

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION AND SECOND SPECIAL SESSION

Juneau, Alaska

Monday

July 10, 2006

First Supplement

MESSAGES FROM THE SENATE

SB 160

A message dated May 4, 2006, was received stating the Senate has passed the following and it was transmitted for consideration:

CS FOR SENATE BILL NO. 160(FIN) am(efd fld)

"An Act relating to a procurement and electronic commerce tools program for state departments and instrumentalities of the state."

HB 475

A message dated May 7, 2006, was received stating the Senate has passed:

CS FOR HOUSE BILL NO. 475(FIN) am

"An Act relating to the supplemental employee benefit program; relating to teachers' and public employees' defined benefit retirement plans; relating to teachers' and public employees' defined contribution retirement plans that apply to employees first hired after June 30, 2007; relating to the health reimbursement arrangement plan for certain teachers and public employees; clarifying eligibility for membership in the health reimbursement arrangement plan; relating to waiver of adjustments under the teachers' defined benefit retirement plan and the public employees' defined benefit retirement plan; relating to the administrator of the Public Employees' Retirement System of Alaska; relating to employer contributions for occupational disability and death benefits; repealing participation in the teachers' defined contribution and defined benefit retirement plans by certain

employees of the National Education Association of Alaska; relating to requirements for employer minimum contributions to the teachers' and the public employees' defined benefit retirement systems; relating to the public employees' defined benefit deferred compensation program; providing for an effective date by amending sec. 148, ch. 9, FSSLA 2005, which contains an effective date; and providing for an effective date."

with the following amendment and it was transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 475(CRA)(efd
fld S)

"An Act relating to the supplemental employee benefit program; relating to teachers' and public employees' defined benefit retirement plans; relating to teachers' and public employees' defined contribution retirement plans; relating to the health reimbursement arrangement plan for certain teachers and public employees; clarifying eligibility for membership in the health reimbursement arrangement plan; relating to waiver of adjustments under the teachers' defined benefit retirement plan and the public employees' defined benefit retirement plan; relating to the administrator of the Public Employees' Retirement System of Alaska; relating to employer contributions for occupational disability and death benefits; repealing participation in the teachers' defined contribution and defined benefit retirement plans by certain employees of the National Education Association of Alaska; relating to requirements for employer minimum contributions to the teachers' and the public employees' defined benefit retirement systems; and relating to the public employees' defined benefit deferred compensation program."

(pending title change resolution)

MESSAGES FROM THE GOVERNOR

SCR 23

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 23

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 41, relating to certain sentences for assault in the fourth degree.

Legislative Resolve No. 45

SCR 27

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 27

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 441, relating to operating motor vehicles, aircraft, and watercraft while under the influence and treatment programs.

Legislative Resolve No. 42

SCR 30

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 30

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 258, relating to aggravating factors at sentencing for sexual assault and sexual abuse.

Legislative Resolve No. 46

SCR 32

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 32

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 9, urging the United States Congress to honor the process and judgment of the federal courts in the case of the Exxon Valdez disaster and to refrain from enacting legislation that would affect the outcome of the courts' resolution of the case.

Legislative Resolve No. 47

SCR 33

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 33

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, relating to funding for school districts operating secondary school boarding programs.

Legislative Resolve No. 44

SCR 34

A message dated June 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 34

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 334, relating to an exemption from and deferral of municipal property taxes for certain types of deteriorated property.

Legislative Resolve No. 48

SCR 28

A message dated June 8, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE CONCURRENT
RESOLUTION NO. 28(HES)

Relating to the innovative application of education technology tools to provide improved distance education programs in the state.

Legislative Resolve No. 43

MESSAGES FROM THE SENATE**SB 2002**

A message dated June 7, 2006, was received stating the Senate has failed to concur in the House amendment(s) to:

CS FOR SENATE BILL NO. 2002(JUD)

"An Act conferring original jurisdiction on the Alaska Supreme Court for the purpose of providing judicial review of a contract executed under the Alaska Stranded Gas Development Act, and setting the time in which a final agency decision of the commissioner of revenue made under that Act, the constitutionality of a law authorizing a contract enacted under that Act, or the enforceability of a contract executed under a law authorizing a contract enacted under that Act must be legally challenged and by whom; and providing for an effective date."

namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 2002(JUD) am H

"An Act increasing the time period for legislative and public comment on a proposed contract and preliminary findings and determinations under the Alaska Stranded Gas Development Act, conferring original jurisdiction on the Alaska Supreme Court for the purpose of providing judicial review of a contract executed under the Alaska Stranded Gas Development Act, and setting the

time in which a final agency decision of the commissioner of revenue made under that Act, the constitutionality of a law authorizing a contract enacted under that Act, or the enforceability of a contract executed under a law authorizing a contract enacted under that Act must be legally challenged and by whom; and providing for an effective date."

