

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**May 17, 2017**

**One Hundred Twenty-first Day**

Pursuant to adjournment the House was called to order by Speaker Edgmon at 10:15 a.m.

Roll call showed 40 members present.

The invocation was offered by the Chaplain, Pastor Nathan Stearman of Seventh-Day Adventist Church, Juneau. Representative Westlake moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Good morning, Lord!

It's the last day...at least on paper. I'm fairly sure every person in this Chamber is eager to get out and enjoy another Alaskan spring, so I'm asking for clarity of thought, exceptional efficiency, and a healthy dose of cooperative action, so that good decisions can be made in a timely manner, allowing these representatives to go about their post-session responsibilities. Amen.

The Pledge of Allegiance was led by Representative Neuman.

**CERTIFICATION OF THE JOURNAL**

Representative Tuck moved and asked unanimous consent that the journal for the 120th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE****HCR 9**

A message dated May 16 was read stating the Senate passed:

**HOUSE CONCURRENT RESOLUTION NO. 9**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 3, relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; and relating to art requirements for certain public facilities.

HCR 9 was referred to the Chief Clerk for enrollment.

**SB 3**

A message dated May 16 was read stating the Senate concurred in the House amendment to:

**SENATE BILL NO. 3**

"An Act relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; relating to art requirements for certain public facilities; and providing for an effective date."

thus adopting:

**HOUSE CS FOR SENATE BILL NO. 3(TRA)**

"An Act relating to the regulation of wastewater discharge from small commercial passenger vessels in state waters; and providing for an effective date."

(HCR 9 - title change resolution)

**HB 57**

A message dated May 16 was read stating the President granted limited powers of free conference to the Senate members of the Conference Committee considering:

**CS FOR HOUSE BILL NO. 57(FIN) am(brf sup maj fld)(efd fld)**

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs;

capitalizing funds; repealing appropriations; and making supplemental appropriations and reappropriations."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 57(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; making supplemental appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(technical title change)

The Speaker granted the limited powers of free conference as requested (page 1440).

### **HB 59**

A message dated May 16 was read stating the President granted limited powers of free conference to the Senate members of the Conference Committee considering:

CS FOR HOUSE BILL NO. 59(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."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 59(FIN)

(same title)

The Speaker granted the limited powers of free conference as requested (page 1441).

**COMMUNICATIONS**

The following was received:

Dept. of Administration  
Monetary Terms of Agreement  
Between the State and the Alaska Vocational  
Technical Center Teachers' Association (AVTECTA)  
May 10, 2017  
(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

**REPORTS OF STANDING COMMITTEES****HB 156**

The Community & Regional Affairs Committee considered:

**HOUSE BILL NO. 156**

"An Act relating to a municipal tax exemption or deferral for economic development property."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 156(CRA)**

"An Act relating to municipal property tax exemptions; extending a mandatory exemption from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority; and providing for an effective date by amending the effective dates of sec. 2, ch. 10, SLA 2010, as amended by sec. 4, ch. 61, SLA 2012, and sec. 2, ch. 71, SLA 2010, as amended by sec. 5, ch. 61, SLA 2012."

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

Do pass (2): Westlake, Drummond

No recommendation (5): Talerico, Rauscher, Saddler, Fansler, Parish

The following fiscal note(s) apply to CSHB 156(CRA):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Education & Early Development
3. Fiscal, Dept. of Education & Early Development/Fund Capitalization

HB 156 was referred to the Rules Committee for placement on the calendar.

### **INTRODUCTION OF CITATIONS**

The following citations were introduced and taken up later on the first special order citation calendar:

Honoring - Eagle Academy Charter School  
By Representative Reinbold

Honoring - James Armstrong  
By Senators MacKinnon, Hoffman

In Memoriam - Leroy Lawrence  
By Representative Tarr; Senator Begich

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HJR 25**

HOUSE JOINT RESOLUTION NO. 25 by Representative Eastman:

Requesting the United States Congress to amend the Alaska Statehood Act to recognize the State of Alaska's constitutional right to maintain ownership over all land, water, assets, resources, and activities within the state's boundaries; proclaiming the State of Alaska's constitutional ownership of all land, water, assets, resources, and activities within the state's boundaries; recognizing the federal government's jurisdiction over land, water, and airspace within the state's boundaries for certain purposes if those purposes are determined to be justified by the Alaska State

Legislature; declaring that the State of Alaska retains all rights reserved to the individual states by the Constitution of the United States, including control over all activities and development wholly within the state's boundaries; finding that the federal government does not have constitutional authority to regulate certain private or business activities conducted wholly within the state's boundaries; requesting the federal government to enact policies, regulations, and legislation to mitigate the disparity of nationwide federal land jurisdiction and to recognize certain state rights; and petitioning the legislative bodies of other states to adopt similar resolutions.

