

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SIXTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Friday

August 27, 2010

#### Final Supplement

#### CERTIFICATION OF THE JOURNAL

As Chief Clerk, I certify as to the correctness of House Journal Supplement No. 7, Senate and House Joint Journal Supplement No. 17, and the First Supplement of the Second Session of the Twenty-Sixth Legislature dated July 9, 2010.

#### ENROLLMENT

##### **HB 20**

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 2:45 p.m., August 12, 2010:

SENATE CS FOR CS FOR HOUSE BILL NO. 20(FIN)

"An Act relating to commercial fishing loans for improving fuel efficiency and increasing the maximum amount for certain loans under the Commercial Fishing Loan Act; and providing for an effective date."

##### **HB 210**

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 2:45 p.m., August 12, 2010, with a manifest error memorandum (page 2585):

SENATE CS FOR CS FOR HOUSE BILL NO. 210(RES)

"An Act designating Kinzarof Lagoon as part of the Izembek State Game Refuge; authorizing a land exchange with the federal

government in which state land adjacent to the Izembek National Wildlife Refuge and within the Alaska Peninsula National Wildlife Refuge is exchanged for federal land to serve as a road corridor through the Izembek National Wildlife Refuge and federal land located on Sitkinak Island; and providing for an effective date."

### MESSAGES FROM THE GOVERNOR

#### HR 16

A message dated August 3, 2010, 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. 16

Relating to the mining and processing of rare earth elements in Alaska and to the stockpiling of rare earth elements; and urging the United States Congress to pass H.R. 4866.

House Resolve No. 11

#### HR 17

A message dated August 3, 2010, 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 RESOLUTION NO. 17(RLS) am

Urging the United States Department of Energy to expeditiously approve a two-year extension of the export license for the Kenai liquefied natural gas plant.

House Resolve No. 12

#### HCR 2

A message dated August 3, 2010, 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 CS FOR CS FOR HOUSE CONCURRENT  
RESOLUTION NO. 2(FIN)

Urging the Governor to commit to providing energy security for all Alaskans by supporting the in-state gas pipeline project and assisting the project in its efforts to secure needed permits, rights-of-way, engineering specifications, and other approvals necessary or desirable, to bundle the approvals for sale on the market to interested private sector pipeline companies, and in all other ways to act in due haste to move the in-state natural gas pipeline to a construction phase; urging the Governor to support the persons working on the in-state gas pipeline project in discussions with and obtaining of letters of intent from potential industrial users of natural gas, including the Agrium U.S., Inc., facility, the ConocoPhillips/Marathon facility, mining companies, and other businesses interested in value-added processing of petroleum gases transported in a natural gas pipeline from the North Slope or Brooks Range foothills for the purpose of providing jobs for Alaskans and ensuring the economic viability of the pipeline; urging the Governor to pursue the renewal of the license issued by the United States Department of Energy to export natural gas produced on the North Slope or in the Brooks Range foothills that exceeds the needs and demands of Alaskans for affordable natural gas; urging the Governor to continue negotiations with one or more entities capable of producing and supplying natural gas from the North Slope or Brooks Range foothills to Southcentral and Interior Alaska on commercially reasonable terms and in sufficient quantities to support the energy needs of Alaskans and the economic viability of a pipeline; urging the Governor to expedite the permits necessary or desirable to construct and operate a gas-to-liquids facility at Point Mackenzie if a feasibility document shows that it is economically viable; and urging the Governor to take the actions requested in this resolution, as necessary and appropriate, immediately and with all reasonable speed and effort.

Legislative Resolve No. 41

**HCR 10**

A message dated August 3, 2010, 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. 10(RES)  
Urging the Governor to exercise all available legal options to restrain the United States Department of the Interior, National Park Service, from intruding on the sovereign right of the state to exercise jurisdiction over navigable water and submerged land and urging the Governor to allocate sufficient resources to the Department of Law, the Department of Natural Resources, and the Department of Fish and Game to defend the state's right to manage the public use of its navigable water.

Legislative Resolve No. 43

**HCR 22**

A message dated August 3, 2010, 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. 22(FIN)  
Establishing and relating to the Alaska Northern Waters Task Force.

Legislative Resolve No. 54

**HCR 23**

A message dated August 2, 2010, 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. 23  
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 194, relating to penalties and civil damages for certain alcohol violations.

Legislative Resolve No. 55

**HCR 24**

A message dated August 2, 2010, 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. 24

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 permanent fund dividend of an otherwise qualified individual who dies during the qualifying year.

Legislative Resolve No. 56

**HCR 25**

A message dated August 2, 2010, 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. 25

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 110, relating to the preservation of evidence and to the DNA identification system.

Legislative Resolve No. 57

**HCR 26**

A message dated August 2, 2010, 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. 26

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 163, increasing the allowances for injury, disability, or heart attack payable from the fishermen's fund.

