



**Twenty-Fourth Legislature  
Senate Republicans  
Second Regular Session Accomplishments  
2006**

**Supplement to follow covering Special Sessions**

**Senate President Ben Stevens**

# 24<sup>th</sup> Legislature, 2<sup>nd</sup> Regular Session Accomplishments

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## Chapter 2 Laying the Foundation: Operating Budget

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*“The Senate's FY07 operating budget strikes a needed balance between funding the priorities of the people, reducing the growth of state government and preparing Alaska to be advantaged by the bounty of the future. This budget educates and protects Alaskans while developing Alaska's resources to create new and sustainable jobs for Alaskan families.”*

*– Senate Finance Co-Chair Gary Wilken*

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Two major issues characterized the Fiscal Year 07 budget. The first was more than \$221 million in fixed costs—such as retirement, risk management and contract increases—that faced the Legislature before it even began considering programs. The second was the loss of more than \$60 million in federal money because of the realignment of America’s military priorities and the structure of its representation in Congress. Despite those challenges, the operating budget keeps vital state services operating smoothly and efficiently.

### **Operating Budget Highlights**

**House Bill 365 APPROPRIATION: OPERATING BUDGET/LOANS/FUNDS**

**House Bill 366 APPROPRIATION: MENTAL HEALTH BUDGET**

#### **Administration**

- Successfully managed a statewide Information Technology Plan for all departments in the Executive Branch and prepared an ETS Information Technology Plan for FY07
- Office of Public Advocacy (OPA) reduced cost of contracted services by nearly \$1 million by retaining more cases in-house

#### **Corrections**

- Fully funded community jail and community residential center contract increases
- Added new probation officers to accommodate the increased

#### **Courts**

- Increased positions to improve services due to increased caseloads
- Funded all fixed cost increases

#### **Department of Transportation & Public Facilities**

- Funded the Alaska Marine Highway System at its highest level
- Fully funded maintenance agreement increases with urban and rural communities

#### **Education and Early Development**

- Funds the Statewide Mentoring Program at \$4.5 million, a proven program that increases teacher retention and increases student achievement

- Provides full funding for the Mt. Edgecumbe High School, a residential secondary school that serves over 400 students from more than 100 Alaska communities
- Provides increased funding for nine new students enrolled in the Alaska Military Youth Academy, \$312,800
- Includes over \$6 million in general funds to support the Head Start program, serving 3,500 Alaska preschoolers

#### **Environmental Conservation**

- Added four positions for state water primacy rights
- Added funds for new DEC laboratory in Anchorage

#### **Fish and Game**

- \$1,330.7 increase in state funds for Big Game Management and Research to Wildlife Conservation
- Increased funding by \$118.0 to meet Advisory Committee system statutory meeting requirements

#### **Health and Social Services**

- Full funding of Medicaid program and life safety issues
- Funded nursing salary increases
- Funded juvenile justice needs to accommodate the needs of Alaska's incarcerated youth

#### **Labor and Workforce Development**

- Increased Adult Basic Education by \$527.9 to help with the increased number of GED graduates
- Added 2 Assistant Boiler Inspectors to establish Alaska based boiler inspector pool minimizing out of state recruitments (\$181.2)

#### **Military and Veterans Affairs**

- Increased funding for family assistance grants
- Increased funding for Homeland Security and Emergency Services efforts

#### **Natural Resources**

- \$2.058 million for continuation of increased gas line workload in the Commissioner's office and Oil & Gas Development

#### **Public Safety**

- Fully funded the new Rural Trooping Housing Program
- Enhance court security in Palmer, Kenai, Fairbanks, and Juneau



## **2006 Senate Legislation Supplemental Budgets**

### **SB 232 Fast Track Supplemental**

#### **Sponsor: Rules by Request Governor Murkowski**

Appropriates \$713 million in general fund revenue to create "Fast Track" Supplemental bill. It includes \$12 million for fuel price and usage increases of the Alaska Marine Highway, \$10 million to replace the White Mountain elementary school that burned, \$3.8 million to repair the Susitna Valley High School roof, and \$4 million for phase 1 of the telephone system replacement. Includes \$750,000 for Arctic Power. Distributes three million to PAC West Communications for a lobbying effort to open ANWR. Allocates \$3.3 million for the Power Cost Equalization program and \$250,000 for the bulk-fuel loan program and \$430,000 for Arctic Winter Games. Sets aside \$600 million of budget surplus. Half that amount goes into the Public Education Fund; the other half goes into an AHFC account to pay for future capital construction projects.

## Chapter 3 Building for the Future: Capital Budget

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*“This year’s capital spending plan is big because it addresses the growing need for schools, transportation infrastructure and deferred maintenance work. In other words, these expenditures will improve the quality of life for all Alaskans from Barrow to Ketchikan.”*

– Senate Finance Co-Chair Lyda Green

*“The fact that all 20 Alaska Senators voted in favor of the bill demonstrates to me that this wasn’t about politics, it was about crafting a spending plan that’s an asset to all Alaskans.”*

– Senate President Ben Stevens

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The capital budget pays for a wide range of items from new roads to grants for non-profit groups. This year’s healthy spending plan expresses the Senate Majority’s belief that Alaska’s economic future is sound.



### **Capital Budget Highlights** **SB 231 BUDGET: CAPITAL & OTHER** **APPROPRIATIONS**

- Funds dozens of road, airport and harbor construction projects statewide
- Funds the purchase and renovation of the old Palmer hospital for new Mat-Su Valley Justice Center
- Appropriates federal funds for Knik Arm Crossing and Gravina Island Bridge
- Makes grants to various non-profit organizations, schools and municipalities statewide
- Funds three rescue vehicles along the Parks Highway
- Funds the Chena Goldstream Lions Club Park
- Appropriates funds to the Alaska-Siberia WW II Memorial
- Funds capital projects for improving the economy, seeking out new energy sources and caring for Alaska’s natural resources and state parks
- Provides funding to numerous public safety agencies statewide

## **HB 381 TOBACCO REV. FOR CAPITAL PROJECTS**

**Sponsor: Rules Committee by Request Governor Murkowski**

Authorizes the Alaska Housing Finance Corporation (AHFC), through the Northern Tobacco Securitization Corporation (NTSC) to acquire the right to receive 80% of the proceeds from the tobacco master settlement agreement in order to sell bonds. The legislation was crafted to give the NTSC flexibility in order to maximize the dollar amount that can be captured by the state while minimizing cost. Depending on market acceptance and conditions, NTSC could refund the 2 current outstanding tobacco bond issuances, sell the revenue stream that is expected after retirement of the current outstanding bonds, or both. The legislation expects generation of just under \$170 million in bond proceeds to be used for university and other capital projects across the state. University projects will receive \$89,250,000; Glenn Bragaw Interchange, phase 1 will receive \$8,500,000; Nome Joint Utilities, Nome Power Plant will receive \$4,00,000; Juneau Community Foundation: recreation/sports complex design, construct will receive \$4,000,000; Mat-Su Borough Wide Road Upgrades will receive \$4,000,000; along with substantial funds for many other projects throughout the state.

## Chapter 4 Realizing Alaska's Potential: Resources and the Environment

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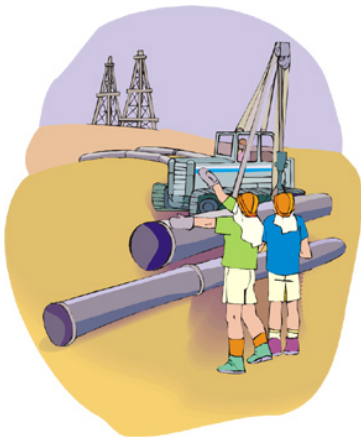
*"I'm proud to say Alaskans can drill, cut and dig their way to economic prosperity and still keep The Last Frontier pristine. We do it by drafting legislation that strikes a balance between protecting the environment and maintaining a strong natural resource based economy."*

*– Senate Resources Chairman Tom Wagoner*

*"This session we extended tax credits to businesses that invest money into upgrading and modernizing their processing equipment in a manner that enhances the value and quality of wild Alaskan salmon products. Alaska's salmon fisheries operate in an extremely competitive global market and the Legislature is committed to enacting policies that make wild Alaskan salmon one of the world's most desirable."*

*-- Senate Community and Regional Affairs Chairman Bert Stedman*

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### Oil & Gas Development

Alaska's North Slope contains vast reserves of natural gas that cannot be sold without a transportation system to bring the gas to market. Since oil was discovered at Prudhoe Bay in 1967, there have been numerous attempts to commercialize ANS gas. Until recently, commercialization was not economically viable due to low market prices, the high cost and risks associated with constructing the infrastructure to transport gas to market, and competition from other gas resources. But now, market conditions, federal loan guarantees and negotiations under the Stranded Gas Development Act are bringing the State closer than ever to

this goal. The Legislature dedicated considerable time this session to laying the groundwork in preparation for reviewing the proposed contract in anticipation of its release May 10. That effort will continue throughout the special session.

### Petroleum Production Tax

On February 21, Governor Murkowski introduced Senate Bill 305 and House Bill 488 to eliminate the economic limit factor and replace it with a tax on the net profits of all qualified costs. The bills also included a credit for certain capital investment and operating losses. Although SB 305 did not pass the Senate, the hundreds of hours spent deliberating, analyzing and studying the topic will allow majority members to make better informed future decisions in the best interest of the State and Alaskans.

### Ocean/Fisheries

Helping the commercial salmon fishing industry continue



its path to recovery remained a priority this year. Sen. Bert Stedman succeeded in passing legislation granting tax credits to businesses investing in equipment that added value to commercially caught wild Alaskan salmon.

## **2006 Senate Legislation**

### **SB 55 AGRICULTURAL LAND**

**Sponsor: Senator Tom Wagoner**

Gives the commissioner of DNR the authority to transfer the remaining interest in specific state lands to the owner of the agricultural rights to that land. Requires the owner of the agricultural rights to pay the fair market value for the remaining interest in the land. The provisions in SB 55 will be repealed on December 31, 2007.

### **SB 164 SALMON PRODUCT DEVELOPMENT TAX CREDIT**

**Sponsor: Senator Bert Stedman**

Extends the deadline for salmon processors to apply for a salmon product development tax credit for property purchased and put into service before December 31, 2008. Defines what items are eligible for a tax credit.

### **SB 171 NPR-A COMMUNITY GRANT PROGRAM**

**Sponsor: Senator Gary Wilken**

Amends the National Petroleum Reserve-Alaska revenue fund to require that the amount remaining after grants are made to municipalities impacted by oil and gas development under 42 U.S.C. 6506a(l) be distributed as follows: 25 percent to the Alaska Permanent Fund; .5 percent to the public school trust fund. Requires the legislature to identify the grants for activities, services, and facilities as capital appropriation items and specify the amounts for each item.

## **2006 House Legislation**

### **HB 57 SALE OF STATE LAND TO ADJACENT LANDOWNERS**

**Sponsor: Representative Bruce Weyhrauch**

Amends the preference right statute to allow the Department of Natural Resources to negotiate the sale of small (20 acres or less) isolated parcels of state-owned land to landowners whose property totally surrounds it. State land sale programs are usually offered to all Alaskans. There are statutes, however, that allow the State to negotiate a "preference right" sale of isolated parcels where due to size or access it is only practical for an adjacent landowner to acquire the land. Any sale must be at fair market value. Also, before a sale, the Department of Natural Resources must issue a "best interest finding" to ensure that public access has been addressed and to ensure the sale would be in the State's best interest. Any sale under this statute would be at the discretion of the Department of Natural Resources.

### **HB 218 PRIVATE HATCHERY COST RECOVERY FISHERIES**

**Sponsor: Representative Bill Thomas**

Provides language that would allow hatchery operators to choose to recover their costs through a common property fishery that would allow these fish to be caught by any salmon permit holder authorized to fish in the district. Allows the fleet to access more fish that were intended to enhance natural runs for harvest by common property users.

The bill leaves the decision to pursue this new method subject to a majority vote of the board members of each hatchery.

**HB 251 COMMERCIAL FISHING MULTIPLE PERMIT HOLDER**

**Sponsor: Representative Ralph Samuels**

Allows the Board of Fisheries to assign additional fishing privileges to persons who hold two commercial fishing entry permits in the same salmon fishery, which will enhance the efficiencies where permits are underutilized and help keep those who are actively fishing more competitive in response to market forces.

**HB 269 HAZARDOUS SUBSTANCE RELEASE LIABILITY**

**Sponsor: Representative Jay Ramras**

Makes it easier for property owners to collect damages from other potential responsible parties while the owner is voluntarily involved in an environmental cleanup. Eliminates the need for the state to be involved in legal action before a property owner can collect damages.

**HB 300 OIL & GAS CONSERVATION COMMISSION MEMBER**

**Sponsor: Representative Vic Kohring**

Amends the qualifications for the public member of the Alaska Oil and Gas Conservation Commission to require "training or experience that gives the person a fundamental understanding of the oil and gas industry in the state." Requires the governor to give preference to a person who demonstrates experience in oil and gas operations in the state.

**HB 304 COMMERCIAL FISHING LOAN PROGRAM**

**Sponsor: Representative John Coghill**

Adds that it is the policy of the state to support the participation of resident commercial fishermen in those areas and fisheries in which the financing needs of fishermen are not adequately served by private lending institutions. Reduces total loans to individuals from \$930,000 to \$400,000, and value of collateral to loan from 90 percent to 80 percent.

