

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FOURTH SPECIAL SESSION

Juneau, Alaska

Wednesday

August 6, 2008

Twenty-ninth Day

The House was called to order by Speaker Harris at 3:26 p.m.

Roll call showed 36 members present. Representatives LeDoux and Samuels had been excused from a call of the House today. Representative Gara was absent and his presence was noted later.

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

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

With respect for the spiritual beliefs of all and some concern about lightning striking, I offer the following prayer from the United States' *Book of Common Prayer*.

Almighty God, Who has given us this good land for our heritage; We humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will.

Bless our land with honorable ministry, sound learning, and pure manners. Save us from violence, discord, and confusion,

from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people, the multitude brought hither out of many kindreds and tongues. Endow with Thy spirit of wisdom those whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord. Amen.

The Pledge of Allegiance was led by Representative Johansen.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 28th legislative day of the Fourth Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

INTRODUCTION OF CITATIONS

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam – Glenn and Florence Sachs
By Representatives Kerttula, Doll; Senator Elton

The Speaker stated that, without objection, the House would recess to 4:15 p.m.; and so, the House recessed at 3:39 p.m.

AFTER RECESS

The Speaker called the House back to order at 6:12 p.m.

**The presence of Representative Gara was noted.

CONSIDERATION OF THE DAILY CALENDAR**THIRD READING OF SENATE BILLS****SB 4002**

The following, which was advanced to third reading from the August 5, 2008, calendar (page 3319), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 4002(FIN)

"An Act amending the bulk fuel bridge loan fund and the bulk fuel revolving loan fund; relating to Alaska resource rebates, and increasing the amount of the 2008 permanent fund dividend to provide that rebate; suspending the motor fuel tax; eliminating the authority to make certain provisions of the heating assistance program retroactive to November 1, 2007; and providing for an effective date."

Representative Meyer moved and asked unanimous consent that HCS CSSB 4002(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSB 4002(FIN) would be returned to second reading for all amendments.

Amendment No. 1 was offered by Representatives Meyer, Gruenberg, Chenault, and Kerttula:

Page 3, following line 10:

Insert a new subsection to read:

"(e) When issuing checks or pay warrants associated with a direct deposit to residents receiving a permanent fund dividend, the commissioner of revenue shall include the following statement in bold type: "This payment includes a resource rebate of \$1,200, which is a one-time payment to qualified Alaskans.""

Representative Meyer moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Gardner, Doll, and Cissna:

Page 3, line 1, following "(b)":

Insert "or (d)"

Page 3, following line 7:

Insert a new subsection to read:

"(d) An individual who did not apply for the 2008 permanent fund dividend may apply to the Department of Revenue for a \$1,200 Alaska resource rebate payment for 2008. The individual shall apply on a form provided by the department not later than October 1, 2008, and shall demonstrate that the individual would have been eligible to receive a 2008 permanent fund dividend under AS 43.23, except that the individual did not apply for that dividend. Except as provided in this subsection, all laws that apply to 2008 permanent fund dividends apply to payments under this subsection to the extent possible."

Reletter the following subsection accordingly.

Representative Gardner moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H

Second Reading

Amendment No. 2

YEAS: 15 NAYS: 22 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Seaton, Stoltze, Thomas, Wilson

Excused: Joule, LeDoux, Samuels

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives Nelson, Doll, Kerttula, Guttenberg, Doogan, and Buch:

Page 1, line 1, following "**fund**;" (title amendment):

Insert "**relating to power cost equalization**;"

Page 1, following line 11:

Insert new bill sections to read:

"* **Sec. 2.** AS 42.45.110(c) is amended to read:

(c) The amount of power cost equalization provided **for each** [PER] kilowatt-hour under subsection (b) of this section may not exceed 95 percent of the power costs, or the average rate **for each** [PER] eligible kilowatt-hour sold, whichever is less, as determined by the commission. However,

(1) during the state fiscal year that began July 1, 1999, the power costs for which power cost equalization were paid to an electric utility were limited to minimum power costs of more than 12 cents **a** [PER] kilowatt-hour and less than **\$1.15 a** [52.5 CENTS PER] kilowatt-hour;

(2) during each following state fiscal year, the commission shall adjust the power costs for which power cost equalization may be paid to an electric utility based on the weighted average retail residential rate in Anchorage, Fairbanks, and Juneau; however, the commission may not adjust the power costs under this paragraph to reduce the amount below the lower limit set out in (1) of this subsection; and

(3) the power cost equalization **for each** [PER] kilowatt-hour may be determined for a utility without historical kilowatt-hour sales data by using kilowatt-hours generated.

