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TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 8, 2006

One Hundred Twentieth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 5:45 p.m.

Roll call showed 36 members present. Representatives Anderson, Kohring, Meyer, and Salmon were absent and their presence was noted later.

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

With deepest respect for the religious beliefs of all, I offer this prayer.

Dear Lord,

Thank You for another day to serve You. Bless, guide, and watch over these legislators who are making crucial decisions for Alaska. Give to all who work for the legislature the strength, courage, patience, and energy to sustain them in the last days of session.

I close with a quote from Colossians 1:11-12: "May you be prepared to endure everything with patience, while joyfully giving thanks to the Father." Amen.

The Pledge of Allegiance was led by Representative Gardner.

RECONSIDERATION**SB 216**

Representative Samuels brought up reconsideration of the vote on HCS CSSB 216(FIN) (page 3740).

The following, which had been held on reconsideration (page 3860), was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 216(FIN)

"An Act relating to bail and unlawful evasion; and providing for an effective date."

The question to be reconsidered: "Shall HCS CSSB 216(FIN) pass the House?" The roll was taken with the following result:

HCS CSSB 216(FIN)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 0 ABSENT: 5

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

Absent: Anderson, Gara, Kohring, Meyer, Salmon

And so, HCS CSSB 216(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.

HCS CSSB 216(FIN) was referred to the Chief Clerk for engrossment.

**The presence of Representatives Meyer and Kohring was noted.

MESSAGES FROM THE GOVERNOR**SB 253**

A message dated May 8, 2006, was read stating the Governor has signed the following bill May 5 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 253

"An Act extending the termination date for the Board of Chiropractic Examiners; and providing for an effective date."

Chapter No. 22, SLA 2006

Effective Date: May 6, 2006

SB 254

A message dated May 8, 2006, was read stating the Governor has signed the following bill May 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 254

"An Act extending the termination date for the State Physical Therapy and Occupational Therapy Board; and providing for an effective date."

Chapter No. 23, SLA 2006

Effective Date: May 7, 2006

SB 255

A message dated May 8, 2006, was read stating the Governor has signed the following bill May 6 and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 255(FIN)

"An Act extending the termination date and duties for the Board of Examiners in Optometry; amending the licensing, endorsement, and renewal provisions for optometrists; and providing for an effective date."

Chapter No. 24, SLA 2006
Effective Date: See Chapter

**The presence of Representative Salmon was noted.

MESSAGES FROM THE SENATE

HCR 4

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(JUD)
Encouraging the establishment of a methamphetamine watch program.

CSHCR 4(JUD) was referred to the Chief Clerk for enrollment.

HCR 47

A message dated May 7, 2006, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 47
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 274, relating to the disposition of forfeited, surplus, and unclaimed firearms by the state.

HCR 47 was referred to the Chief Clerk for enrollment.

HJR 25

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE JOINT RESOLUTION NO. 25(STA)
Urging the United States Congress to adopt Sec. 303 of the United States House of Representatives version of the Tax Relief Extension Reconciliation Act of 2005.

CSHJR 25(STA) was referred to the Chief Clerk for enrollment.

HB 304

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 304(FIN) am
"An Act relating to the commercial fishing loan program; and providing for an effective date."

CSHB 304(FIN) am was referred to the Chief Clerk for enrollment.

HB 442

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 442(JUD) am
"An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability and discipline of health care providers, institutions, and facilities; relating to proceedings for judicial relief; relating to an individual's capacity for making health care decisions; and providing for an effective date."

CSHB 442(JUD) am was referred to the Chief Clerk for enrollment.

HB 446

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 446(JUD)
"An Act relating to the amount of a civil penalty for an unlawful act or practice in the conduct of trade or commerce; and eliminating mandatory continuances in these matters after issuance of an injunction."

CSHB 446(JUD) was referred to the Chief Clerk for enrollment.

HB 16

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 16(RLS)
"An Act relating to funding for school districts operating secondary school boarding programs, to funding for school districts from which boarding students come, and to the effectiveness of district secondary school boarding programs; and

providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 16(FIN)

"An Act relating to funding for school districts operating statewide residential educational programs; and providing for an effective date."

(SCR 33 - title change resolution)

**The presence of Representative Anderson was noted.

CONCUR IN SENATE AMENDMENTS

HB 16

Representative Coghill moved that the House concur in the Senate amendment to CSHB 16(RLS), thus adopting SCS CSHB 16(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 16(RLS)?" The roll was taken with the following result:

SCS CSHB 16(FIN)

Concur

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Stoltze, Thomas, Weyhrauch, Wilson

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 16(FIN).

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.

The Chief Clerk notified the Senate.

SCS CSHB 16(FIN) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 33

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

SENATE CONCURRENT RESOLUTION NO. 33

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, relating to funding for school districts operating secondary school boarding programs.

There being no objection, it was so ordered.

The question being: "Shall SCR 33 pass the House?" The roll was taken with the following result:

SCR 33

Special Order of Business

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Stoltze, Thomas, Weyhrauch, Wilson

And so, SCR 33 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

RECONSIDERATION**SB 271**

Representative Gardner brought up reconsideration of the vote on SB 271 (page 3741).

The following was again before the House in third reading:

SENATE BILL NO. 271

"An Act authorizing the commissioner of transportation and public facilities to participate in certain federal highway programs and relating to that authorization; relating to powers of the attorney general to waive immunity from suit in federal court related to those programs; and providing for an effective date."

Representative Gardner moved and asked unanimous consent that SB 271 be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representative Gardner:

Page 2, following line 25:

Insert a new subsection to read:

"(d) The department shall make a report to the legislature regarding its participation in the federal programs described in this section within the first 30 days of the legislative session in 2011."

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

Representative Ramras objected.

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

SB 271--RECONSIDERATION

Second Reading

Amendment No. 2

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses, Salmon

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, Amendment No. 2 was not adopted.

The question to be reconsidered: "Shall SB 271 pass the House?" The roll was taken with the following result:

SB 271--RECONSIDERATION

Third Reading

Final Passage

YEAS: 36 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Cissna, Gara, Guttenberg, Kerttula

And so, SB 271 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.

SB 271 was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 169

Representative McGuire brought up reconsideration of the vote on HCS CSSB 169(FIN) am H (page 3820).

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 169(FIN) am H
"An Act relating to release of information in individual workers' compensation records; relating to breaches of security involving personal information, credit report and credit score security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

The question to be reconsidered: "Shall HCS CSSB 169(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 169(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

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

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, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Rokeberg

And so, HCS CSSB 169(FIN) am H 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.

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

HCS CSSB 169(FIN) am H was referred to the Chief Clerk for engrossment.

MESSAGES FROM THE SENATE

(continued)

HB 41

A message dated May 7, 2006, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 41(FIN)

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed against an employee of an elementary, junior high, or secondary school or certain contractors of school districts who were engaged in the performance of school duties at the time of the assault."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 41(JUD)

"An Act relating to minimum periods of imprisonment for the crime of assault in the fourth degree committed on school grounds, on a school bus, at a school-sponsored event, or at certain school district administration offices."

(SCR 23 - title change resolution)

CSHB 41(FIN) is under Unfinished Business.

HB 107

A message dated May 7, 2006, was read stating the Senate has passed CSHB 107(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 107(JUD)

"An Act relating to unlawful obstruction or hindrance of hunting, fishing, trapping, or viewing of fish or game; and amending Rule 82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure."

CSHB 107(FIN) is under Unfinished Business.

HB 240

A message dated May 7, 2006, was read stating the Senate has passed CSHB 240(RLS) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 240(FIN)

"An Act relating to brewery and brewpub licensing and relating to sales of wine by a winery licensee."

CSHB 240(RLS) am is under Unfinished Business.

HB 377

A message dated May 7, 2006, was received stating the Senate has passed CSHB 377(L&C) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 377(L&C)

"An Act relating to an exemption from certain registration and practice requirements for persons preparing drawings or specifications related to the construction of certain buildings and the grounds of the buildings."

CSHB 377(L&C) am is under Unfinished Business.

HB 426

A message dated May 7, 2006, was read stating the Senate has passed CSHB 426(FIN)(title am) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 426(FIN)

"An Act relating to cooperation of insurers with the Department of Health and Social Services; relating to subrogation, assignment, and lien rights and notices for medical assistance claims; relating to recovery of medical assistance overpayments; relating to asset transfers and income diversion by medical assistance applicants; relating to assets and Medicare enrollment as they affect medical assistance coverage; relating to home and community-based services; relating to medical assistance applications for persons under 21 years of age; requiring a report by the Department of Health and Social Services; and providing for an effective date."

CSHB 426(FIN)(title am) is under Unfinished Business.

HB 484

A message dated May 7, 2006, was read stating the Senate has passed CSHB 484(FSH) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 484(FIN)

"An Act allowing for revenue received from issuance of additional entry permits to be appropriated for reimbursement to salmon fishery associations."

CSHB 484(FSH) is under Unfinished Business.

SB 20

A message dated May 7, 2006, was read stating the Senate has concurred in the House amendment to CSSB 20(JUD), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 20(FIN)

"An Act relating to offenses against unborn children."