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

### **SPECIAL ORDER OF BUSINESS**

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citations on the first special order citation calendar be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House approve the first special order citation calendar. There being no objection, the following citations were approved and sent to enrolling:

In Memoriam - Terri Carle

By Representatives Grenn, Tuck, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Westlake, Wilson, Wool

In Memoriam - James Beaton

By Representatives Stutes, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool; Senator Stevens

## Honoring - Eagle Academy Charter School

By Representatives Reinbold, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

## Honoring - James Armstrong

By Senators MacKinnon, Hoffman; Representatives Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

## In Memoriam - Leroy Lawrence

By Representatives Tarr, Edgmon, Birch, Chenault, Claman, Drummond, Eastman, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Spohnholz, Stutes, Sullivan-Leonard, Talerico, Thompson, Tilton, Tuck, Westlake, Wilson, Wool; Senator Begich

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

**HB 253**

HOUSE BILL NO. 253 by Representative Eastman, entitled:

"An Act relating to an affirmative defense for driving while under the influence."

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

**HB 254**

HOUSE BILL NO. 254 by Representative Reinbold, entitled:

"An Act 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; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violating municipal ordinances; relating to parole; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the duties of the commissioner of corrections; relating to the duties of the Department of Health and Social Services; relating to civil in rem forfeiture actions; providing for an effective date by repealing sec. 193, ch. 36, SLA 2016; and providing for an effective date."

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

In accordance with Rule 30(c) of the Uniform Rules, the Speaker stated that reconsideration was not available today.

In accordance with Rule 43(b) of the Uniform Rules, the Speaker announced that engrossment may be waived on the bills on today's calendar.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **THIRD READING OF HOUSE BILLS**

##### **HB 105**

The following, which was advanced to third reading from the May 16 calendar (page 1444), was read the third time:

##### **CS FOR HOUSE BILL NO. 105(FIN)**

"An Act prohibiting the taking of wolves and the use of certain traps and snares in certain areas adjacent to the Denali National Park and Preserve."

Representative Josephson placed a call of the House.

The call was satisfied.



The question being: "Shall CSHB 105(FIN) pass the House?" The roll was taken with the following result:

CSHB 105(FIN)

Third Reading

Final Passage

**YEAS: 22 NAYS: 18 EXCUSED: 0 ABSENT: 0**

Yeas: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

And so, CSHB 105(FIN) passed the House and was referred to the Chief Clerk for engrossment.

### **HB 151**

The following, which was advanced to third reading from the May 16 calendar (page 1445), was read the third time:

#### CS FOR HOUSE BILL NO. 151(FIN)

"An Act relating to the duties of the Department of Health and Social Services; relating to training and workload standards for employees of the Department of Health and Social Services and providing immunity from damages related to those standards; relating to foster care home licensing; relating to civil and criminal history background checks for foster care licensing and payments; relating to placement of a child in need of aid; relating to the rights and responsibilities of foster parents; requiring the Department of Health and Social Services to provide information to a child or person released from the department's custody; and providing for an effective date."

Representative Spohnholz rose to a point of order.

The Speaker cautioned the member to confine remarks to the bill.

Representative Gara placed a call of the House and lifted the call.

Representative Wilson placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall CSHB 151(FIN) pass the House?" The roll was taken with the following result:

CSHB 151(FIN)

Third Reading

Final Passage

**YEAS: 23 NAYS: 17 EXCUSED: 0 ABSENT: 0**

Yeas: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Seaton, Spohnholz, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Kopp, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

And so, CSHB 151(FIN) passed the House.

The Speaker stated that, without objection, the House would recess until 2:00 p.m.; and so, the House recessed at 1:05 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 3:37 p.m.

#### **THIRD READING OF HOUSE BILLS**

(continued)

#### **HB 151**

Representative Tuck moved the effective date clause.

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

CSHB 151(FIN)  
Third Reading  
Effective Date

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

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

Nays: Eastman

Absent: Spohnholz

And so, the effective date clause was adopted.

