

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

Juneau, Alaska

Thursday

April 28, 2005

One Hundred Ninth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:22 a.m.

Roll call showed 26 members present. Representative Stoltze had been previously excused from a call of the House today. Representatives Berkowitz, Chenault, Crawford, Gara, Gardner, Gruenberg, Guttenberg, Kapsner, Kerttula, Kott, Moses, Ramras, and Salmon were absent and their presence was noted later.

The invocation was offered by the Chaplain, Father Anastasius Iwuoha of the Cathedral of the Nativity. Representative Coghill 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 the following prayer.

Lord God, today we pray for growth and progress - in our individual lives, our state, and nation. Through the course of our session this day and each day, help us to come to a deeper understanding of ourselves and others; and through this, embrace more firmly the responsibility You have placed on our shoulders to work for the good and growth of society. Strengthen us as we seek to identify more closely with the struggles of families and in turn affirm them in their quest for a good means of livelihood. May we continue to uphold the values that keep our families strong and healthy. Give us more inspiration in our effort to support parents and our schools in the education of children.

Steady our vision on the height to which You call us and strengthen our zeal so we always reach out for the best our talents and opportunities can afford. I place these prayers before You, almighty God, in Jesus' name. Amen.

The Pledge of Allegiance was led by Representative Thomas.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 108th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**The presence of Representative Gardner was noted.

MESSAGES FROM THE SENATE

A message dated April 27, 2005, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 101

CS FOR SENATE BILL NO. 101(JUD) by the Senate Judiciary Committee, entitled:

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

**The presence of Representatives Berkowitz and Ramras was noted.

REPORTS OF STANDING COMMITTEES

The Finance Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Ms. Margaret Lowe

as a member of the Alaska Mental Health Trust Authority Board of Trustees.

The report was signed by Representatives Meyer and Chenault, Co-chairs; and Representatives Weyhrauch, Holm, Kelly, Foster, Moses, Croft, Joule, and Hawker.

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Joseph N. Faulhaber

as a member of the Board of Governors of the Alaska Bar.

The report was signed by Representative McGuire, Chair; and Representatives Kott, Gara, Anderson, Dahlstrom, Coghill, and Gruenberg.

The Labor & Commerce Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. Michael Gordon

Mr. William Tull

as members of the Alcoholic Beverage Control Board.

Dr. William Gerace, D.D.S.

Mr. Greg Gurse

Ms. Vickie Hauff

Dr. Rebecca Neslund, D.M.D.

as members of the Board of Dental Examiners.

Mr. Dale Collins

as a member of the Board of Marine Pilots.

Ms. Mary Mundell
Ms. Leona Oberts

as members of the Board of Pharmacy.

Ms. JoAnne Boehme
Mr. Gary Burleson
Mr. Alec Kay
Mr. Jay McDiarmid

as members of the State Physical Therapy and Occupational Therapy Board.

Mr. James (Randy) Morton
Ms. Tashawna Olson
Dr. Kerry Turnbow

as members of the Board of Professional Counselors.

Mr. Gene DuVal
Mr. Roger Stone

as members of the Real Estate Commission.

The reports were signed by Representative Anderson, Chair; and Representatives Crawford, Lynn, LeDoux, Guttenberg, and Rokeberg.

**The presence of Representatives Moses, Gruenberg, Guttenberg, Salmon, and Kerttula was noted.

HCR 10

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 10
Supporting the development of the Kensington Gold Mine.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 10(RES)
(same title)

The report was signed by Representatives Samuels and Ramras, Co-chairs, with the following individual recommendations:

Do pass (4): Elkins, Crawford, Samuels, Ramras

No recommendation (4): Gatto, Kapsner, Olson, LeDoux

The following fiscal note(s) apply to CSHCR 10(RES):

1. Zero, Legislative Agency

HCR 10 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Kott was noted.

HB 218

The Finance Committee has considered:

HOUSE BILL NO. 218

"An Act relating to cost recovery fisheries for private nonprofit hatchery facilities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 218(FIN)
(same title)

The report was signed by Representative Chenault, Co-chair, with the following individual recommendations:

Do pass (3): Hawker, Foster, Chenault

No recommendation (4): Joule, Moses, Holm, Kelly

The following fiscal note(s) apply to CSHB 218(FIN):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Fish & Game

3. Zero, Dept. of Public Safety
4. Indeterminate, Dept. of Revenue

HB 218 was referred to the Rules Committee for placement on the calendar.

HB 257

The Finance Committee has considered:

HOUSE BILL NO. 257

"An Act relating to a procurement and electronic commerce tools program for state departments and instrumentalities of the state; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 257(JUD)

"An Act relating to and extending the pilot program for state procurement and electronic commerce tools; and providing for an effective date."