(HCR 201 - title change resolution)

and respectfully requests the House to recede from its amendment(s).

In the event the House fails to recede, the President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Seekins, Chair
Senator Cowdery
Senator Guess

SB 2001

A message dated June 8, 2006, was received stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 2001(FIN) am H
"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date."

and

CS FOR SENATE BILL NO. 2001(FIN)
(same title)

The Speaker had previously granted the limited powers of free conference on the specific points requested (page 4178).

A message dated June 8, 2006, was received stating the Senate has adopted the Conference Committee with limited powers of free conference report on HCS CSSB 2001(FIN) am H and CSSB 2001(FIN), thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 2001

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date."

The House failed to adopt CCS SB 2001 (page 4179).

ENROLLMENT

HCR 4

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:22 p.m., June 9, 2006:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(JUD)

Encouraging the establishment of a methamphetamine watch program.

MESSAGES FROM THE GOVERNOR

HB 441

A message dated June 9, 2006, was received stating the Governor has signed the following bill June 8 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 441(FIN)

"An Act relating to criminal sentencing; relating to operating or driving a motor vehicle, aircraft, or watercraft while under the

influence; relating to court-ordered treatment programs for certain offenders and offenses; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date."

Chapter No. 56, SLA 2006
Effective Date: June 9, 2006

HCR 4

A message dated June 13, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(JUD)
Encouraging the establishment of a methamphetamine watch program.

Legislative Resolve No. 55

HB 380

A message dated June 14, 2006, was received stating the Governor has signed the following bill June 13 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 380(RES)
"An Act relating to the powers and duties of the commissioner of environmental conservation regarding animals, animal products, agricultural products, and the transportation of animals and animal products; relating to the employment, appointment, and duties of a state veterinarian by the commissioner of environmental conservation; relating to the powers of the commissioner of natural resources regarding agricultural products; relating to animal rabies prevention and control; and providing for an effective date."

Chapter No. 59, SLA 2006
Effective Date: See Chapter

HB 471

A message dated June 14, 2006, was received stating the Governor has signed the following bill June 13 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 471(FIN)

"An Act amending the Knik Arm Bridge and Toll Authority Act and the powers and authority of the authority to finance construction and maintenance of the Knik Arm Bridge, to set and collect tolls, and to carry out its duties; and providing for an effective date."

Chapter No. 60, SLA 2006

Effective Date: June 14, 2006

SB 216

A message dated June 14, 2006, was received stating the Governor has signed the following bill June 13 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. 216(FIN)

"An Act relating to bail and unlawful evasion; and providing for an effective date."

Chapter No. 57, SLA 2006

Effective Date: June 14, 2006

SB 273

A message dated June 14, 2006, was received stating the Governor has signed the following bill June 13 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 273

"An Act relating to a motor vehicle dealer's selling or offering to sell motor vehicles as new or current models or as new or current model motor vehicles having manufacturer's warranties."

Chapter No. 61, SLA 2006
Effective Date: September 11, 2006

SB 291

A message dated June 14, 2006, was received stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 291(CRA)
"An Act relating to the municipal harbor facility grant program;
and providing for an effective date."

Chapter No. 62, SLA 2006
Effective Date: July 1, 2006

SB 310

A message dated June 14, 2006, was received stating the Governor has signed the following bill June 13 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR SENATE BILL NO. 310(FIN) am H
"An Act relating to the employment of prisoners; and providing
for an effective date."

Chapter No. 58, SLA 2006
Effective Date: See Chapter

ENROLLMENT**HCR 46**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:25 p.m., June 19, 2006:

HOUSE CONCURRENT RESOLUTION NO. 46
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of
the Alaska State Legislature, concerning Senate Bill No. 171,

relating to the National Petroleum Reserve - Alaska special revenue fund.

HCR 47

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:25 p.m., June 19, 2006:

HOUSE CONCURRENT RESOLUTION NO. 47

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 274, relating to the disposition of forfeited, surplus, and unclaimed firearms by the state.

