HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE

FIRST SESSION FIRST AND SECOND SPECIAL SESSIONS

Juneau, Alaska

Wednesday

August 24, 2011

Second Supplement

ENROLLMENT

HB 87

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 10:23 a.m., July 11, 2011:

CS FOR HOUSE BILL NO. 87(L&C)

"An Act relating to civil and criminal penalties for antitrust violations."

HB 130

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 10:23 a.m., July 11, 2011:

CS FOR HOUSE BILL NO. 130(L&C)

"An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings."

HB 155

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 10:23 a.m., July 11, 2011:

CS FOR HOUSE BILL NO. 155(L&C)

"An Act relating to the applicability of prevailing wage rates to public construction contracts; and, with regard to public construction contracts, relating to notifications, bonding notifications, filings, notices, primary contractors, final payments, penalties, advertised specifications, required contract provisions, terminations, lists of violating contractors, and remedies."

HB 188

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 9:57 a.m., July 12, 2011:

HOUSE BILL NO. 188

"An Act relating to the interest that may be charged by express agreement."

HB 213

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 1:51 p.m., July 19, 2011:

HOUSE BILL NO. 213

"An Act naming the pathway parallel to the section of Eagle River Loop Road connecting Old Glenn Highway with North Parkview Terrace Loop the Mark Hufford Trail."

MESSAGES FROM THE GOVERNOR

HR 6

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 6

Urging the North Pacific Fisheries Management Council to amend the groundfish fisheries management plan for the Gulf of Alaska

to allow for an annually adjusted cap of prohibited species catch based on an abundance of bycatch species, and expeditiously to implement a Chinook bycatch cap to limit the number of Chinook salmon harvested as bycatch in the Gulf of Alaska.

House Resolve No. 6

HR 8

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 8

Opposing the designation by the National Oceanic and Atmospheric Administration of 3,016 square miles of upper Cook Inlet and Kachemak Bay as critical habitat for beluga whales.

House Resolve No. 8

HR9

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 9

Relating to adjournment of the First Regular Session of the Twenty-Seventh Alaska State Legislature and certifying to Governor Sean Parnell the disagreement between the House of Representatives and the Senate regarding the time of the legislature's adjournment.

House Resolve No. 9

HCR 1

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

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CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(HSS) Proclaiming November 2011 to be Pancreatic Cancer Awareness Month.

Legislative Resolve No. 9

HCR 3

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 3 (HSS) am

Relating to promoting the safety and protection of older Alaskans.

Legislative Resolve No. 14

HCR 5

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(HSS) Relating to prevention of disease and to vitamin D.

Legislative Resolve No. 16

HCR 6

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 6

Proclaiming the month of April 2011 to be Sexual Assault Awareness Month.

HCR 7

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 7

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

Legislative Resolve No. 22

HCR 8

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 8

Urging the Transportation Security Administration to reconsider its use of pat-down search procedures adopted on October 28, 2010, and to conduct pat-down searches using less invasive but equally effective procedures; and urging the United States Congress to exercise greater oversight of the Transportation Security Administration.

Legislative Resolve No. 4

HCR 15

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 15

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 1, requiring the state Board of Education and Early Development to provide an annual report to the legislature.

HCR 16

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 16

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 84, relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to the base student allocation; and relating to education tax credits.

Legislative Resolve No. 27

HCR 17

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 17

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 95, naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal.

Legislative Resolve No. 24

HJR9

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 9(RES)

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production; relating to oil and gas

exploration, development, production, and royalties; and relating to renewable and alternative energy technologies.

Legislative Resolve No. 25

HJR 11

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 11

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

Legislative Resolve No. 5

HJR 13

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 13

Honoring President Reagan on the 100th anniversary of his birth.

Legislative Resolve No. 1

HJR 15

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 15(STA)

Relating to collaboration with the Yukon and the Northwest Territories through the Pacific NorthWest Economic Region and its Arctic Caucus to address common issues.

HJR 17

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 17(CRA)

Urging the United States Congress to pass legislation concerning regulation of drinking water and wastewater treatment by the United States Environmental Protection Agency.

Legislative Resolve No. 17

HJR 19

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 19(RES)

Urging the United States Senate to ratify the United Nations Convention on the Law of the Sea.

Legislative Resolve No. 8

HJR 24

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 24

Urging the United States Congress to reauthorize the Secure Rural Schools and Communities Self-Determination Act of 2000.

Legislative Resolve No. 26

HJR 27

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and

enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 27

Supporting the relocation of the home port of the Coastal Villages Region Fund fishing fleet from Seattle to Alaska.

Legislative Resolve No. 15

HB 87

A message dated July 22, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 87(L&C)

"An Act relating to civil and criminal penalties for antitrust violations."

Chapter No. 27, SLA 2011 Effective Date: October 20, 2011

HB 108

The following letter was dated and received June 29, 2011, at 3:37 p.m.:

"Dear Speaker Chenault:

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

CONFERENCE CS FOR HOUSE BILL NO. 108

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

Chapter No. 3, FSSLA 2011 [Effective Date: See Chapter]

The budget I presented to the Legislature limited the growth in the State operating budget while preserving the programs and services important to Alaskans. I appreciate the careful consideration and support from the Legislature of this request.