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (4): Hawker, Foster, Meyer, Chenault

No recommendation (6): Joule, Croft, Moses, Weyhrauch, Holm, Kelly

The following fiscal note(s) apply to CSHB 257(JUD):

1. Zero, Alaska Court System
2. Indeterminate, Dept. of Administration/All Depts.

HB 257 was referred to the Rules Committee for placement on the calendar.

HB 268

The Judiciary Committee has considered:

HOUSE BILL NO. 268

"An Act relating to overtaking and passing certain stationary vehicles."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 268(JUD)
(same title)

The report was signed by Representative McGuire, Chair, with the following individual recommendations:

Do pass (3): Gruenberg, Anderson, McGuire

No recommendation (4): Kott, Dahlstrom, Coghill, Gara

The following fiscal note(s) apply to CSHB 268(JUD):

1. Zero, Dept. of Public Safety

HB 268 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Crawford was noted.

HB 269

The Judiciary Committee has considered:

HOUSE BILL NO. 269

"An Act relating to contribution actions relating to the release of a hazardous substance; and providing for an effective date."

The report was signed by Representative McGuire, Chair, with the following individual recommendations:

Do pass (6): Kott, Anderson, Dahlstrom, Coghill, Gara, McGuire

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Law

HB 269 was referred to the Rules Committee for placement on the calendar.

HB 275

The Finance Committee has considered:

HOUSE BILL NO. 275

"An Act authorizing financing for certain public transportation projects; giving notice of and approving the entry into, and the issuance of revenue obligations that provide participation in, lease-financing agreements for those transportation projects; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 275(FIN)
(same title)

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (3): Weyhrauch, Foster, Meyer

No recommendation (4): Hawker, Holm, Kelly, Chenault

The following fiscal note(s) apply to CSHB 275(FIN):

1. Fiscal, Dept. of Revenue

HB 275 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Kapsner was noted.

HB 279

The Finance Committee has considered:

HOUSE BILL NO. 279

"An Act relating to encroachments in the right-of-way of a highway."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 279(FIN)
(same title)

The report was signed by Representative Meyer, Co-chair, with the following individual recommendations:

Do pass (3): Hawker, Foster, Meyer

No recommendation (4): Holm, Joule, Weyhrauch, Kelly

The following fiscal note(s) apply to CSHB 279(FIN):

1. Zero, House Transportation Committee/Dept. of Transportation & Public Facilities

HB 279 was referred to the Rules Committee for placement on the calendar.

SB 51

The Rules Committee has considered:

CS FOR SENATE BILL NO. 51(FIN)

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 51(RLS)
(same title)

The report was signed by Representative Rokeberg, Chair, with the following individual recommendations:

Do pass (1): Coghill

No recommendation (4): Harris, Kohring, McGuire, Rokeberg

Amend (2): Berkowitz, Kerttula

The following fiscal note(s) apply to HCS CSSB 51(RLS):

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services

CSSB 51(FIN) is on today's calendar.

SB 67

The Finance Committee has considered:

CS FOR SENATE BILL NO. 67(JUD)(efd fld)

"An Act relating to claims for personal injury or wrongful death against health care providers."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 67(FIN)

(same title)

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (3): Hawker, Kelly, Foster

Do not pass (1): Croft

No recommendation (5): Holm, Joule, Moses, Meyer, Chenault

Amend (1): Weyhrauch

The following fiscal note(s) apply to HCS CSSB 67(FIN):

1. Zero, Dept. of Law
2. Zero, Dept. of Commerce, Community, & Economic Development

CSSB 67(JUD)(efd fld) was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Chenault was noted.

SB 103

The Finance Committee has considered:

SENATE BILL NO. 103

"An Act relating to regulation of underground injection under the federal Safe Drinking Water Act; and providing for an effective date."

The report was signed by Representative Chenault, Co-chair, with the following individual recommendations:

Do pass (3): Hawker, Foster, Chenault

No recommendation (4): Joule, Moses, Holm, Kelly

The Committee adopted the Senate letter of intent (Senate Journal page 531).

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration
2. Zero, Dept. of Natural Resources

SB 103 was referred to the Rules Committee for placement on the calendar.

SB 140

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 140(JUD)

"An Act relating to spyware and unsolicited Internet advertising."

The report was signed by Representative McGuire, Chair, with the following individual recommendations:

Do pass (6): Kott, Anderson, Dahlstrom, Coghill, Gara, McGuire

No recommendation (1): Gruenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Law
3. Zero, Dept. of Public Safety

CSSB 140(JUD) was referred to the Rules Committee for placement on the calendar.

SB 144

The Resources Committee has considered:

CS FOR SENATE BILL NO. 144(RES)

"An Act relating to regulations, definitions, and permits under the emission control permit program; and providing for an effective date."

