

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FOURTH LEGISLATURE**  
**THIRD SPECIAL SESSION**

**Juneau, Alaska**

**Thursday**

**July 13, 2006**

**Second Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 10:57 a.m.

Roll call showed 34 members present. Representatives Kapsner, LeDoux, Moses, and Weyhrauch had been previously excused from a call of the House today. Representative Kott was absent.

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that Representative Coghill be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Jacob Good, Assistant Sergeant-at-Arms. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer these thoughts.

Through the fog of personal interest and political affiliation, there lies a compromise that caters to everyone's benefit. The process of meeting this compromise is trying and requires sacrifice from both sides of the issue. May the elected officials of our great state see their way to this compromise with selflessness and righteousness without having to abandon the values they hold dear. In these historic and pivotal times, it is essential to tread cautiously while maintaining a

progressive pace. May we all find the wisdom it takes to meet the high demands of these sort of fragile balances and compromises.

Thank you.

The Pledge of Allegiance was led by Representative Foster.

#### **CERTIFICATION OF THE JOURNAL**

Representative Foster moved and asked unanimous consent that the journal for the 26th legislative day of the Second Special Session (page 4218) and the first legislative day of the Third Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease to allow the members of the Senate to enter the Chamber; and so, the House stood at ease at 11:01 a.m.

#### **AFTER AT EASE**

The Speaker called the House back to order at 11:09 a.m.

#### **JOINT SESSION IN THE HOUSE**

In accordance with Uniform Rule 51, Speaker Harris turned the gavel over to President Ben Stevens who called the joint session to order at 11:09 a.m.

The purpose of the joint session was to hear an address by the Honorable Frank H. Murkowski, Governor of Alaska.

Senator Gary Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Ben Stevens appointed Representatives Wilson and Cissna to escort the Governor to the joint session.

The Senate Sergeant-at-Arms announced the Governor's entrance into the House Chamber.

Governor Murkowski was escorted to the rostrum and welcomed by President Ben Stevens.

Governor Murkowski delivered his address and it is published in Senate and House Joint Journal Supplement No. 17.

Governor Murkowski received a standing ovation and was escorted from the Chamber by Representatives Wilson and Cissna.

Senator Gary Stevens moved and asked unanimous consent that the joint session adjourn.

Representative Stoltze objected.

The question being: "Shall the joint session adjourn?" The roll of the House was taken with the following result:

#### HOUSE

##### Adjourn Joint Session

YEAS: 0 NAYS: 34 EXCUSED: 5 ABSENT: 1

Nays: Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kelly, Kerttula, Kohring, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Coghill, Kapsner, LeDoux, Moses, Weyhrauch

Absent: Kott

The roll of the Senate was called with the following result:

## SENATE

Adjourn Joint Session

YEAS: 6 NAYS: 11 EXCUSED: 2 ABSENT: 1

Yeas: Therriault, Wilken, Hoffman, Kookesh, Seekins, Stedman

Nays: Stevens G, Wagoner, Cowdery, Davis, Dyson, Ellis, Elton, Green, Huggins, Olson, Stevens B

Excused: Bunde, French

Absent: Guess

**TOTAL: YEAS: 6 NAYS: 45 EXCUSED: 7 ABSENT: 2**

And so, the joint session was not adjourned.

**SB 231**

Representative Stoltze cited Article II, Sec. 16 of the Constitution of the State of Alaska and moved that Section 62, pages 177 - 178, subsections (a) - (h) and (j) of:

HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN) am  
H(brf sup maj pfl H)

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; 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."

become law notwithstanding the Governor's line item veto.

The question being: "Shall Section 62, pages 177 - 178, subsections (a) - (h) and (j) of HCS CSSB 231(FIN) am H(brf sup maj pfl H) become law notwithstanding the Governor's line item veto?" The roll of the Senate was called with the following result:

## SENATE

HCS CSSB 231(FIN) am H(brf sup maj pfl H)

Override Line Item Veto, Section 62 (a)-(h), (j)

YEAS: 7 NAYS: 10 EXCUSED: 2 ABSENT: 1

Yeas: Wagoner, Dyson, Green, Huggins, Stedman, Stevens G,  
Stevens B

Nays: Therriault, Wilken, Cowdery, Davis, Ellis, Elton, Hoffman,  
Kookesh, Olson, Seekins

Excused: Bunde, French

Absent: Guess

The roll of the House was taken with the following result:

HOUSE

HCS CSSB 231(FIN) am H(brf sup maj pfld H)