Legislative Resolve No. 44

**HCR 28**

A message dated August 2, 2010, 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. 28**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 220, relating to energy efficiency, energy conservation, and alternative energy, to an emerging energy technology fund, to the lease of state land to a public electric utility, to the Alaska heating assistance program, to state energy use data, to the Southeast energy fund, to nuclear energy production and facilities, to the definition of 'power project' or 'project' as it relates to rural and statewide energy programs and the Alaska Energy Authority, and to the definition of 'alternative energy system'; establishing an Alaska energy efficiency revolving loan fund; directing the Department of Transportation and Public Facilities to prepare a report on the feasibility of using compressed natural gas to power vehicles in the state, including vehicles owned or operated by the state, and including in that study, if warranted, a pilot program proposal for powering some vehicles owned or operated by the state with compressed natural gas; authorizing and relating to the issuance of bonds by the Alaska Housing Finance Corporation; and relating to a report regarding a municipal energy improvements financing program and to an energy report by the Office of the Governor.

Legislative Resolve No. 58

**HCR 29**

A message dated August 2, 2010, 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. 29**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 305,

providing that the tax rate applicable to the production of oil as the average production tax value of oil, gas produced in the Cook Inlet sedimentary basin, and gas produced outside of the Cook Inlet sedimentary basin and used in the state increases above \$30 shall be 0.4 percent multiplied by the number that represents the difference between that average monthly production tax value and \$30, or the sum of 25 percent and the product of 0.1 percent multiplied by the number that represents the difference between that average monthly production tax value and \$92.50, except that the total rate determined in the calculation may not exceed 50 percent; providing for an increase in the rate of tax on the production of gas as the average production tax value on a BTU equivalent barrel basis of gas produced outside of the Cook Inlet sedimentary basin and not used in the state increases above \$30; relating to payments of the oil and gas production tax; relating to availability of a portion of the money received from the tax on oil and gas production for appropriation to the community revenue sharing fund; and relating to the allocation of lease expenditures and adjustments to lease expenditures.

Legislative Resolve No. 59

**HCR 30**

A message dated August 2, 2010, 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. 30**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 301, relating to the power project fund; authorizing the Alaska Energy Authority to charge and collect fees relating to the power project fund; authorizing the Alaska Energy Authority to sell and authorizing the Alaska Industrial Development and Export Authority to purchase loans of the power project fund; and providing legislative approval for the sale and purchase of loans of the power project fund under the memorandum of understanding dated February 17, 2010.

Legislative Resolve No. 60

**HCR 31**

A message dated August 2, 2010, 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. 31**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 234, relating to the voting procedures of the Alcoholic Beverage Control Board; allowing the Alcoholic Beverage Control Board to release information contained in the statewide database of alcohol purchases and shipments to the person who purchased the alcohol or to whom the alcohol was shipped; relating to the access of persons under 21 to premises where alcoholic beverages are sold, served, or consumed; and extending the termination date of the Alcoholic Beverage Control Board.

Legislative Resolve No. 61

**HCR 33**

A message dated August 2, 2010, 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. 33**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 221, establishing an advisory task force on higher education and career readiness in the legislative branch of government.

Legislative Resolve No. 62

**HCR 34**

A message dated August 2, 2010, 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. 34**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 237, establishing a formula and a fund for school construction grant funding for regional educational attendance areas; extending the deadline for authorizing school construction debt reimbursed by the state; and requiring a report from the commissioner of revenue.

Legislative Resolve No. 63

**HCR 35**

A message dated August 2, 2010, 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. 35**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning SJR 21, proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members of the house of representatives to forty-eight and the number of members of the senate to twenty-four.

Legislative Resolve No. 64

**HCR 36**

A message dated August 2, 2010, 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. 36**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 159, increasing the maximum funeral expenses payable as a workers' compensation death benefit.

Legislative Resolve No. 65

**HJR 26**

A message dated August 3, 2010, 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 HOUSE JOINT RESOLUTION NO. 26(RES)  
Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations.

Legislative Resolve No. 66

**HJR 40**

A message dated August 3, 2010, 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.  
40(RES)  
Opposing the proposed designation by the National Marine Fisheries Service of 3,000 square miles of upper Cook Inlet, the mid-inlet, all of the inlet's western shores, and Kachemak Bay as critical habitat for beluga whales.

Legislative Resolve No. 42

**HJR 45**

A message dated August 3, 2010, 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. 45(FIN) am  
Urging the United States Congress not to enact Cap and Trade legislation.

Legislative Resolve No. 67

**HJR 47**

A message dated August 3, 2010, 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. 47

Urging the United States Coast Guard to amend its regulations relating to small vessels transporting fuel and supplies to remote communities and businesses in the state.

Legislative Resolve No. 68

**HJR 48**

A message dated August 3, 2010, 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. 48

Urging the United States Congress to pass the Crime Victims Fund Preservation Act.

Legislative Resolve No. 69

**HJR 49**

A message dated August 3, 2010, 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. 49(RES)

Urging the United States Congress to enact S.J. Res. 26, a resolution disapproving the Environmental Protection Agency's imposition of climate regulations that would harm Alaska's economy and the livelihoods of the state's citizens.

