

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE**  
**SECOND SPECIAL SESSION**

**Juneau, Alaska**

**Friday**

**November 16, 2007**

**Thirtieth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 9:03 a.m.

Roll call showed 36 members present. Representatives Joule, Nelson, Ramras, and Salmon were absent and their presence was noted later.

The invocation was offered by the Chaplain, Representative Dahlstrom. Representative LeDoux moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Our Dear Heavenly Father,

We meet today as a legislative body, each of us having the desire to make good decisions for our state.

Thank you for the health that allows us to be here. Thank you for the freedoms we enjoy and bless those who risk their lives each day preserving those freedoms. We thank thee for our beautiful state and the many rich resources we enjoy.

Please bless us with clear minds and with tolerance. Bless our families while we are away.

We ask these things in thy name, Heavenly Father. Amen.

The Pledge of Allegiance was led by Representative Roses.

### **CERTIFICATION OF THE JOURNAL**

Representative Samuels moved and asked unanimous consent that the journal for the 25<sup>th</sup> through 29<sup>th</sup> legislative days of the Second Special Session and House Journal Supplement No. 4 and Senate and House Joint Journal Supplement No. 9 be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

### **SPECIAL ORDER OF BUSINESS**

Representative Doogan moved and asked unanimous consent that the citation, In Memoriam – Margaret Eagan Sullivan, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Doogan moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam – Margaret Eagan Sullivan

By Representatives Doogan, Holmes, Harris, Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

**\*\***The presence of Representatives Ramras and Salmon was noted.

Representative Samuels moved and asked unanimous consent that the House advance to Unfinished Business. There being no objection, the House advanced to:

### **UNFINISHED BUSINESS**

Representative Samuels 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 Cissna - from 2:00 a.m., November 24 to 2:00 p.m., November 30

Representative Coghill - from midnight, December 10 to morning plane time, December 17

Representative Crawford - from 8:00 p.m., November 17 to noon, December 2

Representative Gruenberg - from 8:00 a.m., November 17 to evening plane time, December 1

Representative Johansen - from noon, November 28 to afternoon plane time, December 2

Representative Keller - from midnight, November 26 to evening plane time, December 6

Representative Lynn - from noon, February 4 to morning plane time, February 6, 2008; and from 5:00 p.m., March 12 to morning plane time, March 17, 2008

Representative Neuman - from 8:00 a.m., January 1 to midnight, January 13, 2008

Representative Olson - from 8:00 a.m., December 1 to evening plane time, December 31

Representative Roses - from 5:00 p.m., December 7 to evening plane time, December 12

Representative Thomas - from 8:00 a.m., November 17 to noon, January 2, 2008

The Speaker stated that, without objection, the House would revert to Messages from the Senate.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 9:10 a.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 3:03 p.m.

Representative Foster was excused (page 1573).

#### **MESSAGES FROM THE SENATE**

##### **HB 2001**

A message dated November 16, 2007, was read stating the Senate passed:

CS FOR HOUSE BILL NO. 2001(FIN) am

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; prohibiting a producer or explorer from receiving tax credits if certain judgments are not satisfied and requiring, as a condition of receiving the tax credits, the deposit of the amount of certain unpaid judgments and certain interest on those judgments in the court during an appeal and relating to that interest; relating to state oil and gas audit masters; making conforming amendments; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the

production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; making conforming amendments; and providing for an effective date."

(SCR 201 - title change resolution)

A Senate letter of intent was attached (Senate Journal page 1549).

The message further stated that under Rule 43(b) of the Uniform Rules, engrossment had been waived and the following certified amendments were attached:

Certified Amendment No. 1 (Senate Journal page 1511)

Certified Amendment to Amendment No. 1 (Senate Journal page 1559)

Certified Amendment No. 2-A (Senate Journal page 1517)

Certified Amendment to Amendment No. 2-A (Senate Journal page 1558)

Certified Amendment No. 2-B (Senate Journal page 1520)

Certified Amendment No. 3 (Senate Journal page 1521)

Certified Amendment to Amendment No. 3 (Senate Journal page 1557)

Certified Amendment No. 4 (Senate Journal page 1523)

Certified Amendment No. 5 (Senate Journal page 1524)

Certified Amendment No. 6 (Senate Journal page 1524)

Certified Amendment No. 7 (Senate Journal page 1526)

Certified Amendment No. 8 (Senate Journal page 1532)

Certified Amendment No. 9 (Senate Journal page 1533)

Certified Amendment No. 10 (Senate Journal page 1533)

Certified Amendment No. 11 (Senate Journal page 1536)

Certified Amendment No. 17 (Senate Journal page 1547)

Certified Amendment to Amendment No. 17 (Senate Journal page 1556)

\*\*The presence of Representatives Joule and Nelson was noted.

**CONCUR IN SENATE AMENDMENTS****HB 2001**

Representative Samuels moved and asked unanimous consent that the House consider the Senate message. There being no objection, it was so ordered.

Representative Samuels moved that the House concur in the Senate amendment to CSHB 2001(FIN) am, thus adopting SCS CSHB 2001(FIN) am S, and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 2001(FIN) am?" The roll was taken with the following result:

SCS CSHB 2001(FIN) am S

Concur

**YEAS: 26 NAYS: 13 EXCUSED: 1 ABSENT: 0**

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Nelson, Salmon, Seaton, Stoltze

Nays: Chenault, Fairclough, Hawker, Johansen, Johnson, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Thomas, Wilson

Excused: Foster

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 2001(FIN) am S.