Override Line Item Veto, Section 62 (a)-(h), (j)

YEAS: 20 NAYS: 14 EXCUSED: 5 ABSENT: 1

Yeas: Chenault, Croft, Dahlstrom, Gatto, Gruenberg, Harris, Hawker,  
Kohring, Lynn, McGuire, Meyer, Neuman, Olson, Rokeberg, Salmon,  
Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Anderson, Berkowitz, Cissna, Crawford, Elkins, Foster, Gara,  
Gardner, Guttenberg, Holm, Joule, Kelly, Kerttula, Ramras

Excused: Coghill, Kapsner, LeDoux, Moses, Weyhrauch

Absent: Kott

**TOTAL: YEAS: 27 NAYS: 24 EXCUSED: 7 ABSENT: 2**

And so, the Governor's line item veto was sustained.

Senator Gary Stevens moved and asked unanimous consent that the  
joint session adjourn. There being no objection, President Ben  
Stevens adjourned the joint session at 12:07 p.m.

The Speaker ordered the House at ease to allow members of the Senate  
to leave the Chamber.

**IN THE HOUSE**

The Speaker called the House back to order at 12:09 p.m.

The Speaker stated that, without objection, the House would advance to:

### **UNFINISHED BUSINESS**

Representative Foster moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Holm - from 7:00 p.m., July 13 to 9:30 a.m., plane time, July 24, 2006

Representative Gatto - from 3:30 a.m., July 19 to 10:00 p.m., plane time, July 24, 2006

Representative Weyhrauch - from 8:00 a.m., July 20 to 4:45 p.m., plane time, July 21, 2006

Representative Thomas - from 4:00 p.m., July 13 to 2:00 p.m., plane time, July 24, 2006

Representative McGuire - withdrawal of previous excused absence from 7:00 a.m., July 14 to 10:00 a.m., plane time, July 24, 2006 (page 4224)

Representative Foster moved and asked unanimous consent that Representatives Gatto and Chenault be excused from a call of the House today. There being no objection, it was so ordered.

The House reverted to:

### **MESSAGES FROM THE SENATE**

A message dated July 12, 2006, was read stating the Senate had accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., today to hear the Governor's address.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS****HJR 301**

HOUSE JOINT RESOLUTION NO. 301 by the House Judiciary Committee:

Proposing amendments to the Constitution of the State of Alaska requiring legislative approval of certain state contracts for the development of natural gas resources.

was read the first time and referred to the Judiciary and Finance Committees.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS**

The Speaker ruled that personal legislation would be allowed during the Third Special Session.

**HB 3003**

HOUSE BILL NO. 3003 by Representatives Croft, Crawford, and Gruenberg, entitled:

"An Act relating to oil and gas properties production taxes; providing for a production tax adjustment to increase the amount of tax at high oil prices and a production tax adjustment to decrease the tax on the production of heavy oil; providing for an exclusion of a certain amount of oil and gas from the gross value at the point of production; relating to the determination of the gross value of oil and gas at the point of production; and providing for an effective date."

was read the first time and referred to the Finance Committee.

**HB 3004**

HOUSE BILL NO. 3004 by Representatives Gara, Berkowitz, Gardner, Kerttula, Gruenberg, and Guttenberg, entitled:

"An Act relating to oil and gas, and to the oil and gas properties production (severance) tax as it applies to oil; providing for an adjustment to increase the tax collected when oil prices exceed certain amounts and to reduce the tax collected when oil prices fall below \$16 per barrel; providing for relief from the tax when the price per barrel is low or when the taxpayer demonstrates that a reduction in the tax is necessary to establish or reestablish production from an oil field or pool that would not otherwise be economically feasible; delaying until July 1, 2016, the deadline for certain exploration expenditures that form the basis for a credit against the tax on oil and gas produced from a lease or property in the state; amending the powers and duties of the Alaska Oil and Gas Conservation Commission; and providing for an effective date."

was read the first time and referred to the Finance Committee.

### UNFINISHED BUSINESS

#### **HB 3001**

The Office of the Governor submitted the following to correct a fiscal note by the Dept. of Revenue, published on July 12, 2006 (page 4220):

#### 2. Fiscal, Dept. of Revenue

for

#### HOUSE BILL NO. 3001

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date."

HB 3001 is in the Finance Committee.

### ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Foster moved and asked unanimous consent that the House adjourn until 2:00 p.m., July 24, 2006. There being no objection, the House adjourned at 12:46 p.m.

Suzi Lowell  
Chief Clerk