* **Sec. 3.** AS 42.45.110(c), as amended by sec. 2 of this Act, is amended to read:

(c) The amount of power cost equalization provided for each kilowatt-hour under subsection (b) of this section may not exceed 95 percent of the power costs, or the average rate for each eligible kilowatt-hour sold, whichever is less, as determined by the commission. However,

(1) during the state fiscal year that began July 1, 1999, the power costs for which power cost equalization were paid to an electric utility were limited to minimum power costs of more than 12 cents a kilowatt-hour and less than **52.5 cents** [\$1.15] a kilowatt-hour;

(2) during each following state fiscal year, the commission shall adjust the power costs for which power cost equalization may be paid to an electric utility based on the weighted average retail residential rate in Anchorage, Fairbanks, and Juneau; however, the commission may not adjust the power costs under this paragraph to reduce the amount below the lower limit set out in (1) of this subsection; and

(3) the power cost equalization for each kilowatt-hour may be determined for a utility without historical kilowatt-hour sales data by using kilowatt-hours generated."

Renumber the following bill sections accordingly.

Page 3, line 29:

Delete "Section 4(a)"

Insert "Section 6(a)"

Page 3, line 30:

Delete "Section 4(b) and (c)"

Insert "Section 6(b) and (c)"

Page 3, following line 30:

Insert a new bill section to read:

"* **Sec. 10.** Section 3 of this Act takes effect June 30, 2010."

Renumber the following bill section accordingly.

Page 3, line 31:

Delete "This"

Insert "Except as provided in sec. 10 of this Act, this"

Representative Nelson moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H
Second Reading
Amendment No. 3

YEAS: 16 NAYS: 20 EXCUSED: 3 ABSENT: 1

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Nelson, Salmon, Thomas

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Seaton, Stoltze, Wilson

Excused: Joule, LeDoux, Samuels

Absent: Foster

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Gara, Kerttula, Nelson, Edgmon, Doll, Buch, Doogan, and Guttenberg:

Page 1, line 1, following "**fund;**" (title amendment):

Insert "**relating to heating assistance;**"

Page 3, following line 27:

Insert new bill sections to read:

"* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

STATE IMPLEMENTATION OF THE FEDERAL LOW-INCOME HEATING AND ENERGY ASSISTANCE PROGRAM.

(a) This section applies to heating assistance payments authorized to persons under 7 AAC 44, adopted under the authority of AS 47.05.010.

(b) Notwithstanding another provision of law, for the period beginning October 1, 2008, and ending June 30, 2011, to supplement provisions of the federal low-income home energy assistance program provided under 42 U.S.C. 8621 - 8629 (Low-Income Home Energy Assistance Act of 1981), as amended, subject to legislative

appropriation of state general funds for the purpose, the Department of Health and Social Services shall increase the amount of a heating assistance payment.

(c) Amounts payable under this section shall be calculated by application of the assistance formula set out in 7 AAC 44.080, as those provisions read on the effective date of this section, and shall be made from the appropriation described in (b) of this section. The dollar value of a community heating cost point under 7 AAC 44.080 may not exceed \$170.

* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

STATE IMPLEMENTATION OF THE ALASKA HEATING ASSISTANCE PROGRAM. For the period beginning October 1, 2008, and ending June 30, 2011, amounts payable under AS 47.25.621 - 47.25.625 shall be calculated by application of the assistance formula set out in 7 AAC 44.080, as those provisions read on the effective date of this section, and the dollar value of a community heating cost point under 7 AAC 44.080 may not exceed \$170."

Renumber the following bill sections accordingly.