SB 132

A message dated May 7, 2006, was read stating the Senate has concurred in the House amendment to SB 132(efd fld), thus adopting:

HOUSE CS FOR SENATE BILL NO. 132(FIN) am H

"An Act relating to complaints filed with, investigations, hearings, and orders of, and the interest rate on awards of the State Commission for Human Rights; and making conforming amendments."

SB 274

A message dated May 7, 2006, was read stating the Senate has concurred in the House amendment to:

CS FOR SENATE BILL NO. 274(STA)

"An Act relating to the disposition of forfeited, surplus, and unclaimed firearms by the state."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 274(FIN) am H
"An Act relating to the disposition of forfeited, surplus, and unclaimed firearms by the state and municipalities."

(HCR 47 - title change resolution)

SB 310

A message dated May 7, 2006, was read stating the Senate has concurred in the House amendment to SB 310, thus adopting:

HOUSE CS FOR SENATE BILL NO. 310(FIN) am H
"An Act relating to the employment of prisoners; and providing for an effective date."

HB 414

A message dated May 7, 2006, was read stating the Senate has failed to recede from its amendment to:

CS FOR HOUSE BILL NO. 414(RLS) am
"An Act relating to the interception of the private communications of a minor."

namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD)
"An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent to an order authorizing law enforcement to intercept the private communications of the minor."

(SCR 31 - title change resolution)

The President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Seekins, Chair
Senator Huggins
Senator French

The House members of the Conference Committee are Representatives Kott (Chair), McGuire, and Gruenberg (page 3766).

SB 104

A message dated May 7, 2006, was read stating the Senate has adopted the Conference Committee with limited powers of free conference report on HCS CSSB 104(JUD) and CSSB 104(JUD), thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 104

"An Act relating to the crimes of unsworn falsification in the first degree involving an application for a permanent fund dividend and false information or report involving eligibility for a permanent fund dividend; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; relating to service in the peace corps and as a member of the United States Olympic Team as allowable absences from the state for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date."

The House has adopted CCS SB 104 (page 3723).

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SCR 23**

SENATE CONCURRENT RESOLUTION NO. 23 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 41, relating to certain sentences for assault in the fourth degree.

was read the first time.

SCR 34

SENATE CONCURRENT RESOLUTION NO. 34 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 334, relating to an exemption from and deferral of municipal property taxes for certain types of deteriorated property.

was read the first time.

RECONSIDERATION**SB 289**

Representative Dahlstrom brought up reconsideration of the vote on CSSB 289(FIN) (page 3746).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 289(FIN)

"An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to mental health benefits under a health care insurance plan, to the definitions of 'title insurance limited producer' and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; and providing for an effective date."

Representative Dahlstrom moved and asked unanimous consent that CSSB 289 be returned to second reading for the specific purpose of considering Amendment No. 5. There being no objection, it was so ordered.

Amendment No. 5 was offered by Representatives Dahlstrom, Harris, Lynn, Elkins, LeDoux, Thomas, Foster, and Gruenberg:

Page 1, line 9, following "**amendments;**" (title amendment):

Insert "**establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums;**"

Page 36, following line 5:

Insert a new bill section to read:

"* **Sec. 48.** AS 26.05 is amended by adding a new section to read:

Sec. 26.05.263. Payment of Servicemembers' Group Life Insurance premiums; establishment of fund. (a) The Servicemembers' Group Life Insurance premium fund is established as a separate fund in the state treasury. The fund consists of appropriations by the legislature to it. Money appropriated to the fund does not lapse. The state shall hold the principal and earnings of the fund for the purpose of reimbursing eligible members of the Alaska National Guard deployed to a combat zone for premiums paid under 38 U.S.C. 1965 - 1980 (Servicemembers' Group Life Insurance Program).

(b) The adjutant general may make expenditures from the fund to reimburse eligible members of the Alaska National Guard deployed to a combat zone for premiums paid under the program during the period of

(1) deployment if the eligible member applies for reimbursement within two years after returning to the state following deployment;

(2) up to one year of convalescence following the return from deployment; and

(3) with the approval of the adjutant general, up to one year of convalescence in addition to the year under (2) of this subsection.

(c) Subject to appropriation, the fund may be used to pay the expenses incurred by the commissioner of revenue in managing the fund and administrative expenses incurred by the Department of Revenue in administering this section.

(d) Except as provided in (c) of this section, money in the fund is available for expenditure without further appropriation.

(e) Nothing in this section creates a dedicated fund.

(f) The Department of Revenue may adopt regulations necessary to carry out the provisions of this section.

(g) In this section,

(1) "combat zone" means an area of hostile fire or imminent danger that entitles a member on duty in that area to special pay;

(2) "convalescence" means hospital, outpatient, or rehabilitation treatment for an injury suffered while deployed to a combat zone;

(3) "fund" means the Servicemembers' Group Life Insurance premium fund;

(4) "program" means the Servicemembers' Group Life Insurance program established by 38 U.S.C. 1965 - 1980."

Renumber the following bill sections accordingly.

Page 36, line 12, following "APPLICABILITY.":

Insert "(a)"

Page 36, following line 13:

Insert a new subsection to read:

"(b) The reimbursement of premiums paid by members of the Alaska National Guard deployed to a combat zone under 38 U.S.C. 1965 - 1980 (Servicemembers' Group Life Insurance Program) under AS 26.05.263, enacted in sec. 48 of this Act, applies to premiums due on or after January 1, 2005."

Page 37, following line 6:

Insert a new bill section to read:

**** Sec. 52.** The uncodified law of the State of Alaska is amended by adding a new section to read:

RETROACTIVITY. AS 26.05.263, enacted by sec. 48 of this Act, is retroactive to January 1, 2005, and applies to authorize reimbursement of premiums paid by eligible Alaska National Guard members after December 31, 2004."

Page 36, line 17:

Delete "sec. 48"

Insert "sec. 49"

Page 37, line 7, following "Sections 26 - 31":

Insert "48, and 52"

Page 37, line 8:

Delete "Sections 25, 36, and 48"

Insert "Sections 25, 36, and 49"

Page 37, line 9:

Delete "secs. 51 and 52"

Insert "secs. 53 and 54"

Representative Dahlstrom 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:

CSSB 289(FIN)--RECONSIDERATION

Second Reading

Amendment No. 5

YEAS: 38 NAYS: 2 EXCUSED: 0 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, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Rokeberg, Weyhrauch

And so, Amendment No. 5 was adopted, and the new title follows:

CS FOR SENATE BILL NO. 289(FIN) am H

"An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to mental health benefits

under a health care insurance plan, to the definitions of 'title insurance limited producer' and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums; and providing for an effective date."

(HCR 50 - title change resolution)

The question to be reconsidered: "Shall CSSB 289(FIN) am H pass the House?" The roll was taken with the following result:

CSSB 289(FIN)am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 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, Stoltze, Thomas, Weyhrauch, Wilson

And so, CSSB 289(FIN) am H 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.

CSSB 289(FIN) am H was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 50

Representative Coghill moved and asked unanimous consent that the following by the House Special Committee on Military & Veterans' Affairs be taken up as a Special Order of Business:

HOUSE CONCURRENT RESOLUTION NO. 50

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of "title insurance limited producer" and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; and making conforming amendments.

There being no objection, it was so ordered.

The question being: "Shall HCR 50 pass the House?" The roll was taken with the following result:

HCR 50

Special Order of Business

YEAS: 38 NAYS: 0 EXCUSED: 0 ABSENT: 2

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, 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, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Chenault, Holm

And so, HCR 50 passed the House.

Representative Coghill later gave notice of reconsideration of the vote on HCR 50, and reconsideration was taken up then.

REPORTS OF STANDING COMMITTEES**SB 231**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 231(FIN) am

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN)
(same title)

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

Do pass (10): Hawker, Foster, Weyhrauch, Holm, Kelly, Moses, Joule, Stoltze, Meyer, Chenault

No recommendation (1): Kerttula

CSSB 231(FIN) am is on today's calendar.

REPORTS OF SPECIAL COMMITTEES**HB 414**

The Conference Committee considering:

CS FOR HOUSE BILL NO. 414(RLS) am

"An Act relating to the interception of the private communications of a minor."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD)

"An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent

to an order authorizing law enforcement to intercept the private communications of the minor."

requests limited powers of free conference on the following specific point(s):

How evidence is used under as 42.20.320(a)(9) as set forth section 2 of 24-LS1565\P.A and 24-LS1565\R.

The request was signed by Representatives Kott (Chair), Gruenberg; and Senators Seekins (Chair), Huggins, French.

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

The Chief Clerk notified the Senate.

The President granted the Senate committee members limited powers of free conference as requested.

The Conference Committee with limited powers of free conference considering CSHB 414(RLS) am and SCS CSHB 414(JUD) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 414

"An Act relating to the interception of the private communications of a minor."

The report was signed by Representatives Kott (Chair), Gruenberg; and Senators Seekins (Chair), Huggins, Green.

The following fiscal note(s) apply to CCS HB 414:

2. Zero, Dept. of Administration
3. Zero, Dept. of Administration
4. Zero, Alaska Court System
5. Zero, Dept. of Public Safety

Representative Coghill moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report.

CS FOR HOUSE BILL NO. 414(RLS) am

"An Act relating to the interception of the private communications of a minor."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD)

"An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent to an order authorizing law enforcement to intercept the private communications of the minor."

