



Strengthening Alaska Municipalities Through Advocacy & Education

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Legislative Information

The purpose of this newsletter is to help each and every one of you keep up with the legislation that could potentially have a positive or negative impact on your municipality. If you have any questions about any bills, please call us at the AML office. If you hear about legislation that we have missed, please let us know. Sometimes, with the huge flurry of issues, we might miss something.

Legislative Committee Meeting Schedule

The following list of committee meetings address issues and bills important to Municipalities for the upcoming week. For a complete list of bills visit the [BASIS](#) website. Most of the meetings are teleconferenced. It is best to go through your local LIO office to testify:

Monday, March 16

- 1:30 p.m. – [SB 43](#) – Immunity for Fire Dept. – (S) Jud Beltz 105
3:15 p.m. – [HB 123](#) – Establish Marijuana Control Board – (H) L&C Barnes 124

Tuesday, March 17

- 10:15 a.m. – [HB 118](#) – Muni Energy Improvement Assessments – (H) Ene Capitol 17
1:30 p.m. – [HB 30](#) – Constitutional History Curriculum – (H) Fin Rm 519
3:30 p.m. – [SB 22](#) – Motor Vehicle Reg. Tax – (S)CRA Beltz 105

Wednesday, March 18

- 1:00 p.m. – [HB 79/SB 30](#) – Marijuana reg. crimes – (H) Judiciary Capitol 120

Thursday, March 19

- 1:30 p.m. – [HB 116](#) – Extend Alcohol Beverage Control Board – (H) Fin Rm 519
3:30 p.m. – [SB 45](#) – Parks & Rec Service Area Boundaries – (S) CRA 105 Beltz

Friday, March 20

3:15 p.m. – [HB 58](#) – Eligibility for Ak. Energy Efficiency Loans – (H) L&C Barnes 124

Bills on the Move

[HB1](#)– **An Act declaring the Arctic policy of the State.** This bill is still awaiting a schedule to move to Senate Rules. Two important changes to this bill is deletion of the reference to the Law of the Sea. As you might remember, this has been a priority of AML for a number of years. The Law of the Sea gives the U.S. a seat at the table when it comes to making decisions about the Arctic. However, many more conservative officials feel the Law of the Sea would give away U.S. sovereignty. Also added, was an interesting section that states, “Nothing in this Act is meant to support, endorse, or reestablish the Alaska Coastal Management Program that expired in 2011 and was rejected by state voters in 2012.”

[HB 47](#) - **An Act requiring each municipality with a population that decreased by more than 25 percent between 2000 and 2010 that participates in the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22 percent of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; reducing the rate of interest payable by a municipality with a population that decreased by more than 25 percent between 2000 and 2010 that is delinquent in transmitting employee and employer contributions to the defined benefit retirement plan of the Public Employees' Retirement System of Alaska; giving retrospective effect to the substantive provisions of the Act; and providing for an effective date.** This bill moved out of House C&RA and on to House L&C. A hearing is not currently scheduled in (H) L&C.

[HB 53](#) – **An Act relating to the application of pesticides and broadcast chemicals in certain public places near fish habitat or water used for human consumption and on state-owned land, land leased by or to the state, state highways, and state-owned rights-of-way.** This bill attempts to restore a public process to state pesticide and herbicide spraying programs and creates protective buffer zones around fish habitat and drinking water sources. This bill responds to regulatory changes made in March 2013 by DEC that eliminated opportunities for public comment on pesticide spraying programs, weakened public notice provisions, and removed requirements that agencies identify water bodies that could be harmed by pesticide application. This bill was heard in (H) Transportation on 03/10/15 where it was held.

[HB 58](#) – **An Act making an entity that is exempt from federal taxation under 26 U.S.C. 501 (c)(3) (Internal Revenue Code) and a federally recognized tribe eligible for a loan from the Alaska energy efficiency revolving loan fund; and relating to loans from the Alaska energy efficiency revolving loan fund.** – This bill was heard on 03/05/15 in House Energy. This bill would make it possible for tribal organizations,

non-profits and REAAs eligible for a loan from the Alaska Energy Authority revolving loan fund. After being heard, the bill passed out of the Energy Committee and is now on the schedule for 03/20/15 in House L&C.