Representative Gara moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H

Second Reading

Amendment No. 4

YEAS: 15 NAYS: 22 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Seaton, Stoltze, Thomas, Wilson

Excused: Joule, LeDoux, Samuels

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representatives Ramras, Guttenberg, and Kawasaki:

Page 1, line 1, following "**fund**;" (title amendment):

Insert "**creating the alternative energy grant fund and describing its uses and purposes; establishing an alternative energy grant recommendation program**;"

Page 1, following line 6:

Insert a new bill section to read:

"* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE FINDINGS AND INTENT. (a) For sec. 3 of this Act, the legislature finds that

(1) an adequate, reliable, reasonably priced, and safe supply of energy is necessary for Alaska's basic infrastructure and economic and technological development;

(2) Alaska possesses vast amounts of alternative energy resources such as coal, coal bed methane, and methane hydrates;

(3) the cost of fuels such as natural gas and diesel that Alaskans rely on in large part to generate electric power is steadily rising;

(4) residents of rural Alaska pay far more for electricity than residents who live on the Railbelt energy grid;

(5) other states and nations are working successfully to develop their alternative energy resources;

(6) the continued competitiveness and stability of the state's economy requires that the legislature consider national trends toward alternative energy development;

(7) alternative energy development promotes industry and creates jobs;

(8) clean alternative energy has many environmental and health benefits;

(9) locally produced alternative energy has many security benefits;

(10) modern, affordable, and efficient alternative energy technologies now exist; and

(11) it is in the interest of the public for Alaska to develop its alternative energy resources.

(b) It is the intent of the legislature that, for each of the next five years, \$10,000,000 in capital funds be appropriated to fund alternative energy projects recommended by the Alaska Energy Authority as described in sec. 3 of this Act and renewable energy projects under AS 42.45.045."

Page 1, line 7:

Delete "**Section 1**"

Insert "**Sec. 2**"

ReNUMBER the following bill sections accordingly.

Page 1, following line 11:

Insert a new bill section to read:

"* **Sec. 3.** AS 42.45 is amended by adding a new section to read:

Sec. 42.45.055. Alternative energy grant fund and recommendation program. (a) An alternative energy grant fund is established as a separate fund to finance certain alternative energy projects in the state.

(b) The authority shall administer the fund as a fund distinct from other funds of the authority. The fund consists of

(1) money appropriated to the fund by the legislature to provide grants for certain alternative energy projects determined by the legislature;

(2) gifts, bequests, contributions from other sources, and federal money;

(3) interest earned on the fund balance; and

(4) investments to be managed by the Department of Revenue, which shall be the fiduciary of the fund under AS 37.10.071.

(c) The fund is not a dedicated fund.

(d) The authority shall, in consultation with the advisory committee established under AS 42.45.045(i) and the Department of Natural Resources,

(1) develop a methodology for determining the order of projects that may receive assistance, including separate requirements for grant eligibility, and adopt regulations

identifying criteria to evaluate the benefit and feasibility of projects for which an applicant applies for support from the legislature, with the most weight being given to projects that serve any area in which the average cost of energy to each resident of the area exceeds the average cost to each resident of other areas of the state, and with significant weight being given to a statewide balance of grant funds and to the amount of matching funds an applicant is able to make available;

(2) make recommendations to the legislature for alternative energy grants; and

(3) not later than 10 days after the first day of each regular legislative session, submit to the legislature a report summarizing and reviewing each grant application submitted under this section and a recommended priority for awarding grants.

(e) In consultation with the advisory committee established in AS 42.45.045(i), the authority shall

(1) make recommendations to the legislature regarding eligible applicants' projects that finance feasibility studies, reconnaissance studies, energy resource monitoring, and construction of alternative energy projects located in Alaska that meet the requirements of (f) of this section; and

(2) at least once each year, solicit from the advisory committee funding recommendations for all grants.

(f) For an alternative energy project to qualify for a grant recommendation under (e) of this section, the project must

(1) be a new project not in operation on the effective date of this section or an addition to an existing project made after the effective date of this section; and

(2) be a

(A) direct use of alternative energy resources;

(B) facility that generates electricity from fuel cells that use hydrogen from an alternative energy resource or synthetic gas;

(C) facility that generates energy from alternative energy resources;

(D) facility that produces fuels from coal, municipal solid waste, or natural gas; or

(E) project that reduces lifecycle carbon footprint emissions.

(g) The legislature may appropriate money for grants from the alternative energy grant fund for alternative energy projects described in this section.