House Bill 108, as passed by the Legislature, contained appropriations for Fiscal Year 2011 and Fiscal Year 2012 totaling \$11.8 billion, of which \$7.8 billion is general fund. The budget includes special appropriations for tax credits, revenue sharing, and direct deposits to the retirement system costs, and includes funding for public education, the university, public health and safety, transportation, resource development, and funding for State government programs, services, and grants.

In addition, HB 108 includes savings and special appropriations of \$3.5 billion, including \$1.1 billion to forward fund K-12 education in FY 2013, and \$929 million for inflation proofing of Alaska's Permanent Fund. \$479.5 million is appropriated for the retirement system unfunded liability and \$526 million for permanent fund dividends.

Through line-item vetoes, I have reduced the appropriations in HB 108 by \$12.1 million. This reduction in debt service costs results from the \$199 million in debt buy-down for previously approved debt and lease financing.

Please note that HB 108, Section 13(g), relating to funding for tourism marketing, is repealed in Section 54 of Senate Bill 46 and replaced with \$12 million in SB 46, Section 13.

The enclosed spreadsheet contains a summary of the vetoed appropriations including the appropriation cite, fund source, and the reason for the veto.

Sincerely, /s/ Sean Parnell Governor"

A spreadsheet from the Office of the Governor, Office of Management and Budget, pertaining to budget vetoes accompanied the letter and is on file in the Chief Clerk's office.

HB 109

The following letter was dated and received June 29, 2011, at 3:37 p.m.:

"Dear Speaker Chenault:

On this date, I signed the following bill passed by the first special session of the Twenty-Seventh Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CONFERENCE CS FOR HOUSE BILL NO. 109

"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."

Chapter No. 4, FSSLA 2011 [Effective Date: July 1, 2011]

My priority has been to promote economic growth and opportunity for Alaskans. The mental health operating and capital budgets presented for legislative consideration this past session were designed to meet these goals and preserve programs and services important to Alaskans. I appreciate the careful consideration and support from the Legislature of these requests.

Sincerely, /s/ Sean Parnell Governor"

HB 130

The following letter dated July 13, 2011, was received:

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"Dear Speaker Chenault:

On this date, I have signed the following bill passed by the first session of the Twenty-Seventh Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 130(L&C)

"An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings."

Chapter No. 26, SLA 2011 [Effective Date: October 11, 2011]

While HB 130 does not require residential fire sprinklers, it does mandate that local governments choosing to pursue residential fire sprinkler systems engage in a more extensive public hearing and comment process.

Sincerely, /s/ Sean Parnell Governor"

HB 155

A message dated July 22, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 155(L&C)

"An Act relating to the applicability of prevailing wage rates to public construction contracts; and, with regard to public construction contracts, relating to notifications, bonding notifications, filings, notices, primary contractors, final payments, penalties, advertised specifications, required contract provisions, terminations, lists of violating contractors, and remedies."

Chapter No. 28, SLA 2011 Effective Date: October 20, 2011

HB 188

A message dated July 22, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 188

"An Act relating to the interest that may be charged by express agreement."

Chapter No. 29, SLA 2011 Effective Date: October 20, 2011

HB 213

A message dated July 25, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 213

"An Act naming the pathway parallel to the section of Eagle River Loop Road connecting Old Glenn Highway with North Parkview Terrace Loop the Mark Hufford Trail."

Chapter No. 30, SLA 2011 Effective Date: October 23, 2011

SCR 7

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 7

Proclaiming September 9, 2011, as Fetal Alcohol Spectrum Disorders Awareness Day.

Legislative Resolve No. 11

SCR 8

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and

enrolled copies to the Lieutenant Governor's office for permanent filing:

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. 7, relating to classifying certain substances as schedule IIIA controlled substances.

Legislative Resolve No. 19

SCR 10

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 10

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 28, relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces.

Legislative Resolve No. 12

SCR 14

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 14

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 127, relating to the crimes of stalking, online enticement of a minor, unlawful exploitation of a minor, endangering the welfare of a child, sending an explicit image of a minor, harassment, and misconduct involving confidential information; relating to probation; relating to the subpoena power of the attorney general

in cases involving use of an Internet service account; relating to an appearance before a judicial officer after arrest; relating to penalties for operating a vehicle without possessing proof of motor vehicle liability insurance or a driver's license; relating to penalties for certain arson offenses; and amending Rule 5(a)(1), Alaska Rules of Criminal Procedure, and Rule 43.10, Alaska Rules of Administration.

Legislative Resolve No. 20

SCR 15

A message dated July 19, 2011, was received stating the Governor read the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 15

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 126, extending the termination dates of the Board of Nursing, the Board of Dental Examiners, and the Board of Barbers and Hairdressers.