Legislative Resolve No. 70

**HJR 51**

A message dated August 3, 2010, 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. 51

Supporting certain changes to proposed regulations to implement the Secure and Fair Enforcement for Mortgage Licensing Act of 2008.

Legislative Resolve No. 45

**HB 20**

A message dated August 19, 2010, 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:

## SENATE CS FOR CS FOR HOUSE BILL NO. 20(FIN)

"An Act relating to commercial fishing loans for improving fuel efficiency and increasing the maximum amount for certain loans under the Commercial Fishing Loan Act; and providing for an effective date."

Chapter No. 120, SLA 2010

Effective Date: August 20, 2010

**HB 210**

A message dated August 19, 2010, 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:

## SENATE CS FOR CS FOR HOUSE BILL NO. 210(RES)

"An Act designating Kinzarof Lagoon as part of the Izembek State Game Refuge; authorizing a land exchange with the federal government in which state land adjacent to the Izembek National Wildlife Refuge and within the Alaska Peninsula National Wildlife Refuge is exchanged for federal land to serve as a road corridor through the Izembek National Wildlife Refuge and

federal land located on Sitkinak Island; and providing for an effective date."

Chapter No. 119, SLA 2010  
Effective Date: See Chapter

**SCR 5**

A message dated August 2, 2010, 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. 5**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 10, authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property.

Legislative Resolve No. 47

**SCR 14**

A message dated August 3, 2010, 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**

Recognizing October 2010 as Filipino American History Month.

Legislative Resolve No. 40

**SCR 15**

A message dated August 2, 2010, 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. 6, relating to proscribing certain sexual conduct or sexual activities as cruelty to animals.

Legislative Resolve No. 48

**SCR 18**

A message dated August 2, 2010, 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. 18**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 101, exempting the full value of life insurance and annuity contracts from levy to satisfy a debt, and amending the description of earnings, income, cash, and other assets relating to garnishment of life insurance proceeds payable upon the death of an insured.

Legislative Resolve No. 49

**SCR 20**

A message dated August 2, 2010, 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. 20**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 20, relating to commercial fishing loans for energy efficiency upgrades and increasing the maximum amount for certain loans under the Commercial Fishing Loan Act.

Legislative Resolve No. 46

**SCR 21**

A message dated August 2, 2010, 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. 21**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 369, relating to an in-state natural gas pipeline, the office of in-state gasline project manager, and the Joint In-State Gasline Development Team; requiring the development of an in-state natural gas pipeline plan, to be delivered to the legislature by July 1, 2011, that provides for a gasline that is operational by December 31, 2015; directing the Joint In-State Gasline Development Team to assume responsibilities under sec. 19, ch. 14, SLA 2009; and requiring expedited review and action by state agencies or entities relating to the in-state natural gas pipeline project.

Legislative Resolve No. 50

**SCR 22**

A message dated August 2, 2010, 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. 22**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 324, relating to the crime of failure to appear; relating to arrest for violating certain conditions of release; relating to release before trial, before sentence, and pending appeal; relating to material witnesses; relating to temporary release; relating to release on a petition to revoke probation; relating to the first appearance before a judicial officer after arrest; relating to service of process for domestic violence protective orders; making conforming amendments; and amending Rules 5 and 41, Alaska Rules of

Criminal Procedure, and Rules 206 and 603, Alaska Rules of Appellate Procedure.

Legislative Resolve No. 51

**SCR 24**

A message dated August 2, 2010, 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. 24

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 73, relating to special fire fighter and emergency medical service provider license plates.

Legislative Resolve No. 52

**SJR 21**

A message dated August 3, 2010, 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 JOINT RESOLUTION NO. 21 am H

Proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members of the house of representatives to forty-four and the number of members of the senate to twenty-two.

Legislative Resolve No. 53

**SJR 28**

A message dated August 3, 2010, 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 JOINT RESOLUTION NO. 28  
Relating to the Ecumenical Patriarchate and religious rights.

Legislative Resolve No. 39

**UNFINISHED BUSINESS**

**HCR 22**

Pursuant to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 22(FIN)  
Establishing and relating to the Alaska Northern Waters Task  
Force.

The Speaker and President appointed the following to the task force  
August 23, 2010:

Representative Herron  
Representative Joule  
Representative Edgmon (Alternate)

Senator Hoffman  
Senator Stedman  
Senator Olson (Alternate)

Public members:

Chuck Greene, Vice President of Corporate Affairs, NANA  
Corporation  
Chris Hladick, City Manager, Unalaska  
Edward Itta, Mayor, North Slope Borough  
Dave Kubiak, Chair, Alaska Marine Conservation Council Board  
of Directors  
Denise Michels, Mayor, Nome

Executive branch member:

Larry Hartig, Commissioner, Dept. of Environmental  
Conservation  
Cora Campbell (Alternate), Fisheries Policy Advisor, Office of the  
Governor

Federal government member:  
Appointment pending

\* \* \* \* \*

This final supplement completes the record of legislation for the  
Second Session of the Twenty-Sixth Alaska State Legislature.

Suzi Lowell  
Chief Clerk