HB 59 – An Act relating to marijuana concentrates; and providing for an effective date. This bill delays, for a year, regulations regarding manufacturing and commercialization of marijuana concentrates to allow for a smooth implementation of the initiative and charges the Alcoholic Beverage Control Board with creating regulations relating to marijuana concentrates that include labeling and packaging requirements and prohibitions on the combining of marijuana concentrates with nicotine and alcohol. On 03/10/15, this bill was heard and moved out of (H) Health & Social Services and on to (H) Judiciary. It also picked up another sponsor.

HB 65 An Act relating to the disclosure of financial information by persons who are subject to the Legislative Ethics Act and by certain public officers, public employees, and candidates for public office. This bill was interesting in that it suddenly attracted a brand new section. Apparently, this section was added at the request of APOC, who stated that this change was requested by municipalities. The current law states that all municipalities with a population of 15,000 or above are required to submit all local public official financial disclosure statements electronically to APOC. The language inserted by APOC changed that to say that all municipalities with a population of more than 5,000 would meet this requirement. This change would affect twelve municipalities that are not included at this time. Now, these municipalities MAY have candidates file electronically if the candidate wishes. However, that is different than a requirement. This new requirement would have affected some communities that may have had a difficult time meeting that requirement (Bethel, Kotzebue, etc.). AML requested that the language be stricken from the bill. It was. We are happy. The amended bill passed out of House Judiciary and is now on its way to the Senate.

HB 72 "An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, making reappropriations, and making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date." This past week, public testimony was heard throughout the state on this Operating Budget bill. We encouraged members to call about Revenue Sharing, even though it is not currently found in the operating budget that they are addressing. The reason for that, as you hopefully heard during our legislative meeting, is that the \$60 million which has, in the past, been in the budget for deposit into the Revenue Sharing fund, has not been put into the operating budget. The \$57 million that is "slated" to go to municipalities, is actually the result of the \$52 million that was deposited during last years' budget. Still, we must be vigilant in reminding them that municipalities need that Revenue Sharing and we want to be sure that they do not reappropriate those funds for other uses. After a full week of testimony, they are now offering amendments based on testimony they have heard (at least we HOPE that is what is going on). I would list all of the amendments, however I am baffled, as there are 99 pages of amendments. I wouldn't know where to start. I will wait until the new

operating budget is accepted and printed and THEN I will tell you what the scoop is. If any of you desire to spend a few days going over all of the amendments, please feel free to do so. It did pass out of (H) Finance on a 25/14 vote.

HB 75 – **An Act relating to the regulation of marijuana by municipalities; and providing for an effective date.** This bill was heard in (H) Judiciary on 03/11/15. The members of the Judiciary committee had many questions and concerns about the limiting of plants. They were concerned about constitutional issues. One member also had many questions about how local police would enforce many of the aspects of these laws. The issue of whether or not boroughs should be given area-wide or non-area-wide powers also came up again. This obviously has not been settled as of yet. A household maximum plant limit has been set at “not more than 12 marijuana plants, with six or fewer being mature: where two or more adults reside.” Also, the word “assisting,” which refers to someone tending plants for someone else who might need assistance with the care of those plants, is expanded in the definition to also include “aiding” or “supporting.” An addition has been inserted that would require the State Control Board (no matter who that might be), to notify the municipality about applications received within ten days of receipt of that application and to share the application fee with that municipality. An appeal process is included in the CS, so that those that may protest the State Control Board’s decision, have a forum with which to do so. Along with the listings of those businesses which could be prohibited by municipalities, language has been added referring to “marijuana clubs.” Also, a section is added to allow communities or “established villages,” (those that are not “municipalities”) to allow for local option. This is currently the practice with decisions on alcohol. Remember, however, that personal possession of marijuana cannot be prohibited, only the operation of marijuana establishments. The eleven pages of this bill refer to Municipal REGULATORY BOARDS (which to most of us infer that we would be “regulating”). However, remember that I mentioned that SB 30 states that “regulation may only be done by the State.” Do you THINK that they could possibly pass two bills that are in direct conflict? DO YOU THINK THAT COULD EVER HAPPEN???? This bill was heard on 03/11/15 in (H) Judiciary, but due to the many questions, it was held.

HB 79 – **An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and providing for an effective date.** This is the companion bill to SB 30. It was to be heard on Monday, 03/09/15, however, the hearing was canceled. Now, there is a hearing scheduled for March 18th (see above), which is really focused on SB 30 which appears to be the vehicle of choice for this legislation.