There being no objection, it was so ordered.

Representative Coghill moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS HB 414 and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee with limited powers of free conference report?" The roll was taken with the following result:

CCS HB 414

Adopt

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

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, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Seaton

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 414

"An Act relating to the interception of the private communications of a minor."

The Chief Clerk notified the Senate.

CCS HB 414 was referred to the Chief Clerk for engrossment and enrollment.

INTRODUCTION OF CITATIONS

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

Honoring - Suzanne Richards, 2006 School Librarian of the Year
By Representative Kapsner; Senator Hoffman

Honoring - Trooper K-9 Sirius and State Trooper Joseph Hazelaar
By Representative Kapsner; Senator Hoffman

Honoring - Anna Qurrayar Hedlund Alexie
By Representative Kapsner; Senator Hoffman

Honoring - Jason Michael
By Representative Kapsner

Honoring - Donna Chris
By Representative Kapsner

Honoring - The Participants of the Alaska Dental Health Aide Program
By Representative Kapsner; Senator Hoffman

Honoring - The First Class of Nursing Graduates in the YK Delta's
Nursing Program
By Representative Kapsner

Honoring - Alaska Village Public Safety Officers
By Representative Kapsner

Honoring - Latseen Dollin Benson
By Senator Ellis

Honoring - The Senate Sergeant-at-Arms, Senate Assistant Sergeant-
at-Arms, Senate Pages
By Senator Cowdery

In Memoriam - Lucy Passeq'aq Jacob
By Representative Kapsner; Senator Hoffman

In Memoriam - Frank Misaaq Andrew
By Representative Kapsner; Senator Hoffman

In Memoriam - Dick (Apaaqutq) Andrew
By Representative Kapsner

In Memoriam - Joe Angutekayak Chief, Jr.
By Representative Kapsner

In Memoriam - Eric D. Johnson
By Representative Kapsner

In Memoriam - Aviva J. Stinson
By Senator Seekins

In Memoriam - Helen Chenault
By Senator Wagoner; Representative Chenault

In Memoriam - Wassillie Kaligtuq Kung'aq Maaggiiq Nicholas
By Senator Hoffman; Representative Kapsner

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE BILLS****SB 48**

The following was read the second time:

CS FOR SENATE BILL NO. 48(HES)

"An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children."

with the:	Journal Page
HES RPT HCS(HES) 2DP 1DNP 2NR 2AM	3718
FN1: INDETERMINATE(EED)	3719
FN2: ZERO(HSS)	3719
JUD REFERRAL WAIVED	3768
FIN RPT HCS(HES) 4DP 4NR	3779
FN2: ZERO(HSS)	3779
FN3: ZERO(EED)	3779

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. 48(HES)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Cissna:

Page 3, line 19, following "**resources.**":

Insert "(a)"

Page 3, following line 25:

Insert a new subsection to read:

"(b) A list provided under (a) of this section must include the name, specialty, and credential of each mental health service provider listed."

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 48(HES) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 48(HES) am H was read the third time.

The question being: "Shall HCS CSSB 48(HES) am H pass the House?" The roll was taken with the following result:

HCS CSSB 48(HES) am H
Third Reading
Final Passage

YEAS: 35 NAYS: 2 EXCUSED: 0 ABSENT: 3

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

Nays: Gatto, Wilson

Absent: Foster, Kapsner, Weyhrauch

And so, HCS CSSB 48(HES) am H passed the House.

Representative Coghill gave notice of reconsideration of the vote on HCS CSSB 48(HES) am H.

RECONSIDERATION

SB 48

Representative Coghill moved and asked unanimous consent that reconsideration of HCS CSSB 48(HES) am H be taken up on the same day. There being no objection, it was so ordered.

HCS CSSB 48(HES) am H was again before the House in third reading.

The question to be reconsidered: "Shall HCS CSSB 48(HES) am H pass the House?" The roll was taken with the following result:

HCS CSSB 48(HES) am H--RECONSIDERATION
 Third Reading
 Final Passage

YEAS: 35 NAYS: 2 EXCUSED: 0 ABSENT: 3

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

Nays: Gatto, Wilson

Absent: Foster, Kapsner, Weyhrauch

And so, HCS CSSB 48(HES) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS
 (continued)

SB 206

The following was read the second time:

CS FOR SENATE BILL NO. 206(FIN)
 "An Act relating to contempt of court and to temporary detention and identification of persons."

with the:	Journal Page
JUD RPT HCS(JUD) 2DP 4NR	3720
FN5: ZERO(ADM)	3720
FN6: ZERO(COR)	3720
FN7: ZERO(LAW)	3720
FN8: ZERO(ADM)	3720
FIN RPT HCS(FIN) 6DP 2NR	3780

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FN5: ZERO(ADM)	3780
FN6: ZERO(COR)	3780
FN7: ZERO(LAW)	3780
FN8: ZERO(ADM)	3780

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. 206(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Cissna:

Page 3, line 30 through Page 4, line 2:

Delete all material and insert:

"(e) A person who refuses or resists the taking of photographs or fingerprints under this section commits a violation, punishable of a fine not to exceed \$500."

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

Representative Anderson objected.

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

HCS CSSB 206(FIN)
Second Reading
Amendment No. 1

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Elkins, Gara, Gardner, Guttenberg, Joule, Kapsner, Kerttula, LeDoux, Salmon, Seaton, Weyhrauch

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Gatto, Gruenberg, Harris, Hawker, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Stoltze, Thomas, Wilson

Absent: Holm

And so, Amendment No. 1 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 206(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 206(FIN) was read the third time.

The question being: "Shall HCS CSSB 206(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 206(FIN)
Third Reading
Final Passage

YEAS: 26 NAYS: 6 EXCUSED: 0 ABSENT: 8

Yeas: Anderson, Chenault, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kelly, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Gardner, Guttenberg, Kerttula, LeDoux

Absent: Gara, Gruenberg, Kapsner, Kohring, Kott, Lynn, Ramras, Salmon

Weyhrauch changed from "Nay" to "Yea".

Elkins changed from "Nay" to "Yea".

Joule changed from "Nay" to "Yea".

And so, HCS CSSB 206(FIN) passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on HCS CSSB 206(FIN).

* * * * *

Representative Meyer introduced Micaela Bradner, Guest Page, from Anchorage.

SB 231

The Speaker stated that, without objection, the following would be moved to the bottom of the calendar:

CS FOR SENATE BILL NO. 231(FIN) am

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

SB 249

The following was read the second time:

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

with the:

Journal Page

STA RPT 5DP	2956
FN1: ZERO(ADM)	2956
FN2: ZERO(ADM)	2956
FN3: ZERO(CRT)	2956
JUD RPT 7DP	3320
FN1: ZERO(ADM)	3321
FN2: ZERO(ADM)	3321
FN3: ZERO(CRT)	3321
CORRECTED JUD RPT 7DP	3406
FN1: ZERO(ADM)	3407
FN2: ZERO(ADM)	3407
FN3: ZERO(CRT)	3407
FN4: ZERO(DPS)	3407

Representative Coghill moved and asked unanimous consent that CSSB 249(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 249(JUD) was read the third time.

The question being: "Shall CSSB 249(JUD) pass the House?" The roll was taken with the following result:

CSSB 249(JUD)
Third Reading
Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 0 ABSENT: 5

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

Absent: Anderson, Chenault, Kapsner, McGuire, Ramras

And so, CSSB 249(JUD) passed the House.

Representative LeDoux gave notice of reconsideration of the vote on CSSB 249(JUD).

SB 251

The following was read the second time:

SENATE BILL NO. 251

"An Act relating to immunization for meningitis of postsecondary students residing on campus."

with the:

Journal Page

EDU REFERRAL WAIVED	3564
HES RPT 5DP 1NR	3721
FN1: ZERO(EED)	3721
FN2: ZERO(UA)	3721

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representative Croft:

Page 1, line 2, following "**campus**" (title amendment):

Insert "**and directing the Department of Military and Veterans' Affairs to seek additional funding to support tuition waivers and assistance**"

Page 1, following line 9:

Insert a new bill section to read:

"* **Sec. 2.** AS 14.43 is amended by adding a new section to read:

Sec. 14.43.087. Supplemental appropriation. If the adjutant general of the Department of Military and Veterans' Affairs determines that there are insufficient funds to pay for tuition waivers and assistance for all eligible applicants under AS 14.43.087 and AS 26.05.296, the adjutant general shall request that the legislature make a supplemental appropriation to fund the waivers and assistance."

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

Representative Hawker objected.

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

SB 251

Second Reading

Amendment No. 2

YEAS: 32 NAYS: 7 EXCUSED: 0 ABSENT: 1

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

Nays: Chenault, Hawker, Holm, Kohring, Meyer, Stoltze, Weyhrauch

Absent: Ramras

And so, Amendment No. 2 was adopted, and the new title follows:

SENATE BILL NO. 251 am H

"An Act relating to immunization for meningitis of postsecondary students residing on campus and directing the Department of Military and Veterans' Affairs to seek additional funding to support tuition waivers and assistance."

(HCR 5 - title change resolution)

Representative Coghill moved and asked unanimous consent that SB 251 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 251 am H was read the third time.