**HB 307 KNIK RIVER PUBLIC USE AREA**

**Sponsor: Representative Bill Stoltze**

Establishes the Knik River Public Use Area. Initiates the process of having the Department of Natural Resources, Division of Mining, Land, and Water develop a management plan to address the specific on-going issues in the area.

**HB 378 CHILKAT BALD EAGLE PRESERVE ADV COUNCIL**

**Sponsor: Representative Bill Thomas**

Replaces the Mayor of the City of Haines with a member of the Haines Borough Assembly to serve as an ex officio member of the Alaska Chilkat Bald Eagle Preserve Advisory Council. In selecting the person, preference will be given to a person who does not already sit on the board of directors of a board that has a seat on the assembly.

**HB 380 ANIMALS & ANIMAL OR AGRICULTURAL PRODUCTS**

**Sponsor: Representative Kevin Meyer**

Repeals and reenacts several provisions of state statutes regarding agriculture and animals to modernize the powers of the Department of Environmental Conservation and the State Veterinarian to provide better response to potential dangers to Alaskans and

Alaska animal populations. Limits the fee establishment authority of the DEC to services performed by the department, but at the request of an individual, who will pay the fee.

#### **HB 395 FIRE SEASON DATES**

**Sponsor: Representative Kurt Olson**

Changes the fire season, which currently runs from May 1 to Sept. 31, to April 1 to August 3, giving the commissioner the same authority as during the original fire season to prohibit setting of fires or other activities that unduly increase fire danger; activate seasonal workers; contract and lease equipment; and take a proactive approach to pre-green up fires.

#### **HB 420 FOREST RESOURCES & PRACTICES STANDARDS**

**Sponsor: Rules Committee by Request Governor Murkowski**

Completes the process of setting statewide riparian protection standards that began with the 1990 changes to the Forest Resources and Practices Act.

#### **HB 484 FISHERY ASSOCIATION REIMBURSEMENT**

**Sponsor: Representative Peggy Wilson**

Clarifies what may happen to the revenue if the Commercial Fishery Entry Commission should find it necessary to sell (re-issue) permits that have been relinquished under the buyback program authorized under AS 16.40.250.

#### **HB 500 BONDING AUTHORITY FOR HATCHER PASS**

**Sponsor: Finance Committee**

Expands the criteria for which the Alaska Industrial Development and Export Authority may issue bonds. Increases the principal amount of bonds and other financing AIDEA can provide to \$25 million.

#### **HCR 13 NATURAL GAS SPUR LINE CONSTRUCTION**

**Sponsor: Representative Jay Ramras**

Expresses the legislature's support for the construction of a natural gas spur pipeline between Fairbanks and the Nenana Basin and Southcentral Alaska, commends the initiative of the project sponsors and encourages state agencies to lend support.

#### **HJR 9 URGE CONGRESS HONOR EXXON VALDEZ JUDGMENT**

**Sponsor: Representative Gabrielle LeDoux**

Urges the U.S. Department of Justice and the Department of Law to identify all natural resource damage that were unanticipated at the time of the 1991 settlement, to develop plans to remedy the damages, and to request from ExxonMobil the full \$100,000,000 that is available through the "reopener for unknown injury" clause. Urges 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.

## **2005 Senate Legislation**

### **SB 25 GENETICALLY MODIFIED FISH**

**Sponsors: Senators Kim Elton/Gary Stevens**

Requires a label identifying genetically modified fish or fish product. Genetically modified means a finfish or shellfish whose genetic structure has been altered at the molecular level by means not possible under natural conditions.

### **SB 93 FISHING PERMIT AND VESSEL LICENSE FEES**

**Sponsors: Senator Ben Stevens**

Complies with recent rulings in *Carlson v. State of Alaska* to clarify that the non-residential fee differential for commercial fishing permits is charged "per person" rather than "per permit." Increases the cap on the base fee that the Commercial Fisheries Entry Commission (CFEC) may charge for annual renewal of permits from \$300 to \$3,000. Adds 13 vessel length categories in 25 foot increments and raises the fees for the categories.

### **SB 102 COASTAL MANAGEMENT PROGRAMS**

**Sponsor: Senator Gary Stevens**

Extends by six months the deadlines regarding the Alaska Coastal Management Program contained in HB 191, which was passed in 2003. Extends the deadline for coastal resource districts to submit revised district coastal management plans to the Department of Natural Resources by an additional 2 months. Installs an audit and sunset clause for the entire Alaska Coastal Management Program in 2011. Provides an explicit prohibition against the adoption by reference of state or federal statutes or regulations. Automatically makes changes to the old district plans that have been requested by the legislature twice in the last three years.

### **SB 103 OIL & GAS: REG. OF UNDERGROUND INJECTION**

**Sponsor: Rules by request of the Governor**

Provides the State of Alaska with the ability to obtain primary enforcement for the underground injection of waste streams associated with oil and gas development in Alaska. Under the Federal government's Safe Drinking Water Act, the State currently manages a majority of the oil and gas field underground injection activity, with the U.S. Environmental Protection Agency managing the remainder of the program. If passed, the Alaska Oil and Gas Conservation Commission would be the primary agency overseeing all injection associated with oil and gas development. SB 103 will reduce duplication and confusion by streamlining the permitting process for the oil and gas industry.

### **SB 110 POLLUTION DISCHARGE & WASTE TRMT/DISPOSAL**

**Sponsor: Rules by Request of the Governor**

Transfers responsibility for the federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program to the State of Alaska. Requires the Department of Environmental Conservation to report to the legislature annually until full authority for administering the NPDES has been transferred. Currently the DEC and federal Environmental Protection Agency jointly oversee surface wastewater discharges in Alaska. This has created a situation where federal regulators are making decisions with a limited understanding of the issues specific to our state. SB 110 will allow the NPDES



program to be run in a streamlined, efficient manner that benefits industry and protects the environment. Clarifies the duties of the DEC in developing State authority over the NPDES wastewater discharge permitting program in Alaska. Clarifies the department's responsibilities in the public process and implementation of the permitting process.

#### **SB 124 FISHERIES BUSINESS LICENSE; BOND**

##### **Sponsor: Rules by Request of the Governor**

Requires fisheries business license holders to pay all required taxes and fines in order to obtain and maintain their license. License holders must pay taxes including assessments supporting the Alaska Seafood Marketing Institute, employment security contributions, local fish taxes and any fines levied by the Alaska Occupational Safety and Health Administration. The bill is intended to prevent fishing businesses from obtaining a license if they repeatedly demonstrate an unwillingness to pay taxes and fines that support the fishing industry and ensure workplace safety. SB 124 also repeals and reenacts a requirement for primary fish buyers and fish processors to have a performance bond. The proposed bond requirements enhance protections for employees and fishermen without placing additional requirements or costs on processors with no history of problems. Eases licensing requirements for processors of good standing by eliminating the current requirement to secure two years of taxes during the Jan. 1 to March 31 period.

#### **SB 147 SPORT FISH FACILITY BONDS/SURCHARGES**

##### **Sponsor: Senator Ralph Seekins**

Establishes a sport fishing facility surcharge to pay the principal and interest on up to \$69 million in revenue bonds to finance the construction and renovation of fisheries rehabilitation, enhancement and development projects that benefit sport fishing. Terminates facility surcharge once the bonds have been paid in full.

#### **SCR 15 LB&A TO LITIGATE GAS PIPELINE CASE**

##### **Sponsor: Senator Gene Therriault**

Authorizes the Legislative Budget and Audit Committee to pursue and direct litigation relating to state natural gas transportation.

#### **SJR 2 ENDORSING ANWR LEASING**

##### **Sponsor: Senate Resources Committee**

Urges the U.S. Congress to pass legislation that opens the coastal plain of the Arctic National Wildlife Refuge to oil exploration. The exploration shall be conducted in an environmentally sensitive way that protects the Porcupine Caribou herd and maximizes the use of Alaska's workforce. It also opposes any unilateral effort to reduce Alaska's share of the royalty revenue from ANWR or any effort to coerce the state into accepting less than 90 percent of its royalty revenues from oil, gas or minerals from federal land in Alaska.

#### **SJR 5 REAUTHORIZE METHANE HYDRATE RESEARCH ACT**

##### **Sponsor: Senator Gene Therriault**

Requests the U.S. Congress to reauthorize the Methane Hydrate Research and Development Act to fund research and field-testing under that Act. Requests reauthorization for five years, with appropriations of at least \$70 million over that time frame.

## **SJR 16 STATES' RIGHT TO REGULATE HUNTING/FISHING**

**Sponsor: Senator Gene Therriault**

Supports legislation before the United States Congress reaffirming the right of the states to regulate fishing and hunting.

## **2005 House Legislation**

### **HB 26 SHORT-TERM COM FISHING CREWMEMBER LICENSE**

**Sponsor: Representative Carl Moses by Request**

Allows visitors an affordable way to engage in a sort of extreme tourism adventure by actually participating in the fishery as a crewmember.

### **HB 32 APPROP: GRANT TO ARCTIC POWER FOR ANWR**

**Sponsor: Representative Vic Kohring**

Appropriates \$1.3 million from the general fund for use in promoting the opening of ANWR. Includes \$1.2 million for Arctic Power and \$100,000 to be split equally between the Native village of Kaktovik and the City of Kaktovik.

### **HB 75 HUNTING, FISHING, TRAPPING**

**Sponsor: Representative Mike Kelly**

Provides an additional protection from outside encroachment on our ability to responsibly harvest our game resources. Includes a legislative intent statement plainly stating the ongoing commitment to constitutional provisions for common use and sustained yield principles.

### **HB 76 BIG GAME SERVICES & COMM. SERVICES BD**

**Sponsor: Representative Ralph Samuels**

Re-establishes the Big Game Commercial Services Board to oversee an important industry that exists largely on the basis of a healthy wildlife population. The board was allowed to sunset a decade ago, and in the following years, professional hunters, wildlife biologists, public and private land managers and the hunting public themselves have discovered the problems associated with a decentralized, uncoordinated system of licensing and regulating guides and transporters. Amended at the request of the sponsor requested by the sponsor to: (1) remove a time requirement that the board issue a license at the first meeting of the board after the applicant satisfied the requirements; (2) change the fine provisions under which the Board would not renew a license; and (3) add a section specifying what must be contained in a contract between a registered guide and a client and a transporter and a client.

### **HB 197 OIL SPILL EXEMPTIONS FOR GAS WELLS**

**Sponsor: Oil & Gas Committee**

Clarifies the Department of Environmental Conservation's (DEC) authority to exempt gas exploration wells and production facilities from oil discharge prevention and contingency plans ("C-Plans"). The legislation also removes the industry's burden of financial responsibility required of wells that do not pose an oil spill threat.

HB 197 fixes the unintended consequences of last year's HB 531. That legislation, in part, limited previous exemptions for gas exploration and production facilities for all shallow natural gas facilities to a narrow exemption for "non conventional gas wells." The problem HB 197 seeks to correct relates to the new definition of "non conventional

gas,” which HB 531 defined as “coal bed methane, gas contained in shales or gas hydrates.”

Benefits of HB 1971 include permitting DEC to focus its resources on the review of C-Plans and proof of financial responsibility for those gas exploration facilities that could potentially incur an oil spill. It also gives DEC authority to conduct inspections the Legislature directed when it changed the contingency plan review renewal requirement from three to five years. In addition, the bill relieves industry from unnecessary financial costs associated with preparing and implementing oil spill contingency plans for gas exploration facilities where no threat of an oil release spill exists. Lastly, HB 197 relieves industry from the costs involving demonstrating proof of financial responsibility in response to oil spills at gas exploration facilities, where no threat of spills exist.

#### **HB 198 AQUATIC PLANT& SHELLFISH FARMING**

**Sponsor: Representative Jim Elkins**

Amends the state's Aquatic Farming Act (AS 16.40.100 - 199) to allow aquatic farms to continue to operate in compliance with a recent Supreme Court decision.

#### **HB 230 LOANS FOR COMMERCIAL FISHING TENDERS**

**Sponsor: Representative Bill Thomas**

Makes a small change in the Commercial Fishing Loan Act (AS 16.10.300 - 370) to allow Alaskan owners of fish tenders to be eligible for loans to improve the quality of our seafood products. Under the current law, the Division of Investments in the Department of Commerce, Community and Economic Development offers low interest loans to fishing permit holders to upgrade their equipment in order to improve the quality of the seafood product they are handling. This bill promotes Alaskan ownership in the industry and the betterment of our fisheries resources.

#### **HB 256 RUTH BURNETT SPORT FISH HATCHERY**

**Sponsor: Representative Jay Ramras**

Names the sport fish hatchery to be built in Fairbanks the Ruth Burnett Sport Fish Hatchery.

#### **HB 286 VALUE OF ROYALTY ON GAS PROD./ TAX CREDIT**

**Sponsor: Representative Ralph Samuels**

Adds language that allows the Department of Natural Resources to use the gas transfer price set by the RCA much like DNR uses the contract price for gas. The transfer price is the rate ML&P is required to charge itself for the Beluga Field gas it uses. The proposed amendment allows DNR to give (aa) treatment not only to an arms-length gas supply contract, but also to RCA-approved orders setting the transfer price when a utility uses its own natural gas. The bill also extends exploration incentive credits to areas of Alaska south of the Brooks Range. It also extends credits to the Cook Inlet Basin, subject to slightly different criteria reflecting the fact that it is a mature basin.