HB 104 – **An Act relating to immunity for a fire department and employees or members of a fire department.** This is the companion bill for SB 43. This bill was heard in (H) CRA on 03/10/15. It was passed and referred to (H) Judiciary. It is not presently on the schedule for a hearing.

HB 118/SB56 - **An Act adopting the Municipal Property Assessed Clean Energy Act; authorizing municipalities to establish programs to impose assessments for**

energy improvements in regions designated by municipalities; imposing fees; and providing for an effective date. – This bill would allow building owners to either borrow money from a municipality or a private lender to implement energy efficiency measures by making property tax assessments available to ensure repayment of the debt. Municipalities may issue bonds to fund a municipal lending. Building owners would voluntarily allow the local municipality to impose a tax assessment on their property. This assessment would be payable annually with property taxes, with the proceeds used to repay the lender or bond holders over the full life of the loan. Due to the assured revenue source, the financing costs should be reduced. This bill was heard in House Energy on 03/05/15 and is now scheduled again for a hearing on 03/17/15.

[HB123](#) - An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic Beverage Control Board; and providing for an effective date. This bill was heard again on 03/11/15 in (H) L&C where it was again held. It is scheduled again for 03/16/15. This bill was introduced by the Governor and intends to set up a “hybrid” board under the DCCED and shall operate like the Alcohol Beverage Board.

[HJR 7](#) – Opposing the proposed designation of an Aleutian Islands National Marine Sanctuary. – This resolution declares opposition to a nomination made by a Washington D.C. based Public Employees for Environmental Responsibility (PEER) for the creation of an Aleutian Islands National Marine Sanctuary. Under the PEER proposal, all current restrictions on fishing and other commerce in the region would be made permanent and new restrictions that would likely prove burdensome to present and future economic activity would be added. In its information on the nomination process, NOAA states that “every nomination starts at the community level” and calls for “community-based support for the nomination.” However, it appears that the groups led by PEER never consulted the dozens of local communities that would bear the brunt of the creation of a sanctuary. This bill was heard in Senate Resources on 03/11/15 where it passed and was moved out of the committee. It is now awaiting transmittal to the Governor for signature.

[SB 1](#) – An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date. This bill prohibits smoking in enclosed areas in public places; in vehicles used for public transportation; at transportation facilities and depots; at retail stores or shopping centers; and on property owned by local government or by the state. It also prohibits smoking in office buildings, hotels, motels, restaurants, bars, retail stores, common areas in apartments and multiple family dwellings, places of employment, at public or private educational facilities, at adult care residences, at healthcare residences or on a marine vessel operating as a business. Also impacted will be state or municipal parks designated as children’s play areas, in public stadiums or amphitheaters and within 20 feet of a doorway, open window or heating/ventilation system. It does allow smoking at a retail tobacco store or e-cigarette store and on a fishing vessel used exclusively by one person. Smoking in private clubs is only allowed if that club does not serve alcohol.

The party responsible for administration and enforcement will be the Department of Health and Social Services, as well as peace officers. This bill was heard in (S) Health & Social Services on 03/11/15 where it passed and moved out of committee. It also picked up many sponsors. It will now be transmitted to the House.

SB 19 – An Act relating to Road Service Area Boundary Changes. This legislation was introduced to help Fairbanks (who has a gazillion service areas) not find lots split between two service areas. This would allow the borough assembly to place the tax lot into one of the service areas. This bill was heard and held in (S) CRA on 03/12/15 and was moved out of committee. It has no further referrals in the Senate.

SB 30 – An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and providing for an effective date. SB 30 was heard in Senate Finance on 03/10/15 where it was held over for public testimony. It “shrank” from an 88 page bill to a 23 page bill. It appears to be a bit “regulatively” heavy, however. There are now pages and pages of what is how much marijuana can be transported, how it can be transported, what the violations are, etc. AML, however, did send a letter and testified to Section 33 which attempted to water down the ability for local government to regulate. In reaction to our testimony, an amendment was offered to delete that language. This newer version re-classifies marijuana as a “controlled substance.” Boy, did that bring the public commenters. Also a bone of contention was the added requirement that would limit the daily sales to one-ounce per person. How the record keeping could be accomplished to make sure that happens is a job creator for some poor soul. They will continue to work on this bill today (03/13/15). It is hoped that it will pass out of (S) Finance today (Friday) and then move on to (H) Judiciary.