CSHB 151(FIN) was referred to the Chief Clerk for engrossment.

### **UNFINISHED BUSINESS**

Representative Tuck moved and asked unanimous consent that Representative Spohnholz be excused from a call of the House from today to 10:00 a.m., May 18. There being no objection, it was so ordered.

### **THIRD READING OF SENATE BILLS**

#### **SB 28**

The following, which was advanced to third reading from the May 16 calendar (page 1446), was read the third time:

#### SENATE BILL NO. 28

"An Act relating to the general grant land entitlement for the Petersburg Borough; and providing for an effective date."

The question being: "Shall SB 28 pass the House?" The roll was taken with the following result:

SB 28

Third Reading  
Final Passage

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

Yeas: Birch, Chenault, Claman, Drummond, Eastman, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool

Excused: Spohnholz

And so, SB 28 passed the House.

Representative Tuck 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.

SB 28 was signed by the Speaker and Chief Clerk, and returned to the Senate.

### **SB 55**

The Speaker stated that, without objection, the following, which was held from the May 16 calendar (page 1463), would be moved to the bottom of the calendar:

#### HOUSE CS FOR CS FOR SENATE BILL NO. 55(RLS)

"An Act relating to criminal law and procedure; relating to controlled substances; relating to sentencing; relating to protective orders; relating to restitution; relating to the period of probation; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to parole; relating to the duties of the Department of Corrections and the Department of Health and Social Services; requiring an inventory of and reports on untested sexual assault examination kits; and providing for an effective date."

### **SECOND READING OF HOUSE RESOLUTIONS**

#### **HJR 9**

The following, which was held from the May 16 calendar (page 1461), was read the second time:

## HOUSE JOINT RESOLUTION NO. 9

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia.

with the:	Journal Page
FSH RPT CS(FSH) 3DP 2NR 2AM	889
FN1: ZERO(LEG)	889
RES RPT CS(FSH) 4DP 2NR	1093
FN1: ZERO(LEG)	1094

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

CS FOR HOUSE JOINT RESOLUTION NO. 9(FSH)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Westlake:

Page 1, line 4, following "**Columbia**" (title amendment):

Insert "**; and urging the United States government to continue to work with the government of Canada to support the complementary efforts of the state and British Columbia to collaborate on proposed and existing industrial upstream development in British Columbia**"

Page 2, following line 17:

Insert new clauses to read:

**"WHEREAS**, on November 25, 2015, Governor Bill Walker and British Columbia Premier Christy Clark signed a nonbinding Memorandum of Understanding and Cooperation recognizing and formalizing "the mutual commitment of Alaska and British Columbia to sustaining our environment for the benefit of all, including our

valuable transboundary rivers, watersheds, and fisheries"; and

**WHEREAS**, in the nonbinding and unfunded Memorandum of Understanding and Cooperation, the state and British Columbia agreed "to establish and oversee a joint process to develop and implement a joint water quality monitoring program for transboundary waters, ensuring that data are publicly available"; and

**WHEREAS**, on October 6, 2016, Lieutenant Governor Byron Mallott, Bill Bennett, British Columbia Minister of Energy and Mines, and Mary Polak, British Columbia Minister of Environment, signed a Statement of Cooperation on Protection of Transboundary Waters, in which a bilateral working group, consisting of the commissioners of environmental conservation, fish and game, and natural resources and British Columbia's deputy ministers of energy and mines and environment, was established to develop a technical working group on monitoring for transboundary waters and ensuring that data is publicly available; and

**WHEREAS**, in the October 6, 2016, Statement of Cooperation on Protection of Transboundary Waters, an unfunded technical working group on monitoring, consisting of water quality experts from resource regulatory agencies in the state and British Columbia, was established to develop procedures for reporting between the two jurisdictions; and"

Page 2, line 18, following "the":

Insert "signing of the"

Page 2, lines 18 - 20:

Delete ", signed by Alaska Lieutenant Governor Byron Mallott, Bill Bennett, British Columbia Minister of Energy and Mines, and Mary Polak, British Columbia Minister of Environment,"

Page 3, line 5, following "Columbia":

Insert "; and be it

**FURTHER RESOLVED** that the Alaska State Legislature strongly urges the United States government to continue to work with the government of Canada to support the complementary efforts of the state and British Columbia to collaborate on proposed and existing industrial upstream development in British Columbia"

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted, and the new title follows:

**CS FOR HOUSE JOINT RESOLUTION NO. 9(FSH) am**

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia; and urging the United States government to continue to work with the government of Canada to support the complimentary efforts of the state and British Columbia to collaborate on proposed and existing industrial upstream development in British Columbia.