(h) In this section,

(1) "alternative energy project" means a facility that generates energy for fuel that is less expensive and more efficient than the energy or fuel that was previously used by a community, and does not emit more carbon dioxide than natural gas on a per equivalent BTU basis;

(2) "alternative energy resource" means a resource that, singly or in combination, converts

(A) coal to liquids; or

(B) gas to liquids;

(3) "eligible applicant" means an electric utility holding a certificate of public convenience and necessity under AS 42.05, independent power producer, local government, or other governmental utility, including a tribal council and housing authority;

(4) "fund" means the alternative energy grant fund."

Renumber the following bill sections accordingly.

Page 2, following line 10:

Insert new bill sections to read:

* **Sec. 5.** AS 42.45.055 is repealed June 30, 2013.

* **Sec. 6.** Sections 9 and 11, ch. 31, SLA 2008, are repealed."

Renumber the following bill sections accordingly.

Page 3, line 28:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, line 29:

Delete "Section 4(a)"

Insert "Section 8(a)"

Page 3, line 30:

Delete "Section 4(b) and (c)"

Insert "Section 8(b) and (c)"

Representative Ramras moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Doogan objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H
Second Reading
Amendment No. 5

YEAS: 7 NAYS: 29 EXCUSED: 3 ABSENT: 1

Yeas: Crawford, Doll, Edgmon, Gruenberg, Guttenberg, Kawasaki, Ramras

Nays: Buch, Chenault, Cissna, Coghill, Dahlstrom, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Harris, Hawker, Holmes, Johansen, Johnson, Keller, Kelly, Kerttula, Lynn, Meyer, Neuman, Olson, Roses, Salmon, Seaton, Stoltze, Thomas, Wilson

Excused: Joule, LeDoux, Samuels

Absent: Nelson

Gardner changed from "Yea" to "Nay".

And so, Amendment No. 5 was not adopted.

Amendment No. 6 was offered by Representatives Kawasaki, Guttenberg, Doll, and Gara:

Page 1, line 3, following "**tax;**" (title amendment):
Insert "**relating to emergency energy relief;**"

Page 3, following line 27:

Insert a new bill section to read:
"* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:
EMERGENCY ENERGY RELIEF. (a) The Alaska Energy Authority shall provide persons with emergency energy relief payments to offset the cost of fuel used for residences.

(b) Subject to (d) of this section, a person may receive an emergency energy relief payment based on the amount that exceeds \$3.00 a gallon that the person pays for each gallon of heating oil or propane delivered September 1, 2008, through March 31, 2009, and September 1, 2009, through March 31, 2010, for a building in the state that is primarily used for one or more residences. Payments may not be made for more than 600 gallons of heating oil or propane used for a single family residence during September 1, 2008, through March 31, 2009, and 600 gallons of heating oil or propane used for a single family residence during September 1, 2009, through March 31, 2010. Payments may not be made for more than 300 gallons of heating oil or propane for each unit in a multifamily building used for that building during September 1, 2008, through March 31, 2009, and 300 gallons of heating oil or propane for each unit in a multifamily building used for that building during September 1, 2009, through March 31, 2010. Subject to (d) of this section, a person may receive an emergency energy relief payment based on the amount that exceeds \$14.00 an Mcf that the person pays for each Mcf of natural gas delivered September 1, 2008, through March 31, 2009, and September 1, 2009, through March 31, 2010, for a building in the state that is primarily used for one or more residences. Payments may not be made for more than 100 Mcf of natural gas used for a single family residence during September 1, 2008, through March 31, 2009, and 100 Mcf used for a single family residence during September 1, 2009, through March 31, 2010. Payments may not be made for more than 50 Mcf of natural gas for each unit in a multifamily building used for that building during September 1, 2009, through March 31, 2010, and 50 Mcf for each unit in a multifamily building used for that building during September 1, 2009, through March 31, 2010. A person may not receive a payment for more than one type of fuel delivered September 1, 2008, through March 31, 2009, or for more than one type of fuel delivered September 1, 2009, through March 31, 2010. A payment may not be made for fuel used for a building owned by a governmental entity. A person may apply for and receive more than one emergency energy relief payment. If the authority estimates that appropriations to the authority are insufficient to fully fund emergency energy relief, the authority may eliminate or reduce the payments on an equitable basis.