The report was signed by Representatives Samuels and Ramras, Co-chairs, with the following individual recommendations:

Do pass (2): Elkins, Ramras

No recommendation (5): Gatto, Olson, LeDoux, Crawford, Samuels

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

CSSB 144(RES) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**HB 66**

The Conference Committee considering:

CS FOR HOUSE BILL NO. 66(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 66(FIN)
(same title)

requests limited powers of free conference on the following:

Allocations with Items Subject to Conference
Language Subject to Conference
Mental Health Capital Projects Subject to Conference

The specific points are published in Senate and House Joint Journal Supplement No. 7.

The request was signed by Representatives Chenault (Chair), Meyer, Croft; and Senators Wilken (Chair), Green, Hoffman.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

HB 67

The Conference Committee considering:

CS FOR HOUSE BILL NO. 67(FIN)(brf sup maj fld)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 67(FIN)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and 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."

(technical title change)

requests limited powers of free conference on the following:

Allocations with Items Subject to Conference
Language Subject to Conference
Mental Health Capital Projects Subject to Conference

The specific points are published in Senate and House Joint Journal Supplement No. 7.

The request was signed by Representatives Chenault (Chair), Meyer, Croft; and Senators Wilken (Chair), Green, Hoffman.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk notified the Senate.

**The presence of Representative Gara was noted.

HB 233

The House Special Committee on Education has considered:

HOUSE BILL NO. 233

"An Act relating to preventing harassment, intimidation, or bullying in public schools; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 233(EDU)
(same title)

The report was signed by Representative Neuman, Chair, with the following individual recommendations:

Do pass (4): Salmon, Wilson, Thomas, Neuman

No recommendation (1): Lynn

The following fiscal note(s) apply to CSHB 233(EDU) :

1. Fiscal, Dept. of Education & Early Development

HB 233 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Don and Bonnie Dinkel, 50th Wedding Anniversary
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green, Huggins

Honoring - The Legal Staff of the Immigration and Refugee Services Program
By Representative Berkowitz; Senator Guess

Honoring - Mat-Su Valley Colonists
By Representatives Kohring, Kerttula, Gatto, Neuman, Stoltze; Senators Green, Huggins

Honoring - Mountain View Community Council
By Representative Gruenberg; Senator Guess

In Memoriam - Davin Brawley
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green, Huggins

In Memoriam - Truby Shaw
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green,
Huggins

In Memoriam - Clifford "Junior" Buswell, Jr.
By Representatives Kohring, Gatto, Neuman, Stoltze; Senators Green,
Huggins

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 13
HOUSE CONCURRENT RESOLUTION NO. 13 by Representative
Ramras:

Expressing the legislature's support for the construction of a natural gas spur pipeline between Fairbanks and the Nenana Basin and Southcentral Alaska, commending the interest and initiative of the sponsors of that project, and encouraging the appropriate state resource agencies to lend support to those efforts.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 288
HOUSE BILL NO. 288 by the House Health, Education and Social
Services Committee, entitled:

"An Act relating to the Medicaid personal needs allowance for assisted living home residents; and providing for an effective date."

was read the first time and referred to the Health, Education & Social Services and Finance Committees.

HB 289

HOUSE BILL NO. 289 by Representative Gara, entitled:

"An Act relating to state aid for local services and establishing the local tax relief and municipal assistance fund."

was read the first time and referred to the Community & Regional Affairs and Finance Committees.

HB 290

HOUSE BILL NO. 290 by Representative Lynn, entitled:

"An Act relating to issuance of identification cards and to issuance of driver's licenses."

was read the first time and referred to the State Affairs and Judiciary Committees.

HB 291

HOUSE BILL NO. 291 by the House Rules Committee, entitled:

"An Act relating to release of information in individual workers' compensation records for commercial purposes; and providing for an effective date."

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

HB 292

HOUSE BILL NO. 292 by Representative Kerttula, entitled:

"An Act relating to hunting in marine park units of the Alaska state park system, amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska state park system."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 92**

The following was read the second time:

HOUSE BILL NO. 92

"An Act relating to the purchase of interests in corporations, including limited liability companies, by the University of Alaska."

with the:	Journal Page
HES REFERRAL WAIVED	897
EDU RPT CS(EDU) NT 1DP 5NR	1104
FN1: ZERO(UA)	1105
JUD RPT CS(JUD) NT 1DP 6NR	1273
FN1: ZERO(UA)	1274

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 92(JUD)

"An Act relating to the purchase of interests in nonprofit corporations by the University of Alaska."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 92(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 92(JUD) was read the third time.

