

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

**Juneau, Alaska**

**Wednesday**

**June 7, 2006**

**Twenty-ninth Day**

Pursuant to adjournment the House was called to order by Speaker Harris at 9:18 a.m.

Roll call showed 31 members present. Representatives Foster and Weyhrauch had been previously excused from a call of the House today. Representatives Berkowitz, Gardner, Joule, Kelly, Kerttula, Kohring, and Samuels were absent and their presence was noted later.

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

In recognition of the various spiritual beliefs present, I offer this invocation.

Dear Lord, Help us to find balance during this difficult time: balance between family and work, between public and private.

Help us to see the grave importance of our work here today without becoming self-important. Help us to behave sincerely and reasonably towards others and not cause confusion or sorrow to anyone.

Help us all to love our enemies, those who defame and injure us.

Grant us the spirit of Christian reconciliation and meekness that we may heartily forgive every injury and be reconciled with our enemies.

We also pray for the quick recovery of Richard Foster and for those fighting abroad for our freedom.

In the name of the Father, the Son, and the Holy Ghost we pray. Amen.

The Pledge of Allegiance was led by Representative Crawford.

### **CERTIFICATION OF THE JOURNAL**

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

### **MESSAGES FROM THE SENATE**

#### **SB 2001**

A message dated June 6, 2006, was read stating the Senate has failed to concur in the House amendment to CSSB 2001(FIN), namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 2001(FIN) am H  
"An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date."

and respectfully requests the House to recede from its amendment.

In the event the House fails to recede, the President appointed the following members to a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Stedman, Chair  
Senator Huggins  
Senator French

\*\*The presence of Representatives Berkowitz and Kerttula was noted.

Representative Coghill moved that the House recede from its amendment to CSSB 2001(FIN), namely HCS CSSB 2001(FIN) am H, and recommended that the members vote no.

The question being: "Shall the House recede from its amendment to CSSB 2001(FIN)?" The roll was taken with the following result:

HCS CSSB 2001(FIN) am H  
Recede

**YEAS: 5 NAYS: 27 EXCUSED: 2 ABSENT: 6**

Yeas: Chenault, Hawker, Kott, Rokeberg, Wilson

Nays: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Elkins, Gara, Gatto, Gruenberg, Guttenberg, Harris, Holm, Kapsner, Kerttula, LeDoux, Lynn, McGuire, Meyer, Moses, Neuman, Olson, Ramras, Salmon, Seaton, Stoltze, Thomas

Excused: Foster, Weyhrauch

Absent: Croft, Gardner, Joule, Kelly, Kohring, Samuels

And so, the House failed to recede.

The Speaker had appointed a Conference Committee to consider the bills (page 4156).

The Chief Clerk notified the Senate.

\*\*The presence of Representatives Kelly and Samuels was noted.

### **RECONSIDERATION**

#### **SB 2002**

Representative Kott brought up reconsideration of the vote on HCS CSSB 2002(JUD) am H (page 4161).

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 2002(JUD) am H  
"An Act increasing the time period for legislative and public comment on a proposed contract and preliminary findings and determinations under the Alaska Stranded Gas Development Act, conferring original jurisdiction on the Alaska Supreme Court for the purpose of providing judicial review of a contract executed under the Alaska Stranded Gas Development Act, and setting the time in which a final agency decision of the commissioner of revenue made under that Act, the constitutionality of a law authorizing a contract enacted under that Act, or the enforceability of a contract executed under a law authorizing a contract enacted under that Act must be legally challenged and by whom; and providing for an effective date."

Representative Berkowitz moved and asked unanimous consent that reconsideration of HCS CSSB 2002(JUD) am H be tabled.

There was objection.

\*\*The presence of Representative Kohring was noted.