The original credits were created in 2003 and industry is starting to respond to the credits, which are applied to the production tax. The extension applies to areas of Alaska other than the North Slope, hoping to attract exploration activity and then development and production.

Alaska is a high-cost area to operate in and the credits were developed to help offset some initial high costs and encourage industry activity with the goal of more oil and gas production and development.

The credits are expected to be offset with added development and production, resulting in revenues from other sources, like royalty and other taxing mechanisms.

#### **HCR 2 IN-STATE NATURAL GAS NEEDS**

**Sponsor: Representative Ralph Samuels**

Urges Governor Murkowski to take quick action to conduct, approve, or sanction a study of in-state natural gas needs and take-off points for intrastate use of natural gas transported in a North Slope natural gas pipeline, with the objective that the study be completed before the final rules relating to the Alaska Natural Gas Pipeline take effect on the 90th day following the publication in the Federal Register of the rules adopted by the Federal Energy Regulatory Commission.

#### **HCR 7 COOK INLET OIL & GAS PLATFORM ABANDONMENT**

**Sponsor: Representative Kurt Olson**

Urges the Governor to direct the DNR to undertake a comprehensive review of platform abandonment.

#### **HCR 9 AGRICULTURE DAY**

**Sponsor: Representative Carl Gatto**

Acknowledges the importance of agriculture in Alaska. This resolution is in recognition of the farmers and those in related industries who feed our state and add more than \$50,000,000 annually to the economy of the State of Alaska.

#### **HCR 10 SUPPORTING KENSINGTON GOLD MINE**

**Sponsor: Resources Committee**

Encourages all federal and state agencies to proceed and complete thorough and timely permitting reviews and issue the necessary permits in order that a summer 2005 construction schedule can be achieved and that 2006 gold production with associated economic and employment benefits can be realized to benefit the people of Southeast Alaska and the state as a whole.

#### **HJR 6 LABELING OF FISH/SHELLFISH PRODUCTS**

**Sponsor: Rep. Beth Kerttula**

Requires labeling of fish products and processed food items containing fish to identify the country of origin and to distinguish between wild and farmed fish and fish products.

#### **HJR 15 OPEN OCEAN AQUACULTURE**

**Sponsor: Fisheries**

Expresses that the Legislature is committed to ensuring that open ocean aquaculture does no harm to ecosystem integrity; is opposed to open ocean aquaculture for finfish and predatory shellfish; and requests that the regional fisheries management councils be granted authority over any open ocean aquaculture proposal under the Magnuson-Stevens Fishery Conservation and Management Act. Urges Congress to prohibit the issuance of any license to permit an aquaculture facility that handles genetically modified fish in the federal exclusive zone or has access to open waters.

## Chapter 5 Preparing the Next Generation: Education

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*“Education prepares our children for meaningful, high paying jobs and tells employers that Alaska is a good place to conduct business because we have a well trained and educated workforce. That’s why education holds a special place on the legislature’s agenda every session.”*

*– Senate President Ben Stevens*

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For the third year in a row, lawmakers approved a major increase in the state’s base student allocation was made. The additional \$131 million in education funding brings relief to school districts struggling to meet their obligation to PERS/TRS, higher energy costs and to improve the classroom experience.

This session, Sen. Gary Stevens formed the Senate Special Committee on University Oversight. Its mission is to examine issues related to the University of Alaska, such as reviewing academic standards and ensuring the system utilizes its revenues to their fullest potential.

### 2006 Senate Legislation

#### **SCR 28 TECHNOLOGY FOR DISTANCE EDUCATION**

**Sponsor: Senator Con Bunde**

Expresses legislative intent that the State find ways to employ education technology tools in Alaska's education system.

#### **SR 5 SENATE UNIVERSITY OVERSIGHT COMMITTEE**

**Sponsor: Senate Rules Committee**

Establishes a Senate Special Committee on University Oversight.

### 2006 House Legislation

#### **HB 13 SCHOOL FUNDING & SCHOOL BOND REIMBURSEMENT**

**Sponsor: Representative Carl Gatto**

Increases the Base Student Allocation from \$4,919 to \$5,380, an increase of \$96 million. Adds a two year extension to the program that reimburses 70% of school debt payments if the municipality meets approved space guidelines and 60% if the municipality exceeds state approved space guidelines. Adds \$24 million to "hold harmless" an increase equal to one quarter of the area cost differential study. Adds \$11 million in school improvement grants based on a district's student enrollment. Establishes a school incentive program to run through June 30, 2009 that provides an incentive payment of up to \$5,500 for certified personnel and \$2,500 for noncertified personnel if students in their school demonstrate substantial growth in achievement on state assessments from one year to the next.

### **HB 16 SCHOOL FUNDS RELATED TO BOARDING SCHOOLS**

**Sponsor: Representative John Coghill**

Makes school districts that began operating a secondary school boarding program before Jan. 1, 2005 eligible for reimbursement costs if the school provides a suitable student dormitory and access to a public school offering the appropriate grade level.

### **HB 482 SCHOOL:BULLYING/HARASSMENT/INTIMIDATION**

**Sponsor: Representative Tom Anderson**

Requires school districts, city and borough offices of education, law enforcement agencies, and youth-serving agencies to develop and implement interagency strategies to deal with bullying in schools.

## **2005 House Legislation**

### **HB 158 PUBLIC SCHOOL ACCOUNT/PUBLIC EDUCATION FUND**

**Sponsor: House Finance Committee**

Renames the “Public School Account” to the “Public Education Fund.” Clarifies that money appropriated from the fund may be expended without further appropriation, and that money left over in the fund does not lapse.

### **HB 161 REEMPLOYMENT OF RETIREES**

**Sponsor: Representative Jim Elkins**

Extends the sunset date of legislation enacted by HB 242 (2001) and SB 94 (2003) to July 1, 2009. Allows certain PERS and TRS members who retired with a normal retirement to return to work, continue to receive normal retirement benefits, and waive participation in the retirement systems.

## Chapter 6 Maximizing Opportunity: Economic Development

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*The role of the legislature is to create a mutually beneficial relationship between state government and the business community. When that happens the end result is jobs and economic prosperity that benefit all Alaskans.”*

*--Senate Labor & Commerce Committee Chairman Con Bunde*

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Legislation is a powerful tool for spurring economic development.

In addition to encouraging economic growth, the 24<sup>th</sup> Alaska Legislature also enacted several consumer protection laws to safeguard consumers when they purchase an automobile, hire a home inspector, or stay at a tourist accommodation. Additional consumer protection legislation is expected next year.

Sen. Charlie Huggins delivered a tax break to all Alaskans by sponsoring legislation to close a loophole in the state's vehicle rental tax. The tax, intended for tourists, unintentionally taxed Alaskans when renting a moving truck. SB 174 specifically stated the tax would not apply to moving trucks so moving is a little more affordable for Alaskans.

### 2006 Senate Legislation

#### **SB 174 PASSENGER VEHICLE RENTAL TAX**

##### **Sponsor: Senator Charlie Huggins**

Exempts rental trucks used to transport personal property from the passenger vehicle rental tax. Clarifies that rental vehicles, when provided by an automobile dealer to a customer as replacement transportation during warranty, recall, or service contract repairs, are exempt from imposed vehicle rental taxes.

#### **SB 207 AK AEROSPACE DEVEL. CORP BD MEMBERSHIP**

##### **Sponsor: Senator Gary Stevens**

Mandates that two of the state residents on the Alaska Aerospace Development Board be residents of the borough where the launch activities of the corporation occur unless there are no qualified applicants from the borough. States that no existing board members will lose their seats.

**SB 273 MOTOR VEHICLE SALES****Sponsor: Senator John Cowdery**

Amends current law by deleting the phrase "current model" from AS 08.66.015(a) and adds a section (b) which requires the auto dealers to have a current sales and service agreement with a manufacturer to sell or attempt to sell a car as new. Repeals AS 08.66.015(b), which only allowed manufacturer's franchise dealers to sell, used current model vehicles with a factory warranty.

**SB 298 TRUSTS: LOANS; CLAIMS; POWERS/ IRAS****Sponsor: Senator Ralph Seekins**

Updates state law pertaining to the administration of trust assets. Modifies Titles 13 and 34 to help keep Alaska a popular jurisdiction for trust administration.

**2006 House Legislation****HB 81 CONTRACTORS & HOME INSPECTORS****Sponsor: Representative Tom Anderson**

Allows the Department of Labor and the Department of Commerce, Community & Economic Development to issue civil penalties for violations of work performed by unregistered construction contractors without having to go through the Dept. of Law. Closes a loophole in the contractor exemption statutes that allowed small contracting companies to operate without a license.

**HB 92 UNIV. OF ALASKA & CORPORATE STOCK****Sponsor: Representative Mike Kelly**

Allows the university to participate with faculty members in start-up companies and with charitable organizations, such as research groups composed of other universities and the federal government that form 501c3 organizations. Intended to encourage new University investment in limited liability and non-profit corporations resulting from research-generated intellectual property or companies created and managed on University Lands.

**HB 240 BREWERY & BREWPUB LICENSEE/SALES BY WINERY****Sponsor: House Judiciary Committee**

Authorizes a brewery licensee to operate a brewery where beer is packaged as well as manufactured. Increases the maximum amount that can be sold from five gallons to 16 gallons. Allows the licensee to provide beer manufactured under the license for consumption on the premises with or without charge unless prohibited under AS 04.16.030. Allows sale of beer manufactured under the license to be sold to a person present on other licensed premises under certain conditions.

**HB 243 SWAN LAKE-TYEE LAKE INTERTIE****Sponsor: Rules by Request Governor Murkowski**

Approves the August 17, 2005 first amendment to the agreement between the Alaska Energy Authority and the Four Dam Pool Power Agency for the purchase and sale of the four dam pool hydroelectric project.

The sales price of the Four Dam Pool Project (the "Project") was \$73 million; however, a \$5,000,000 credit was provided contingent upon construction completion of the Southeast



Intertie (the “Intertie”) between the hydroelectric projects at Swan Lake and Lake Tyee (Ketchikan and Wrangell/Petersburg). The Four Dam Pool Power Agency (the “Agency” or “TFDPPA”) is obligated to repay the credit because it failed to provide by April 11, 2005 to the Alaska Industrial Development and Export Authority (AIDEA) an approved finance plan demonstrating committed funds sufficient to complete the Intertie.

On August 17, 2005 the Alaska Energy Authority (AEA) and TFDPPA signed the First Amendment to the Agreement for the Purchase and Sale of the Four Dam Pool Project (the “Amendment.”) The Amendment accommodates TFDPPA’s desire to complete the Intertie while protecting the interests of the Power Cost Equalization (PCE) Endowment Fund.

TFDPPA paid \$5 million to AEA, which now holds interest-bearing investments in an Escrow Account. The Escrow Account will either be paid to TFDPPA as reimbursement for Intertie construction costs or be deposited to the PCE Endowment Fund if TFDPPA abandons construction of the Intertie or if the Intertie is not completed by April 11, 2015.

### **HB 389 REGULATION OF TOURIST ACCOMMODATIONS**

**Sponsor: Representative John Coghill**

Repeals the permitting requirement for tourist accommodations. Tourist accommodations are heavily regulated as public accommodations and the remaining sections of AS 18.35 will provide DEC with the regulatory authority necessary to insure the health and safety of the public.

### **HB 446 PENALTY FOR UNLAWFUL TRADE PRACTICE**

**Sponsor: Representative Lesil McGuire**

Increases the civil penalties authorized under Alaska's Unfair Trade Practices and Consumer Protection Act. Under current law, when a person or company violates an injunction prohibiting unfair or deceptive business practices, it is subject to a maximum penalty of \$25,000. HB 446 increases that maximum allowable civil penalty to \$50,000. The current Act also provides for a \$5,000 civil penalty for each violation of the Act. HB 446 will increase this amount to a range between \$1,000 and \$25,000 per violation.

## **2005 Senate Legislation**

### **SB 52 OCCUPATIONS/CORPORATIONS/BANKS/SECURITIES**

**Sponsor: Rules by request of the Governor**

Makes changes necessary to implement Administrative Order No. 219, which streamlines and centralizes activities relating to the formation of corporations and other business entities within the Department of Commerce, Community and Economic Development. Purpose is to provide "one-stop-shopping" for the formation of business entities and other business related functions.

### **SB 67 CLAIMS AGAINST HEALTH CARE PROVIDERS**

**Sponsor: Senator Ralph Seekins**

Caps non-economic damage awards made against health care providers based on a two-step scale: damage awards arising out of wrongful death or severe permanent physical impairment that is more than 70% disabling are limited to \$400,000 while all other non-

economic damage awards are limited to \$250,000. Limit does not apply if the damages resulted from reckless or intentional misconduct.

**SB 105 NO OVERTIME WAGES FOR FLIGHT CREW**

**Sponsor: Senator Ralph Seekins**

Retroactively removes flight crews from statutory overtime compensation required under the Alaska Wage and Hour Act found in AS 23.10.060. Applies retroactively to flight crew work performed on or after Jan. 1, 2000.

**SB 129 WRONGFUL FILING OF LIS PENDENS**

**Sponsor: Senator Charlie Huggins**

Makes it a Class A misdemeanor to file a wrongful notice that an action is pending that affects title to real property when the notice is filed with reckless disregard that the action would not affect title to the property or no action is actually pending.