The question being: "Shall CSHB 92(JUD) pass the House?" The roll was taken with the following result:

CSHB 92(JUD)
Third Reading
Final Passage

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

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

Absent: Anderson, Croft, Ramras

And so, CSHB 92(JUD) passed the House and was referred to the Chief Clerk for engrossment.

RECONSIDERATION

HB 71

Representative Samuels brought up reconsideration of the vote on CSHB 71(FIN) (page 1231).

The following, which had been held on reconsideration (page 1311), was again before the House in third reading:

CS FOR HOUSE BILL NO. 71(FIN)

"An Act extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from leases or properties in the state; and providing for an effective date."

Representative Samuels moved and asked unanimous consent that CSHB 71(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Samuels:

Page 1, line 1, following "An Act" (title amendment):

Insert "**providing standards for the interpretation of certain terms in state oil and gas leases and unit agreements, requiring development, production, processing, and marketing of gas that is determined to meet those standards, and setting a maximum time limit on that activity;**"

Page 1, following line 6:

Insert new bill sections to read:

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

LEGISLATIVE FINDINGS REGARDING AMENDMENT OF AS 38.05.180. The legislature finds that

(1) oil and gas leases issued by the state grant to the lessee certain rights in state land and resources for the purposes of exploration, development, production, processing, and marketing oil and gas from state land;

(2) those oil and gas leases require the reasonable development of state land for oil and gas as the facts may justify;

(3) those oil and gas leases further mandate reasonable diligence in producing oil and gas from state land;

(4) those leases also obligate the lessee to act with due regard for the interests of not only the lessee but also the state as lessor;

(5) many of those leases have been extended beyond their primary terms by commitment to an oil and gas unit agreement;

(6) unit agreements may vary from unit to unit and so do not contain uniform language but generally reinforce the obligations of lessees to timely develop oil and gas resources and to act to protect not only their own interests but also the interests of the state as lessor;

(7) unit agreements also require that lessees periodically file their proposed plans for future development of a unit and allow the state, as lessor, to determine the rate of development of the unit and rate and quantity of production from the unit in acting on proposed plans or otherwise;

(8) oil and gas leases are interpreted by courts sitting in oil-and-gas-producing states to require that lessees develop and market oil and gas when those lessees could do so for a reasonable profit;

(9) the executive branch of state government, under the authority of AS 43.82 (Alaska Stranded Gas Development Act) and with the assistance of outside experts, consultants, and counsel, has

developed a sophisticated model that forecasts future gas prices based on the best information currently available to the state;

(10) that model incorporates the costs estimated by the state's largest oil and gas producers and others for the construction of an Alaska natural gas pipeline and for upstream facilities required to produce and treat natural gas from the Prudhoe Bay and Point Thomson Units for transportation through an Alaska natural gas pipeline to markets inside and outside the state;

(11) the model calculates estimated rates of return on capital invested for the total project, and for separate elements of the project, such as production from the Prudhoe Bay Unit, production from the Point Thomson Unit, and the pipeline itself;

(12) the model calculates estimated rates of return on capital invested under a wide range of future gas prices, including a price considered a stress gas price, the mean estimated gas price, and prices considered to have as low as a 10 percent probability and as high as a 90 percent probability;

(13) rates of return from the model can be compared to various measures of profitability, including, without limitation, rates of return historically allowed by the Federal Energy Regulatory Commission on gas pipelines, the cost of capital, rates of return on shareholder equity and capital employed for natural gas pipeline companies, and rates of return on shareholder equity and capital employed for oil and gas companies;

(14) the oil and gas resources of the state are to be developed for the maximum benefit of the people of the state; and

(15) the state's best interests require the earliest reasonable date for construction of an Alaska natural gas pipeline on terms that are both in the best interests of the state and estimated to be reasonably profitable to the state's oil and gas lessees.

* **Sec. 2.** AS 38.05.180 is amended by adding a new subsection to read:

(hh) The provisions of this subsection clarify and interpret the obligations of an oil and gas lessee or unit operator where an explicit or implied term of a state oil and gas lease or unit agreement requires the development, production, processing, or marketing of gas meeting economic standards such as "reasonable profit," "economically recoverable," "reasonable development as the facts may justify," "reasonable diligence," "covenant to develop as a reasonably prudent operator in a reasonably prudent

manner," "good and diligent oil and gas production practices," "economically feasible," or "having due regard for the interests of lessor as well as the interests of lessee." If the terms of the lease or unit agreement so provide,

(1) the standards shall be interpreted to require, at a minimum, development, production, processing, and marketing of gas from the lease or unit area as part of a project placing gas into one or more commercial markets if the commissioner determines, after review of relevant information then available to and in the possession of the department, that the estimated revenue from the project, based on the department's mean gas price forecast for that project, minus the currently estimated new costs of that project, appears sufficient to allow for a rate of return on new capital invested