Legislative Resolve No. 28

SJR 2

A message dated July 19, 2011, was received stating the Governor signed the following resolution and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE JOINT RESOLUTION NO. 2(RES)

Commending and supporting actions taken by the Office of the Governor and the attorney general to protect the state from federal government incursion into the care and management of state resources and to promote the economic prosperity of the state; and urging the United States Congress and the President of the United States to limit federal government overreach into management of state resources.

SB 42

A message dated July 13, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 42(FIN)

"An Act relating to the quorum of the Alaska Energy Authority; relating to the powers and duties of the Alaska Energy Authority; relating to the acquisition or construction of a Susitna River power project by the Alaska Energy Authority; relating to the definition of 'feasibility study' in the Alaska Energy Authority Act; providing legislative approval for certain loans from the power project fund; and providing for an effective date."

Chapter No. 6, FSSLA 2011 Effective Date: July 14, 2011

SB 46

The following letter was dated and received June 29, 2011, at 3:37 p.m.:

"Dear Speaker Chenault:

On this date, I signed, with line item vetoes, the following bill passed by the first special session of the Twenty-Seventh 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. 46(FIN)

"An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

Chapter No. 5, FSSLA 2011 [Effective Date: See Chapter]

Our priority has been to promote economic growth and opportunity for Alaskans. Budget discipline requires a balance of saving for the future and investing in economic development now. With declining oil production, an uncertain national economy, and the State's financial obligations of saving more now makes sense. The capital budget I presented for legislative consideration provided a healthy level of investment while taking this longer term view of saving for Alaska's future.

I made reductions in spending with several key factors in mind – life and safety, infrastructure and jobs now, leveraging other funds, and balance across Alaska. I appreciated Legislators letting me know the high priority projects in their districts. Projects that were reduced or vetoed can be considered in a future budget.

HCS CSSB 46(FIN), as passed by the Legislature, contained capital appropriations for Fiscal Year 2011 and Fiscal Year 2012, totaling \$3.2 billion, including \$2.0 billion in general funds. Through line-item vetoes, I have reduced the appropriations in the capital budget by \$400.3 million of which \$333.6 million is general fund. The enclosed spreadsheet contains a summary of the vetoed appropriations including the page and line number, fund source, and the reason for the veto.

We have focused on energy, including over \$1 billion for hydroelectric generation and transmission, renewable energy grants, weatherization, home energy rebates, and other energy projects along with power cost equalization funding in the operating budget.

The capital budget I sign into law funds the Susitna hydroelectric project at \$65.7 million and also includes \$1.24 billion for transportation, including highways and aviation projects, \$87.1 million for water and sewer projects, \$297.9 million for K-12 education and the University, and \$114.2 million for deferred maintenance projects. As enacted, the budget includes \$44 million for the Tanana River Bridge and \$30 million each for the Point MacKenzie Rail Extension and Port of Anchorage. These are significant economic development projects that will create jobs and economic growth in Alaska.

These capital dollars will create jobs and opportunity for Alaskans, meet the State's constitutional responsibilities of resource

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development, education, public safety, and infrastructure essential to Alaska's economic future, and address high-priority projects in districts across the state.

Sincerely, /s/ Sean Parnell Governor"

A spreadsheet from the Office of the Governor, Office of Management and Budget, pertaining to budget vetoes accompanied the letter and is on file in the Chief Clerk's office.

SB 84

A message dated July 22, 2011, was received stating the Governor signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 84(FIN) am H "An Act amending the funding for statewide residential educational programs; relating to funding for high school vocational and technical instruction as a component of funding for public schools; relating to education tax credits; creating a pilot project in the Iditarod Area School District; providing for an effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

Chapter No. 7, FSSLA 2011 Effective Date: July 23, 2011

COMMUNICATIONS

The following was received:

Alaska Gasline Development Corporation Alaska Stand Alone Gas Pipeline (ASAP) Project Plan July 1, 2011 (as required by AS 38.34.040)

Letters of disclosure, as required by AS 24.60, were published August 24, 2011, in House Journal Supplement No. 3 and House and Senate Joint Journal Supplement No. 8.

UNFINISHED BUSINESS

SB 1

Pursuant to:

HOUSE CS FOR CS FOR SENATE BILL NO. 1(RLS)

"An Act requiring the state Board of Education and Early Development to provide an annual report to the legislature; and establishing a joint legislative task force on theme-based education."

Chapter No. 14, SLA 2011

The Speaker made the following appointments to the Joint Legislative Task Force on Theme-Based Education:

Representative Dick, Chair Representative Stoltze Representative Neuman, Alternate

HB 180

Representatives Gara and Gruenberg added their names as cosponsors to:

HOUSE BILL NO. 180

"An Act authorizing the Department of Administration to note a person's status as a veteran on the person's driver's license and to provide certain information to the Department of Military and Veterans' Affairs."

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This is the second supplemental journal for the First Session and the First and Second Special Sessions of the Twenty-seventh Alaska State Legislature.

Suzi Lowell Chief Clerk