**SB 140 COMPUTERS & INTERNET**

**Sponsor: Senator Gene Therriault**

Makes it unlawful for a person who is not the owner or authorized user of a computer to use spyware to cause a pop-up advertisement under circumstances defined in the bill, or to purchase advertising that violates the prohibition on using spyware to customize pop-up advertising. Makes online enticement of minors a felony under Alaska law. A person commits the crime of online enticement of a minor if the person is 18 years or older and knowingly uses a computer to communicate with another person to entice, solicit or encourage the person to engage in an act described in AS 11.41.455(a)(1)-(7). Makes online enticement a class C felony or a class B felony if the defendant is required to register as a sex offender or child kidnapper under AS 12.63 or similar law. Makes electronic distribution of indecent materials, i.e. pornography, to minors a felony under Alaska law.

**SJR 11 REPEAL TELECOMMUNICATIONS TAX**

**Sponsor: Senator Gene Therriault**

Urges the United State Congress to amend the tax code to repeal the federal excise tax on communications.

**2005 House Legislation**

**HB 15 LIQUOR LIC: OUTDOOR REC. LODGE/BARS/PUBS**

**Sponsor: Representative Kevin Meyer**

Creates a seasonal alcohol beverage license for lodges that provide hunting and fishing services and are inaccessible from the road system.

**HB 33 EFFECT OF REGULATIONS ON SMALL BUSINESSES**

**Sponsor: Representative Kevin Meyer**

Requires state regulatory agencies to consider the impact of proposed regulations on small businesses.

**HB 35 EXTEND BD ARCHITECTS/ENGINEERS/SURVEYORS**

**Sponsor: Representative Vic Kohring**

Extends the termination date for the Board of Registration for Architects, Engineers and Land Surveyors for an additional five years. The current termination date is set for June

30, 2005. If the Legislature takes no action to extend the board, it will go into a one-year phase out to allow the board to conclude its administrative operations, followed by termination. Amended to include landscape architects a full board position.

**HB 47 EXTEND BOARD OF REAL ESTATE APPRAISERS**

**Sponsor: Rep. Ralph Samuels**

Extends the Board of Certified Real Estate Appraisers, which is due to sunset, until June 30, 2010.

**HB 61 GAMING: CALCUTTA POOLS & CRANE CLASSICS**

**Sponsor: Representative Lesil McGuire**

Protects traditional "Calcutta" pool games of chance, which is strongly supported by many Alaskans and charity organizations.

**HB 64 EXTEND BOARD OF PUBLIC ACCOUNTANCY**

**Sponsor: Rep. Mike Hawker**

Extends the Board of Public Accountancy

**HB 90 STATE TREASURY WARRANTS**

**Sponsor: State Affairs**

Continues the committee's work last session on House Bill 373-Stale Dated Warrants. It clarifies existing statutes governing state treasury warrants by providing that warrants, like bank checks, are negotiable instruments under the Uniform Commercial Code.

**HB 119 AK REGIONAL ECONOMIC ASSISTANCE PROGRAM**

**Sponsor: Community & Regional Affairs**

Extends the sunset date for the Alaska Regional Development Organization (ARDOR) to 2008.

**HB 123 OCCUPATIONAL BDS: EXTENSION/RECEIPTS/PSYCH**

**Sponsor: Labor & Commerce Committee**

Extends the sunset for the boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologists and Psychological Associate Examiners and Veterinary Examiners. Legislative Audit has recommended each of these boards for extension.

**HB 169 REAL ESTATE LICENSEES**

**Sponsor: Representative Norman Rokeberg**

Requires a real estate licensee take 20 hours of post-licensing education within one year of receiving his/her initial license. Current law requires a real estate broker supervise every transaction. This is not practical in large real estate firms. In Anchorage, for example, 60% of the real estate transactions occur within three firms, with a total of four brokers. HB 169 will allow brokers to employ associate brokers or attorneys to assist in the orderly review of real estate transactions prior to the closing of the transaction.

**HB 182 WAGE & HOUR ACT: EXEC/PROF/ADMIN/SALES/DP**

**Sponsor: Representative Norman Rokeberg**

Provides important clarifications to Alaska Wage & Hours laws. Currently, those individuals working in an executive, administrative and professional capacity are exempt from Alaska's Wage & Hour laws. HB 182 clarifies the definitions of executive,

administrative and professional employees by referencing the federal Fair Labor Standards Act for the definitions for these terms. Most employers and employees have to comply with both state and federal law. This will simplify the process for both employers and employees, as they will only have to comply with the federal definitions. The federal definitions move from a time based test (80/20) to a primary duties test.

The bill also provides that the salary requirement for this exemption be at least 2 times the minimum wage. This minimum salary level was adopted last year and remains in HB 182. HB 182 also clarifies the definitions of outside salesman and salesman who is employed on a straight commission basis. The bill provides for an exemption from the Wage & Hour Act for those in computer-related occupations. Previously, these individuals have fallen under the exemption for “professional” employees, but we have now broken them out as a separate exemption. Lastly, the bill provides an applicability section, which provides the courts with a bright-line rule for when these new provisions should be applied in a court case. Any claim made on or after the effective date shall apply these new provisions.

#### **HB 211: DENTISTS; HYGIENISTS; BD OF DENTAL EXAM**

**Sponsor: Representative Mike Kelly**

Extends the Board of Dental Examiners to June 30, 2011 as recommended by Legislative Audit #08-20031-04 dated August 5, 2004.

#### **HB 213 ALCOHOL SERVER EDUCATION**

**Sponsor: Representative Jay Ramras**

Makes it easier for alcohol servers to maintain their livelihood by removing unnecessary coursework for those competent enough to pass their alcohol server education test.

#### **HB 216 INSURANCE RATES, FORMS, AND FILING**

**Sponsor: Labor & Commerce**

Creates an environment where insurers compete more vigorously on rates and products offered to consumers. Encourages insurers who are in the Alaska market to stay here and will attract new insurers to Alaska. This will result in more competition, which will give consumers more choices and more competitive prices. Conforms with the national movement away from strict government price controls toward a more flexible, more competitively oriented system for the regulation of insurance rates and forms.

#### **HB 229 REINSTATEMENT OF NATIVE CORPORATIONS**

**Sponsor: Representative Richard Foster**

Introduced at the request of one of the Regional Native Corporations in House District 39. Corporations have been involuntarily dissolved by the commissioner under AS 10.06.633 and failed to apply for reinstatement during the grace period established in statute. This bill allows those corporations to reinstate with the all the original Alaska Native Claims Settlement Act assets, liabilities and rights

## Chapter 7 Honoring Our Heroes: Military & Veterans

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*“The last few years reminded America about the price that can be paid to extend and defend freedom beyond our own borders. As a former member of the military, I look for ways to help, honor and respect the men and women who have and continue to place democracy and freedom above themselves by serving in the armed forces.”*

– Senator Charlie Huggins

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This session the legislature continued to aid, express gratitude and remember veterans who call Alaska home.

### 2006 Senate Legislation

#### **SB 209 UNDERAGE MILITARY ON LICENSED PREMISES**

**Sponsor: Senator Charlie Huggins**

Permits active duty military personnel under 21 years of age with a valid military ID or armed services ID card to enter a patriotic organization post where alcohol is served. Continues to bar underage military personnel from being served or consuming alcohol in patriotic organization posts.

#### **SCR 21 VIETNAM WAR MEMORIAL: MOVING WALL**

**Sponsor: Senator Charlie Huggins**

Encourages Alaskans to visit the Vietnam War memorial known as "The Moving Wall." The memorial will be in Alaska between May and July of 2006.

### 2006 House Legislation

#### **HJR 27 ALLOTMENTS FOR NATIVE VIETNAM VETERANS**

**Sponsor: Representative John Coghill**

Urges the United States Congress to pass legislation amending the Alaska Native Vietnam Veterans Allotment Act to allow deserving veterans to obtain allotments of vacant land within the State of Alaska, and to reopen and legislatively approve allotments in the Tongass National Forest.

#### **HCR 48 ALASKA MEDAL OF HONOR**

**Sponsor: Rules Committee**

Establishes the Alaska Medal of Honor that may be awarded to residents of the state and those who were stationed in the state who have been killed in action; and directs the Joint Armed Services Committee to prepare legislation for the Twenty-Fifth Alaska State Legislature to provide for an Alaska Medal of Honor to express the gratitude of the people of Alaska to members of our armed forces who sacrificed their lives in defense of our nation. The medal is to be awarded to residents and those who were killed at the time they were deployed as a member of an armed forces unit while stationed in Alaska.

## **2005 Senate Legislation**

### **SB 90 ALASKA TERRITORIAL GUARD DAY**

#### **Sponsor: Senator Charlie Huggins**

Declares October 18 of each year as Alaska Territorial Guard Day, providing an opportunity for communities and civic groups to honor the ATG with special ceremonies and observances.

## **2005 House Legislation**

### **HB 181 WAIVE CONTINUING EDUC. REQ FOR MILITARY**

#### **Sponsor: Representative John Coghill**

Eliminates the possibility of a professional licensee losing his or her license because of failure to fulfill statutory requirements for continuing education while serving on active duty in a combat zone or area where continuing education classes are not available.

### **HB 201 PERM. FUND DIVIDEND APPS OF MILITARY**

#### **Sponsor: Representative Mike Chenault**

Permits the person who has power of attorney for an individual who is serving on active duty with the United States armed services outside the United States to sign and file a permanent fund application for said individual.

### **HJR 8 SUPPORTING ALASKA ARMY NATL. GUARD**

#### **Sponsor: Representative Bruce Weyhrauch**

Expresses support for Alaska Army National Guard soldiers and families deployed worldwide. More than 250 Alaska Army National Guard soldiers are now on active duty and deployed throughout the world. These citizen soldiers from all over Alaska are serving in overseas training deployments, combat missions, stability and support operations.

### **HJR 25 SUPPORTING VETERANS HOME OWNERSHIP ACT**

#### **Sponsor: Representative Beth Kerttula**

Calls for Congress to support the extension of the homeownership loan program to all veterans who have served in the armed forces, as opposed to the prior program that limited the loan program to those who served before 1977.

## Chapter 8 Protecting our Citizens: Public Safety

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*“The most effective way to prevent new victims is to put away sex offenders for longer periods of time. The offender may get a 25 year sentence, but the victim receives a life sentence.”*

*– Senator Con Bunde, commenting on the passage of the sex offender sentencing bill, SB 218.*

*“Providing public safety in rural Alaska comes with unique challenges due to its geographic isolation. Rural communities that ban alcohol needed tougher seizure laws to stop bootlegging and to make their community safer for everyone. I am proud to say my legislation achieves those goals.”*

*– Senator Gene Therriault, commenting on the passage on SB 210.*

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One of the hallmarks of the 24<sup>th</sup> Alaska Legislature was the tremendous progress made towards protecting children and victims of sexual assault, and shielding rural communities from the ravages of alcohol abuse. Lawmakers also made our highways safer by mandating seat belt usage, modernizing Alaska’s self defense statutes and eliminating temporary releases for potentially dangerous suspects awaiting trial.

### 2006 Senate Legislation

#### **SB 12 HUMAN TRAFFICKING /SEX TOURISM / PROCUREMENTS**

**Sponsor: Senator Fred Dyson**

Amends the state procurement code to develop provisions that create the authority to restrict financial relationships with organizations that are headquartered in, or conduct business in, countries that allow a permissive climate for human trafficking for labor and sex purposes.

#### **SB 20 OFFENSES AGAINST UNBORN CHILDREN**

**Sponsor: Senator Fred Dyson**

Makes it a crime for a person to cause the death or injury of an unborn child. Defines the crimes using language from existing criminal code and imposes punishments that are similar to those imposed for the death or injury of a live born person. Exempts acts that "are committed by a pregnant woman against herself and her own unborn child." Exempts acts that are committed during a legal abortion or under usual and customary standards of medical practice during diagnostic testing, therapeutic treatment, or to assist a pregnancy. Defines “unborn child” for application of criminal law.

**SB 54 PROTECTIVE ORDER FOR SEXUAL ASSAULT/ABUSE****Sponsor: Senator Fred Dyson**

Allows a victim of sexual assault to petition for civil remedies against the alleged perpetrator. Provides sexual assault victims access to protective orders, ex parte orders, and emergency orders based on the provisions for victims of stalking. Mandates arrest for violation of protective orders and violation of conditions of release.

**SB 87 SEAT BELT/CHILD SAFETY DEVICE VIOLATIONS****Sponsor: Senator Con Bunde**

Changes the current seat belt law from a secondary to a primary offense. Requires that an officer see an individual not wearing a seatbelt in order to issue a citation. Clarifies that in the case of a prosecution, the burden of proof rests with the officer. Exempts motorcycles, motor-driven cycles, snowmobiles and similar vehicles not designed to be operated on a highway. Clarifies that the seatbelt law applies when driving a vehicle "on a highway."

**SB 134 PILOT PROJECT: SEX OFFENSE VICTIMS RIGHTS****Sponsor: Senator Con Bunde**

Establishes a pilot program within the office of victim's rights to review cases in which the victim of first-degree sexual assault or sexual abuse of a minor complains that the investigation has not been timely or thorough. Begins the pilot program Sept. 1, 2006 and ends it August 31, 2008. Requires the office of victim's rights to report its conclusions concerning complaints investigated under the program to the legislature by Sept. 30, 2008.