(A) in the portions of the project regulated as to tariffs by either the Federal Energy Regulatory Commission or the Regulatory Commission of Alaska; the rate of return allowed under this subparagraph must be equal to or greater than the department's estimate of the rate of return that would be approved by the governing regulatory body; and

(B) in the portions of the project that are not subject to tariff regulation; the rate of return allowed under this subparagraph must be equal to or greater than the most recent 10-year simple average of overall company returns on capital employed for a sample group of oil and gas companies; in this subparagraph, the sample group of oil and gas companies may include, without limitation and subject to the availability of publicly reported information, the four largest international petroleum companies and the parent companies of the three largest petroleum companies operating in the state;

(2) whenever the commissioner determines that development, production, processing, or marketing of gas is required from a lease or unit area, the lessee or unit operator shall develop, produce, process, or market the gas, as determined by the commissioner, from the lease or unit area by a date determined by the commissioner, but in no event may that compliance date be later than seven years after the commissioner's initial determination; if a lessee or unit operator fails to comply with the commissioner's order, approval, decision, or determination, the remedies for the failure shall be as provided for in the controlling

lease, unit agreement, other agreement, or operative document, or as provided by law."

Page 1, line 7:

Delete "**Section 1**"

Insert "**Sec. 3**"

Renumber the following bill sections accordingly.

Representative Samuels moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Rokeberg objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 71(FIN)--RECONSIDERATION

Second Reading

Amendment No. 1

YEAS: 28 NAYS: 11 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kelly, Kerttula, LeDoux, Lynn, McGuire, Moses, Neuman, Olson, Ramras, Salmon, Samuels, Seaton, Thomas, Wilson

Nays: Chenault, Dahlstrom, Elkins, Foster, Gatto, Hawker, Kohring, Kott, Meyer, Rokeberg, Weyhrauch

Excused: Stoltze

Gatto changed from "Yea" to "Nay".

And so, Amendment No. 1 was adopted, and the new title follows:

CS FOR HOUSE BILL NO. 71(FIN) am

"An Act providing standards for the interpretation of certain terms in state oil and gas leases and unit agreements, requiring development, production, processing, and marketing of gas that is determined to meet those standards, and setting a maximum time limit on that activity; extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas

exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from leases or properties in the state; and providing for an effective date."

Representatives Meyer and Hawker moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

The question to be reconsidered: "Shall CSHB 71(FIN) am pass the House?" The roll was taken with the following result:

CSHB 71(FIN) am--RECONSIDERATION

Third Reading

Final Passage

YEAS: 32 NAYS: 4 EXCUSED: 1 ABSENT: 3

Yeas: Anderson, Chenault, Coghill, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kohring, Kott, LeDoux, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Wilson

Nays: Berkowitz, Cissna, Kerttula, Weyhrauch

Excused: Stoltze

Absent: Crawford, Kelly, Lynn

And so, CSHB 71(FIN) am passed the House on reconsideration.

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.

CSHB 71(FIN) am was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS
(continued)

HB 167

The following was read the second time:

HOUSE BILL NO. 167

"An Act relating to providing a death certificate for a deceased veteran without cost."

with the:	Journal Page
MLV RPT CS(MLV) 5DP	668
FN1: ZERO(MVA)	668
FN2: (HSS)	668
STA RPT CS(STA) NT 6DP	1072
FN1: ZERO(MVA)	1073
FN2: (HSS)	1073
FIN RPT CS(STA) NT 6DP 3NR	1274
FN1: ZERO(MVA)	1275
FN3: ZERO(H.FIN/HSS)	1275

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 167(STA)

"An Act relating to providing a death certificate for a deceased veteran without cost; and relating to a program to honor the memory of a deceased veteran."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 167(STA) be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

CSHB 167(STA) will advance to third reading on tomorrow's calendar.

HB 213

The following was read the second time:

HOUSE BILL NO. 213

"An Act relating to alcohol server education."

with the:	Journal Page
L&C RPT 5DP 1NR	1101
FN1: ZERO(DPS)	1101
FIN RPT 6DP 2NR	1277
FN1: ZERO(DPS)	1277

Representative Coghill moved and asked unanimous consent that HB 213 be considered engrossed, advanced to third reading, and placed on final passage.

There was objection.

HB 213 will advance to third reading on tomorrow's calendar.

HOUSE BILLS IN SECOND READING

HB 94

The following, which had been held in second reading to today's calendar (page 1309), was again before the House with Amendment to New Amendment No. 1 moved and pending (page 1308):

CS FOR HOUSE BILL NO. 94(FIN)

"An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration, voter residence, precinct boundary and polling place designation and modification, political parties, voters unaffiliated with a political party, early voting, absentee voting, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, qualifications for elected office, initiative, referendum, recall, and definitions in the Alaska Election Code; and relating to incorporation elections."