SB 43 – An Act relating to immunity for a fire department and employees or members of a fire department. Employees of municipal fire departments are immune from liability, however, contract fire departments, made up mostly of volunteers, are not. This bill extends that immunity to contract fire departments. This bill was heard in (S) C&RA on 03/05/15. It was moved out of committee and will next be heard in (S) Judiciary on 03/16/15.

SB 45 – An Act relating to parks and recreation service area boundary changes. This bill provides municipalities with a method for collecting taxes from property owners currently benefiting from services provided by taxes paid from others in the service area. As development occurs, “doughnut holes” are often left in service areas. These areas can continue to carry a vote to keep themselves from paying the taxes that others in their area already pay. This bill was scheduled to be heard in (S) C&RA, but was not heard last week, but has been rescheduled to 03/19/15.

SB 60 - An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic

Beverage Control Board; and providing for an effective date. This is a companion bill to HB 123. Under this bill, the Director of the Alcoholic Beverage Control Board will also be the director of the Marijuana Control Board. The Marijuana Control Board will have 5 members, represented by public health; rural; public safety; and the marijuana industry. This board will be under the Department of Commerce, Community & Economic Development (or Chris, as we now call it). It would also allow for “transition” regulations such that if the Alcoholic Control Board adopts any regulations before the Marijuana Control Board is created, those regulations can be implemented, enforced, amended, or repealed by the Marijuana Control Board. This bill was heard in (S) Labor & Commerce on 03/10/15 and held.

SB 62 – An Act relating to the regulation of marijuana, marijuana testing, marijuana products, and marijuana accessories; relating to the licensing of marijuana retailers, producers, processors, boutique producers, brokers, and home growers; relating to taxation of marijuana; and providing for an effective date. This bill was heard in Senate State Affairs for a LONGGGGGGGGGGG time on 03/05/15, where it was held. It was again scheduled for 03/12/15, but they never got to it. I have to say, I think the Legislature is having a bit of trouble on the marijuana legislation (all of it). They are not sure what to do and there seems to be a strong push and shove going on between those who want to regulate everything and the public, who says.....”chill.” The marijuana initiative specifically stated that the registration fee for a business applicant, be capped at \$5,000, with one-half of that fee being forwarded to the local government. I know you will find this hard to believe, but that section to share that application fee has been removed (the estimate for that amount is about \$6 million shared by municipalities that allow sales/testing of some sort). We will have to watch this carefully.

SB 64 – An Act relating to school bond debt reimbursement; and providing for an effective date. Due to the deficit, this bill would see the state put a five-year moratorium on the school bond debt reimbursement program. This would have a huge impact on municipalities and we will watch as this bill moves through the process.

Bills Introduced

*** this week**

HB1– (SB 16) An Act declaring the Arctic policy of the State. This bill lines out the reasons that the State of Alaska is what makes the U.S. an Arctic nation. It then lines out the “declaration of state Arctic policy.” It also lists the priority efforts of the Arctic policy.

HB 3 – An Act relating to a death benefit for health insurance payable to the widows, widowers, and children of police officers, firefighters, or emergency medical technicians who die because of work-related injuries. If any of the above mentioned people suffer an injury, which then leads to death (no time frame identified), there would be a number of death benefits available to the family: funeral expenses, not

to exceed \$10,000; 80% of weekly wages for a widow or widower without children; 50% to the widow or widower if there is one child and 40% to the child; 30% to the widow or widower if more than one child with 70% divided among the children; 100% to children if there is no widow or widower (no age limit). Health insurance would be paid for by the employer that is the same as that in place before employee's death. These benefits would also be provided to volunteers of all of the above positions. The healthcare coverage would be provided for one year following the death or one year from the time that employer provided coverage stops.

[HB 21](#) – An Act relating to regional transit authorities. This bill is intended to reduce traffic flow on highways by providing for the creation of regional transit authorities. The purpose of these authorities is to provide for public transportation by commuter rail or by other means. It would allow individual municipalities (or a collaboration of municipalities) to create a regional transit authority to provide transit service to commuters.

[HB 23](#) – An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools. This bill would require schools to create age-appropriate curricula. Curricula is instructed to include warning signs of abuse, referral and resource information, counseling and support, methods for increasing awareness, and actions a child may take to protect themselves.