HCR 50

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 3:25 p.m., June 19, 2006:

HOUSE CONCURRENT RESOLUTION NO. 50

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of "title insurance limited producer" and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; and making conforming amendments.

MESSAGES FROM THE GOVERNOR**HB 83**

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 16 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 83(FIN)

"An Act relating to the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

Chapter No. 71, SLA 2006

Effective Date: June 17, 2006

HB 399

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 399(STA)

"An Act establishing the office of elder fraud and assistance; and relating to fraud involving older Alaskans."

Chapter No. 64, SLA 2006

Effective Date: September 13, 2006

HB 420

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 420(FSH)

"An Act relating to riparian protection standards for forest resources and practices; and providing for an effective date."

Chapter No. 65, SLA 2006

Effective Date: July 1, 2006

SB 12

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 16 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. 12(STA) am
H(efd add H)

"An Act relating to human trafficking; relating to sex tourism; relating to procurement from a person conducting business in or having headquarters in countries that support or ignore slavery and trafficking in persons; and providing for an effective date."

Chapter No. 72, SLA 2006
Effective Date: July 1, 2006

SB 20

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 16 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. 20(FIN)
"An Act relating to offenses against unborn children."

Chapter No. 73, SLA 2006
Effective Date: September 14, 2006

SB 48

A message dated June 19, 2006, was received stating the Governor has 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. 48(HES) am H
"An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children."

Chapter No. 76, SLA 2006
Effective Date: September 17, 2006

SB 132

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR SENATE BILL NO. 132(FIN) am H

"An Act relating to complaints filed with, investigations, hearings, and orders of, and the interest rate on awards of the State Commission for Human Rights; and making conforming amendments."

Chapter No. 63, SLA 2006

Effective Date: September 13, 2006

SB 134

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 16 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 134(JUD)

"An Act relating to a pilot project to review and investigate certain complaints from victims of sexual assault in the first degree or sexual abuse of a minor in the first degree concerning actions of justice agencies."

Chapter No. 74, SLA 2006

Effective Date: September 14, 2006

SB 177

A message dated June 19, 2006, was received stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 177(HES)

"An Act eliminating the prohibition on the use by certain licensed professionals of titles or descriptions of services that incorporate the terms 'psychoanalysis,' 'psychoanalyst,' 'psychotherapy,' 'psychotherapeutic,' or 'psychotherapist.'"

Chapter No. 77, SLA 2006
Effective Date: September 17, 2006

SB 188

A message dated June 19, 2006, was received stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 188(FIN)
"An Act relating to the maximum amount of loans from the bulk fuel revolving loan fund to one borrower in a fiscal year."

Chapter No. 78, SLA 2006
Effective Date: September 17, 2006

SB 200

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 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. 200(FIN)
"An Act relating to defense of self, other persons, property, or services."

Chapter No. 68, SLA 2006
Effective Date: September 13, 2006

SB 209

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 209(JUD)
"An Act relating to access by persons under 21 years of age to premises licensed to sell alcoholic beverages as clubs when alcoholic beverages are not present and, when alcoholic beverages are present, to premises of a patriotic organization licensed as a club if the person possesses a valid active duty military or armed

forces identification card issued by the United States government."

Chapter No. 69, SLA 2006

Effective Date: September 13, 2006

SB 249

A message dated June 19, 2006, was received stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

Chapter No. 79, SLA 2006

Effective Date: September 17, 2006

SB 265

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 16 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 265

"An Act increasing the total amount of bonds and notes that the Alaska Municipal Bond Bank Authority may have outstanding; and providing for an effective date."

Chapter No. 75, SLA 2006

Effective Date: June 17, 2006

SB 274

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 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. 274(FIN) am H

"An Act relating to the disposition of forfeited, surplus, and unclaimed firearms by the state and municipalities."

Chapter No. 70, SLA 2006
Effective Date: September 13, 2006

SB 289

A message dated June 19, 2006, was received stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 289(FIN) am H

"An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to mental health benefits under a health care insurance plan, to the definitions of 'title insurance limited producer' and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums; and providing for an effective date."

Chapter No. 80, SLA 2006
Effective Date: See Chapter

SB 298

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 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. 298(JUD)

"An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees, beneficiaries, and creditors of trusts and of trusts and estates;

relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date."