(c) The authority

(1) shall administer this section, but may contract for the performance of some or all of those administrative duties; and

(2) may adopt regulations under AS 44.62 to implement this section.

(d) A person who is an individual is eligible to receive a payment under this section only if the individual is a state resident under AS 01.10.055. In addition, to receive payment under this section, a person shall

(1) apply, before July 1, 2010, for the payment on a form provided by the authority;

(2) provide, with each application, proof of purchase of fuel from a qualified distributor on the list prepared under (e) of this section;

(3) verify that the fuel is used for a building that is primarily used for one or more residences, identify the building, and identify the number of residential units in the building;

(4) verify that the building is not owned by a government entity;

(5) supply other information that may be required by the authority.

(e) A business or other entity that supplies fuel for use in residential buildings may apply in a manner required by the authority for inclusion on the qualified distributor list prepared and kept updated by the authority under this subsection. As a condition of becoming a qualified distributor, the business or other entity shall submit a signed statement to the authority, under penalty of unsworn falsification, on a form or in a format prescribed by the authority, that the business or other entity will not increase its price for fuel solely in response to the program, and that the business's or other entity's pricing policy will remain consistent with prior practices and be based on the same criteria, as though the program were not in place. The authority may audit a qualified distributor's books and records to confirm that the statement made under this subsection is complete and accurate. If the distributor reasonably believes a delivery of fuel is made to a building primarily used for one or more residences, during September 1, 2008, through March 31, 2009, or during September 1, 2009, through March 31, 2010, the distributor shall agree to identify the delivery as residential on its billing statement. The distributor shall agree to submit to the authority its billing statements for purchases of fuel for residences and related customer and sales information that may be requested by the authority from time to time. The distributor shall provide other information required by the authority.

(f) A person aggrieved by a decision of the authority regarding the person's eligibility to receive an emergency energy relief payment, other than a determination based on insufficient funding for emergency energy relief, may request a hearing before the office of administrative hearings established under AS 44.64.

(g) A person is liable to the state for the value of emergency energy relief improperly paid under this section if the improper payment was based on inaccurate or false information provided by the person. In a civil action brought by the state to recover from the person the value of the emergency energy relief improperly paid, the state may recover from the person the costs of investigation and prosecution of the civil action, including attorney fees as determined under court rules.

(h) In determining the eligibility of an individual under a public assistance program administered by the Department of Health and Social Services in which eligibility for assistance is based on financial need, the Department of Health and Social Services may not consider a payment under this section as income or resources received by the individual or by a member of the individual's household unless required to do so by federal law. The Department of Health and Social Services shall notify all recipients of public assistance of the effects of receiving emergency energy relief.

(i) An individual who is denied medical assistance under 42 U.S.C. 1396 - 1396v (Title XIX, Social Security Act) solely because of the receipt of a payment under this section by the individual or by a member of the individual's household is eligible for state-funded medical assistance under AS 47.25.120 - 47.25.300 (general relief assistance). The individual is entitled to receive, for a period not to exceed four months, the same level of medical assistance as the individual would have received under 42 U.S.C. 1396 - 1396v had the emergency energy relief not been received.

(j) An individual who is denied assistance solely because a payment under this section received by the individual or by a member of the individual's household is counted as income or resources under federal law is eligible for cash assistance under AS 47.25.120 - 47.25.300 (general relief assistance). Notwithstanding the limit in AS 47.25.130, the individual is entitled to receive, for a period not to exceed four months, the same amount as the individual would have received under other public assistance programs had the emergency energy relief not been received.

(k) A program that is established before the effective date of this section, that is administered by the state or any of its instrumentalities or municipalities or by a Native organization under AS 47.27.070, 47.27.200, or 47.27.300, and for which eligibility is based on financial need may not consider a payment under this section as income or resources unless required to do so by federal law.

(l) A veteran or the spouse or dependent of a living or deceased veteran who is denied or receives reduced disability payments solely because a payment received under this section by the individual is counted as income is eligible for veterans' benefits under AS 47.25.120 - 47.25.300 (general relief assistance). Notwithstanding the limit in AS 47.25.130, the veteran or the spouse or dependent of a living or deceased veteran is entitled to receive the same amount as the individual would have received under 38 U.S.C. 1315, 1513, 1521, 1541, and 1542 had the emergency energy relief not been received.