**SB 200 USE OF FORCE TO PROTECT SELF/HOME/PROP.****Sponsor: Senator Gene Therriault**

Clarifies the circumstances under which a person can use deadly and non-deadly force in the defense of self, property and others. Specifies that a person has no "duty to leave the area" before using deadly force when the person is at the person's home, at a place where the person is a guest, or at the person's place of employment; or when the person is protecting a child or member of the person's household. Allows use of deadly force by a person inside a vehicle when a car is being car-jacked and outside a vehicle during a car jacking when there is a person inside the vehicle who is not a household member. Allows the use of deadly force to prevent sexual abuse of a minor in the first degree. Prohibits the use of force for any reason against law enforcement officers, firefighters, medical personnel, or a first responder in an emergency situation.



**SB 210 VIOL. OF ALCOHOLIC BEV. LAWS/FORFEITURE****Sponsor: Senator Gene Therriault**

Allows for seizure of alcohol transported by common carrier in violation of current law. Authorizes the seizure of property determined to have been purchased or obtained through the proceeds of illegal importation or sale of alcohol. Specifies the procedure for a person claiming an interest in property that has been seized. Defines "manufacture" of alcohol in local option statutes. Amends allowable quantities of alcohol to provide consistency between statutes. Allows seizure of a firearm used in furtherance of a crime under Title 4.

**SB 216 BAIL RESTRICTIONS/UNLAWFUL EVASION****Sponsor: Senator Charlie Huggins**

Makes unlawful evasion a felony for anyone held on a felony charge and a misdemeanor for anyone being held on a misdemeanor charge. Bans most temporary and periodic release of inmates being held at a pre-trial facility.

**SB 218 SEX OFFENDERS/SENTENCING/ABUSE REPORTS****Sponsor: Senator Con Bunde**

Increases sentencing times for the most egregious unclassified and Class A sexual felonies against a minor to a minimum sentence of 25 years. Increases sentencing for Unclassified and Class A sexual felonies against an adult to a minimum of 20 years. Restructures and increases sentencing for Class B and Class C sexual offenses. Requires periodic polygraph testing for sex offenders on probation and parole.

**SB 237 ADDITIONAL JUDGES/JUDGES' SALARY****Sponsor: Rules by Request Governor Murkowski**

Adds six new superior court judges. Two judges will be assigned to Anchorage, two more to Palmer, one to Kenai and one to Fairbanks. States the intent that the new judges be assigned in a manner that will allow the court to more efficiently process criminal matters. Authorizes salary increases for judges.

**SB 274 GOVT. FIREARM DISPOSAL AND INVENTORY****Sponsor: Senator Fred Dyson**

Allows all Alaskans who are legally qualified to buy firearms to do so at auctions where state-owned surplus firearms are sold. Permits the state to also dispose of the firearms through trade-in, donation and transfer to other jurisdictions. Current state law only allows federally licensed firearms dealers to purchase surplus state-owned guns at auction.

**SB 310 EMPLOYMENT OF PRISONERS****Sponsor: Senate Finance Committee**

Allows the Department of Corrections to enter into a contract with a private organization to employ prisoners if the work will have minimum negative impact on existing private industry. Provides the necessary statutory authority to allow the Department of Corrections to continue providing inmate work and training programs.

## **SR 6 SENATE VPSO TASK FORCE**

### **Sponsor: Senate Judiciary Committee**

Establishes the Senate VPSO Task Force. The task force will examine the role of Village Public Safety Officers and how the program can be improved. A report on its finding and recommendations must be delivered to the Senate by January 15, 2007.

## **2006 House Legislation**

### **HB 41 ASSAULT ON SCHOOL EMPLOYEES/BUS DRIVERS**

#### **Sponsor: Representative Bob Lynn**

Revises sentencing guidelines to require a 60-day mandatory minimum term of imprisonment for assaults in the fourth degree committed on school grounds, on school bus, at a school-sponsored event, or at certain school district administration offices.

### **HB 83 SEISMIC HAZARDS SAFETY COMMISSION**

#### **Sponsor: Representative Gabrielle LeDoux**

Extends the termination date for the Alaska Seismic Hazards Safety Commission until June 30, 2012. Specifies that the three local government representatives come from separate seismically active regions of the state. Defines seismic hazards as a geologic condition that is a potential danger to life and property including earthquake, landslide and avalanche. Allows for current members to be reappointed and reappointments to be staggered.

### **HB 149 CONTROLLED SUBSTANCES**

#### **Sponsor: Representative Jay Ramras**

Controls the diversion of pseudophedrine products for methamphetamine labs and could help reverse a 2004 Court of Appeals decision that protects marijuana growers. Places cold remedies containing pseudophedrine as an active ingredient behind the counters at stores. Criminalizes the possession of meth in organic solution and the delivery of precursor forms of the drug for manufacturing purposes. Subjects meth manufacturers to stiffer prison sentences for making the drug in buildings where children reside.

### **HB 258 SEXUAL ABUSE OF A MINOR/SEXUAL ASSAULT**

#### **Sponsor: Representative Bob Lynn**

Makes sexual assault by persons who have been previously diagnosed as having or having tested positive for HIV or AIDS an aggravating factor at sentencing.

### **HB 268 OVERTAKING/PASSING STATIONARY VEHICLES**

#### **Sponsor: Representative Jay Ramras**

Clarifies the current law regarding drivers passing emergency vehicles that are required to display flashing emergency lights on a highway or roadway. Currently, AS 28.35.185 requires drivers to vacate the lane closest to stopped emergency vehicles. Emergency vehicles, under current law, are police and fire vehicles. HB 268 changes the law to include other vehicles that should be treated with the same amount of caution, specifically tow trucks and animal control vehicles.

### **HB 338 CERTIF. OF FITNESS FOR EXPLOSIVE HANDLERS**

**Sponsor: Representative Mike Chenault**

Adds a national criminal history record and background check to qualifications for a certificate of fitness for explosives handlers. Requires the department to establish in regulation standards of competency based on training, experience, criminal history and background checks, and physical fitness for the issuance of a certificate of fitness.

### **HB 343 HARASSMENT/ASSAULT/STALKING**

**Sponsor: Representative Bob Lynn**

Creates the crime of harassment in the first degree for anyone who subjects another person to offensive physical contact with human or animal bodily fluids, and classifies that crime as a class A misdemeanor. Redesignates the existing crime of harassment as harassment in the second degree. Provides a minimum term of imprisonment of 60 days for persons convicted of harassment in the first degree when they direct the offense at certain specified law enforcement officers and emergency responders.

### **HB 379 CONTROLLED SUBSTANCES, INCL. ANALOGS**

**Sponsor: Sponsor: Representative Kevin Meyer**

Adds GHB (gamma-hydroxybutyric acid) and its variations to Alaska's controlled substances act and raise them to a schedule 1A narcotic. GHB elicits feelings similar to intense intoxication and gained popularity initially as a way to get drunk without the calories. It has become a popular "date rape" drug.

### **HB 400 CONFISCATION OF FIREARMS**

**Sponsor: Representative John Coghill**

Prevents the confiscation of firearms from law-abiding citizens during a disaster.

### **HB 414 INTERCEPTION OF MINOR'S COMMUNICATIONS**

**Sponsor: Representative Pete Kott**

Gives parents additional tools to monitor their children to protect them from predation by insubrious individuals. Provides two exemptions from current law, allowing parents to intercept the private communications of their children, including telephonic or electronic without consent of either party. Amends 42.20.320(b) Allows the court to enter an ex parte order authorizing the interception of the private communication if the court determines, on the basis of the application that there is probable cause to believe that the party has committed or is about to be a victim of, or witness of a felony or misdemeanor, or the health or safety of a minor is in danger, and may include a finding that the parent of a minor has consented in good faith to the interception of a communication of the minor based on the parent's objectively reasonable belief that it is necessary for the welfare of the minor and is in the best interest of the minor. HB 414 amends AS 12.37.030 to allow a parent to intercept a private communication to which a minor is a party if the parent is acting in the best interest of the minor. It prohibits the interception of the communication of a minor and the minor's attorney, guardian ad litem, or a child custody investigator.

## **HB 441 THERAPEUTIC COURT FOR DUI/SENTENCING**

**Sponsor: Representative Norm Rokeberg**

Consolidates piecemeal statutes passed over the last several years and establishes one uniform therapeutic court statutory structure to be applied throughout the state.

## **HCR 4 METH WATCH PROGRAM**

**Sponsor: Representative Jay Ramras**

Creates the "Meth Watch" program in Alaska. Meth Watch is a joint private and government effort to educate Alaskans, especially young people, about the dangers of methamphetamine.

## **2005 Senate Legislation**

### **SB 56 CRIMINAL LAW/PROCEDURE/SENTENCING**

**Sponsor: Senator Gene Therriault**

Amends current presumptive sentencing, from a set term to a range of terms, to bring Alaska law into conformity with requirements imposed by the federal constitution as a result of the *Blakely v. Washington* decision. Allows a judge to consider all relevant factors in sentencing and the ability to impose probation without undue complications in the criminal justice process. Improves public safety by clarifying the authority of police officers to arrest violators of probation and parole, and limiting the abuse of periodic sentencing.

### **SB 60 EXTEND SUICIDE PREVENTION COUNCIL**

**Sponsor: Senator Ben Stevens**

Extends the termination date of the Statewide Suicide Prevention Council from June 2005 to June 2009. Alaska has nearly twice the average national number of suicides. In 2001, the Alaska Legislature created the Statewide Suicide Prevention Council to establish strategies and goals to reduce the number of suicides. The council is currently working with the Alaska Injury Prevention Center on a study that examines suicides over a 12-month period. Voluntary interviews with friends and families of victims will be combined with medical records and law enforcement reports. The council will also conduct a media campaign to educate Alaskans about suicide and its devastating effects.

### **SB 63 USE SEAT BELT ROAD SIGNS**

**Sponsor: Senator Ben Stevens**

Allows the Alaska Department of Transportation to erect and maintain roadway signs that encourage the use of safety belts. Stipulates placing the signs at the sites of traffic fatalities that could have been prevented if seat belts were in use.

Between 1997-2002 about 55% of the traffic fatalities in Alaska could have been prevented if safety belts had been used.

### **SB 135 ASSAULT & CUSTODIAL INTERFERENCE**

**Sponsor: Senator Fred Dyson**

Amends the definition of custodial interference and assaults against children. SB 135 alters the definition of assault from "reasonably requires treatment" to "would cause a reasonable caregiver to seek medical attention from a health care

professional in the form of diagnosis or treatment." This proposed change comes after a caregiver's assault conviction involving a nine-month-old baby was overturned by the court of appeals. The bill also protects children kidnapped by a non-custodial parent claiming the child was subjected to abuse and/or neglect. These cases typically mean the child is kept out of school and moved around to avoid the authorities. The "necessity" defense used in these cases will be changed by requiring the non-custodial parent to keep the child no more than 24 hours, or the time necessary before contacting authorities, whichever is shorter.

#### **SB 140 COMPUTERS & INTERNET**

##### **Sponsor: Senator Gene Therriault**

Makes it unlawful for a person who is not the owner or authorized user of a computer to use spyware to cause a pop-up advertisement under circumstances defined in the bill, or to purchase advertising that violates the prohibition on using spyware to customize pop-up advertising. Makes online enticement of minors a felony under Alaska law. A person commits the crime of online enticement of a minor if the person is 18 years or older and knowingly uses a computer to communicate with another person to entice, solicit or encourage the person to engage in an act described in AS 11.41.455(a)(1)-(7). Makes online enticement a class C felony or a class B felony if the defendant is required to register as a sex offender or child kidnapper under AS 12.63 or similar law. Makes electronic distribution of indecent materials, i.e. pornography, to minors a felony under Alaska law.

#### **SB 154 JUVENILE DELINQUENCY PROCEEDINGS**

##### **Sponsor: Senator Gene Therriault**

Applies the State's juvenile delinquency laws to a person 18 years or older if the person is alleged to have committed a violation of criminal law that occurred when the person was under 18, and the period of limitation has not expired. Amends Court Rule 3(e), Alaska Delinquency Rules, to allow juvenile offenders to participate telephonically in certain proceedings in which personal appearance is not essential to the fair disposition of the matter. Specifies that a juvenile has the right, and the ability to waive the right, to be physically present in court for: arraignment, adjudication, disposition, probation revocation, extension of jurisdiction and waiver of jurisdiction hearings.

### **2005 House Legislation**

#### **HB 19 PESTICIDE & BROADCAST CHEMICALS**

##### **Sponsor: Representative Kevin Meyer**

Levies a registration fee for pesticide and broadcast chemicals registered for sale or distribution in the state, establishes a licensing fee for certified applicators and requires notice when pesticides or broadcast chemicals are applied in a public place. The \$85 annual chemical fee levied by HB 19 would shift the burden of Alaska's pesticide regulation and registration program from the general fund to program receipts. Caps fees at \$120 for registration and \$25 for licensing.