Representative Tuck moved and asked unanimous consent that CSHJR 9(FSH) am be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHJR 9(FSH) am will advance to third reading on the January 16, 2018, calendar.

**RECONSIDERATION**

**SB 83**

Representative Tuck brought up reconsideration of the vote on CSSB 83(HSS) am H (page 1456).

The following was before the House in third reading:

**CS FOR SENATE BILL NO. 83(HSS) am H**

"An Act relating to the protection of vulnerable adults and residents of long term care facilities."

The question to be reconsidered: "Shall CSSB 83(HSS) am H pass the House?" The roll was taken with the following result:

CSSB 83(HSS) am H  
Third Reading  
Final Passage  
Reconsideration

**YEAS: 26 NAYS: 11 EXCUSED: 1 ABSENT: 2**

Yeas: Birch, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Parish, Pruitt, Saddler, Seaton, Stutes, Sullivan-Leonard, Tuck, Westlake, Wool

Nays: Chenault, Eastman, Johnson, Johnston, Neuman, Rauscher, Reinbold, Talerico, Thompson, Tilton, Wilson

Excused: Spohnholz

Absent: Ortiz, Tarr

And so, CSSB 83(HSS) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

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

#### **INTRODUCTION OF CITATIONS**

The following citation was introduced and taken up later on the second special order citation calendar:

In Memoriam - Doug Pedersen  
By Representative Stutes; Senator Stevens

#### **SPECIAL ORDER OF BUSINESS**

Representative Tuck moved and asked unanimous consent that the notice and publication requirements be waived and the citation on the second special order citation calendar be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Tuck moved and asked unanimous consent that the House approve the second special order citation calendar. There being



no objection, the following citation was approved and sent to enrolling:

In Memoriam - Doug Pedersen

By Representatives Stutes, Edgmon, Birch, Chenault, Claman, Drummond, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Saddler, Seaton, Spohnholz, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wilson, Wool; Senator Stevens

### **THIRD READING OF SENATE BILLS**

(continued)

#### **SB 55**

The following, which had been moved to the bottom of the calendar (page 1480), was read the third time:

#### **HOUSE CS FOR CS FOR SENATE BILL NO. 55(RLS)**

"An Act relating to criminal law and procedure; relating to controlled substances; relating to sentencing; relating to protective orders; relating to restitution; relating to the period of probation; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to parole; relating to the duties of the Department of Corrections and the Department of Health and Social Services; requiring an inventory of and reports on untested sexual assault examination kits; and providing for an effective date."

Representative Reinbold moved and asked unanimous consent that HCS CSSB 55(RLS) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSB 55(RLS) would be returned to second reading for all amendments.

Amendment No. 1 was offered by Representative Reinbold:

Page 7, following line 30:

Insert a new bill section to read:

"\* **Sec. 15.** AS 12.55.125(e) is amended to read:

(e) Except as provided in (i) of this section, a defendant convicted of a class C felony may be sentenced to a definite term of imprisonment of not more than five years, and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(1) if the offense is a first felony conviction and does not involve circumstances described in (4) of this subsection, [PROBATION, WITH A SUSPENDED TERM OF IMPRISONMENT OF] zero to one year [18 MONTHS]; a defendant sentenced under this paragraph may, if the court finds it appropriate, be granted a suspended imposition of sentence under AS 12.55.085;

(2) if the offense is a second felony conviction, one to three years;

(3) if the offense is a third felony conviction, two to five years;

(4) if the offense is a first felony conviction, and the defendant violated

(A) AS 08.54.720(a)(15), one to two years;

(B) AS 28.35.030(n)(1)(A) or 28.35.032(p)(1)(A),  
120 days to 239 days;

(C) AS 28.35.030(n)(1)(B) or 28.35.032(p)(1)(B),  
240 days to 359 days;

(D) AS 28.35.030(n)(1)(C) or 23.35.032(p)(1)(C),  
360 days to two years."

ReNUMBER the following bill sections accordingly.

Page 19, following line 2:

Insert a new subsection to read:

"(d) AS 12.55.125(e), as amended by sec. 15 of this Act, applies to sentences imposed on or after the effective date of sec. 15 of this Act, for conduct occurring on or after the effective date of sec. 15 of this Act."