The question being: "Shall the reconsideration of HCS CSSB 2002(JUD) am H be tabled?" The roll was taken with the following result:

HCS CSSB 2002(JUD) am H--RECONSIDERATION

Third Reading

Reconsideration - Table

**YEAS: 11 NAYS: 24 EXCUSED: 2 ABSENT: 3**

Yeas: Berkowitz, Cissna, Crawford, Dahlstrom, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Moses, Salmon

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

Excused: Foster, Weyhrauch

Absent: Croft, Gardner, Joule

And so, the motion failed.

\*\*The presence of Representative Joule was noted.

Representative Kott moved and asked unanimous consent that the House return to second reading to rescind action in adopting Amendment No. 1. There being no objection, it was so ordered.

The Speaker stated that, without objection, HCS CSSB 2002(JUD) am H would be returned to second reading for all amendments.

Representative Kott moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 1.

There was objection.

\*\*The presence of Representative Gardner was noted.

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

HCS CSSB 2002(JUD) am H--RECONSIDERATION

Second Reading

Rescind Previous Action/Adopting Amendment No. 1

**YEAS: 14 NAYS: 24 EXCUSED: 2 ABSENT: 0**

Yeas: Anderson, Chenault, Coghill, Harris, Hawker, Kohring, Kott, McGuire, Meyer, Olson, Rokeberg, Samuels, Thomas, Wilson

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

Excused: Foster, Weyhrauch

And so, the motion failed.

Amendment No. 3 was offered by Representative Gruenberg:

Page 2, line 4:

Delete "60"

Insert "120"

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

Representative Coghill objected.

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

HCS CSSB 2002(JUD) am H--RECONSIDERATION

Second Reading

Amendment No. 3

**YEAS: 19 NAYS: 19 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kerttula, LeDoux, Moses, Ramras, Salmon, Thomas

Nays: Anderson, Chenault, Coghill, Elkins, Hawker, Holm, Kelly, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Rokeberg, Samuels, Seaton, Stoltze, Wilson

Excused: Foster, Weyhrauch

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representatives Kerttula and Croft:

Page 2, line 4:

Delete "60"

Insert "90"

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

There was objection.

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

HCS CSSB 2002(JUD) am H--RECONSIDERATION

Second Reading

Amendment No. 4

**YEAS: 28 NAYS: 10 EXCUSED: 2 ABSENT: 0**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Joule, Kapsner, Kelly, Kerttula, LeDoux, McGuire, Moses, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas

Nays: Chenault, Hawker, Holm, Kohring, Kott, Lynn, Meyer, Neuman, Olson, Wilson

Excused: Foster, Weyhrauch

And so, Amendment No. 4 was adopted.

HCS CSSB 2002(JUD) am H was automatically in third reading.

The question to be reconsidered: "Shall HCS CSSB 2002(JUD) am H pass the House?" The roll was taken with the following result:

HCS CSSB 2002(JUD) am H--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 36 NAYS: 2 EXCUSED: 2 ABSENT: 0**

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

Nays: Chenault, Hawker

Excused: Foster, Weyhrauch

And so, HCS CSSB 2002(JUD) 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.

HCS CSSB 2002(JUD) am H was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 10:38 a.m.

### **AFTER RECESS**

The Speaker called the House back to order at 7:06 p.m.

### **UNFINISHED BUSINESS**

#### **HCR 201**

The following, which passed the House and was engrossed and signed by the Speaker and Chief Clerk on June 6, 2006 (page 4163), was transmitted to the Senate for consideration:

#### **HOUSE CONCURRENT RESOLUTION NO. 201**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 2002, relating to jurisdiction and timing of judicial review of a contract executed under the Alaska Stranded Gas Development Act.

### **ENGROSSMENT**

#### **SB 2002**

HCS CSSB 2002(JUD) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

### **ANNOUNCEMENTS**

House committee schedules are published under separate cover.



**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., June 8, 2006. There being no objection, the House adjourned at 7:07 p.m.

Stephanie Hall  
Assistant Chief Clerk