. 32

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 91, relating to criminal law and procedure; relating to controlled substances; relating to immunity from prosecution for the crime of prostitution; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to the publication of suspended entries of judgment on a publicly available Internet website; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the excise tax on marijuana; establishing the recidivism reduction fund; relating to the Alaska Criminal Justice Commission; relating to the disqualification of persons convicted of specified drug offenses from participation in the food stamp and temporary

assistance programs; relating to the duties of the commissioner of corrections; and amending Rules 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure.

There being no objection, it was so ordered.

The question being: "Shall HCR 32 pass the House?" The roll was taken with the following result:

HCR 32

Special Order of Business

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

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

Nays: Reinbold

Excused: Hawker

And so, HCR 32 passed the House and was referred to the Chief Clerk for engrossment.

RESCIND

HB 156

Representative Keller moved and asked unanimous consent that the House rescind action in failing to adopt the following (page 2741):

SENATE CS FOR CS FOR HOUSE BILL NO. 156(FIN)

"An Act relating to a parent's right to direct the education of a child; relating to the duties of the state Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review

of education laws and regulations; repealing the minimum expenditure for instruction for school districts; relating to sex education, human reproduction education, and human sexuality education; relating to suicide awareness and prevention training; relating to contracts for student assessments; relating to questionnaires and surveys administered in public schools; relating to physical examinations for teachers; and providing for an effective date."

Representative Tarr objected and withdrew the objection. There being no further objection, the motion passed.

Representative Millett moved that the House adopt the Conference Committee report (page 2648), thus adopting SCS CSHB 156(FIN).

The question being: "Shall the House adopt the report?" The roll was taken with the following result:

SCS CSHB 156(FIN)

Adopt

YEAS: 21 NAYS: 18 EXCUSED: 1 ABSENT: 0

Yeas: Talerico, Thompson, Tilton, Vazquez, Wilson, Colver, Gattis, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Chenault

Nays: Tarr, Tuck, Wool, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Herron, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Seaton, Spohnholz, Stutes

Excused: Hawker

And so, the House adopted the report.

Representative Millett moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

SCS CSHB 156(FIN)

Adopt

Effective Date

YEAS: 23 NAYS: 16 EXCUSED: 1 ABSENT: 0

Yeas: Thompson, Tilton, Vazquez, Wilson, Colver, Gattis, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Chenault

Nays: Tarr, Tuck, Wool, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Munoz, Ortiz, Spohnholz

Excused: Hawker

And so, lacking the required 27 votes, the effective date clause was not adopted, and the new title follows:

SENATE CS FOR CS FOR HOUSE BILL NO.
156(FIN)(efd fld H)

"An Act relating to a parent's right to direct the education of a child; relating to the duties of the state Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; repealing the minimum expenditure for instruction for school districts; relating to sex education, human reproduction education, and human sexuality education; relating to suicide awareness and prevention training; relating to contracts for student assessments; relating to questionnaires and surveys administered in public schools; relating to physical examinations for teachers."

The Chief Clerk notified the Senate.

The Senate adopted the Conference report (Senate Journal page 2750).

SCS CS HB 156(FIN)(efd fld H) was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

SCR 25

Representative Millett moved and asked unanimous consent that the following be taken up as a Special Order of Business:

SENATE CONCURRENT RESOLUTION NO. 25

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 156, relating to the duties of the State Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; and relating to a statewide assessment plan and review of education laws and regulations.

There being no objection, it was so ordered.

The question being: "Shall SCR 25 pass the House?" The roll was taken with the following result:

SCR 25

Special Order of Business

YEAS: 24 NAYS: 15 EXCUSED: 1 ABSENT: 0

Yeas: Thompson, Tilton, Vazquez, Wilson, Colver, Gattis, Herron, Hughes, Johnson, Keller, LeDoux, Lynn, Millett, Munoz, Nageak, Neuman, Olson, Pruitt, Reinbold, Saddler, Seaton, Stutes, Talerico, Chenault

Nays: Tuck, Wool, Claman, Drummond, Edgmon, Foster, Gara, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, Ortiz, Spohnholz, Tarr

Excused: Hawker

And so, lacking the required 27 votes, SCR 25 failed to pass the House.

SCR 25(fld H) was referred to the Chief Clerk for engrossment.

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:

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Representative Stutes – from 8:00 a.m., May 6 to 2:30 p.m., May 9

Representative Foster – from 12:30 p.m., May 6 to 10:00 p.m., May 8

Representative LeDoux – from 4:00 a.m., May 6 to 11:00 p.m., May 8

Representative Talerico – from 1:00 p.m., May 6 to 10:00 p.m., May 8

Representative Edgmon – from 6:00 p.m., May 5 to 8:30 p.m., May 8

Representative Thompson – from 1:00 p.m., May 6 to 10:00 a.m.,
May 9

ENGROSSMENT

HCR 32

HCR 32 was engrossed and signed by the Speaker and Chief Clerk.

HB 156

SCS CSHB 156(FIN)(efd fld H) was engrossed and signed by the
Speaker and Chief Clerk.

SCR 25

SCR 25(fld H) was engrossed.

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating
budget, Rule 23(d) of the Uniform Rules is in effect as of April 6,
2016.

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Millett moved and asked unanimous consent that the
House adjourn until 11:00 a.m., May 9, 2016. There being no
objection, the House adjourned at 6:17 p.m.

Crystaline Jones
Chief Clerk