The question being: "Shall SB 251 am H pass the House?" The roll was taken with the following result:

SB 251 am H
Third Reading
Final Passage

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

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, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Weyhrauch

Absent: Ramras

And so, SB 251 am H passed the House.

Representative Coghill gave notice of reconsideration of the vote on SB 251 am H.

RECONSIDERATION**SB 251**

Representative Coghill moved and asked unanimous consent that reconsideration of SB 251 am H be taken up on the same day. There being no objection, it was so ordered.

SB 251 am H was again before the House in third reading.

The question to be reconsidered: "Shall SB 251 am H pass the House?" The roll was taken with the following result:

SB 251 am H--RECONSIDERATION

Third Reading

Final Passage

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

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, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Ramras

And so, SB 251 am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 51

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

HOUSE CONCURRENT RESOLUTION NO. 51

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 251, relating to immunization for meningitis of postsecondary students residing on campus.

There being no objection, it was so ordered.

The question being: "Shall HCR 51 pass the House?" The roll was taken with the following result:

HCR 51
Special Order of Business

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

Yeas: Berkowitz, 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, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Absent: Anderson, Chenault, Ramras

And so, HCR 51 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to 8:15 p.m.; and so, the House recessed at 7:28 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:30 p.m.

RECONSIDERATION

HCR 50

Representative Coghill gave notice of reconsideration of the vote on HCR 50 (page 3885).

Representative Coghill moved and asked unanimous consent that reconsideration of HCR 50 be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House:

HOUSE CONCURRENT RESOLUTION NO. 50

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms,

managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of "title insurance limited producer" and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; and making conforming amendments.

The question to be reconsidered: "Shall HCR 50 pass the House?"
The roll was taken with the following result:

HCR 50--RECONSIDERATION
Special Order of Business

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

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

Nays: Rokeberg

Absent: Anderson, Cissna, Kapsner, McGuire

And so, HCR 50 passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SENATE BILLS IN THIRD READING

SB 305

The following, which was held from the May 7, 2006, calendar (page 3854), was before the House in third reading:

HCS FOR CS FOR SENATE BILL NO. 305(FIN) am H

"An Act repealing the oil production tax and the gas production tax and providing for a production tax on oil and gas; relating to

the calculation of the gross value at the point of production of oil and gas and to the determination of the value of oil and gas for purposes of the production tax on oil and gas; providing for tax credits against the production tax on oil and gas; relating to the relationship of the production tax on oil and gas to other taxes, to the dates those tax payments and surcharges are due, to interest on overpayments of the tax, and to the treatment of the tax in a producer's settlement with the royalty owners; relating to flared gas, and to oil and gas used in the operation of a lease or property under the production tax; relating to the prevailing value of oil and gas under the production tax; relating to surcharges on oil; relating to statements or other information required to be filed with or furnished to the Department of Revenue, to the penalty for failure to file certain reports for the tax, to the powers of the Department of Revenue, and to the disclosure of certain information required to be furnished to the Department of Revenue as applicable to the administration of the tax; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the tax, and to the deposit of tax money collected by the Department of Revenue; amending the definitions of 'gas,' 'oil,' and certain other terms for purposes of the production tax, and as the definition of the term 'gas' applies in the Alaska Stranded Gas Development Act, and adding further definitions; making conforming amendments; and providing for an effective date."

Representative Kelly moved and asked unanimous consent that HCS CSSB 305(FIN) am H be returned to second reading for the specific purpose of rescinding previous action in failing to adopt Amendment No. 1 (page 3839). There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSB 305(FIN) am H would be returned to second reading for all amendments.

Representative Kelly moved and asked unanimous consent that the House rescind previous action in failing to adopt Amendment No. 1.

There was objection.

Representative Kelly placed a call of the House and lifted the call.

Representative Coghill moved and asked unanimous consent that Representative Kapsner be excused from a call of the House to 9:40 p.m., today. There being no objection, it was so ordered.

Representative Coghill placed a call of the House on the bill.

The call was satisfied.

The question being: "Shall the House rescind previous action in failing to adopt Amendment No. 1?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Second Reading

Rescind Previous Action/Amendment No. 1

YEAS: 23 NAYS: 16 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holm, Kelly, Kerttula, LeDoux, Lynn, Neuman, Olson, Seaton, Stoltze, Thomas

Nays: Anderson, Chenault, Foster, Hawker, Joule, Kohring, Kott, McGuire, Meyer, Moses, Ramras, Rokeberg, Salmon, Samuels, Weyhrauch, Wilson

Excused: Kapsner

And so, the motion passed.

Amendment No. 1 (page 3838) was before the House.

Amendment No. 2 to Amendment No. 1 was offered by Representative Kott:

Delete "22.5"

Insert "21"

Representative Kott moved and asked unanimous consent that Amendment No. 2 to Amendment No. 1 be adopted.

There was objection.

The question being: "Shall Amendment No. 2 to Amendment No. 1 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Second Reading

Amendment No. 2 to Amendment No. 1

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

Yeas: Anderson, Gatto, Harris, Hawker, Holm, Joule, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Samuels, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, LeDoux, Ramras, Seaton

Excused: Kapsner

Stoltze changed from "Nay" to "Yea".

And so, Amendment No. 2 to Amendment No. 1 was adopted.

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

Amendment No. 4 was offered by Representative Rokeberg:

Page 5, lines 7 - 26:

Delete all material and insert:

"(i) For a month that ends before April 1, 2021, the total tax levied by (e) and (g) of this section on gas produced from a lease or property in the Cook Inlet sedimentary basin may not exceed

(1) for a lease or property that first commenced commercial production of gas before April 1, 2006, (A) the amount of gas produced from the lease or property, (B) multiplied by the average rate of tax that was imposed under this chapter on

gas produced from the lease or property for the 12-month period ending on March 31, 2006, and (C) multiplied by the average prevailing value for gas delivered in the Cook Inlet area for the 12-month period ending March 31, 2006, as determined by the department under AS 43.55.020(f);

(2) for a lease or property that first commences commercial production of gas after March 31, 2006, (A) the amount of gas produced from the lease or property, (B) multiplied by the average rate of tax that was imposed under this chapter on gas produced from all leases or properties in the Cook Inlet sedimentary basin for the 12-month period ending on March 31, 2006, and (C) multiplied by the average prevailing value for gas delivered in the Cook Inlet area for the 12-month period ending March 31, 2006, as determined by the department under AS 43.55.020(f)."

Page 19, lines 19 - 28:

Delete "Except as provided in (f) of this section, for purposes of AS 43.55.011(e) and (g), the production tax value of the taxable oil and gas produced during a month is (1) the total of (A) the gross value at the point of production of the oil taxable under AS 43.55.011(e) and (g) and produced by the producer from all leases or properties in the state, less three-quarters of the gross value at the point of production of the oil taxable under AS 43.55.011(e) and (g) and produced by the producer from leases or properties in the Cook Inlet sedimentary basin, and (B) one-third of the gross value at the point of production of the gas taxable under AS 43.55.011(e) and (g) and produced by the producer from all leases or properties in the state, (2) less the producer's lease expenditures for the month as adjusted under (e) of this section."

Insert "Except as provided in (f) of this section, for purposes of AS 43.55.011(e) and (g), the production tax value of the taxable oil and gas produced during a month, other than gas produced from leases or properties in the Cook Inlet sedimentary basin, is (1) the total of (A) the gross value at the point of production of the oil taxable under AS 43.55.011(e) and (g) and produced by the producer from all leases or properties in the state, less three-quarters of the gross value at the point of production of the oil taxable under AS 43.55.011(e) and (g) and produced by the producer from leases or properties in the Cook Inlet sedimentary basin, and (B) two-thirds of the gross value at the

point of production of the gas taxable under AS 43.55.011(e) and (g) and produced by the producer from all leases or properties in the state outside the Cook Inlet sedimentary basin, less one-sixth of the gross value at the point of production of the gas taxable under AS 43.55.011(e) and (g) and produced by the producer from all leases or properties in the state located south of 68 degrees 15 minutes North latitude outside of the Cook Inlet sedimentary basin, (2) less the producer's lease expenditures for the month as adjusted under (e) of this section, other than lease expenditures applicable to gas produced from leases or properties in the Cook Inlet sedimentary basin. Except as provided in (f) of this section, for the purposes of AS 43.55.011(e) and (g), the production tax value of the taxable gas produced during a month from leases or properties in the Cook Inlet sedimentary basin is one-third of the gross value at the point of production of the gas taxable under AS 43.55.011(e) and (g) and produced by the producer from those leases or properties, less the producer's lease expenditures for the month applicable to gas produced from leases or properties in the Cook Inlet sedimentary basin, as adjusted under (e) of this section."

Page 19, line 28, following "However,":

Delete "the"

Insert "a"

Page 20, line 6:

Delete "the"

Insert "a"

Page 20, line 7:

Delete "the taxable oil and"

Insert "taxable oil or"

Page 20, line 11, following "cause":

Delete "the"

Insert "a"

Page 20, lines 11 - 12:

Delete "the taxable oil and"

Insert "taxable oil or"

Page 21, line 28, following "gas":

Insert ";

(4) the lease expenditures that are applicable to oil or gas produced in an area of the state shall be determined under regulations adopted by the department that provide for reasonable methods of allocating costs between oil and gas and between areas of the state"

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

Representative Holm objected.