Reletter the following subsection accordingly.

Page 19, line 3:

Delete "sec. 23"

Insert "sec. 24"

Page 19, lines 5 - 6:

Delete "sec. 23"

Insert "sec. 24"

Page 19, line 6:

Delete "sec. 23"

Insert "sec. 24"

Page 19, line 16:

Delete "16, 18, and 23 - 30"

Insert "17, 19, and 24 - 31"

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

Representative Claman objected and rose to a point of order stating the amendment violated Rule 39 of the Uniform Rules and cited Mason's Manual secs. 378, 390, and 491.

The Speaker ruled the amendment out of order.

Representative Reinbold appealed the ruling of the Chair.

The Speaker limited the debate on the ruling to two minutes per member.

Representative Tarr rose to a point of order.

The Speaker asked members to speak to the ruling of the Chair.

Representative LeDoux rose to a point of order regarding impugning the motives of other members.

The Speaker stated that members should speak to the appeal.

The question being: "Shall the ruling of the Chair be sustained?" The roll was taken with the following result:

HCS CSSB 55(RLS)  
Second Reading  
Amendment No. 1  
Sustain the Ruling of the Chair

**YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0**

Yeas: Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Josephson, Kawasaki, Kito, Kopp, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Birch, Chenault, Eastman, Johnson, Johnston, Knopp, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Excused: Spohnholz

And so, the ruling of the Chair was sustained.

Representative Claman moved that Amendment Nos. 2 - 15 be consolidated and tabled.

There was objection.

The question being: "Shall Amendment Nos. 2 - 15 be consolidated and tabled?" The roll was taken with the following result:

HCS CSSB 55(RLS)  
Second Reading  
Consolidate Amendment Nos. 2-15 and Table

**YEAS: 25 NAYS: 14 EXCUSED: 1 ABSENT: 0**

Yeas: Birch, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Ortiz, Parish, Seaton, Stutes, Tarr, Tuck, Westlake, Wool

Nays: Chenault, Eastman, Johnson, Millett, Neuman, Pruitt, Rauscher, Reinbold, Saddler, Sullivan-Leonard, Talerico, Thompson, Tilton, Wilson

Excused: Spohnholz

And so, the amendments were consolidated and tabled.

HCS CSSB 55(RLS) was automatically in third reading.

Representative Stutes rose to a point of order.

The Speaker cautioned members to speak to the bill.

Representative Wool rose to a point of order.

The Speaker asked that members identify a reference to levy a point of order and requested that all members speak to the bill.

The question being: "Shall HCS CSSB 55(RLS) pass the House?"  
The roll was taken with the following result:

HCS CSSB 55(RLS)

Third Reading

Final Passage

**YEAS: 37 NAYS: 2 EXCUSED: 1 ABSENT: 0**

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Rauscher, Reinbold, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wool

Nays: Eastman, Wilson

Excused: Spohnholz

And so, HCS CSSB 55(RLS) passed the House.

Representative Tuck 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.

HCS CSSB 55(RLS) was referred to the Chief Clerk for engrossment.

### **SPECIAL ORDER OF BUSINESS**

#### **HCR 12**

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

## HOUSE CONCURRENT RESOLUTION NO. 12

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 55, relating to criminal law and procedure; relating to controlled substances; relating to sentencing; relating to protective orders; relating to restitution; relating to the period of probation; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to parole; and relating to the duties of the Department of Corrections and the Department of Health and Social Services.

There being no objection, it was so ordered.

The question being: "Shall HCR 12 pass the House?" The roll was taken with the following result:

HCR 12

Special Order of Business

**YEAS: 35 NAYS: 4 EXCUSED: 1 ABSENT: 0**

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kopp, Kreiss-Tomkins, LeDoux, Millett, Neuman, Ortiz, Parish, Pruitt, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Tilton, Tuck, Westlake, Wool

Nays: Eastman, Rauscher, Reinbold, Wilson

Excused: Spohnholz

And so, HCR 12 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 6:23 p.m.

**AFTER RECESS**

The Speaker called the House back to order at 8:36 p.m.