[HB 24](#) – An Act relating to the procurement of architectural, engineering, or land surveying services under state-funded contracts. This bill has visited us before. This bill requires all contracts, awarded under state-funded contracts, to be selected based on "qualifications" rather than price. Price may be used as part of the criteria if the people reviewing the contracts, are registered engineers, themselves. Otherwise, they don't trust municipalities to do it right. The municipality shall also consider "proximity" to the project site. As far as we can tell, when a municipality puts out a bid for a state-funded job for the architectural, engineering or land surveying section of that project, the bids you select will be based on the qualities of a company. All of you will then sit down and negotiate the price. If you can't come up with a price you all agree with, you must start over. The comment we got from some of the engineers pushing this bill was that price shouldn't matter when it comes to selecting a good firm. OF COURSE PRICE MATTERS!!!!!! Unless you have endless streams of money.

[HB 30](#) – An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date. While the thought is grand, this is an unfunded mandate that even mandates what the curriculum must be: Declaration of Independence; the first state constitutions; the Articles of Confederation; the Constitution of the United States; the Federalist Papers; the Bill of Rights and other historical documents produced in the founding of our constitutional republic model of government.

[HB 34](#) – An Act relating to the amount of workers' compensation benefits in the case of permanent partial impairment. This bill attempts to give injured workers a

higher base for permanent total disability and permanent partial disability. It has been quite a while since the \$177,000 amount was established, so it probably needs to be updated. More, most likely, will be added to this bill.

HB 47 – An Act requiring each municipality with a population that decreased by more than 25% between 2000 and 2010 that participates in the defined benefit retirement plan of the Public Employees’ Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22% of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; reducing the rate of interest payable by a municipality with a population that decreased by more than 25% between 2000 and 2010 that is delinquent in transmitting employee and employer contributions to the defined benefit retirement plan of the Public Employees’ Retirement System of Alaska; giving retrospective effect to the substantive provisions of the Act; and providing for an effective date. The description of this bill is actually the title, itself. The title is a long one, in order to keep the subject tight and disallow anyone from adding or changing the bill. This is known to us at AML, as the Galena bill. It basically provides for municipalities that, through no fault of their own, lose more than 25% of their employees between the years 2000 and 2010, from being charged exorbitant termination penalties; reducing their interest from the current 12+% and making this bill retroactive. The year on which the current “below the 2008 salary floor” is based, would become 2012 for those specified municipalities.

This bill was heard in House C&RA on 02/10/2015. There were many questions brought up about how this bill would work, how PERS works, what the plan is for future “problems” with municipal PERS in other communities. The committee asked for more information and they are holding the bill until the next hearing which will be on 02/21/2015. At that time, there is invited testimony only, but we are not yet aware of who that may be. I kinda think it will be the state agencies that oversee the PERS system.

HB 53 – An Act relating to the application of pesticides and broadcast chemicals in certain public places near fish habitat or water used for human consumption and on state-owned land, land leased by or to the state, state highways, and state-owned rights-of-way. After the “debacle” on Prince of Wales this past summer, where DOT unilaterally decided to spray pesticide wherever they deemed necessary, without any permitting from DEC and by simply posting it in the paper of notice, this bill would make it necessary for an agency to apply for a permit; post a notice 14 days in advance, and then hold a public hearing to receive comment by the public. In the above case, pesticide (of an unknown quality) was sprayed near anadromous streams and on berry bushes used for subsistence. There were some MAD people. This needed to be fixed! We will watch the changes that may come with this bill, however, as we need to make sure it does not prohibit municipalities from necessary spraying (as happened in legislation a few years ago) in conditions such as a hornets nest hanging on a public building near the water.

[HB 57](#) – An Act relating to voter identification at the polls; and relating to the counting of absentee and questioned ballots. This bill is built upon the statute that requires certain identification before allowing a person to vote. However, added to this statute is section which states the identification may be waived if, “the voter is on the official registration list to vote in the precinct. If the identification requirements are waived under this subsection, the election official shall sign beside the voter’s name in the register kept under AS 15.15.180. It also states that an absentee ballot or a questioned ballot may NOT be counted if the voter voted in person and was not eligible for waiver of the identification requirement (personally known).