Representative Croft moved and asked unanimous consent to withdraw Amendment to New Amendment No. 1. There being no objection, it was so ordered.

Representative Guttenberg moved and asked unanimous consent to withdraw New Amendment No. 1 (page 1307). There being no objection, it was so ordered.

2d New Amendment No. 1 was offered by Representative Guttenberg:

Page 6, following line 20:

Insert a new bill section to read:

"* **Sec. 5.** AS 15.07.050 is amended by adding new subsections to read:

(b) Except as provided in (c) of this section, only the voter or the individual authorized by the voter in a written power of attorney under (a) of this section may mark the voter's choice of party affiliation on the voter registration application form.

(c) A person may supply a voter registration application form with a political party or group affiliation indicated to a voter only if the voter is already registered as affiliated with the political party or group indicated."

Renumber the following bill sections accordingly.

Page 12, line 17, following "application.":

Insert "**A person may supply to a voter an absentee ballot application form with a political party or group affiliation indicated only if the voter is already registered as affiliated with the political party or group indicated. Only the voter or the individual designated by the voter in a written power of attorney under this subsection may mark the voter's choice of primary ballot on an application. A person supplying an absentee ballot application form may not design or mark the application in a manner that suggests choice of one ballot over another, except that ballot choices may be listed on an application as authorized by the division.**"

Page 33, line 18:

Delete "secs. 29 - 52"

Insert "secs. 30 - 53"

Representative Guttenberg moved and asked unanimous consent that 2d New Amendment No. 1 be adopted. There being no objection, it was so ordered.

Amendment No. 2 was not offered.

Amendment No. 3 was offered by Representative Coghill:

Page 15, following line 31:

Insert a new bill section to read:

**** Sec. 24.** AS 15.25.060 is amended by adding a new subsection to read:

(c) If a voter is not voting in person and has requested an absentee ballot or special needs ballot but has not indicated a choice of ballot, the director shall provide the voter with the ballot listing the candidates of the political party or group with which the voter is affiliated, as determined under (b) of this section. If the voter did not indicate affiliation with a political party or group when registering to vote, the director shall provide the voter with the ballot offering the greatest range of candidates from different political parties and groups."

Renumber the following bill sections accordingly.

Page 33, line 18:

Delete "secs. 29 - 52"

Insert "secs. 30 - 53"

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

Representative Berkowitz objected and withdrew the objection. There being no further objection, Amendment No. 3 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 94(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 94(FIN) am was read the third time.

The question being: "Shall CSHB 94(FIN) am pass the House?" The roll was taken with the following result:

CSHB 94(FIN) am
Third Reading
Final Passage

YEAS: 38 NAYS: 1 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Nays: Croft

Excused: Stoltze

And so, CSHB 94(FIN) am passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 51

The following was read the second time:

CS FOR SENATE BILL NO. 51(FIN)

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing

involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

with the:	Journal Page
FIN RPT 5DP 1DNP 3NR	1127
FN1: (HSS)	1128
FN2: (HSS)	1128
FN3: (HSS)	1128
FN4: (HSS)	1128
RLS RPT HCS(RLS) 1DP 4NR 2AM	1323
FN1: (HSS)	1324
FN2: (HSS)	1324
FN3: (HSS)	1324
FN4: (HSS)	1324

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

HOUSE CS FOR CS FOR SENATE BILL NO. 51(RLS)
(same title)

Representative Berkowitz objected.

The question being: "Shall HCS CSSB 51(RLS) be adopted in lieu of the original bill?" The roll was taken with the following result:

CSSB 51(FIN)
Second Reading
Adopt Rules HCS

YEAS: 13 NAYS: 22 EXCUSED: 1 ABSENT: 4

Yeas: Anderson, Chenault, Coghill, Foster, Kelly, Kohring, McGuire, Neuman, Olson, Rokeberg, Samuels, Seaton, Wilson

Nays: Berkowitz, Cissna, Crawford, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kerttula, LeDoux, Lynn, Meyer, Moses, Ramras, Salmon, Thomas, Weyhrauch

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1345

Excused: Stoltze

Absent: Croft, Elkins, Holm, Kott

And so, HCS CSSB 51(RLS) was not adopted.

Representative Coghill moved and asked unanimous consent that CSSB 51(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 51(FIN) was read the third time.

The question being: "Shall CSSB 51(FIN) pass the House?" The roll was taken with the following result:

CSSB 51(FIN)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

Absent: Elkins, Holm

And so, CSSB 51(FIN) 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.