### **HB 54 BAIL REVIEW**

**Sponsor: Representatives Ralph Samuels and Bill Stoltze**

Establishes three requirements designed to alleviate calendaring strain on the court system and the district attorney's office while also protecting crime victims' rights and reducing same day notice of hearings. Also makes it clear that a victim may be introduced to a jury during the opening statement at a trial or during the jury selection process. Current law doesn't prohibit it, but some judges do not allow it because the law isn't clear. Another provision in the bill gives the victim a right to petition a review of a sentence that falls below the set range for a crime. Finally, the bill cleans up language in the Violent Crimes Compensation Board statute to allow a retired attorney or physician to serve on the board. Current statute prohibits this. These provisions balance the rights of the accused with the rights of crime victims and accommodate for the schedules of both the district attorney's office and the court system.

### **HB 88 CRIM LAW: MINORS, SCHOOLS, DRUGS, SENTENCES**

**Sponsor: Rules by request of the Governor**

Provides that minors who are 16 or 17 years old and commit certain felony misconduct involving weapons are automatically waived to adult court. Adds school activities and property as an aggravator.

### **HB 91 INDECENT EXPOSURE TO MINORS**

**Sponsor: Representative John Coghill**

Makes repeat convictions of indecent exposure within the observation of a person under sixteen years of age a felony.

### **HB 95 PUBLIC HEALTH DISASTERS/EMERGENCIES**

**Sponsor: Rules by request of the Governor**

The Department of Health and Social Services (department) routinely uses the traditional public health disease control tools of epidemiological surveillance and investigation, and historically has used isolation and quarantine to stop the spread of disease in the rare times it has been warranted. Brings Alaska law into alignment with the rest of the nation.

### **HB 116 LIABILITY FOR ALCOHOL LAW VIOLATIONS**

**Sponsor: Representative Kevin Meyer**

Creates an exception to AS 04.16.049 to protect young volunteers cooperating with law enforcement from retributive action and liability. Keeping alcoholic beverages out of the hands of people under 21 years of age is a cooperative effort. Young people working with law enforcement should not be subjected to lawsuits for participating in an investigation.

### **HB 124 COLLECTION OF DNA/USE OF FORCE**

**Sponsor: Representative Tom Anderson**

Allows a correction, probation or parole officer to use reasonable force in the collection of DNA samples required by law. Officers shouldn't run the risk of being punished for carrying out their duties

### **HB 131 ACCESS DEVICE & I.D. DOCUMENT CRIMES**

**Sponsor: Representative Bill Stoltze**

Increases the penalty from a class A misdemeanor to a class C felony for: Theft of an access device, such as a credit card or bank account number. The crime of fraudulent use of an access device if the value of the property or services obtained is \$50 or more. The crime of obtaining an access device or identification document by fraudulent means.

### **HB 136 DRUNK DRIVING TREATMENT PROGRAM**

**Sponsor: Representative Norman Rokeberg**

Expands the court-ordered treatment programs, i.e. "Wellness Courts," to felony DUI defendants. The statutory authority for these courts can be found under AS 28.35.030 and AS 28.35.032. Requires courts to impose at least minimum fines for DUIs. Some courts have been suspending all or a portion of the minimum fines. Increases the percentage of fines, from 50 percent to 75 percent, that can be waived for successful therapeutic court graduates.

### **HB 184 MUNICIPAL FIREARM ORDINANCES**

**Sponsor: Representative Mike Chenault**

This bill was introduced to ensure that citizens be able to look to one law as the single final authority regarding firearm regulation. This bill will guarantee consistency in firearm law within the State of Alaska.

### **HB 210 BLOODBORNE PATHOGEN TESTING**

**Sponsor: Representative Lesil McGuire**

Takes policies and procedures for testing for blood borne pathogen exposure to correctional officers that were passed by the 23rd Alaskan Legislature and expands them to include peace officers, firefighters, emergency medical technicians, mobile paramedics and contract employees in correctional facilities.

### **HB 219 STRANGULATION & SUFFOCATION CRIMES**

**Sponsor: Representative Mike Hawker**

Permits felony prosecution for any assault involving strangulation or suffocation.

### **HB 249 ENHANCED 911 SURCHARGES & SYSTEMS**

**Sponsor: Representative Mike Hawker**

Authorizes the funding mechanisms municipalities need to deliver Enhanced 911 (E-911) services. HB 249 also incorporates limitations protecting taxpayers from excessive charges

## Chapter 9 Moving Forward: Transportation and State Infrastructure

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*“Alaska is moving again. This session the legislature showed its commitment to the Knik Arm Crossing with a major appropriation to get the project rolling. The bridge will be a bridge to the future for the entire state. Roads, ports, harbors and airports also received adequate funding to make improvements and to keep them running smoothly.”*

*- Senate Transportation Committee Chairman Charlie Huggins*

*“One of my priorities is to build roads to resources. It means we can extract oil, gas, timber and minerals for the benefit of the entire state.”*

*- Senator John Cowdery*

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Alaska’s transportation infrastructure is truly unique from the rest of the United States. Moving from one place to another requires Alaskans to use all forms of transportation on land, sea and in the air. This session will be remembered for transportation initiatives like the Knik Arm Crossing, the Gravina

Island Bridge, the Juneau Access Road and allowing the Alaska Railroad to issue bonds for financing major upgrades. Funds were also dedicated to eliminate traffic congestion in urban areas of the state.

### 2006 Senate Legislation

#### **SB 261 TRAFFIC SAFETY CORRIDORS/HWY WORK ZONES**

**Sponsor: Rules by Request Governor Murkowski**

Authorizes the Alaska Department of Transportation and Public Facilities to identify a section of highway as a traffic safety corridor. Traffic fines would double if the offense took place inside the corridor. Fifty percent of the fines could be directed to DOTPF for highway safety programs. Directs the DOT commissioner to determine what criteria and factors should be considered and to consult with the Department of Public Safety commissioner before designating a safety corridor.

#### **SB 271 AUTHORIZE HWY PROGRAM PARTICIPATION**

**Sponsor: Rules Committee by Request Governor Murkowski**

SB 271 provides the Department of Transportation with the authorization to participate in a pilot program where National Environmental Policy Act documents for highway transportation projects will be reviewed and approved by DOT&PF. Alaska was one of five states given the opportunity to participate in the pilot program through SAFETEA-LU, the federal surface transportation act. This project insures that Alaskans are making decisions for Alaska.



### **SB 291 MUNICIPAL HARBOR FACILITY GRANTS**

**Sponsor: Senator Bert Stedman**

Establishes a capital improvement program for harbor facilities with a one time 50/50 matching grant program for municipalities. Funds major maintenance and capital improvements by using a portion of the watercraft fuel tax and the state's share of the fisheries business tax collected under AS 43.74.015.

### **SB 304 AIRPORT PARKING SHUTTLES/AIRPORT CHARGES**

**Sponsor: Senate Transportation Committee**

Prohibits the Alaska Department of Transportation and Public Facilities from using a "percent of gross sales mechanism" to assess fees for off-airport businesses that drop off or pick up travelers at airports.

### **SB 308 ALASKA RAILROAD REVENUE BONDS**

**Sponsor: Senate Transportation Committee**

Permits the Alaska Railroad to issue up to \$165,000,000 in tax exempt revenue bonds to pay for mainline track and bridge rehabilitation projects, technology upgrades and passenger equipment. Prevents the general credit of the state and the Alaska Railroad from being pledged for the repayment for the bonds. Paid for by Federal Transit Administration funds received annually by the Alaska Railroad.

### **SB 317 ANCHORAGE PARKING GARAGE**

**Sponsor: Rules by Request Governor Murkowski**

Permits the Alaska Housing Finance Corporation to issue bonds that will finance the purchase of a parking garage with up to 830-spaces for the Atwood Building in downtown Anchorage.

## **2006 House Legislation**

### **HB 266 VEHICLE WEIGHTS AND INSURANCE**

**Sponsor: Transportation Committee**

Increases the fine schedule for overweight commercial vehicles and prohibits an insurer from taking adverse action relating to personal automobile insurance of a commercial driver who commits one or more violations relating to overweight commercial vehicles.

### **HB 403 NEIGHBORHOOD ELECTRIC VEHICLES**

**Sponsor: Representative Bill Thomas**

Allows the State to license and register Neighborhood Electric Vehicles. Provides that while the vehicles are now legal statewide, a municipality may further restrict the use of these cars within their jurisdiction. The bill requires drivers of NEVs to comply with all laws that apply to drivers of other passenger cars.

### **HB 471 KNIK ARM BRIDGE AND TOLL AUTHORITY**

**Representative Bill Stoltze**

Provides exclusive authority to KABATA to set the amount of the bridge tolls, as well as providing explicit authority to enter into public-private partnerships for the construction, maintenance and operation of the toll bridge. Authorizes obtaining non-recourse loans from the US DOT's TIFIA loan program. Sets the dollar amount of non-recourse revenue bonds that may be issued and refunded,

and provides a means for the collection of tolls and other obligations owing KABATA in the operation of the toll bridge.

## **2005 Senate Legislation**

### **SB 16 POWERS/DUTIES DOTPF/TRANSPORTATION PLAN**

**Sponsor: Senator Gary Stevens**

Deletes the requirement that the Department of Transportation and Public Facilities participate in setting thermal and lighting energy standards. Deletes the requirement that the DOT&PF conduct a cost benefit study for projects where such studies are not warranted. Includes other statutory clean-up language requested by DOT&PF.

### **SB 142 REGIONAL SCHOOL BD LAND OWNERSHIP**

**Sponsor: Labor & Commerce Committee**

Excludes airport properties from AS 14.08.151(b), which directs the state to convey title to land and buildings used in relation to regional educational attendance area schools when requested to do so by the regional school board.

### **SB 153 INTERNATIONAL AIRPORTS REVENUE BONDS**

**Sponsor: Rules by request of the Governor**

Amends AS 37.15.410 to increase the total amount of bond authorization for the state's two international airports from \$524,500,000 to \$812,500,000. Annual debt service on the revenue bonds will be paid for primarily through airline rates and fees. At the Ted Stevens Anchorage International Airport, the bond package includes \$91 million for a seismic retrofit of the A and B concourses of the South Terminal. In Fairbanks, \$86.8 million in bond proceeds will upgrade and replace terminal facilities to accommodate future growth in passenger numbers and address seismic and code issues.

### **SB 158 MUNI TAX ON STATE CONSTRUCTION CONTRACTS**

**Sponsor: Senator Charlie Huggins**

Prohibits the imposition of municipal sales and use tax on a construction contract awarded by the state or a state agency, or on a subcontract awarded in connection with the project funded under the construction contract.

### **SR 2 EAST LYNN CANAL HIGHWAY**

**Sponsor: Senator Bert Stedman**

Supports the Alaska Department of Transportation & Public Facilities' efforts to improve transportation to and from Juneau and to build the East Lynn Canal Highway.

## **2005 House Legislation**

### **HB 115 AIRPORT CUSTOMER FACILITY CHARGES**

**Sponsor: Labor & Commerce**

Establishes customer facility charges (CFCs) to improve airport facilities without the expenditure of state funds. Provides a revenue stream to maintain and operate facilities, without requiring an increase in the airport-operating budget, as the cost

of maintenance will be paid using the related customer facility maintenance charge.

**HB 279 OUTDOOR ADVERTISING; ENCROACHMENTS**

**Sponsor: Transportation Committee**

Inserts an exception into statute that will grandfather current encroachments in the right-of-way of a highway by obtaining a permit by the Department of Transportation & Public Facilities. The permit may be issued to a private person, a government agency acting in a business capacity, or an owner or lessee of land contiguous to the right-of-way. To qualify for the permit, the encroachment must meet the following criteria: does not pose a risk to the traveling public, was erected in good faith; would pose a hardship on the landowner if the permit is denied.

**HR 7 EAST LYNN CANAL HIGHWAY**

**Sponsor: Representative Bruce Weyhrauch**

Supports the Alaska Department of Transportation & Public Facilities' efforts to improve transportation to and from Juneau and to build the East Lynn Canal Highway.

## Chapter 10 Enhancing Quality of Life: Health & Social Services



Bills to strengthen Alaska's child protection system and to seek out even more solutions for the state's workers' compensation system were part of the Senate Majority's plan for improving health, education and social services this session.

The Task Force to Access Public Reporting of Health Care Associated Infections was created to study hospital infection rates and devise recommendations for draft legislation requiring disclosure of infections related to hospitals. The practice of honoring our elders was put into statute with the creation of Older Alaskans' Day.

### 2006 Senate Legislation

#### **SB 224 OLDER ALASKANS' DAY**

**Sponsor: Senator Gary Stevens**

Establishes the second Wednesday of September as Older Alaskan's Day to honor residents 60 years or older.

#### **SB 253 EXTEND BOARD OF CHIROPRACTIC EXAMINERS**

**Sponsor: Rules Committee by Request of the Legislative Budget & Audit Committee**

Extends the termination date for the Board of Chiropractic Examiners to June 30, 2014

#### **SB 254 EXTEND PT & OCCUPATIONAL THERAPY BOARD**

**Sponsor: Rules Committee by Request of the Legislative Budget & Audit Committee**

Extends the termination date for the state Physical Therapy and Occupational Therapy Board to June 30, 2014.

#### **SB 255 OPTOMETRY: LICENSING/EXTEND BD**

**Sponsor: Rules Committee by Request of the Legislative Budget & Audit Committee**

Extends the termination date of the Board of Examiners in Optometry to June 30, 2014. Amends optometry statutes to ensure they support current license endorsements for both "prescribe" and "use." Deletes the statutory cite requiring 24 hours of continuing education instruction and makes other statutory "housekeeping" changes requested by the board.

