

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

Juneau, Alaska

Thursday

August 7, 2008

Thirtieth Day

The House was called to order by Speaker Harris at 2:52 p.m.

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

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

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

Heavenly Father:

Thank you for this day: our last day of a very long yet historic special session.

In an unprecedented time, we have traveled throughout the state from Ketchikan to Barrow to meet with Alaskans to discuss the important issues that we face as Alaskans.

The state is at a crossroads, and I ask that you, our Lord, give us strong hearts and clear minds as we conclude the work of Alaskans.

We ask that you bestow on us clarity of vision and purpose to make wise decisions for the common good of the people of our state and the strength and integrity to carry out and uphold the decisions that we make here today.

Thank you, heavenly Father, for the privilege of serving in the House of Representatives. Today is the last day that I will stand on this floor as a member of this respected body. As we adjourn, I will reflect on all of the challenges we have faced, the solutions we have forged, but most importantly the friendships and the family that surround me here today. Thank you to my colleagues: my brothers and sisters of the House.

Give us all safe journeys as we leave here today, and bless the remaining days of our summer with good memories of our family and friends.

In your name we pray. Amen.

The Pledge of Allegiance was led by Representative Johansen.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 29th legislative day of the Fourth Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

The Speaker stated that the House would stand at ease until 3:15 p.m. for a Minority Caucus; and so, the House stood at ease at 2:57 p.m.

AFTER AT EASE

The Speaker called the House back to order at 3:18 p.m.

**The presence of Representatives Foster and Gruenberg was noted.

MESSAGES FROM THE GOVERNOR

The following Governor's proclamation dated August 7, 2008, which amends the proclamation dated July 1, 2008, (page 3177) was read:

"Under the authority of art. II, sec. 9, and art. III, sec. 17, of the Alaska Constitution, and in the public interest, I am supplementing my proclamation of July 1, 2008 concerning the fourth special session of the Twenty-Fifth Legislature of the State of Alaska with the addition of the following subjects:

1. statutory changes relating to the bulk fuel revolving loan fund and bulk fuel bridge loan fund and program; and
2. making appropriations relating to the subjects set out in this supplemental proclamation.

This proclamation supplements my proclamation of July 1, 2008.

Dated this 7th day of August, 2008.

Done by:

/s/

Sarah Palin
Governor"

RECONSIDERATION

SB 4002

Representative Coghill brought up reconsideration of the vote on HCS CSSB 4002(FIN) am H (page 3349).

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 4002(FIN) am H
"An Act amending the bulk fuel bridge loan fund and the bulk fuel revolving loan fund; relating to Alaska resource rebates, and increasing the amount of the 2008 permanent fund dividend to

provide that rebate; suspending the motor fuel tax; eliminating the authority to make certain provisions of the heating assistance program retroactive to November 1, 2007; and providing for an effective date."

Representative Meyer moved and asked unanimous consent that HCS CSSB 4002(FIN) am H be returned to second reading for the specific purpose of considering Amendment No. 7. There being no objection, it was so ordered.

Amendment No. 7 was offered by Representatives Meyer, Foster, Chenault, Thomas, Hawker, Wilson, Olson, Johansen, Gardner, Crawford, Gara, Holmes, Salmon, and Keller:

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

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

Page 1, following line 11:

Insert new bill sections to read:

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

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

(1) [DURING THE STATE FISCAL YEAR THAT BEGAN JULY 1, 1999,] the power costs for which power cost equalization **are** [WERE] paid to an electric utility **are** [WERE] limited to minimum power costs of more than 12 cents **a** [PER] kilowatt-hour and less than **\$1.00 a** [52.5 CENTS PER] kilowatt-hour;

(2) **each year** [DURING EACH FOLLOWING STATE FISCAL YEAR], the commission shall adjust the power costs for which power cost equalization may be paid to an electric utility based on the weighted average retail residential rate in Anchorage, Fairbanks, and Juneau; however, the commission may not adjust the power costs under this paragraph to reduce the amount below the lower limit set out in (1) of this subsection; and

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

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

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

(1) the power costs for which power cost equalization are paid to an electric utility are limited to minimum power costs of more than 12 cents a kilowatt-hour and less than **52.5 cents** [\$1.00] a kilowatt-hour;

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

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

Renumber the following bill sections accordingly.

Page 3, line 29:

Delete "Section 4(a)"

Insert "Section 6(a)"

Page 3, line 30:

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

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

Page 3, following line 30:

Insert new bill sections to read:

"* **Sec. 10.** Section 2 of this Act takes effect October 1, 2008.

* **Sec. 11.** Section 3 of this Act takes effect June 30, 2009."

Renumber the following bill section accordingly.

Page 3, line 31:

Delete "This"

Insert "Except as provided in secs. 10 and 11 of this Act, this"

Representative Meyer moved and asked unanimous consent that Amendment No. 7 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 7 was adopted, and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 4002(FIN) am H
"An Act amending the bulk fuel bridge loan fund and the bulk fuel revolving loan fund; relating to power cost equalization; relating to Alaska resource rebates, and increasing the amount of the 2008 permanent fund dividend to provide that rebate; suspending the motor fuel tax; eliminating the authority to make certain provisions of the heating assistance program retroactive to November 1, 2007; and providing for an effective date."

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

HCS CSSB 4002(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 33 NAYS: 5 EXCUSED: 2 ABSENT: 0

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

Nays: Cissna, Crawford, Doogan, Holmes, Kelly

Excused: LeDoux, Samuels

And so, HCS CSSB 4002(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 clauses. There being no objection, it was so ordered.

In accordance with Rule 43(b) of the Uniform Rules, the Speaker waived engrossment of HCS CSSB 4002(FIN) am H. It was signed by the Speaker and Chief Clerk and transmitted to the Senate with copies of certified amendments attached.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 3:23 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:46 p.m.

MESSAGES FROM THE SENATE

HB 4001

A message dated August 7, 2008, was read stating the Senate passed CSHB 4001(FIN) with the following amendment, and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 4001(FIN)

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

CONCUR IN SENATE AMENDMENTS

HB 4001

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

Representative Coghill moved that the House concur in the Senate amendment to CSHB 4001(FIN), thus adopting SCS CSHB 4001(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 4001(FIN)?" The roll was taken with the following result:

SCS CSHB 4001(FIN)

Concur

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

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

Nays: Doogan, Guttenberg, Holmes

Excused: LeDoux, Samuels

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 4001(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 4001(FIN) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Gara – from 6:00 a.m., August 8 to morning plane time, January 5, 2009

Representative Keller – from 1:00 p.m., August 8 to morning plane time, August 11

Representative Lynn - from 8:00 a.m., September 9 to 10:00 p.m., September 29

HCR 401

The following, which was engrossed and signed by the Speaker and Chief Clerk (page 3352), was transmitted to the Senate for consideration:

HOUSE CONCURRENT RESOLUTION NO. 401

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

ADJOURNMENT

Representative Meyer moved and asked unanimous consent that the Fourth Special Session of the House of Representatives for the Twenty-fifth Legislature adjourn sine die. There being no objection, the House adjourned at 9:40 p.m.

Suzi Lowell
Chief Clerk