

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION
FIRST AND SECOND SPECIAL SESSIONS

Juneau, Alaska

Wednesday

August 24, 2011

Second Supplement

Enrollment

SB 84

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" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:52 p.m., July 13, 2011.

Memorandum from the Division of Legal and Research Services, Legislative Affairs Agency, reporting the following manifest error in HOUSE CS FOR CS FOR SENATE BILL NO. 84(FIN) am H, which has been corrected in enrolling:

Page 1, line 8:

Delete "(c)"

Insert "(d)"

Messages from the Governor

HB 130

Message dated July 13 was received stating:

Dear President Stevens:

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: 10/11/2011]

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 87

Message was received stating the Governor signed the following bill on July 22 and transmitted 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 27, SLA 2011
Effective Date: 10/20/11

HB 155

Message was received stating the Governor signed the following bill on July 22 and transmitted 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 28, SLA 2011
Effective Date: 10/20/11

HB 188

Message was received stating the Governor signed the following bill on July 22 and transmitted 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 29, SLA 2011
Effective Date: 10/20/11

HB 213

Message was received stating the Governor signed the following bill on July 25 and transmitted 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 30, SLA 2011
Effective Date: 10/23/11

HB 108

Message dated June 29 was received stating:

Dear President Stevens:

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 Management and Budget, Office of the Governor accompanied the preceding letter and is on file in the Office of the Senate Secretary.

HB 109

Message dated June 29 was received stating:

Dear President Stevens:

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: 7/1/11]

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

SB 46

Message dated June 29 was received stating:

Dear President Stevens:

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 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 Management and Budget, Office of the Governor accompanied the preceding letter and is on file in the Office of the Senate Secretary.

SB 42

Message was received stating the Governor signed the following bill on July 13 and transmitted 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 6, FSSLA 2011
Effective Date: 7/14/11

SB 84

Message was received stating the Governor signed the following bill on July 22 and transmitted 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 7, FSSLA 2011
Effective Date: 7/23/11

HJR 13

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 8

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HJR 11

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 6

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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.

Legislative Resolve No. 7

HJR 19

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 1

Message dated July 19 was received stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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

Legislative Resolve No. 9

HJR 15

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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.

Legislative Resolve No. 10

SCR 7

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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 10

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

SJR 2

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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.

Legislative Resolve No. 13

HCR 3

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HJR 27

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 5

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HJR 17

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

SCR 8

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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 14

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 7

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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 15

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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.

Legislative Resolve No. 23

HCR 17

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HJR 9

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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 24

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

HCR 16

Message dated July 19 was received stating the Governor read the following resolution and transmitted 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

SCR 15

Message dated July 19 was received stating the Governor read the
following resolution and transmitted 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

SR 3

Message dated July 19 was received stating the Governor read the
following resolution and transmitted the engrossed and enrolled copies
to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 3 Urging the North
Pacific Fishery 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.

Senate Resolve No. 3

Messages from the House**SB 45**

Message dated June 28 was received stating the House failed:

CS FOR SENATE BILL NO. 45(CRA) am(fld H) "An Act extending the termination date of the Alaska coastal management program and relating to the extension; relating to the review of activities and regulations of the Alaska coastal management program; establishing the Alaska Coastal Policy Board; relating to the development, review, and approval of district coastal management plans; relating to the duties of the Department of Natural Resources relating to the Alaska coastal management program; relating to the review of certain consistency determinations; providing for an effective date by amending the effective date of secs. 1 - 13 and 18, ch. 31, SLA 2005; and providing for an effective date."

The bill was referred to the Secretary for permanent filing.

Communications

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 3 and House and Senate Joint Journal Supplement No. 8.

SB 61

A sectional analysis for the following will be published in Senate Journal Supplement No. 4:

CS FOR SENATE BILL NO. 61(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

CS FOR SENATE BILL NO. 61(STA) was signed into law on May 9 (page 1078).

The following report is on file in the Office of the Secretary of the Senate:

Alaska Stand Alone Gas Pipeline/ASAP Project Plan July 1, 2011
from the Alaska Gasline Development Corporation
in accordance with AS 38.34.040(a)

Unfinished Business

SB 1

Notification received July 15 stating President Stevens made the following appointments:

Theme-based Education Joint Task Force

Senator Meyer

Senator Thomas (alternate)

This is the second supplement of the Senate Journal for the First Session and the First and Second Special Sessions of the Twenty-seventh Legislature.

Kirsten Waid
Secretary of the Senate