[HB 58](#) – An Act making an entity that is exempt from federal taxation under 26 U.S.C. 501 (c)(3) (Internal Revenue Code) and a federally recognized tribe eligible for a loan from the Alaska energy efficiency revolving loan fund; and relating to loans from the Alaska energy efficiency revolving loan fund. Currently, tribes are not eligible for these loans and this bill would make that change. This also makes a change to include “subdivisions” of a municipality (I am not sure what that legally means, but we will research that to see if that means “service areas?”) This would also include subsidiaries and/or businesses owned by a federally recognized tribe. To date, not ONE SINGLE loan has been given since the inception of this program (2010).

[HB 59](#) – An Act relating to marijuana concentrates; and providing for an effective date. This bill would delay marijuana regulations relating to growth and sale of marijuana and marijuana licensing. Also, criminal intent with regards to possession, manufacture, etc. is listed.

[HB 65](#) An Act relating to the disclosure of financial information by persons who are subject to the Legislative Ethics Act and by certain public officers, public employees, and candidates for public office.

[HB 75](#) – An Act relating to the regulation of marijuana by municipalities; and providing for an effective date. This bill is simply a “place holder” for now. Testimony and work will ensue with AML and municipalities as this whole marijuana thing gets further down the road. For now, municipalities must do a bit of a waiting game, as the State must define many aspects of the initiative and make decisions about what they will and will not allow. We hope to help municipalities answer as many as those marijuana issues, as possible, during our AML Marijuana Summit (February 17th).

[HB 78](#) – An Act bearing the short title of the “Alaska Competitive Energy Act of 2015”; and relating to the Regulatory Commission of Alaska. This bill would give boroughs and cities the ability to regulate, fix, establish and change the rates and charges imposed by a utility that is not subject to regulation. It appears to make changes to ensure that the “end user” is offered an affordable, competitive pricing schedule and to bring unregulated utilities in line with the state energy policy (AS 44.99.115).

[HB 79](#) – An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and

providing for an effective date. This bill relates to the criminal aspect of the upcoming marijuana initiative. It lays out what would be deemed “crimes” by the State with regards to marijuana, and a slew of names and initials of things that most of us (I hope) have never heard. It is being rewritten, as we speak, so the present version will be changed in the Judiciary Committee. We will wait to see what comes out the other end.

[HB 84](#) – An Act relating to the Legislative Budget and Audit Committee; and requiring state agencies, municipalities, and Regional Educational Attendance areas to report on federal receipts. This bill adds new language that would require each municipality to, each year, prepare and submit a report that states the total amount of federal receipts that the municipality received for the previous fiscal year; to identify all conditions or requirements related to those funds; identifies those funds which require a state match; reports the total amount to the municipality; states the percentage of the budget represented by the federal receipts; and describes the plan for operating the municipality if there is a reduction of those funds by 5% or more. It also requires that if the state does not include required state matches in their budget, that a municipality may not accept those receipts. Federal receipts, for these purposes, means grants, loans, loan guarantees, property, cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, incentives, or other assistance.

[HB 86](#) – An Act relating to investment of the Power Cost Equalization Endowment Fund; and providing for an effective date. This extends the language of the Power Cost Equalization Fund to no longer require a stated return (7%), but to have the investments done in a manner that will, “meet the objectives of the power cost equalization and rural electric capitalization fund.”

[HB 104](#) – An Act relating to immunity for a fire department and employees or members of a fire department. This bill to protect an employee or member of a fire department or the department itself from an act or omission in the execution of a function for which the department is established.

[HB 105](#) – An Act relating to the programs and bonds of the Alaska Industrial Development and Export Authority; related to the financing authorization through the Alaska Industrial Development and Export Authority of a liquefied natural gas production plant and natural gas energy projects and distribution systems in the state; amending and repealing bond authorizations granted to the Alaska Industrial Development and Export Authority; and providing for an effective date. This bill has no hearings scheduled at this time, but it has been referred to House Resources.

[HB 113](#) - An Act relating to accrual of service in the public employees' retirement system by a peace officer or firefighter while the peace officer or firefighter is unable to work and is receiving workers' compensation benefits; and requiring the state to make certain contributions under the defined contribution plan of the

public employees' retirement system for a peace officer or firefighter who is unable to work and is receiving workers' compensation benefits. Introduced on 2/18/2015 and referred to House Labor & Commerce.