Amendment to Amendment No. 4 was offered by Representative Holm:

Delete all material and insert:

"Page 3, line 28:

Delete "Except as otherwise provided under (i) of this section, the"

Insert "The"

Page 4, line 28:

Delete "Except as otherwise provided under (i) of this section, the"

Insert "The"

Page 5, lines 7 - 26:

Delete all material."

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

Representative Rokeberg objected.

**The presence of Representative Kapsner, who was excused (page 3904), was noted.

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

HCS CSSB 305(FIN) am H
Second Reading
Amendment to Amendment No. 4

YEAS: 8 NAYS: 32 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Elkins, Guttenberg, Holm, Kelly, Ramras, Thomas, Weyhrauch

Nays: Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Hawker, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Wilson

And so, Amendment to Amendment No. 4 was not adopted.

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

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 4

YEAS: 36 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Guttenberg, Holm, Kerttula, Weyhrauch

And so, Amendment No. 4 was adopted.

Amendment No. 6 (page 3846) was again offered by Representative Weyhrauch.

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

Representative Kerttula objected.

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

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 6

YEAS: 31 NAYS: 9 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gardner, Gruenberg, Harris, Hawker, Holm, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Cissna, Gara, Gatto, Guttenberg, Joule, Kapsner, Kerttula, LeDoux, Salmon

And so, Amendment No. 6 was adopted.

Amendment No. 25 was offered by Representative Croft:

Page 19, line 25:
Delete "one-third of"

Page 19, line 27, following "in the state":
Insert "north of 68 degrees, 10 minutes latitude"

Representative Croft moved and asked unanimous consent that Amendment No. 25 be adopted.

There was objection.

The question being: "Shall Amendment No. 25 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 25

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, McGuire, Moses, Salmon

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, Amendment No. 25 was not adopted.

Amendment No. 30 was offered by Representative Harris:

Page 3, line 29:

Delete "20"

Insert "21"

Page 4, line 19:

Delete "20"

Insert "21"

Representative Kelly moved and asked unanimous consent that Amendment No. 30 be adopted.

There was objection.

Amendment No. 1 to Amendment No. 30 was offered by Representative Kelly:

Delete "21"

Insert "22.5"

Representative Kelly moved and asked unanimous consent that Amendment No. 1 to Amendment No. 30 be adopted.

There was objection.

The question being: "Shall Amendment No. 1 to Amendment No. 30 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 1 to Amendment No. 30

YEAS: 21 NAYS: 19 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Kelly, Kerttula, LeDoux, Lynn, Neuman, Olson, Seaton, Stoltze, Thomas

Nays: Anderson, Chenault, Elkins, Foster, Harris, Hawker, Joule, Kapsner, Kohring, Kott, McGuire, Meyer, Moses, Ramras, Rokeberg, Salmon, Samuels, Weyhrauch, Wilson

And so, Amendment No. 1 to Amendment No. 30 was adopted.

The question being: "Shall Amendment No. 30 as amended be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 30 as amended

YEAS: 22 NAYS: 18 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Kelly, Kerttula, LeDoux, Lynn, Neuman, Olson, Seaton, Stoltze, Thomas

Nays: Anderson, Chenault, Foster, Harris, Hawker, Joule, Kapsner, Kohring, Kott, McGuire, Meyer, Moses, Ramras, Rokeberg, Salmon, Samuels, Weyhrauch, Wilson

And so, Amendment No. 30 as amended was adopted.

Amendment No. 14 was offered by Representative Hawker:

Page 5, line 2:
Delete "35"
Insert "45"

Representative Hawker moved and asked unanimous consent that Amendment No. 14 be adopted.

Representative Kelly objected.

The question being: "Shall Amendment No. 14 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 14

YEAS: 17 NAYS: 23 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Foster, Hawker, Holm, Kohring, Kott, Meyer, Moses, Olson, Ramras, Rokeberg, Salmon, Samuels, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kelly, Kerttula, LeDoux, Lynn, McGuire, Neuman, Seaton, Stoltze, Thomas

And so, Amendment No. 14 was not adopted.

Amendment No. 17 was offered by Representatives Ramras, Thomas, and Anderson:

Page 2, line 13:
Delete "sec. 11"
Insert "sec. 18"

Page 2, line 22:
Delete "secs. 26 and 28"
Insert "secs. 33 and 35"

Page 2, following line 25:
Insert new bill sections to read:
** **Sec. 2.** AS 21.89.070(c) is amended to read:
 (c) A contribution claimed as a credit under this section may not
 (1) be claimed as a credit under more than one provision of this title; and

(2) when combined with credits taken during the taxpayer's tax year under AS 21.89.075, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000.

* **Sec. 3.** AS 21.89.075(c) is amended to read:

(c) A contribution claimed by a taxpayer as a credit under this section may not

(1) be claimed as a credit under more than one provision of this title;

(2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000; or

(3) be claimed as a credit unless the contribution qualifies for the credit under (d) of this section."

Renumber the following bill sections accordingly.

Page 3, following line 1:

Insert a new bill section to read:

** **Sec. 5.** AS 43.20.014(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be claimed as a credit under another provision of this title;

(2) also be allowed as a deduction under 26 U.S.C. 170 against the tax imposed by this chapter; and

(3) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000."

Renumber the following bill sections accordingly.

Page 6, following line 4:

Insert new bill sections to read:

** **Sec. 10.** AS 43.55.019(a) is amended to read:

(a) For cash contributions accepted for direct instruction, research, and educational support purposes, including library and museum acquisitions, and contributions to endowment, by an

Alaska university foundation or by a nonprofit, public or private, Alaska two-year or four-year college accredited by a regional accreditation association, a producer of oil or gas is allowed as a credit against the taxes [TAX] due under this chapter

(1) 50 percent of contributions of not more than \$100,000; and

(2) 100 percent of the next \$100,000 of contributions.

* **Sec. 11.** AS 43.55.019(d) is amended to read:

(d) A contribution claimed as a credit under (a) of this section may not

(1) be claimed as a credit under another provision of this title; and

(2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000.

* **Sec. 12.** AS 43.55.019(e) is amended to read:

(e) The department shall [MAY], by regulation, establish procedures by which a taxpayer may allocate a pro rata share of a credit claimed under this section against monthly tax payments made during the tax year.

* **Sec. 13.** AS 43.55.019 is amended by adding new subsections to read:

(f) A producer of oil or gas is allowed a credit against the taxes due under this chapter for cash charitable contributions not included in (a) of this section and accepted by a qualified recipient of

(1) 25 percent of the first \$100,000 of its qualified charitable contribution amount for a calendar year;

(2) 37.5 percent of the next \$900,000 of its charitable contribution amount for a calendar year above \$100,000; and

(3) 50 percent of the next \$4,000,000 of its charitable contribution amount for a calendar year above \$1,000,000.

(g) For the purposes of determining the charitable contribution amount in (f) of this section, the charitable contribution amount for a producer of oil or gas for a calendar year is four times the amount of the contributions by the producer during that year accepted by qualified recipients in the judicial district of the state in which the amount of the producer's contributions accepted by qualified recipients that year in that

judicial district is the lowest among all judicial districts. A contribution made under a contract with the state or an explicit moral obligation, agreement, or understanding with the state may not be considered for purposes of (f) - (i) of this section.

(h) A contribution claimed as a credit under (f) of this section may not be claimed as a credit under any other provision of this title.

(i) For purposes of (f) - (i) of this section, "qualified recipient" means

(1) a charitable entity active in the state that is qualified under 26 U.S.C. 501(c)(3) (Internal Revenue Code);

(2) the state, or an agency, instrumentality, or program of the state;

(3) a municipality or other political subdivision of the state, or an agency, instrumentality, or program of a municipality or political subdivision of the state."

Renumber the following sections accordingly.

Page 31, following line 26:

Insert new bill sections to read:

*** Sec. 41.** AS 43.56.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be claimed as a credit under another provision of this title; and

(2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.65.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000.

*** Sec. 42.** AS 43.65.018(d) is amended to read:

(d) A contribution claimed as a credit under this section may not

(1) be claimed as a credit under another provision of this title; and

(2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.75.018, or AS 43.77.045, exceed \$150,000.

*** Sec. 43.** AS 43.75.018(d) is amended to read:

- (d) A contribution claimed as a credit under this section may not
- (1) be claimed as a credit under another provision of this title; and
 - (2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.65.018, or AS 43.77.045, exceed \$150,000.
- * **Sec. 44.** AS 43.77.045(c) is amended to read:
- (c) A contribution claimed as a credit under this section may not
- (1) be claimed as a credit under another provision of this title; and
 - (2) when combined with credits taken during the taxpayer's tax year under AS 21.89.070, 21.89.075, AS 43.20.014, **AS 43.55.019(a)** [AS 43.55.019], AS 43.56.018, AS 43.65.018, or AS 43.75.018, exceed \$150,000."

Renumber the following bill sections accordingly.