CSSB 51(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

RECONSIDERATION**HB 26**

Representative Weyhrauch brought up reconsideration of the vote on CSHB 26(FIN) (page 1302).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 26(FIN)

"An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date."

Representative Seaton moved and asked unanimous consent that CSHB 26(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Seaton:

Page 2, line 17, following "not":

Insert "be paid, receive crew shares, or receive other compensation for work performed under the license and may not"

Representative Seaton moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Thomas objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 26(FIN)--RECONSIDERATION

Second Reading

Amendment No. 1

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

Yeas: Dahlstrom, Gardner, Samuels, Seaton, Weyhrauch

Nays: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Elkins, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Thomas, Wilson

Excused: Stoltze

And so, Amendment No. 1 was not adopted.

The question to be reconsidered: "Shall CSHB 26(FIN) pass the House?" The roll was taken with the following result:

CSHB 26(FIN)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

And so, CSHB 26(FIN) passed the House on reconsideration.

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.

CSHB 26(FIN) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

THIRD READING OF HOUSE BILLS

HB 147

The following, which was advanced to third reading from the April 27, 2005, calendar (page 1306), was read the third time:

CS FOR HOUSE BILL NO. 147(FIN) am

"An Act relating to the regulation of insurance, insurance licensing, surplus lines, insurer deposits, owner controlled and contractor controlled insurance programs, health discount plans, third-party administrators, and self-funded multiple employer welfare arrangements; and providing for an effective date."

Representative Cissna moved and asked unanimous consent that CSHB 147(FIN) am be returned to second reading for the specific purpose of considering Amendment No. 5.

Representative Rokeberg objected and withdrew the objection. There being no further objection, CSHB 147(FIN) am was returned to second reading.

Amendment No. 5 was offered by Representative Cissna:

Page 17, following line 23:

Insert a new bill section to read:

"* **Sec. 34.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ESTABLISH A TASK FORCE TO CONDUCT A STUDY ON FACTORS LEADING TO THE INCREASING COST OF HEALTH CARE AND INSURANCE. The Division of Insurance will establish a task force to conduct a study on factors leading to the increasing cost of health care and insurance, including the effects of cost shifting in the medical care and health insurance industries, and to identify the economic impact of the rising cost of health care and insurance in Alaska. The task force will identify and solicit funding from the federal government and private foundations for the costs of the study. The task force will provide a report to the legislature by the 60th day of the 2006 legislative session. The report will detail findings and data and offer recommendations for legislative strategies. These strategies will focus on incentives in state budgeting and policy that curb rising costs for the state, Alaskan citizens, and private businesses and that address the problem of uninsured Alaskans."

Renumber the following bill sections accordingly.

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

Representative Rokeberg objected.

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

CSHB 147(FIN) am
Second Reading
Amendment No. 5

YEAS: 15 NAYS: 21 EXCUSED: 1 ABSENT: 3

Yeas: Berkowitz, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kohring, LeDoux, Moses, Neuman, Salmon

Nays: Anderson, Chenault, Cissna, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kott, Lynn, Meyer, Olson, Rokeberg, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

Absent: McGuire, Ramras, Samuels

And so, Amendment No. 5 was not adopted.

CSHB 147(FIN) am is automatically in third reading.

Amendment No. 4 (title amendment) was offered by Representative Kerttula:

Page 1, lines 1 - 4:

Delete **"the regulation of insurance, insurance licensing, surplus lines, insurer deposits, owner controlled and contractor controlled insurance programs, health discount plans, third-party administrators, and self-funded multiple employer welfare arrangements"**

Insert **"notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21;**

relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement"

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

Representative Rokeberg objected.

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

CSHB 147(FIN) am
Third Reading
Amendment No. 4 (title amendment)

YEAS: 23 NAYS: 14 EXCUSED: 1 ABSENT: 2

Yeas: Berkowitz, Cissna, Crawford, Croft, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kerttula, Kott, LeDoux, Lynn, Moses, Ramras, Salmon, Seaton, Wilson

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Holm, Kelly, Kohring, Meyer, Neuman, Olson, Rokeberg, Thomas, Weyhrauch

Excused: Stoltze

Absent: McGuire, Samuels

And so, Amendment No. 4 was adopted and the new title follows:

CS FOR HOUSE BILL NO. 147(FIN) am

"An Act relating to notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21; relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement; and providing for an effective date."

The question being: "Shall CSHB 147(FIN) am pass the House?" The roll was taken with the following result:

CSHB 147(FIN) am

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

Absent: McGuire, Samuels

And so, CSHB 147(FIN) am 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.

CSHB 147(FIN) am was referred to the Chief Clerk for engrossment.