[HB 115](#) - An Act relating to the transfer of public land from the federal government to the state and to the disposal of that land; and providing for an effective date. Introduced on 2/18/2015 and referred to House Resources. It is scheduled for Public Testimony on 2/27/2015

[HB 118/SB56](#) - An Act adopting the Municipal Property Assessed Clean Energy Act; authorizing municipalities to establish programs to impose assessments for energy improvements in regions designated by municipalities; imposing fees; and providing for an effective date. Introduced on 2/18/2015 and referred to House Energy.

[HB123](#) - An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic Beverage Control Board; and providing for an effective date. Scheduled for first hearing on 3/4/2015.

HR 2, 3, 4, - **Establishing a House Special Committee on [Energy \(2\)](#), [Fisheries \(3\)](#), [Military & Veterans' Affairs \(4\)](#).** Each of these resolutions creates a new House Special Committee. In all three of these committees, the Speaker will determine the number of representatives to be members, shall appoint those members and shall designate a chair. Each committee will sunset after the 2nd year of this, the 29th Legislature. Again, this is an added expense to State government. Something to keep in mind.

[HCR 1](#) – Urging the Governor to acknowledge officially the sovereignty of Alaska tribal governments, to create clear and consistent policies for increased state collaboration and partnership with tribes, and to direct the attorney general to conduct a complete review of the state's litigation against Alaska Native tribes; urging the Governor to acknowledge the inherent criminal jurisdiction of Alaska tribal governments over tribal members within the boundaries of their villages; urging the Governor to cooperate with tribes' efforts to transfer Native land to trust; and urging the Governor to support multilateral negotiations between tribal governments, nontribal municipalities, and the state government to delineate clearly tribal geographical jurisdictions. This bill very simply lays out the following: 1) stop the lawsuits against Alaska Native tribes; 2) acknowledge the criminal jurisdiction that tribes have over their members within their village boundaries; 3) help tribes with the on-going effort to transfer Native land to trust; 4) support negotiations to define geographical jurisdiction; and 5) issue a proclamation officially acknowledging the sovereignty of Alaska tribal governments with clear and consistent policy.

[HJR 3](#) – Urging members of the Alaska delegation to the United States Congress to introduce substantially similar legislation to the Alaska Safe Families and Villages Act of 2013; urging the United States Congress to affirm the criminal jurisdiction of Alaska tribal governments over tribal members within the boundaries of their villages; urging the United States Congress to cooperate with tribes’ efforts to transfer Native land to trust; and supporting multilateral negotiations between tribal governments, nontribal municipalities, and the state and federal governments to delineate clearly tribal geographical jurisdictions.

This resolution intends to acknowledge tribal governments by the state to be forthcoming. It also urges Congress to introduce new legislation to go along with the discussion begun during 2013 which showed less than desirable conditions in many of the Native Alaska villages. One of the main “asks” is for the U.S. Congress to affirm the criminal jurisdiction of Alaska tribal governments over tribal members and to expedite the transfer of Native land to trust.

[HJR 4](#) – Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity. I just LOVE to read this resolution. It (see if you can see the connection here), asks the federal government to share the revenues (WE call that Revenue Sharing) from oil and gas production on the outer continental shelf, as the state and LOCAL GOVERNMENTS will realize increased demands. However, there is no mention in this resolution of actually sharing any of that Revenue Sharing with the local governments. These are the issues we must carefully watch!!

[HJR 8](#) – (SJR 4) Urging the federal government to empower the state to protect the state’s access to affordable and reliable electrical generation. This is another “federal overreach” message attempting to encourage the federal government to “empower” the state to regulate its own energy production and use, in order to protect access to affordable and reliable electrical generation for residents of the state.

[SB 1](#) – An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date. This bill would make it unlawful to smoke at a number of “public” places. While the intent of this bill most likely has many good aspects, I think municipalities should have a conversation about the prohibitions this might create for municipalities that will be approached by businesses that want to create a marijuana “smoking” area.

[SB 7](#) – An Act directing the Regulatory Commission of Alaska to provide a report to the legislature relating to electrical transmission in certain areas of the state; and providing for an effective date. This will would direct the RCA to first, evaluate the creation of an independent entity would have responsibility to maintain the reliability of the electrical transmission facilities of the Railbelt area. While, in the ideal world, this might be a very wise choice, again, I think AML needs to look at this state wide. Does

this put more energy money into one area, making “less” energy money available for other areas that would LOVE to have someone “maintain” the reliability of their electrical transmission facilities?