Page 32, line 1:

Delete "Sections 5, 7 - 10, 12, 13, 15 - 18, 20, 24, and 26 - 34"
 Insert " Sections 8, 14 - 17, 19, 20, 22 - 25, 27, 31, 33 - 40, and 45"

Page 32, line 2:

Delete "sec. 25"
 Insert "sec. 32"

Page 32, line 4:

Delete "Section 11"
 Insert "Section 18"

Page 32, line 5:

Delete "sec. 11"
 Insert "sec. 18"

Page 32, line 9:

Delete "sec. 12"
 Insert "sec. 19"

Page 32, line 11:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 14:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 16:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 18:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 20:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 22:
Delete "sec. 12"
Insert "sec. 19"

Page 32, line 24:
Delete "sec. 25"
Insert "sec. 32"

Page 32, line 27:
Delete "sec. 25"
Insert "sec. 32"

Page 33, line 3:
Delete "sec. 7"
Insert "sec. 14"

Page 33, line 4:
Delete "sec. 7"
Insert "sec. 14"

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Page 33, line 11:

Delete "sec. 5"
Insert "sec. 8"
Delete "sec. 7"
Insert "sec. 14"

Page 33, line 13:

Delete "sec. 5"
Insert "sec. 8"

Page 33, line 16:

Delete "18"
Insert "25"

Page 33, line 17:

Delete "sec. 18"
Insert "sec. 25"

Page 33, line 23:

Delete "sec. 18"
Insert "sec. 25"

Page 33, line 25:

Delete "sec. 26"
Insert "sec. 33"
Delete "sec. 28"
Insert "sec. 35"

Page 33, line 27:

Delete "sec. 26"
Insert "sec. 33"
Delete "sec. 28"
Insert "sec. 35"

Page 34, line 2:

Delete "sec. 26"
Insert "sec. 33"
Delete "sec. 28"
Insert "sec. 35"

Page 34, line 4:

Delete "sec. 26"
Insert "sec. 33"
Delete "sec. 28"
Insert "sec. 35"

Page 34, line 6:

Delete "26"
Insert "33"
Delete "sec. 28"
Insert "sec. 35"

Page 34, line 8:

Delete "secs. 26 and 28"
Insert "secs. 33 and 35"

Page 34, line 14:

Delete "sec. 26"
Insert "sec. 33"

Page 34, line 15:

Delete "sec. 28"
Insert "sec. 35"

Page 34, lines 24 - 25:

Delete "secs. 5, 7 - 10, 12, 13, 15 - 18, 20, 24 - 34, and 36"
Insert "secs. 8, 14 - 17, 19, 20, 22 - 25, 27, 31 - 40, 45, and 47"

Page 35, following line 5:

Insert a new paragraph to read:

"(4) AS 43.55.019 from "Oil or gas producer education credit" to "Oil or gas producer education and charitable contribution credits";"

Re-number the following paragraphs accordingly.

Page 35, lines 12 - 13:

Delete "secs. 5, 7 - 10, 12, 13, 15 - 18, 20, and 24 - 36"
Insert "secs. 8, 14 - 17, 19, 20, 22 - 25, 27, 31 - 40, and 45 - 47"

Representative Ramras moved and asked unanimous consent that Amendment No. 17 be adopted.

There was objection.

Representative Ramras moved and asked unanimous consent to withdraw Amendment No. 17. There being no objection, it was so ordered.

Amendment No. 19 was offered by Representative Gara:

Page 11, lines 23 - 24:

Delete "on or after April 1, 2001"

Insert "after December 31, 2005"

Representative Gara moved and asked unanimous consent that Amendment No. 19 be adopted.

There was objection.

The question being: "Shall Amendment No. 19 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Second Reading

Amendment No. 19

YEAS: 12 NAYS: 28 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, Amendment No. 19 was not adopted.

Amendment No. 22 was offered by Representatives Gara, Berkowitz, and Kerttula:

Page 1, line 1 through Page 2, line 9 (title amendment):

Delete all material.

Insert **""An Act providing for a production tax on oil and gas; repealing the oil and gas production (severance) tax; relating to the calculation of the gross value at the point of production of oil or gas and to the determination of the value of oil and gas for purposes of the production tax on oil and gas; providing for tax credits against the tax for certain expenditures and losses; relating to the relationship of the production tax on oil and gas to other taxes, to the dates those tax payments and surcharges are due, to interest on overpayments of the tax, and to the treatment of the tax in a producer's settlement with the royalty owners; relating to flared gas, and to oil and gas used in the operation of a lease or property under the production tax; relating to the prevailing value of oil or gas under the production tax; relating to surcharges on oil; relating to statements or other information required to be filed with or furnished to the Department of Revenue, to the penalty for failure to file certain reports for the tax, to the powers of the Department of Revenue, and to the disclosure of certain information required to be furnished to the Department of Revenue as applicable to the administration of the tax; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the tax, and to the deposit of tax money collected by the Department of Revenue; amending the definitions of 'gas,' 'oil,' and certain other terms for purposes of the production tax, and as the definition of the term 'gas' applies in the Alaska Stranded Gas Development Act, and adding further definitions; making conforming amendments; and providing for an effective date.""**

Page 2, line 11 through Page 35, line 14:

Delete all material and insert the content of CSSB 305(RES).

Representative Gara moved and asked unanimous consent that Amendment No. 22 be adopted.

There was objection.

The question being: "Shall Amendment No. 22 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 22

YEAS: 9 NAYS: 31 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Kerttula

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

And so, Amendment No. 22 was not adopted.

Amendment No. 28 was offered by Representatives Crawford and Croft:

Page 9, lines 7 - 10:

Delete all material and insert:

"(c) A credit or portion of a credit under this section may not be used to reduce a person's tax liability under AS 43.55.011(e) for any month

(1) below six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and

(2) below zero for all other oil and gas produced in Alaska."

Insert a new subsection to read:

(d) Any unused credit or portion of a credit not used under this subsection may be applied in a later month."

Reletter the following subsections accordingly.

Page 19, lines 28 - 29:

Delete "However, the production tax value calculated under this subsection may not be less than zero."

Page 20, following line 3:

Insert a new subsection to read:

"(b) The production tax value calculated under this section may not be

(1) less than six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and

(2) less than zero for all other oil and gas produced in Alaska."

Reletter the following subsections accordingly.

Page 20, lines 5 - 13:

Delete all material and insert:

"(1) any adjusted lease expenditures that would otherwise be deductible in a month but whose deduction would cause the production tax value calculated under (a) of this section of the taxable oil and gas produced during the month to be less than (A) six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and (B) zero for all other oil and gas produced in Alaska may be added to the producer's adjusted lease expenditures for one or more other months in the same calendar year;

(2) the total of any adjusted lease expenditures that are not deductible in any month during a calendar year because their deduction would cause the production tax value calculated under (a) of this section of the taxable oil and gas produced during one or more months to be less than (A) six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and (B) zero for all other oil and gas produced in Alaska may be used to establish a carried-forward annual loss under AS 43.55.024(b);"

Renumber following paragraph accordingly.

Page 26, line 3, following "under (c)":

Insert "and (d)"

Page 26, line 30 through Page 27, line 4:

Delete all material and insert:

"(d) A tax credit authorized by this section may not be applied to reduce a producer's tax liability under AS 43.55.011(e) for any month

(A) below six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and

(B) below zero for all other oil and gas produced in Alaska.

(e) An unused portion of a tax credit that could otherwise be applied for a month but whose application would cause the producer's tax liability under AS 43.55.011(e) for the month to be less than (A) six percent of the gross value at the point of production for oil and gas produced in the area of Alaska lying north of 68 degrees North latitude; and (B) zero for all other oil and gas produced in Alaska may be applied for one or more other months in the same calendar year to the extent otherwise allowed under this section."

Reletter the following subsections accordingly.

Representative Crawford moved and asked unanimous consent that Amendment No. 28 be adopted.

Representative Samuels objected.

Amendment No. 1 to Amendment No. 28 was offered by Representative Weyhrauch:

Delete "six percent"

Insert "four percent"

Representative Weyhrauch moved and asked unanimous consent that Amendment No. 1 to Amendment No. 28 be adopted. There being no objection, it was so ordered.

The question being: "Shall Amendment No. 28 as amended be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 28 as amended

YEAS: 23 NAYS: 17 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kerttula, LeDoux, Lynn, Neuman, Salmon, Seaton, Stoltze, Weyhrauch

Nays: Anderson, Chenault, Coghill, Foster, Hawker, Kelly, Kohring, Kott, McGuire, Meyer, Moses, Olson, Ramras, Rokeberg, Samuels, Thomas, Wilson

And so, Amendment No. 28 as amended was adopted.

Representative Weyhrauch moved and asked unanimous consent to rescind previous action in adopting Amendment No. 28 as amended.

Representative Berkowitz objected.

The question being: "Shall the House rescind previous action in adopting Amendment No. 28 as amended?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Rescind Previous Action/Amendment No. 28 as amended

YEAS: 25 NAYS: 15 EXCUSED: 0 ABSENT: 0

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

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

And so, the motion passed.

Amendment No. 28 as amended was before the House.

Amendment No. 2 to Amendment No. 28 as amended was offered by Representative Croft:

Under Page 9, lines 7 - 10, following "production":

Insert "for all producers producing an average of more than 50,000 barrels per day in a given taxing month, and zero for all other producers"

Under Page 19, lines 28 - 29, following "production":

Insert "for all producers producing an average of more than 50,000 barrels per day in a given taxing month, and zero for all other producers"

Representative Croft moved and asked unanimous consent that Amendment No. 2 to Amendment No. 28 as amended be adopted.