Chapter No. 66, SLA 2006
Effective Date: See Chapter

SB 300

A message dated June 19, 2006, was received stating the Governor has signed the following bill June 15 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 300(L&C)

"An Act relating to the handling of negative equity in motor vehicle transactions; and relating to the contents of retail installment contracts."

Chapter No. 67, SLA 2006
Effective Date: September 13, 2006

HCR 46

A message dated June 21, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 46

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 171, relating to the National Petroleum Reserve - Alaska special revenue fund.

Legislative Resolve No. 56

HCR 47

A message dated June 21, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 47

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 274, relating to the disposition of forfeited, surplus, and unclaimed firearms by the state.

Legislative Resolve No. 50

HCR 50

A message dated June 21, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 50

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of "title insurance limited producer" and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; and making conforming amendments.

Legislative Resolve No. 57

ENROLLMENT**HB 307**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:07 p.m., June 21, 2006:

CS FOR HOUSE BILL NO. 307(RES)

"An Act creating the Knik River Public Use Area."

HB 343

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:07 p.m., June 21, 2006:

CS FOR HOUSE BILL NO. 343(JUD) am

"An Act creating the crimes of harassment in the first and second degree, amending the crime of stalking, and adding a definition of 'medical professional' to the assault and harassment statutes."

HB 409

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:07 p.m., June 21, 2006:

CS FOR HOUSE BILL NO. 409(L&C)

"An Act relating to excluding qualified real estate licensees from workers' compensation coverage."

HB 484

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:07 p.m., June 21, 2006:

SENATE CS FOR CS FOR HOUSE BILL NO. 484(FIN)

"An Act allowing for revenue received from issuance of additional entry permits to be appropriated for reimbursement to salmon fishery associations."

HB 41

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:08 p.m., June 21, 2006:

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

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed on school grounds, on a school bus, at a school-sponsored event, or at certain school district administration offices."

HB 218

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:08 p.m., June 21, 2006:

SENATE CS FOR CS FOR HOUSE BILL NO. 218(FIN)

"An Act relating to cost recovery fisheries for private nonprofit hatchery facilities."

HB 258

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:08 p.m., June 21, 2006:

SENATE CS FOR CS FOR HOUSE BILL NO. 258(JUD)

"An Act relating to sexual abuse of a minor in the second degree and to aggravating factors at sentencing for sexual assault and sexual abuse."

HB 266

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 2:08 p.m., June 21, 2006:

CS FOR HOUSE BILL NO. 266(FIN)

"An Act relating to penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

HB 183

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:08 p.m., June 21, 2006:

SENATE CS FOR CS FOR HOUSE BILL NO. 183(STA)

"An Act relating to the use of campaign contributions for shared campaign activity expenses and to reimbursement of those expenses; and amending the definition of 'contribution' in regard to sharing fundraising lists between candidates and political parties without compensation."

HB 318

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:08 p.m., June 21, 2006:

SENATE CS FOR CS FOR HOUSE BILL NO. 318(FIN)

"An Act limiting the exercise of eminent domain."

The following memorandum, dated May 30, 2006, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in SCS CSHB 318(FIN), which have been corrected in enrolling:

Page 3, line 8:

Delete "(8)"

Insert "(8)"

Page 3, line 9:

Delete "[(8)]""

MESSAGES FROM THE GOVERNOR**SCR 201**

A message dated June 29, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 201

Authorizing the Senate or the House of Representatives to recess for periods longer than three days during special sessions.

Legislative Resolve No. 59

HB 266

A message dated June 30, 2006, was received stating the Governor has signed the following bill June 28 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 266(FIN)

"An Act relating to penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date."

Chapter No. 81, SLA 2006

Effective Date: June 29, 2006

SB 231

The following letter, dated June 30, 2006, was received:

"Dear Speaker Harris:

On this date I signed with line item vetoes the following bill passed by the second session of the Twenty-Fourth Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN) am
H(brf sup maj pflld H)

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; 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."

Chapter No. 82, SLA 2006
[Effective Date: See Chapter]

Alaska's future awaits great opportunities. The challenge of leadership is to make decisions today that will realize those opportunities tomorrow.

The capital budget I have signed into law today enables the state to meet many of its basic responsibilities—to our schools, to improving local transportation, to taking care of deferred maintenance at parks and state buildings that has been neglected for years, to getting Alaska's infrastructure ready for the state's economic future, especially the gas pipeline. This capital budget also provides funding that goes directly to communities to help meet their local priorities, as well as to non profit organizations around the state that work every day to make Alaska a better place to live.