(m) Notwithstanding any contrary provision of state law, a payment under this section is exempt from levy, execution, garnishment, or any other remedy for debt collection until after the payment has been received by the person. No other exemption applies to emergency energy relief payments received under this section.

(n) A form provided by the authority under (d) of this section must include a warning that the submission of incomplete or inaccurate information is punishable as unsworn falsification in the second degree under AS 11.56.210.

(o) A person is guilty of a class A misdemeanor if the person

(1) uses fuel, payment for which has been partially reimbursed with a payment under this section, for a purpose other than use in a building that is primarily used for one or more residences and that is not owned by a governmental entity; or

(2) resells fuel, payment for which has been partially reimbursed with a payment under this section.

(p) In this section,

(1) "authority" means the Alaska Energy Authority created under AS 44.83.020;

(2) "fuel" means heating oil, natural gas, and propane."

Renumber the following bill sections accordingly.

Page 3, following line 30:

Insert a new bill section to read:

"* **Sec. 9.** Sections 5(a) - (e) and (h) - (n) of this Act are repealed September 1, 2010."

Renumber the following bill section accordingly.

Representative Kawasaki moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H
Second Reading
Amendment No. 6

YEAS: 15 NAYS: 22 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Seaton, Stoltze, Thomas, Wilson

Excused: Joule, LeDoux, Samuels

And so, Amendment No. 6 was not adopted.

HCS CSSB 4002(FIN) am H was automatically in third reading.

Representative Dahlstrom placed a call of the House.

The call was satisfied.

The question being: "Shall HCS CSSB 4002(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H
Third Reading
Final Passage

YEAS: 30 NAYS: 7 EXCUSED: 3 ABSENT: 0

Yeas: Buch, Chenault, Coghill, Dahlstrom, Doll, Edgmon, Fairclough, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Johansen, Johnson, Kawasaki, Keller, Kerttula, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Seaton, Stoltze, Thomas, Wilson

Nays: Cissna, Crawford, Doogan, Gardner, Hawker, Holmes, Kelly

Excused: Joule, LeDoux, Samuels

And so, HCS CSSB 4002(FIN) am H passed the House.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

Representative Coghill gave notice of reconsideration of the vote on HCS CSSB 4002(FIN) am H.

Representative Kerttula moved and asked unanimous consent that reconsideration of HCS CSSB 4002(FIN) am H be taken up on the same day.

There was objection.

Representative Kerttula moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

HCR 401

Representative Coghill moved and asked unanimous consent that the following by the House Finance Committee be taken up as a Special Order of Business:

HOUSE CONCURRENT RESOLUTION NO. 401

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 4002, relating to grants from the renewable energy grant fund; amending the bulk fuel bridge loan fund and the bulk fuel revolving loan fund; amending the power cost equalization program, repealing the exclusion from eligibility for power cost equalization for certain power projects that take their power from hydroelectric facilities, and amending the definition of "eligible electric utility" as it applies to the power cost equalization program and the grant program for small power projects for utility improvements; relating to establishing a gas pipeline development fund in the Department of Revenue; establishing the Alaska resource rebate program and relating to that program; and relating to heating assistance.

There being no objection, it was so ordered.

The question being: "Shall HCR 401 pass the House?" The roll was taken with the following result:

HCR 401

Special Order of Business

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Joule, LeDoux, Samuels

And so, HCR 401 passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

Representative Coghill 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 Doll – from 8:00 a.m., August 8 to midnight, December 31

Representative Salmon – from midnight, August 7 to plane time, September 30

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam – Glenn and Florence Sachs, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Coghill 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 – Glenn and Florence Sachs

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

UNFINISHED BUSINESS

HB 4001

The following, which was engrossed (page 3328), was signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 4001(FIN)

"An Act making supplemental appropriations, capital appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

ENGROSSMENT**HCR 401**

HCR 401 was engrossed and signed by the Speaker and Chief Clerk.

ANNOUNCEMENTS

House committee schedules are published under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 9:45 a.m., August 7, 2008. There being no objection, the House adjourned at 11:38 p.m.

Suzi Lowell
Chief Clerk