

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

May 11, 2016

One Hundred Fourteenth Day

Pursuant to adjournment the House was called to order by Speaker Chenault at 1:05 p.m. in the Terry Miller Legislative Office Building gymnasium.

Roll call showed 38 members present.

Representative Herron, Acting Majority Leader, moved and asked unanimous consent that Representatives Hawker and Millett be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Representative Herron. 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 respect for all faiths we enjoy, I offer the following prayer.

Every day is better when you talk to God first.
You will never hurt anyone by anything you don't say.

In one-line sentences, eleven prayers:

11. When life knocks you to your knees, you are in the perfect position to pray.

10. Do not pray when you just feel like it; make a daily appointment with your God and keep it.
9. Is prayer your steering wheel, or is it your spare tire?
8. Work as if you are to live for 100 years; pray as if you are to die tomorrow.
7. Do not criticize your spouses' judgement, didn't they marry you?
6. Wherever you go, there you go.
5. Seven days without prayers make one weak.
4. In life it is not the unanswered prayer, it is the not-offered prayer.
3. Do you keep your bible as close as you keep your cell phone?
2. The 10 commandments are not the 10 suggestions.
1. Can I get a hallelujah and an amen?

The Pledge of Allegiance was led by Representative Stutes.

CERTIFICATION OF THE JOURNAL

Representative Herron moved and asked unanimous consent that the journal for the 108th through the 113th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 128

A message dated May 7, 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:

SENATE CS FOR HOUSE BILL NO. 128(STA)

"An Act establishing August 10 of each year as Alaska Wild Salmon Day."

Chapter No. 6, SLA 2016

Effective Date: August 5, 2016

REPORTS OF SPECIAL COMMITTEES**HB 137**

The Conference Committee with limited powers of free conference considering CSHB 137(FIN) am and SCS CSHB 137(FIN) am S recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 137

"An Act relating to the duties of the commissioner of fish and game; 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 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)

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

The following fiscal note(s) apply to CCS HB 137:

5. Fiscal, Dept. of Fish & Game

Representative Herron moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS HB 137.

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

CCS HB 137

Adopt

YEAS: 35 NAYS: 3 EXCUSED: 2 ABSENT: 0

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

Nays: Drummond, Josephson, Kito

Excused: Hawker, Millett

And so, the House adopted CCS HB 137.

Representative Herron 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.

SCR 22 – title change resolution was adopted (page 2520).

The Chief Clerk notified the Senate.

CCS HB 137 was referred to the Chief Clerk for engrossment and enrollment.

INTRODUCTION OF CITATIONS

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

In Memoriam - Ryan Frederick Kauffman
By Representative Kreiss-Tomkins

In Memoriam - Dr. David A. McGuire
By Senator McGuire

In Memoriam - John "Leo" Powell
By Senator Stoltze

UNFINISHED BUSINESS

Representative Herron 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 Reinbold – from 3:00 p.m., today to 10:30 p.m., May 15

Representative Josephson – from 8:00 p.m., May 12 to 9:30 a.m., May 15

Representative Keller – from 6:00 p.m., today to 10:00 p.m., May 12

Representative Hawker – from 3:00 p.m., today to 11:00 p.m., May 18

RECONSIDERATION**SB 91**

Representative Pruitt brought up reconsideration of the vote on HCS CSSSSB 91(FIN) am H (page 2770).

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."

The question to be reconsidered: "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

Reconsideration

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

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

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

Excused: Hawker, Millett

And so, HCS CSSSSB 91(FIN) am H passed the House on reconsideration.

Representative Herron 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 Herron 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.

Engrossment of HCS CSSSSB 91(FIN) am H was waived (page 2770). It was signed by the Speaker and Chief Clerk and transmitted to the Senate with copies of certified amendments attached.

UNFINISHED BUSINESS**HB 8**

The following memorandum, dated May 9, 2016, was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services, regarding:

SENATE CS FOR CS FOR HOUSE BILL NO. 8(JUD)

"An Act relating to powers of attorney and other substitute decision-making documents; relating to the uniform probate code; relating to notaries public; and providing for an effective date."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS CSHB 8(JUD), which have been corrected in enrolling:

Page 4, line 27, following "part,":

Insert "a"

Page 6, line 1, following "to":

Insert "the"

Page 12, line 6:

Delete "agent"

Insert "**agent**"

Page 12, line 13:

Delete "(3)"

Insert "**(2)** [(3)]"

Page 23, line 23:

Delete "**and**"

Page 29, line 5, following "**Act**":

Insert "**of 1996**"

Page 36, line 26:

Delete the second occurrence of "and"

Page 37, line 5:

Delete the second occurrence of "and""

HB 41

The following memorandum, dated May 10, 2016, was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services, regarding:

SENATE CS FOR CS FOR HOUSE BILL NO. 41(FIN)

"An Act relating to sport fishing services, salt water sport fishing operators, and salt water sport fishing guides; and providing for an effective date."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS CSHB 41(FIN), which have been corrected in enrolling:

Page 3, line 2, following "provide":

Insert "salt water"

Page 3, line 8:

Delete "services""

HB 147

The following memorandum, dated May 10, 2016, was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services, regarding:

CS FOR HOUSE BILL NO. 147(JUD)

"An Act relating to cruelty to animals; relating to the seizure of animals; relating to the destruction of animals; relating to the costs of care of animals that have been seized; relating to the inclusion of animals in protective orders and crimes and arrests for violating those protective orders; and relating to the ownership of animals upon divorce or dissolution of marriage."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in CSHB 147(JUD), which have been corrected in enrolling:

Page 2, line 12:

Delete "take"

Insert "seize [TAKE]"

Page 3, line 10:

Delete "or death to"

Insert "to or death of"

HB 188

The following memorandum, dated May 10, 2016, was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services, regarding:

CS FOR HOUSE BILL NO. 188(FIN)

"An Act establishing a program for financial accounts for individuals with disabilities; exempting the procurement of contracts for the program from the State Procurement Code; exempting certain information on participants in the program from being subject to inspection as a public record; providing that an account under the program for an individual with a disability is not a security; allowing a state to file a claim against an individual's financial account under the program to recover Medicaid payments after the individual's death; and providing for an effective date."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in CSHB 188(FIN), which has been corrected in enrolling:

Page 3, line 19, following "AS 36.30":

Insert "(State Procurement Code)"

HB 209

The following memorandum, dated May 10, 2016, was received from Laura Duval, Enrolling Secretary, Division of Legal and Research Services, regarding:

CS FOR HOUSE BILL NO. 209(FIN)

"An Act relating to an Alaska Water and Sewer Advisory Committee; and providing for an effective date."

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in CSHB 209(FIN), which has been corrected in enrolling:

Page 4, line 2:

Delete "represents"

Insert "represent"

HB 137

Representative Saddler added as a cosponsor to:

CONFERENCE CS FOR HOUSE BILL NO. 137

"An Act relating to the duties of the commissioner of fish and game; 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 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."

ENGROSSMENT

HCR 32

HCR 32 which was engrossed and signed by the Speaker and Chief Clerk (page 2776), was transmitted to the Senate for consideration.

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.

The following meeting today was changed:

Rules Committee
RECESSED TO:

30 minutes upon adjournment

ADJOURNMENT

Representative Herron moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 12, 2016. There being no objection, the House adjourned at 1:50 p.m.

Crystaline Jones
Chief Clerk