Representative Samuels moved the effective date clauses.

The question being: "Shall the effective date clauses be adopted?"  
The roll was taken with the following result:

SCS CSHB 2001(FIN) am S

Concur

Effective Dates

**YEAS: 26 NAYS: 13 EXCUSED: 1 ABSENT: 0**

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Nelson, Salmon, Seaton, Stoltze

Nays: Chenault, Fairclough, Hawker, Johansen, Johnson, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Thomas, Wilson

Excused: Foster

And so, lacking the necessary 27 votes, the effective date clauses were not adopted, and the new title follows:

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN)  
am S(efd fld H)

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; and making conforming amendments."

Representative Samuels moved that the House adopt the Senate letter of intent (Senate Journal page 1549).

The question being: "Shall the House adopt the Senate letter of intent?" The roll was taken with the following result:

SCS CSHB 2001(FIN) am S(efd fld H)

Concur

Senate Letter of Intent

**YEAS: 35 NAYS: 4 EXCUSED: 1 ABSENT: 0**

Yeas: Buch, Chenault, Cissna, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Nelson, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas

Nays: Coghill, Meyer, Ramras, Wilson

Excused: Foster

And so, the Senate letter of intent was adopted.

The Chief Clerk notified the Senate.

SCS CSHB 2001(FIN) am S(efd fld H) was referred to the Chief Clerk for engrossment.

### **SPECIAL ORDER OF BUSINESS**

#### **SCR 201**

Representative Samuels moved and asked unanimous consent that the following be taken up as a Special Order of Business:

#### **SENATE CONCURRENT RESOLUTION NO. 201**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 2001, relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; prohibiting a producer or explorer from receiving tax credits if certain judgments are not satisfied and requiring, as a condition of receiving the tax credits, the deposit of the amount of certain unpaid judgments and certain interest on those judgments in the court during an appeal and relating to that interest; relating to state oil and gas audit masters; and making conforming amendments.



There being no objection, it was so ordered.

A message dated November 16, 2007, was read stating the Senate passed SCR 201 and it is transmitted for consideration.

SCR 201 was read the first time.

The question being: "Shall SCR 201 pass the House?" The roll was taken with the following result:

SCR 201

Special Order of Business

**YEAS: 24 NAYS: 15 EXCUSED: 1 ABSENT: 0**

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Nelson, Salmon, Seaton

Nays: Chenault, Fairclough, Harris, Hawker, Johansen, Johnson, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Stoltze, Thomas, Wilson

Excused: Foster

And so, lacking the necessary 27 votes, SCR 201 failed to pass the House.

SCR 201(fld H) was engrossed and returned to the Senate for permanent filing.

### **UNFINISHED BUSINESS**

Representative Samuels 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 Gara - from 8:00 a.m., November 23 to noon, December 14

Representative Johnson - from 8:00 a.m., November 25 to evening plane time, December 9

Representative Ramras - from 5:00 p.m., February 22 to morning plane time, February 28, 2008

Representative Nelson - from 8:00 a.m., November 30 to morning plane time, December 9

Representative Kerttula - from 6:00 a.m., November 20 to 8:00 p.m., plane time, November 25; and from noon, December 12 to 10:00 p.m., plane time, January 10, 2008

Representative Wilson - from plane time, November 18 to afternoon plane time, November 24; and from morning plane time, December 22 to afternoon plane time, January 4, 2008

**HB 2001**

Representative Gara moved that the House rescind previous action (page 1666), in failing to adopt the effective date clauses on the following:

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN)  
am S(efd fld H)

"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; and making conforming amendments."

The question being: "Shall the House rescind previous action in failing to adopt the effective date clauses?" The roll was taken with the following result:

SCS CSHB 2001(FIN) am S(efd fld H)

Concur

Rescind Previous Action/Effective Dates

**YEAS: 36 NAYS: 0 EXCUSED: 1 ABSENT: 3**

Yeas: Buch, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Wilson

Excused: Foster

Absent: Edgmon, Gruenberg, Thomas

And so, the motion passed.

Representative Gara placed a call of the House.

Representative Gara moved the effective date clauses.

The Speaker stated the call was satisfied.

The question being: "Shall the effective date clauses be adopted?"

The roll was taken with the following result:

SCS CSHB 2001(FIN) am S

Concur

Effective Dates

**YEAS: 27 NAYS: 12 EXCUSED: 1 ABSENT: 0**

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holmes, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Nelson, Salmon, Samuels, Seaton, Stoltze

Nays: Chenault, Fairclough, Hawker, Johansen, Johnson, Meyer, Neuman, Olson, Ramras, Roses, Thomas, Wilson

Excused: Foster

And so, the effective date clauses were adopted, and the new title follows:

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S  
"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; making conforming amendments; and providing for an effective date."

The Chief Clerk notified the Senate.

SCS CSHB 2001(FIN) am S was referred to the Chief Clerk for enrollment.

### **ADJOURNMENT**

Representative Samuels moved and asked unanimous consent that the Second Special Session of the House of Representatives for the Twenty-fifth Legislature adjourn sine die. There being no objection, the House adjourned at 4:15 p.m.

Stephanie Hall  
Assistant Chief Clerk