One of the regrets regarding the capital budget is the Legislature's failure to meet the contingency that triggers two appropriations—a \$182.7 million for the Power Cost Equalization (PCE) program and \$73.1 million to construct three rural schools. The deposit in the PCE endowment would result in sufficient earnings to fully fund PCE each year, as was originally intended when the endowment was created. This would then provide stable funding on which rural Alaska communities could depend and on which economic activity and jobs can be built.

The \$73.1 million appropriation will fund the top three schools ranked on the list of the Department of Education and Early Development's School Construction Grants:

Southwest Region – New Stuyahok K-12 School
Replacement - \$27,231,626

Lower Kuskokwim – D.R. Kiunya Memorial K-12
Improvements - \$19,382,855

Northwest Arctic – Noatak K-12 School
Replacement - \$26,501,174.

The contingency on which funding for these projects rests is an increase in the state's petroleum production tax. While it has not yet been approved, it will continue to be considered by the Legislature during an upcoming special session. As a result, these appropriations can still be funded if the contingency is met by future legislative action.

There are several appropriations that while I did not veto them, I have concerns. These include:

- A \$50,000 grant to the Alaska Moose Federation for a moose safety and rebuilding task force. While I have let the appropriation stand, I want the organization to use these funds to conform with state requirements that govern management of orphan moose calves, including compliance with the Alaska Department of Fish and Game's policies. These funds shall be used to transport orphan moose calves to rural areas as quickly as possible once such transport is approved by a veterinarian. The funds are not to be used for administrative purposes.
- Throughout the capital budget there are small grants to selected schools for supplies and library books, all of which I am sure each school will greatly appreciate. Unfortunately, the schools designated to receive these additional grants appear to be the result from the way in which the budget is divided among legislators through its so-called "discretionary" spending. This process results in some schools—often in neighborhoods and communities that are the least able to pay for these needs themselves—losing out, which is unfair to those schools' children. I urge the Legislature to re-examine this process to correct for the "have" and "have-nots" that result from such a process.

- The Legislature included \$9 million for an Anchorage Regional Fire Training Facility. I understand the current facility needs to relocate due to a road construction project and related land exchange. The documentation submitted in support of the project indicates that the Municipality of Anchorage is looking to the state and federal governments to pay 100 percent of the project's \$25.5 million cost. At the same time there is an excellent—but underused—fire training facility on the Kenai Peninsula. Before proceeding with this project, I ask that the Municipality of Anchorage work with the Alaska Department of Public Safety to examine how the Kenai facility can meet the fire training needs of Anchorage and other communities and that any new facility does not duplicate the training available at Kenai.
- Funds are included in the capital budget to begin construction of a new city dock in Gustavus. I continue to believe that the new dock should be built in Bartlett Cove where it will be much safer and in protected waters. Unfortunately the National Park Service has not yet agreed. I have directed the Alaska Department of Transportation and Public Facilities to continue to work with the Park Service to reach agreement on the dock's location.

I have vetoed or reduced the following appropriations for the reasons explained:

Railbelt Energy Fund - \$73,500,000 Railbelt energy funds

I have vetoed the eight appropriations that the Legislature made from the Railbelt Energy Fund to utilities around the state. I let stand the \$800,000 to the Alaska Energy Authority.

Reason for veto: It is extremely important that Alaska's utilities work together to expand the state's generating capacity to meet the demands of the future. While I understand that each utility has an interest in meeting the needs of their ratepayers, it is now time that they assume a collective responsibility to address the state's future energy demands. The projects funded in this section of the capital budget did little to meet this need.

Some have suggested that relief from a shortage of natural gas likely will come from the potential closure of the Liquified

Natural Gas (LNG), urea and ammonia facilities on the Kenai Peninsula should the contract not be renewed, or if Agrium is unable to continue because of an inability to obtain a year-round gas supply. It is unacceptable for such alternatives to be viewed as "relief." It also is imperative that the utilities pursue every available avenue to keep these two facilities open because they are a vital component in justifying a lateral line from the proposed gas pipeline. Such a line would originate in Fairbanks and go Delta-Glennallen-Mat-Su Valley-Anchorage-Kenai, where it will meet up with these potential major users.

I have approved the \$800,000 included in this section that provides for a study on the creation of the Railbelt Electrical Grid Authority as an independent system operator to manage and dispatch electric power on the Railbelt grid. I believe this can be the mechanism by which the state and utilities work together to expand the generating capacity of Alaska's utilities—something that is vital to meeting the economic opportunities that the future holds.