There was objection.

The question being: "Shall Amendment No. 2 to Amendment No. 28 as amended be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Second Reading

Amendment No. 2 to Amendment No. 28 as amended

YEAS: 18 NAYS: 22 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kelly, Kerttula, Lynn, Salmon, Wilson

Nays: Anderson, Chenault, Coghill, Foster, Harris, Hawker, Holm, Kohring, Kott, LeDoux, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch

And so, Amendment No. 2 to Amendment No. 28 as amended was not adopted.

The question being: "Shall Amendment No. 28 as amended be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 28 as amended

YEAS: 9 NAYS: 31 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Croft, Gara, Gardner, Gruenberg, Guttenberg, Kapsner, Kerttula

Nays: Anderson, Chenault, Coghill, Crawford, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Gara changed from "Nay" to "Yea".

And so, Amendment No. 28 as amended was not adopted.

Representative Rokeberg moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 30 as amended (page 3912).

Representative Berkowitz objected.

The question being: "Shall the House rescind previous action in adopting Amendment No. 30 as amended?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Rescind Previous Action/Amendment No. 30 as amended

YEAS: 23 NAYS: 17 EXCUSED: 0 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kapsner, Kelly, Kerttula, Kohring, LeDoux, Neuman, Seaton, Stoltze

And so, the motion passed.

Amendment No. 30 as amended (page 3911) was before the House.

Amendment No. 2 to Amendment No. 30 as amended was offered by Representative Rokeberg:

Delete "20"
Insert "21.5"

Add to the amendment:

"Page 8, line 30:
Delete "20"
Insert "21.5""

Representative Rokeberg moved and asked unanimous consent that Amendment No. 2 to Amendment No. 30 as amended be adopted.

Representative Berkowitz objected.

Representative Coghill lifted the call.

The Speaker stated that the House would stand at ease until 12:30 a.m.; and so, the House stood at ease at 12:14 a.m.

AFTER AT EASE

The Speaker called the House back to order at 12:50 a.m.

SENATE BILLS IN THIRD READING (continued)

SB 305

HCS CSSB 305(FIN) am H was again before the House in second reading (page 3903) with Amendment No. 2 to Amendment No. 30 as amended moved and pending.

Representative Samuels placed a call of the House.

The call was satisfied.

The Speaker ruled Amendment No. 2 to Amendment No. 30 as amended out of order.

New Amendment No. 2 to Amendment No. 30 as amended was offered by Representative Rokeberg:

Delete "22.5"
Insert "21.5"

Add to the amendment:

"Page 8, line 30:
Delete "20"
Insert "21.5""

Representative Rokeberg moved and asked unanimous consent that New Amendment No. 2 to Amendment No. 30 as amended be adopted.

Representative Berkowitz objected.

Representative Berkowitz moved and asked unanimous consent that the question be divided.

The Speaker ruled that the question was divisible. There being no objection, New Amendment No. 2 to Amendment No. 30 as amended was divided.

New Amendment No. 2 to Amendment No. 30 as amended, Part A:

Delete "22.5"
Insert "21.5"

The question being: "Shall New Amendment No. 2 to Amendment No. 30 as amended, Part A be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading

New Amendment No. 2 to Amendment No. 30 as amended, Part A

YEAS: 27 NAYS: 13 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Coghill, Dahlstrom, Elkins, Foster, Harris, Hawker, Holm, Joule, Kapsner, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Chenault, Cissna, Crawford, Croft, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Kelly, Kerttula, LeDoux

And so, New Amendment No. 2 to Amendment No. 30 as amended, Part A was adopted.

New Amendment No. 2 to Amendment No. 30 as amended, Part B:

Add to the amendment:

"Page 8, line 30:

Delete "20"

Insert "21.5"

The question being: "Shall New Amendment No. 2 to Amendment No. 30 as amended, Part B be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Second Reading

New Amendment No. 2 to Amendment No. 30 as amended, Part B

YEAS: 13 NAYS: 27 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Elkins, Foster, Harris, Hawker, Kohring, Kott, Meyer, Olson, Rokeberg, Weyhrauch

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kerttula, LeDoux, Lynn, McGuire, Moses, Neuman, Ramras, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

And so, New Amendment No. 2 to Amendment No. 30 as amended, Part B was not adopted.

Representative Coghill lifted the call.

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

Representative Coghill placed a call of the House.

The question being: "Shall Amendment No. 30 as amended be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 30 as amended

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

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

Nays: Chenault, Kohring, Ramras

Excused: Moses

And so, Amendment No. 30 as amended was adopted.

Amendment No. 36 was offered by Representatives Berkowitz, Kerttula, Gara, and Gardner:

Page 4, line 19:

Delete "20 percent"

Insert "21.5 percent, except that the rate shall be 22.5 percent on all fields that in a tax month produce, on average, 50,000 barrels of oil per day or more,"

Representative Gara moved and asked unanimous consent that Amendment No. 36 be adopted.

Representative Seaton objected.

The question being: "Shall Amendment No. 36 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 36

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kelly, Kerttula, LeDoux, Wilson

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch

Excused: Moses

And so, Amendment No. 36 was not adopted.

Amendment No. 35 was offered by Representative Hawker:

Page 5, line 2:
Delete "35"
Insert "40"

Representative Hawker moved and asked unanimous consent that Amendment No. 35 be adopted.

There was objection.

Representative Coghill lifted the call.

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

Representative Coghill placed a call of the House.

The question being: "Shall Amendment No. 35 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 35

YEAS: 16 NAYS: 22 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Foster, Harris, Hawker, Kohring, Kott, Lynn, McGuire, Meyer, Olson, Ramras, Rokeberg, Samuels, Weyhrauch

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kelly, Kerttula, LeDoux, Neuman, Salmon, Seaton, Stoltze, Thomas, Wilson

Excused: Elkins, Moses

And so, Amendment No. 35 was not adopted.

**The presence of Representative Elkins, who was excused (page 3933), was noted.

Amendment No. 37 was offered by Representative Berkowitz:

Page 5, following line 26:

Insert a new subsection to read:

"(l) The tax rate in subsection (e) of this section, is contingent on the signing and enactment of a fiscal contract under AS 43.82 by September 1, 2006, that requires the private parties to the contract to act in good faith to begin construction of the pipeline by a specified date and requires the parties to act in good faith to complete construction of the Alaska portion of the pipeline by August 30, 2018. For every month after September 2006 that these conditions are not met, the tax rate under subsection (e) will increase to a rate of 25 percent for fields north of the drainage divide of the Brooks Range in production before May 21, 2006, and producing more than 75,000 barrels per day."

Representative Berkowitz moved and asked unanimous consent that Amendment No. 37 be adopted.

Representative Weyhrauch objected.

The question being: "Shall Amendment No. 37 be adopted?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H
Second Reading
Amendment No. 37

YEAS: 9 NAYS: 30 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Kerttula

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Moses

And so, Amendment No. 37 was not adopted.

Amendment Nos. 23, 24, 26, 27, 29, 31 - 34 were not offered.

HCS CSSB 305(FIN) am H was automatically in third reading.

Representative Croft moved to postpone further consideration of HCS CSSB 305(FIN) am H until Governor Murkowski releases a gas contract, citing Section 368 of Mason's Manual.

The Speaker ruled that the motion was in order.

Representative Rokeberg rose to a point of order regarding limiting debate to the question of postponement, citing Section 369 of Mason's Manual.

The Speaker ruled that the debate was in order.

The question being: "Shall the House postpone further consideration of HCS CSSB 305(FIN) am H until Governor Murkowski releases a gas contract?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Third Reading

Postpone until Governor Murkowski releases gas contract

YEAS: 10 NAYS: 29 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gruenberg, Guttenberg, Kerttula

Nays: Anderson, Chenault, Coghill, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Moses

And so, the motion failed.

The question being: "Shall HCS CSSB 305(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Third Reading

Final Passage

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

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, Kohring

Excused: Moses

And so, HCS CSSB 305(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 Berkowitz gave notice of reconsideration of the vote on HCS CSSB 305(FIN) am H.

RECONSIDERATION

SB 305

Representative Berkowitz moved and asked unanimous consent that reconsideration of HCS CSSB 305(FIN) am H be taken up on the same day. There being no objection, it was so ordered.

HCS CSSB 305(FIN) am H was again before the House in third reading.

The question to be reconsidered: "Shall HCS CSSB 305(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

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

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, Kohring

Excused: Moses

And so, HCS CSSB 305(FIN) am H 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.

Representative Berkowitz moved that the House rescind previous action in passing HCS CSSB 305(FIN) am H on reconsideration.

The question being: "Shall the House rescind previous action in passing HCS CSSB 305(FIN) am H on reconsideration?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H--RECONSIDERATION

Third Reading

Rescind Previous Action

YEAS: 10 NAYS: 29 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Kerttula, Kohring

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Moses

And so, the motion failed.

In accordance with Rule 43(b) of the Uniform Rules, the Speaker waived engrossment of HCS CSSB 305(FIN) am H. It was signed by the Speaker and Chief Clerk and transmitted to the Senate with copies of certified amendments attached.