SB 12 – An Act relating to the payment of sick leave by employers; and providing for an effective date.

SB 13 – An Act prohibiting the state and municipalities from using assets to assist a federal agency in collecting certain telephone records or electronic data without a warrant; prohibiting the state from cooperating with a federal agency in collecting certain telephone records or electronic data without a warrant; and providing for an effective date. Added to the existing statute is the “prohibition against cooperation with federal agencies engaged in collection of telephone records or electronic data,” and “the collection by a federal agency of electronic data without a search warrant; in this paragraph, electronic data includes electronic mail and text messages; or the collection by a federal agency of telephone records without a search warrant, unless the records are collected in a manner consistent with state law.” Also, “Prohibition against cooperation with federal agencies engaged in collection of telephone records or electronic data.” I think that the most important “additions” to this bill, for our purposes, is the addition of “text” and emails.”

SB 17 – An Act relating to denial of requests for disclosure of public records.

This bill would require that a denial of a request for a public record be 1) in writing; 2) identify the type of record; 3) identify the date of the record; 4) identify the subject matter of the record; 5) state the reason for the denial; 6) if correspondence, identify the sender and recipient of the record; 7) includes notice of the right to appeal; 8) is dated and signed by the person issuing the denial.

SB 19 – An Act relating to Road Service Area Boundary Changes. This bill adds an exclusion to the statutes that determine requirements for the abolishment, replacement, alteration or combination of road, fire protection or parks and recreation service areas. The voter requirements of who must vote and approve of the service area boundary change would not apply, according to this new bill, if the change attempts to include or exclude a lot that is partially located in the road service area.

SB 30 – An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and providing for an effective date. This bill clarifies some of the language already on the books to conform to the recently passed initiative, with regards to amount of substance, age of possessor, consumption in a public place; types of marijuana; the marijuana “open container” law; etc.

SB 22 – An Act relating to the collection costs for the municipal motor vehicle registration tax; and providing for an effective date. This would require DMV to refund money collected by the department, less the 5 1/8% administration fees. The change that this bill would effect, is that currently, the administration fee is set at 8%.

[SB 34](#) – An Act relating to investment of the Power Cost Equalization Endowment Fund; and providing for an effective date. This extends the language of the Power Cost Equalization Fund to no longer require a stated return (7%), but to have the investments done in a manner that will, “meet the objectives of the power cost equalization and rural electric capitalization fund.”

[SB 36](#) – An Act relating to electronic publication of certain municipal notices and to publication and electronic distribution of reports by state agencies. This bill would allow a municipality, by ordinance, to provide for electronic notices on a website for three consecutive weeks rather than posting in a general in a newspaper of general circulation, once a week, for three weeks. Small communities, without a newspaper OR website, could still post in three public places for 30 days (current law).

[SB 43](#) – An Act relating to immunity for a fire department and employees or members of a fire department. This bill would intend to protect a fire department or an employee of a fire department from having a lawsuit brought against them pertaining to the “execution of a function for which the department is established.....”

[SB 45](#) – An Act relating to parks and recreation service area boundary changes. This bill is almost identical to SB 19, except it pertains to service areas that provide road, fire protection or parks and recreation services.

[SB 60/HB 123](#) – An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic Beverage Control Board; and providing for an effective date.

[SB 61](#) – An Act establishing a museum construction grant program in the Department of Commerce, Community, and Economic Development.

[SB 62](#) – An Act relating to the regulation of marijuana, marijuana testing, marijuana products, and marijuana accessories; relating to the licensing of marijuana retailers, producers, processors, boutique producers, brokers, and home growers; relating to taxation of marijuana; and providing for an effective date.

[SJR 13](#) – Supporting oil and gas exploration and development on the outer continental shelf offshore of the state; opposing attempts to prohibit future oil and gas development in the Beaufort and the Chukchi Seas, including the Hanna Shoal area; and requesting that the federal Administration cease and desist from restrictions that adversely affect active or future leases in high petroleum potential areas in the Beaufort and Chukchi Seas, including the Hanna Shoal area.

SR 1, 2, and 3 – **Establishing a Senate Special Committee on [World Trade \(1\)](#), [Arctic \(2\)](#), and Energy (3)**. These three resolutions would set up (refer to HR 2, 3, and 4) Special Senate Committees to sunset at the end of the 2nd year of the 29th Legislature.

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