City of Wasilla – Nanotechnology Development in the Matanuska-Susitna Borough - \$100,000 general funds

Reason for veto: This project was not identified as a priority of the City of Wasilla. While there may be potential for such an industry in Alaska, it will require the commitment and participation of the local community.

City of Kake – Facelift for World's Tallest Totem Pole - \$200,000 general funds

Reason for veto: This is an obligation of the local community.

Alaska Siberian Research Center – Alaska Siberia WWII Lend-Lease Memorial Park Construction and Statue Installation - \$50,000 general funds

Reason for veto: I have reduced this appropriation in half. The amount remaining is to support the memorial and I have removed the funds for the guidebook, which is outside the scope of the original project.

This capital budget reflects my administration's commitment to ensuring each Alaskan has the opportunity to fully participate in Alaska's bright future. I am pleased with the Legislature's support of the direction in which we are taking the state. Much has been accomplished—and we look forward to delivering even greater results for Alaskans.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 307

A message dated July 3, 2006, was received stating the Governor has signed the following bill June 30 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 307(RES)

"An Act creating the Knik River Public Use Area."

Chapter No. 83, SLA 2006

Effective Date: September 28, 2006

ENROLLMENT**HB 300**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:32 a.m., July 5, 2006:

CS FOR HOUSE BILL NO. 300(O&G)

"An Act relating to the qualifications of the member of the Alaska Oil and Gas Conservation Commission who need not be certified, trained, or experienced in either the field of petroleum engineering or the field of petroleum geology."

HCR 30

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:27 p.m., July 5, 2006:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 30(FIN)

Creating an Alaska Climate Impact Assessment Commission.

The following memorandum, dated June 8, 2006, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in SCS CSHCR 30(FIN), which has been corrected in enrolling:

Page 3, line 23:

Delete "charge"

Insert "change""

MESSAGES FROM THE GOVERNOR**HCR 30**

A message dated July 7, 2006, was received stating the Governor has read the following resolution and has transmitted the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 30(FIN)

Creating an Alaska Climate Impact Assessment Commission.

Legislative Resolve No. 49

HB 41

A message dated July 7, 2006, was received stating the Governor has signed the following bill July 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed on school grounds, on a school bus, at a school-sponsored event, or at certain school district administration offices."

Chapter No. 86, SLA 2006

Effective Date: October 4, 2006

HB 258

A message dated July 7, 2006, was received stating the Governor has signed the following bill July 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 258(JUD)

"An Act relating to sexual abuse of a minor in the second degree and to aggravating factors at sentencing for sexual assault and sexual abuse."

Chapter No. 88, SLA 2006

Effective Date: October 4, 2006

HB 318

A message dated July 7, 2006, was received stating the Governor has signed the following bill July 5 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 318(FIN)

"An Act limiting the exercise of eminent domain."

Chapter No. 84, SLA 2006

Effective Date: October 3, 2006

HB 343

A message dated July 7, 2006, was received stating the Governor has signed the following bill July 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 343(JUD) am

"An Act creating the crimes of harassment in the first and second degree, amending the crime of stalking, and adding a definition of 'medical professional' to the assault and harassment statutes."

Chapter No. 87, SLA 2006

Effective Date: October 4, 2006

HB 409

A message dated July 7, 2006, was received stating the Governor has signed the following bill July 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 409(L&C)

"An Act relating to excluding qualified real estate licensees from workers' compensation coverage."

Chapter No. 85, SLA 2006

Effective Date: October 4, 2006

COMMUNICATIONS

The following were received:

Dept. of Fish & Game

Alaska Commercial Fisheries Entry Commission (CFEC)

2005 Annual Report

(as required by AS 16.43.980)

http://www.cfec.state.ak.us/mnu_Annual_Reports.htm

The Office of Victims' Rights

Annual Report to the Alaska Legislature

July 1, 2006

(as required by AS 24.65.170)

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

HOUSE JOURNAL

4214

July 10, 2006

Dept. of Administration
Dept. of Revenue
Public Employees' Retirement System
Teachers' Retirement System and
Alaska State Pension Investment Board
Selected Issues
December 30, 2005

* * * * *

This is the first supplemental journal for the Second Session and Second Special Session of the Twenty-Fourth Alaska State Legislature.

Suzi Lowell
Chief Clerk