SECOND READING OF SENATE BILLS

(continued)

SB 231

The following, which was moved to the bottom of the calendar (page 3896), was read the second time:

CS FOR SENATE BILL NO. 231(FIN) am

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

May 8, 2006

3939

with the:

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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. 231(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Croft:

Page 151, following line 23:

Insert a new subsection to read:

"(e) The division of parks and outdoor recreation is directed to make reasonable effort to use Alaskan certified wood products for the construction of capital budget appropriated recreation enhancement projects."

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

Amendment No. 2 was offered by Representatives Kapsner and Croft:

Insert a new subsection to read:

"() The sum of \$1,750,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development for payment to unincorporated communities meeting the eligibility requirements of AS 29.60.140 for the purpose of defraying increased energy and other costs."

Representative Kapsner 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 231(FIN) am H
Second Reading
Amendment No. 2

YEAS: 14 NAYS: 25 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, McGuire, Salmon, Wilson

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch

Excused: Moses

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives Kerttula and Joule:

Page 24, line 29:

Under Appropriation Items:

Delete "5,000"

Insert "10,000"

Under General Funds:

Delete "5,000"

Insert "10,000"

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

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

Amendment No. 4 was offered by Representative Guttenberg:

Page 178, following line 19:

Insert a new bill section to read:

"* **Sec. 63.** HOUSE DISTRICT 8. (a) The unexpended and unobligated balance, not to exceed \$3,000,000, of the appropriation made in sec. 58(c), ch. 3, SLA 2005 (Denali Borough, Stampede Road improvements - \$5,000,000) is reappropriated to the Department of Commerce, Community, and Economic Development for payment as a grant under AS 37.05.315 to the Denali Borough for construction of the Cantwell bike path.

(b) The unexpended and unobligated balance, not to exceed \$1,500,000, of the appropriation made in sec. 58(c), ch. 3, SLA 2005 (Denali Borough, Stampede Road improvements - \$5,000,000) is reappropriated to the Department of Commerce, Community, and Economic Development for payment as a grant under AS 37.05.315 to the Fairbanks North Star Borough for the Ester Volunteer Fire Department Parks Highway fire station addition.

(c) If the amount available for appropriation under (a) and (b) of this section is less than \$4,500,000, the reappropriations made in (a) and (b) of this section shall be reduced in proportion to the amount of the shortfall."

Renumber the following bill sections accordingly.

Page 180, line 5:

Delete "65"

Insert "66"

Page 180, lines 7 - 8:

Delete "61, and 62"

Insert "and 61 - 63"

Page 180, lines 11 - 12:

Delete "63(d), 64(a), 64(b), 64(d) - (f), and 65 - 67"

Insert "64(d), 65(a), 65(b), 65(d) - (f), and 66 - 68"

Page 180, line 20:

Delete "61, and 62"

Insert "and 61 - 63"

Page 180, lines 22 - 23:

Delete "63(d), 64(a), 64(b), 64(d) - (f), and 65 - 67"

Insert "64(d), 65(a), 65(b), 65(d) - (f), and 66 - 68"

Page 180, line 25:

Delete "68"

Insert "69"

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

Representative Meyer objected.

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

HCS CSSB 231(FIN) am H

Second Reading

Amendment No. 4

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon

Nays: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Excused: Moses

And so, Amendment No. 4 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 231(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 231(FIN) am H was read the third time.

The question being: "Shall HCS CSSB 231(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 231(FIN) am H
Third Reading
Final Passage

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

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

Nays: Berkowitz, Dahlstrom, Gara, Guttenberg, Kerttula

Excused: Moses

And so, HCS CSSB 231(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 moved that the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska) be adopted.

The question being: "Shall the House adopt the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska)?" The roll was taken with the following result:

HCS CSSB 231(FIN) am H
Third Reading
Constitutional Budget Reserve Appropriations

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

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Salmon

Excused: Moses

And so, lacking the necessary 30 votes, the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska) were not adopted, and the new title follows:

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

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

Representative Berkowitz gave notice of reconsideration of the vote on HCS CSSB 231(FIN) am H(brf sup maj fld H).

RECONSIDERATION

SB 231

Representative Berkowitz moved and asked unanimous consent that reconsideration of HCS CSSB 231(FIN) am H(brf sup maj fld H) be taken up on the same day. There being no objection, it was so ordered.

HCS CSSB 231(FIN) am H was again before the House in third reading.

The question to be reconsidered: "Shall HCS CSSB 231(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 231(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

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

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

Nays: Dahlstrom, Gara, Gardner, Guttenberg

Excused: Moses

And so, HCS CSSB 231(FIN) am H 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.

Representative Coghill moved that the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska) be adopted.

Representative Croft moved and asked unanimous consent that the question be divided.

The Speaker ruled that the question was divisible. There being no objection, the question of the appropriations from the constitutional budget reserve fund was divided.

Part A:

Section 63(a) and (b)

The question being: "Shall the House adopt the appropriations from the constitutional budget reserve fund in Section 63(a) and (b)?" The roll was taken with the following result:

HCS CSSB 231(FIN) am H--RECONSIDERATION

Section 63(a) and (b)

Constitutional Budget Reserve Appropriations

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

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

Excused: Moses

Absent: Kapsner

And so, the appropriations from the constitutional budget reserve fund in Section 63(a) and (b) were adopted.

Part B:

Section 63(c) and (d)

The question being: "Shall the House adopt the appropriations from the constitutional budget reserve fund in Section 63(c) and (d)?" The roll was taken with the following result:

HCS CSSB 231(FIN) am H--RECONSIDERATION

Section 63(c) and (d)

Constitutional Budget Reserve Appropriations

YEAS: 27 NAYS: 11 EXCUSED: 1 ABSENT: 1

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Elkins, Foster, Gatto, Harris, Hawker, Holm, Kelly, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gardner, Gruenberg, Guttenberg, Joule, Kerttula, Salmon

Excused: Moses

Absent: Kapsner

And so, lacking the necessary 30 votes, the appropriations from the constitutional budget reserve fund in Sections 63(c) and (d) were not adopted and the new title follows:

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

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

In accordance with Rule 43(b) of the Uniform Rules, the Speaker waived engrossment of HCS CSSB 231(FIN) am H(brf sup maj pfld H). It was signed by the Speaker and Chief Clerk and transmitted to the Senate with copies of certified amendments attached.

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 - Darrel W. Hess

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

In Memoriam - Dr. Glenn A. Olds

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

In Memoriam - Kenneth D. Vogt

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

UNFINISHED BUSINESS**HB 426**

Representative Gardner removed her name as cosponsor to:

CS FOR HOUSE BILL NO. 426(FIN)(title am)

"An Act relating to cooperation of insurers with the Department of Health and Social Services; relating to subrogation, assignment, and lien rights and notices for medical assistance claims; relating to recovery of medical assistance overpayments; relating to asset transfers and income diversion by medical assistance applicants; relating to assets and Medicare enrollment as they affect medical assistance coverage; relating to home and community-based services; relating to medical assistance applications for persons under 21 years of age; requiring a report by the Department of Health and Social Services; and providing for an effective date."

SB 48

Representative Gardner added her name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 48(HES) am H

"An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children."

SB 169

Representative McGuire added her name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 169(FIN) am H

"An Act relating to release of information in individual workers' compensation records; relating to breaches of security involving personal information, credit report and credit score security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

SB 206

Representative Lynn added his name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 206(FIN)

"An Act relating to contempt of court and to temporary detention and identification of persons."

SB 249

Representatives Lynn and Gardner added their names as cross sponsors to:

CS FOR SENATE BILL NO. 249(JUD)

"An Act relating to criminal justice information."

SB 300

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 300(L&C)

"An Act relating to the handling of negative equity in motor vehicle transactions; and relating to the contents of retail installment contracts."

ENGROSSMENT**HCR 50**

HCR 50 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HCR 51

HCR 51 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 48

HCS CSSB 48(HES) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 169

HCS CSSB 169(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 171

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

HOUSE CS FOR CS FOR SENATE BILL NO. 171(CRA)

"An Act amending the National Petroleum Reserve - Alaska special revenue fund to require allocation and deposit to the Alaska permanent fund and the public school fund of amounts in the percentages that are prescribed by law of the money obtained by the state as semiannual payments of a share of National Petroleum Reserve - Alaska sales, rentals, bonuses, and royalties received by the federal government that have not been appropriated from the state's special revenue fund for grants to municipalities, to authorize pro rata reductions in those fund allocations and deposits if amounts are insufficient to make those deposits in full, and, as to amounts received by the state in excess of amounts appropriated for grants to municipalities, to identify a priority of authorization for appropriations to offset past deficiencies in allocations and deposits of those funds before appropriations to other state funds or for other purposes for which the state may use its share of these payments; and directing that appropriations from the fund made as grants for activities, services, and facilities shall be identified as capital appropriation items and that the amounts of each item shall be specified."

SB 216

HCS CSSB 216(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 251

SB 251 am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 289

CSSB 289(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

With appointment of the Conference Committee on the operating budget, Rule 23(d) of the Uniform Rules is in effect as of April 24, 2006.

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until noon, May 9, 2006. There being no objection, the House adjourned at 4:23 a.m., May 9, 2006.

Suzi Lowell
Chief Clerk