#### **SB 260 EXTEND TASK FORCE ON WORKERS' COMP**

**Sponsor: Senator Ralph Seekins**

Extends the Task Force on Workers' Compensation by one year, to February 28, 2007.

Gives the task force until February 15, 2006, to complete its report.

**SB 177 PRACTICE OF PSYCHOLOGY****Sponsor: Health & Social Services Committee**

Allows licensed professional counselors, licensed marital and family therapists and licensed clinical social workers to use psychological terms.

**SJR 19 TASK FORCE ON HOSPITAL INFECTIONS****Sponsor: Senator Gary Stevens**

Establishes the Task Force to Assess Public Reporting of Health Care Associated Infections. Requires the task force to: review the experience of the public with reporting of infections associated with health care and hospitals; and develop a white paper to be used for drafting legislation for reporting infections associated with health care and hospitals that addresses the unique health care challenges in the state.

**2006 House Legislation****HB 29 HEALTH CARE INSUR./COMP HEALTH INS. ASSN****Sponsor: Representative Norman Rokeberg**

Provides a premium tax credit of up to 50 percent for those entities who pay into the Comprehensive Health Insurance Association (ACHIA), the "high risk pool."

**HB 105 MEDICAID FOR ADULT DENTAL SERVICES****Sponsor: Rules Committee by Request of Governor Murkowski**

Expands the range of adult dental services allowed under the Medicaid program to include exams, cleaning, tooth restoration or extraction, or upper and lower full denture. Sets parameters for the benefit there is a set cap of \$1,150 a year for dental services for each individual, per year. Creates a separate appropriation for this program; the department will evaluate the program participation near the end of a fiscal year, and if the program exceeds the appropriation, the department will prorate the benefit cap for the next fiscal year. Puts a 3 year sunset on the program to provide for an evaluation.

**HB 109 SCREENING NEWBORN FOR HEARING/AUDIOLOGIST****Sponsor: Representative Jay Ramras**

Requires that all newborns be tested for hearing loss. Provides for follow-up care for newborn and infant children who have been identified as having or being at risk of developing a hearing loss.

**HB 393 INSURANCE FOR COLORECTAL CANCER SCREENING****Sponsor: Representative Tom Anderson**

Requires certain health care insurance plans to provide coverage for the costs of colorectal cancer screening.

**HB 399 ELDER FRAUD AND ASSISTANCE/OPA****Sponsor: Representative Mike Chenault**

Establishes an office of elder fraud and assistance within the Office of Public Advocacy (OPA) to investigate complaints of fraud committed against elder residents of Alaska. This bill authorizes OPA to bring civil enforcement actions for injunctive and other relief for fraud committed against older Alaskans.

**HB 408 CHILD ABUSE AND NEGLECT/DISCLOSURE/PFDS****Sponsor: Rules by Request Governor Murkowski**

Requires a practitioner of the healing arts to report to the Department of Health and Social Services if, in the delivery or care of an infant, finds that the infant has been adversely affected by exposure to a controlled substance or alcohol. This legislation brings the state in compliance with the federal Child Abuse Prevention and Treatment Act. Additionally this legislation clarifies the standard of proof required to terminate parental rights and for placement of children, requires the Department of Health and Social Services to respond to requests from public officials regarding CINA cases within five working days, clarifies information that can be publicly released in certain CINA cases, protects the permanent fund dividend of children in state custody, and requires the training of frontline social workers to include the rights and safety of a child and that child's family.

**HB 426 MEDICAL ASSISTANCE/INS COOPERATION****Sponsor: Representative John Coghill**

Brings the State into compliance with the May 1st U.S. Supreme Court decision *Arkansas v. Ahlborn*, while allowing the Department of Health and Social Services to implement stricter subrogation rights. Brings the State in line with the Budget Deficit Reduction Act of 2005 and allows annuities to be treated like Miller Trusts where income is counted as an asset, but not an annuity, when the applicant agrees to grant the State a claim to the annuity at the death of the applicant. Requires the department to review the authorization process with private carriers for assessing residential psychiatric services for minors and report to the legislature next session on how to maximize third-party coverage, clarify and enhance financial responsibility, and reduce medical assistance expenditures for residential psychiatric and drug abuse treatment.

**HB 442 HEALTH CARE DECISIONS****Sponsor: Representative Bruce Weyhrauch**

Provides more clear direction to those implementing health care decisions. Current law imposes a duty of investigation upon doctors when carrying out the health care directives of their patients. Amends current statutes to conform the language in the Alaska Act to Uniform Act language, thus requiring a doctor to act in "good faith" when time is critical for his or her patients. Retroactive date goes back to the date of enactment on the Health Care Decisions Act of 2004.

**HB 485 STATE PHARMACISTS/DOCTORS: EXEMPT SERVICE****Sponsor: Rules Committee by Request**

Moves pharmacists employed by the Department of Health and Social Services and the Department of Corrections from the classified to the exempt service effective July 1, 2006.

**HCR 33 SOBRIETY AWARENESS MONTH: MARCH 2006****Sponsor: Rules Committee by Request**

Establishes March 2006 as sobriety awareness month.

### **HJR 31 FETAL ALCOHOL SPECTRUM DISORDERS DAY**

**Sponsor: Representative Bruce Weyhrauch**

Designates Sept. 9, 2006 as Fetal Alcohol Syndrome Disorders Awareness Day.

### **HJR 36 TAIWAN: WORLD HEALTH ASSEMBLY**

**Sponsor: Health & Social Services Committee**

Urges the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2006.

## **2005 Senate Legislation**

### **SB 22 MEDICAID COVERAGE FOR BIRTHING CENTERS**

**Sponsor: Senators Fred Dyson and Bettye Davis**

Adds birthing centers to the list of health facilities eligible for Medicaid reimbursement if the U.S. Department of Health and Human Services authorizes the payment under the State of Alaska's Medicaid State Plan.

### **SB 42 NATUROPATHIC MEDICINE TASK FORCE**

**Sponsor: Senator Ralph Seekins**

Extends the Task Force on Naturopathic Scope of Practice until February 1, 2006 and requires a written report to the legislature regarding proposed legislation and other recommendations by December 1, 2005.

### **SB 51 PUBLIC ASSISTANCE PROGRAMS**

**Sponsor: Rules by request of the Governor**

Reauthorizes the Department of Health and Social Services to award and administer state funds under the Alaska Native family assistance grant program to support the operation of federally approved Tribal Temporary Assistance for Needy Families (TANF) Programs. Clarifies that if the federal government decreases funding of the federal block grant, the State is not obligated to replace the funding with State funds.

### **SB 125 LICENSING MEDICAL OR CARE FACILITIES**

**Sponsor: Governor**

Consolidates the licensing functions of the Department of Health and Social Services as part of a reorganization initiated by Executive Order #108 to streamline DHSS program operations. Requires DHSS to implement a single, consolidated background check process across all programs to reduce the risk of abuse and neglect of its vulnerable clients

### **SB 150 ALASKA CHILDREN'S TRUST FUND GRANTS**

**Sponsor: Health, Education & Social Services**

Specifies criteria for awarding grants from the Alaska children's trust fund. Requires an applicant to submit and the board to consider a plan for sustainability and self-sufficiency when awarding grants. Allows the board to reduce or discontinue a grant awarded or distributed from the children's trust fund at any time during the grant period if the project is not being successful in accomplishing its objective, as determined by the board.

## **SJR 6 FEDERAL MEDICAL ASSISTANCE REDUCTION**

**Sponsor: Senate Finance Committee**

Urges federal action to maintain the existing ratio of 57.58 percent federal funds and 42.42 percent state funds for medical assistance expenditures, known as the Federal Medical Assistance Percentage (FMAP).

## **2005 House Legislation**

### **HB 53 CHILDREN IN NEED OF AID/ADOPTION/GUARDIAN**

**Sponsor: Representative John Coghill**

Opens CINA proceedings to the public. Gives relatives preference for placement and adoption and requires best effort for visitation and notice of rights. Eliminates language in AS 47.10.960 that stated there was no duty or standard of care for children in state custody. Provides for state agencies cooperating more with legislative offices when inquiring for constituents. Places voluntary relinquishment in statute. Creates a statutory grievance process and a state review panel. Elevates the use of Child Advocacy Centers and mandatory videotaping of interviews involving sexual abuse victims. Establishes criteria for interviews conducted by school officials. Provides that the videotape of a sexual abuse interview of a minor under the age of sixteen can be admissible evidence in a criminal case if the witness is available for cross examination.

### **HB 85 PRESCRIBED MEDICATION FOR STUDENTS**

**Sponsor: Representative Kevin Meyer**

House Bill 85 requires that schools permit students to self-administer medication for asthma, anaphylaxis.

### **HB 102 MEDICAL LICENSE: APPLICATION/FOREIGN GRAD**

**Sponsor: Representative Bill Stoltze**

Allows the Alaska State Medical Board to adopt competency requirements for foreign medical school graduates. Currently, the State Medical Board has no discretion in determining credentials for licensure of foreign medical school graduates in Alaska, other than a completion of a three-year U.S. graduate medical education program. HB 102 allows for a little flexibility where currently none exists. HB 102 now moves to the House Rules Committee.

### **HB 106 SENIOR CARE PROGRAM**

**Sponsor: Rules by request of the Governor**

Repeals the temporary law created last year and replaces it with a permanent law that will strengthen the SeniorCare program and allow it to continue. It is crucial that the State of Alaska continue to provide critical support for Alaska's most needy senior citizens beyond January 1, 2006.

### **HB 120 HEALTH CARE EMPLOYEE PROTECTION**

**Sponsor: Representative Peggy Wilson**

Repeals two exemptions from Alaska's bloodborne pathogen protection standards to bring Alaska standards into compliance with federal standards and makes the State eligible for federal grants.



**HB 156 COMMISSION ON AGING****Sponsor: Representative Jim Holm**

The Commissioner of the Department of Administration has indicated he is not able to participate as a member of the Alaska Commissioner of Administration (ACoA) and supports removing DOA's seat. At its February 2005 quarterly meeting, the ACoA passed a motion requesting that the seat vacated by DOA be filled by "a senior services provider, regardless of age." HB 156 simply makes this change and a few other conforming changes.

**HB 185 POSTSECONDARY STUDENT IMMUNIZATION****Sponsor: Representative Mike Chenault**

Removes postsecondary educational institutions from the applicability of the provisions of AS 14.48. Requires postsecondary educational institutions to provide information, and receive a statement from the student having read the information on meningococcal disease prior to attending or living in student housing for said institution.

**HB 214 ANATOMICAL GIFTS & REGISTRY****Sponsor: Representative Lesil McGuire**

This bill works to make the Alaska Donor Registry program inclusive rather than exclusive by allowing our in-state donation program access to the registry, offers an expanded definition of technician to reflect the people who are trained to do the actual recovery procedures, allows increased notification for greater donation potential and clears up inconsistencies between federal regulations and state law.

**HB 225 MEDICAL EXAMINERS & AUTOPSIES****Sponsor: Representative Lesil McGuire**

Requires the commissioner of health and social services to appoint both a chief medical examiner and a deputy medical examiner to share the extensive workload.

**HCR 1 SOBRIETY AWARENESS MONTH: MARCH 2005****Sponsor: Representative Norm Rokeberg**

Designates March 2005 as Sobriety Awareness Month.

**HJR 20 PROSTATE CANCER DRUGS****Sponsor: Representative Carl Gatto**

Urges the United States Congress and the United States Department of Health and Human Services, United States Food and Drug Administration, to assist in the prompt approval of new drug applications for targeted drugs for the treatment of prostate cancer.

## Chapter 11 Increasing Government Efficiency: State & Municipal Issues

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*“From education to police protection to snow removal, local governments are unmatched in their ability to deliver quality government services that make a real difference in people’s lives. Forming new boroughs combined with municipal revenue sharing are the keys to ensuring Alaskans in rural and urban areas get the core government services they need.”*

*– Senate Majority Leader Gary Stevens*

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Local governments rely on the state to pass laws that help streamline their operations and make the two sides work together more efficiently. This session, the Senate Majority passed laws that maintain the integrity of the election process and prevent unintended taxes from being imposed on Alaskans.

Progress was also made on encouraging new borough formation. The Alaska Advisory Commission on Local Government studied that issue and the potential for reviving municipal revenue sharing during the 2005 interim. Their hard work resulted in a trio of bills in the Senate Community & Regional Affairs Committee this session to create a sustainable revenue sharing program and encourage the formation of new boroughs. Although the bills did not make it all the way through the process into law, their introduction and consideration brought the issue to the forefront for future action.

### 2006 Senate Legislation

#### **SB 36 ABSENTEE BALLOTS**

**Sponsor: Senator Gene Therriault**

Requires that requests for absentee ballots by mail be submitted directly by the absentee voter to the division of elections. Prohibits a person from encouraging or assisting in a violation of this requirement. Establishes a penalty for first offense and repeat convictions.

#### **SB 104 PERMANENT FUND DIVIDEND FRAUD/ELIGIBILITY**

**Sponsor: Senator Ralph Seekins**

Establishes the crime of unsworn falsification in the first degree, a class C felony, if a person submits a false statement on an application for a permanent fund dividend. Creates a PFD fraud investigation unit within the Department of Revenue to assist the Department of Law in detecting and investigating PFD fraud. Adds peace corps and members of the United States Olympic Team as allowable absences for purposes of eligibility for permanent fund dividends.