HB 187

The following, which was advanced to third reading from the April 27, 2005, calendar (page 1307), was read the third time:

CS FOR HOUSE BILL NO. 187(FIN)

"An Act relating to money deposited into the Alaska permanent fund as a result of the settlement of State v. Amerada Hess; relating to the Alaska capital income fund and to deposits of income from State v. Amerada Hess settlement money into the Alaska capital income fund; and providing for an effective date."

Representative Croft placed a call of the House.

The call was satisfied.

The question being: "Shall CSHB 187(FIN) pass the House?" The roll was taken with the following result:

CSHB 187(FIN)

Third Reading

Final Passage

YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Foster, Gatto, Harris, Hawker, Holm, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kelly, Kerttula, Kohring, Neuman, Salmon

Excused: Stoltze

And so, CSHB 187(FIN) passed the House.

Representative Coghill moved the effective date clause.

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

CSHB 187(FIN)

Third Reading

Effective Date

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

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Gardner, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Olson, Ramras, Rokeberg, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Kerttula, Kohring, Neuman, Salmon

Excused: Stoltze

And so, the effective date clause was adopted.

Representative Berkowitz gave notice of reconsideration of the vote on CSHB 187(FIN).

SECOND READING OF HOUSE RESOLUTIONS

HJR 20

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 20

Urging the United States Congress and the United States Food and Drug Administration to assist in the prompt approval of new drug applications for the treatment of prostate cancer.

with the:	Journal Page
HES RPT 4DP	1296
FN1: ZERO(LEG)	1296

Representative Coghill moved and asked unanimous consent that HJR 20 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 20 was read the third time.

The question being: "Shall HJR 20 pass the House?" The roll was taken with the following result:

HJR 20
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

Excused: Stoltze

Absent: Hawker, Holm

And so, HJR 20 passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Coghill moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Manuel Dunham, Winner of Boys & Girls Club Youth of the Year

By Representatives Holm, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson; Senator Wilken

Honoring - Ray Collins

By Representatives Salmon, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Thomas, Weyhrauch, Wilson

Honoring - Angelene Bunde

By Representatives McGuire, Dahlstrom, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

Honoring - Vig & Holdal Families in Alaska

By Representatives Elkins, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

Honoring - Ira Perman for His Commitment to Bringing Alaska History to Our Schools

By Senator Gary Stevens; Representatives Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

Honoring - Caroline Kleineick

By Senator Gary Stevens; Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Verlin L. "Bud" Olson

By Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Elvan "Al" Neil Courtney

By Representatives Rokeberg, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Carroll Rainey

By Representatives Elkins, Anderson, Harris, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Velma Ruth Edens

By Senator Gary Stevens; Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Dolly Spencer

By Senator Gary Stevens; Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - Elizabeth Werner

By Senator Gary Stevens; Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

In Memoriam - George Sharrock

By Senator Ellis; Representatives Gara, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Thomas, Weyhrauch, Wilson

UNFINISHED BUSINESS**HJR 20**

Representatives Lynn, Dahlstrom, Kerttula, and McGuire added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 20

Urging the United States Congress and the United States Food and Drug Administration to assist in the prompt approval of new drug applications for the treatment of prostate cancer.

HB 13

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 13

"An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date."

HB 92

Representative McGuire added her name as cosponsor to:

CS FOR HOUSE BILL NO. 92(JUD)

"An Act relating to the purchase of interests in nonprofit corporations by the University of Alaska."

HB 101

Representatives Wilson and Lynn added their names as cosponsors to:

HOUSE BILL NO. 101

"An Act relating to sex trafficking and tourism."

HB 233

Representative Neuman added his name as cosponsor to:

HOUSE BILL NO. 233

"An Act relating to preventing harassment, intimidation, or bullying in public schools; and providing for an effective date."

HB 269

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 269

"An Act relating to contribution actions relating to the release of a hazardous substance; and providing for an effective date."

SB 129

Representative Chenault added his name as cross sponsor to:

CS FOR SENATE BILL NO. 129(JUD)

"An Act relating to the wrongful recording of a notice of pendency of an action relating to title to or right to possession of real property."

ENGROSSMENT

HJR 20

HJR 20 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 26

CSHB 26(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 71

CSHB 71(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 92

CSHB 92(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 94

CSHB 94(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 147

CSHB 147(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

With the appointment of a Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 19, 2005. Submit written notice of a meeting by 4:00 p.m. to the Chief Clerk's office for publication in the next day's committee schedule.

House committee schedules are published daily under separate cover.

The following meeting today has been changed as indicated:

House Special Committee on Military & Veterans' Affairs
CANCELED

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 29, 2005. There being no objection, the House adjourned at 1:46 p.m.

Suzi Lowell
Chief Clerk