**UNFINISHED BUSINESS**

Representative Stutes, Acting Majority Leader, 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 Kopp – from 6:00 p.m., today to 10:00 a.m., May 23

Representative Tuck – from 6:00 p.m., today to 10:00 a.m., May 18

**CONCUR IN SENATE AMENDMENTS****HB 16**

Representative Stutes moved and asked unanimous consent that the House consider the Senate message (page 1436) on the following:

**HOUSE BILL NO. 16**

"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."

and

**SENATE CS FOR HOUSE BILL NO. 16(RLS) am S**

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to rights and responsibilities for drivers when encountering or being stopped by a peace officer; relating to a voluntary disability designation on a state identification card and a driver's license; relating to the implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

(SCR 8 - title change resolution)

There being no objection, it was so ordered.

Representative Stutes moved that the House concur in the Senate amendment and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment?" The roll was taken with the following result:

SCS HB 16(RLS) am S  
Concur

**YEAS: 25 NAYS: 12 EXCUSED: 3 ABSENT: 0**

Yeas: Birch, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnston, Josephson, Kito, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Pruitt, Saddler, Seaton, Stutes, Talerico, Tarr, Thompson, Westlake, Wool

Nays: Chenault, Eastman, Johnson, Kawasaki, Knopp, Neuman, Parish, Rauscher, Reinbold, Sullivan-Leonard, Tilton, Wilson

Excused: Kopp, Spohnholz, Tuck

And so, the House concurred in the Senate amendment, thus adopting SCS HB 16(RLS) am S.

Representative Stutes moved the effective date clause.

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

SCS HB 16(RLS) am S  
Effective Date  
Concur

**YEAS: 31 NAYS: 6 EXCUSED: 3 ABSENT: 0**

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Westlake, Wool

Nays: Eastman, Neuman, Rauscher, Reinbold, Tilton, Wilson



Excused: Kopp, Spohnholz, Tuck

And so, the effective date clause was adopted.

The Chief Clerk notified the Senate.

The bill was referred to the Chief Clerk for enrollment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 8**

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

#### SENATE CONCURRENT RESOLUTION NO. 8

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, 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.

There being no objection, it was so ordered.

The question being: "Shall SCR 8 pass the House?" The roll was taken with the following result:

#### SCR 8

Special Order of Business

**YEAS: 31 NAYS: 6 EXCUSED: 3 ABSENT: 0**

Yeas: Birch, Chenault, Claman, Drummond, Edgmon, Fansler, Foster, Gara, Grenn, Guttenberg, Johnson, Johnston, Josephson, Kawasaki, Kito, Knopp, Kreiss-Tomkins, LeDoux, Millett, Ortiz, Parish, Pruitt, Saddler, Seaton, Stutes, Sullivan-Leonard, Talerico, Tarr, Thompson, Westlake, Wool

Nays: Eastman, Neuman, Rauscher, Reinbold, Tilton, Wilson

Excused: Kopp, Spohnholz, Tuck

And so, SCR 8 passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

### UNFINISHED BUSINESS

#### **HJR 9**

Representative Josephson added as a cosponsor to:

##### HOUSE JOINT RESOLUTION NO. 9

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia.

#### **HB 16**

Representatives LeDoux, Grenn, Josephson, Kawasaki, Gara, Parish, Drummond, Tarr, Fansler, Stutes, Chenault, Foster, Saddler, and Guttenberg removed as cosponsors to:

##### SENATE CS FOR HOUSE BILL NO. 16(RLS) am S

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to rights and responsibilities for drivers when encountering or being stopped by a peace officer; relating to a voluntary disability designation on a state identification card and a driver's license; relating to the implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

#### **SB 63**

Representatives Millett, Pruitt, Johnston, Johnson, Wool, Tarr, and Kreiss-Tomkins added as cross sponsors to:

**CS FOR SENATE BILL NO. 63(FIN)**

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

**ENGROSSMENT****HCR 12**

HCR 12 was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 105**

CSHB 105(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**HB 124**

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration:

**CS FOR HOUSE BILL NO. 124(FIN)**

"An Act relating to corporations, including benefit corporations, and other entities; and providing for an effective date."

**HB 150**

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration:

**HOUSE BILL NO. 150**

"An Act relating to pay, allowances, and benefits for members of the organized militia."

**HB 151**

CSHB 151(FIN) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 55**

HCS CSSB 55(RLS) was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**SB 83**

CSSB 83(HSS) am H was engrossed, signed by the Speaker and Chief Clerk, and transmitted to the Senate for consideration.

**ADJOURNMENT**

Representative Stutes moved and asked unanimous consent that the House adjourn. The House adjourned at 9:02 p.m.

Crystalline Jones  
Chief Clerk