**SB 132 HUMAN RIGHTS COMMISSION****Sponsor: Rules Committee by Request Governor Murkowski**

Allows the Alaska State Commission for Human Rights to be more selective about the cases it prosecutes to remedy unlawful discrimination. Reverses a state Supreme Court decision (ADF&G v. Meyer) that decided a hearing is mandatory if there is substantial evidence to back up the complaint. Gives the commission the power to determine which complaints of unlawful discrimination merit pursuit.

**SB 172 INITIATIVE\REFERENDUM\RECALL\PAMPHLET****Sponsor: Senator Gene Therriault**

Requires the Division of Elections to prepare and publish an elections pamphlet for the primary election, if initiatives will appear on the primary election ballot. Changes the word limits on ballot titles and the summary of the proposed law, and gives the lieutenant governor 60 days to review applications for certification of initiatives.

**SB 236 AK HOUSING FIN CORP DIVIDEND/SUBSIDIARIES****Sponsor: Rules Committee by Request Governor Murkowski**

Permits the Alaska Housing Finance Corporation to make accounting changes to bring the corporation's reconciliation and calculation of the dividend into compliance with Governmental Accounting Standards Board rules. Expands the eligibility of projects that may be financed by a subsidiary of the AHFC.

**SB 265 BONDS OF BOND BANK AUTHORITY****Sponsor: Senator Bert Stedman**

Increases the bond authority of the Alaska Municipal Bond Bank from \$500 million to \$750 million.

**SB 289 INSURANCE****Sponsor: Labor & Commerce Committee**

Modifies Title 21 by making several technical changes designed to improve state statutes so they conform with federal law and the National Association of Insurance Commissioners standards and guidelines. Enhances protections for Alaskan consumers.

**SB 300 MOTOR VEHICLE NEGATIVE EQUITY/CONTRACTS****Sponsor: Senator Ralph Seekins**

Changes the definition of "principal balance" in the Alaska Retail Installment Sales Act by adding: "if the retail installment contract is for the sale of a motor vehicle, the amount, if any, that the seller agrees to pay to discharge an outstanding obligation of the buyer under an existing motor vehicle agreement, loan, installment sales contract, or lease."

**SB 306 UNEMPLOYMENT INSURANCE FUND & TAXES****Sponsor: Senate Labor & Commerce Committee**

Enacts measures to prevent the practice of State Unemployment Tax avoidance schemes, including: requires employers to notify the Department of Labor and Workforce Development of a business change or acquisition; implements standards addressing transfers of experience and assignment of rates; establishes the crime of obtaining an unemployment contribution rate by deception, and sets penalties.

**SB 315 DISPOSITION OF UNREDEEMED PROPERTY****Sponsor: Senate Rules Committee**

Changes language regarding unredeemed property from \$400 to \$1000, or twice the pawn loan limit. Returns the amount to the previous standard set in 1981. Requires pawnbroker to notify the pawnee what amount they will retain if the property is sold.

**2006 House Legislation****HB 133 MUNICIPAL BOUNDARY CHANGES/ COMMISSION****Sponsor: Representative John Coghill**

Makes three changes in the way the Local Boundary Commission deals with municipal incorporation, annexation, detachment, merger, consolidation, reclassification, and dissolution.

**HB 183 CAMPAIGN FINANCE: SHARED EXPENSES/LISTS****Sponsor: Representative Mike Hawker**

Allows a candidate to reimburse another candidate for costs incurred in a shared campaign expense within seven days. Allows a candidate and political party to share a fundraising list.

**HB 217 FULL & TRUE VALUE OF TAXABLE MUNI PROP.****Sponsor: Representative John Harris**

Provides an option not to include oil and gas property in the assessed property values of a borough.

**HB 257 STATE PROCUREMENT ELECTRONIC TOOLS****Sponsor: Judiciary Committee**

Authorizes the Department of Administration to contract with private sector firms to provide procurement services and electronic commerce tools. Includes additional procurement preferences and eliminates the sunset date and/or restrictions on the number of departments/instrumentalities allowed within the program established under CH. 51, SLA 2003.

**HB 274 PUBLIC ACCOUNTANTS****Sponsor: Representative Mike Hawker**

Updates Alaska's statutory framework regulating Certified Public Accountants.

**HB 316 EXTEND BOARD OF GOVERNORS ABA****Sponsor: Representative Bill Stoltze**

Extends the termination date for the Board of Governors of the Alaska Bar Association until June 30, 2009.

**HB 318 LIMITATION ON EMINENT DOMAIN****Sponsor: Representative Lesil McGuire**

Clarifies the exercise of eminent domain in two circumstances: for the taking of private property to transfer the property to another private person for economic development, and the taking of a landowner's personal residence to develop an indoor or outdoor recreational facility or project. States that it is not the legislature's intent to restrict public uses already recognized merely because the project may have an associated economic

impact or to provide an absolute bar on transfers of land to private entities, but to place restrictions on when such transfers occur. Adds two new subsections outlining circumstances for using eminent domain to acquire private property from a private person to transfer to another private person for economic development, and for using eminent domain to develop a recreational facility if the property includes an individual's personal residence.

#### **HB 334 MUNICIPAL PROPERTY TAX DEFERRAL/EXEMPTION**

**Sponsor: Representative Jay Ramras**

Continues to allow a municipality to defer taxes on an abandoned property, but clarifies when the deferral ends. Removes ambiguity in existing statute that makes it difficult for a developer to seek financing for refurbishing the project. Removes the repeal provision under AS 29.45.050 and clarifies the authority of a municipality to specify when deferred taxes on a deteriorated property are due. Amends the definition of minister for purposes of a mandatory tax exemption for residences owned by a religious organization.

#### **HB 357 STATUTORY REFERENCES TO DISABILITIES**

**Sponsor: Representative Peggy Wilson**

Updates terminology in statutes for persons with disabilities.

#### **HB 377 EXEMPTION: RES. BLDG. DRAWINGS & SPECS**

**Sponsor: Representative Kevin Meyer**

Adds an exemption to the requirement to have designs approved by an architect or engineer for residential buildings if the building is for not more than two families and three stories.

#### **HB 392 SOLID WASTE MANAGEMENT AUTHORITIES**

**Sponsor: Representative Peggy Wilson**

Authorizes the establishment of regional solid waste management authorities.

#### **HB 394 INSURANCE POLICIES IN FOREIGN LANGUAGES**

**Sponsor: Representative Kevin Meyer**

Provides that insurance policies and associated materials be published in a non-English version so long as an English version was provided with the foreign language materials and proper disclosure is made.

#### **HB 409 NO WORKERS' COMP. FOR REAL EST. LICENSEE**

**Sponsor: Representative Bob Lynn**

Exempts a person working as a qualified real estate licensee who performs services under a written contract that provides the person will not be treated as an employee for federal income tax or workers compensation purposes. Any payments they receive will be directly related to sales output rather than hours worked.

#### **HB 419 REPEAL UNDERGROUND STORAGE TANK LAWS**

**Sponsor: Representative John Coghill**

Repeals the Board of Storage Tank Assistance, the underground storage tank revolving loan fund, and the tank cleanup loan program.

**HB 439 INSURANCE PRODUCT REGULATION COMPACT****Sponsor: Representative John Coghill**

Enhances state regulation of insurance by creating a commission governed collectively by the states that would serve as a single point of filing for specified insurance products, and that would establish uniform, national standards for those products.

**HB 489 APOC/LEG ETHICS EXEMPTION: CHARITIES****Sponsor: House Finance Committee**

Allows a lobbyist to contribute to a charity event under AS 24.60.080(c)(11), which defines charity event as an event the proceeds of which go to a charitable 501(c)(3) organization and has been approved by the Alaska Legislative Council in advance. Allows legislators and legislative employees to solicit contributions for and participate in such events.

**HCR 6 REESTABLISH INFO INFRASTRUCTURE TASKFORCE****Sponsor: Representative Pete Kott**

Extends the termination date of the Alaska Information Infrastructure Policy Task Force until the first day of the regular session of the Twenty-fifth Alaska State Legislature.

**HR 11 EXTEND TASK FORCE ON AK GAMING POLICY****Sponsor: Representative Tom Anderson**

Extends the termination date of the House Task Force on Alaska Gaming Policy from Jan. 30, 2006 to April 1, 2006 and gives the task force until March 31, 2006 to file its recommendations.

**2005 Senate Legislation****SB 14 MUNICIPAL ELECTIONS****Sponsor: Senator Gary Stevens**

Removes the requirement that municipalities hold a special election for initiatives and referendums if no regular election occurs within 75 days after certification. Gives municipalities the option of: holding the vote at the next regular election; holding the vote at an already scheduled special election occurring later than 60 days after certification of the petition; or ordering a special election if it determines it is in the best interest of the municipality and no regular election occurs within 75 days. Clarifies that an initiative or referendum special election cannot be held within 60 days of certification to allow ample time for procedural work.

**SB 128 BOROUGH INCORPORATION****Sponsor: Senator Gene Therriault**

Amends AS 44.33.812 to clarify that the Local Boundary Commission (LBC) is not mandated to force borough incorporation when the LBC considers a local government "boundary change."

**SB 139 OCCUPATIONAL BDS/AGENCIES****Sponsor: Senator Gene Therriault**

Extends the sunset date of the Board of Marital and Family Therapy from June 30, 2005 to June 30, 2010. Adds the following to the criteria that must be considered in the sunset review of Agencies, Boards and Commissions: the extent to which the agency, board or

commission has effectively attained its objectives and the efficiency with which it has operated; the extent to which the board, commission or agency duplicates the activities of another governmental agency or the private sector. Changes the standard sunset period for boards or commissions scheduled to terminate under AS 44.66 or AS 08.03 from four years to eight years. Provides for the transfer of authority for regulatory boards that are terminated.

**SB 143 STATE INFO SYSTEM PLAN: LEGISLATURE/UNIV**

**Sponsor: Senator Gene Therriault**

Exempts the telecommunications operations of the legislature and University of Alaska from oversight by the executive branch. Clarifies that the executive director of the Legislative Affairs Agency, at the direction of Legislative Council, establishes information system guidelines for the legislature.

**SB 144 EMISSION CONTROL PROGRAM PERMITS/REGS**

**Sponsor: Resources Committee**

Amends current state statutes on air quality permitting for stationary sources to meet federal air quality requirements. SB 144 streamlines existing laws so the state can maintain primacy over air quality permitting in Alaska.

**SCR 14 LEG COMMITTEE ON LOCAL GOVERNMENT**

**Sponsor: Community & Regional Affairs**

Establishes the Advisory Commission on Local Government consisting of three senators appointed by the senate president, three representatives appointed by the speaker of the house, and three public members appointed jointly by the senate president and speaker.

**2005 House Legislation**

**HB 42 JOSEPH C WILLIAMS, SR., COASTAL TRAIL**

**Sponsor: Representative Jim Elkins**

Renames three miles of trail alongside the South Tongass Highway between Ketchikan and Saxman, Alaska the Joseph C. Williams, Sr. Coastal Trail. Mr. Williams was an advocate for the construction of a trail alongside the South Tongass Highway between the cities of Ketchikan and Saxman. This legislation honors the memory of a highly respected member of the Native community in Southeast Alaska.

**HB 97 OATHS; NOTARIES PUBLIC; STATE SEAL**

**Sponsor: Governor**

Allows the Lieutenant Governor to: focus attention on web-based education for notaries, allow businesses which employ large groups of notaries to keep track of their terms of office, lay a foundation for e-signatures for the future, and continue to provide information to notaries without internet access. Sections 7-14 of the bill would repeal obsolete provisions in AS 44.50, update antiquated language, and add new provisions as needed.

**HB 121 ROAD SERVICE AREAS: SECOND CLASS BOROUGHES**

**Sponsor: Community & Regional Affairs**

Allows boroughs to dissolve or consolidate service areas that are nonfunctional or are functioning below minimum standards and that pose a financial risk to the borough. HB 121 is written in such a way as to protect those service areas that are taxing themselves

adequately and doing a good job in maintaining their roads to insure safe passage on them.

#### **HB 178 SPECIAL REQUEST LICENSE PLATES**

**Sponsor: Representative Kurt Olson**

Allows all motor vehicles subject to registration the opportunity to display the standard, "vanity" or a specialty plate offered by the DMV. Each additional plate sold will generate additional revenue for the State of Alaska.

#### **HB 215 PERM FUND CORP. INVESTMENTS/REGULATIONS**

**Sponsor: Representative Norman Rokeberg**

Grants authority to the Trustees of the Board of the Alaska Permanent Fund Corporation to establish and administer a legal investment list in regulation. Several important restrictions will be maintained in statute, including the requirement that all investments conform to the Prudent Investor Rule. HB 215 gives the PFD board more flexibility in investing.

#### **HB 293 BOROUGH SALES TAX EXEMPTIONS**

**Sponsor: Community & Regional Affairs**

Clarifies current statutory language to make it plain that a borough government may institute local tax exemptions and avoid the "stacking of taxes." Without this provision, cities within borough boundaries who chose to tax themselves may be subjected to "double taxation" should the borough decide to levy a borough wide tax. Under these circumstances, taxable entities may end up paying an 8% tax to the city and an additional 8% tax to the borough. This kind of double taxation severely affects the costs of doing business in those areas and goes against the public policy of Alaska.