

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
SECOND SPECIAL SESSION

Juneau, Alaska

Friday

November 16, 2007

Thirtieth Day

Pursuant to adjournment the Senate was called to order by President Green at 12:58 p.m.

The roll showed nineteen members present. Senator Cowdery was excused from a call of the Senate due to illness (Page 1448).

The prayer was offered by the Chaplain, Senator Stevens. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Lord,
Please bless us today. Give us a glimpse of your
infinite wisdom. Watch over us and our families and
keep us safe. Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Stevens moved and asked unanimous consent that the journal for the twenty-ninth legislative day, Senate Journal Supplement No. 4 and Senate and House Joint Journal Supplement No. 9 be approved as certified by the Secretary. Without objection, it was so ordered.

HB 2001

President Green stated in accordance with Uniform Rule 43(b), engrossment would be waived on SENATE CS FOR HOUSE BILL NO. 2001(FIN) am S.

Reconsideration of House Bills**HB 2001**

Senator Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S "An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; making conforming amendments; and providing for an effective date" be taken up. The bill was before the Senate on reconsideration.

Senator Stevens moved and asked unanimous consent that the bill be returned to second reading for the purpose of rescinding action on Amendment No. 17. Without objection, the bill was in second reading.

Senator Stevens moved and asked unanimous consent that the Senate rescind its action in adopting Amendment No. 17. Without objection, it was so ordered.

Amendment No. 17 was before the Senate.

Senator Stevens moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 17:

Page 1, line 11:

Delete "2007"

Insert "2008"

There being no objection, Amendment No. 17 was amended.

Senator Stevens moved and asked unanimous consent for the adoption of Amendment No. 17 as amended. Without objection, Amendment No. 17 as amended was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S was automatically in third reading on reconsideration.

Senator Stevens moved and asked unanimous consent that the bill be returned to second reading for the purpose of rescinding action on Amendment No. 3. Without objection, the bill was in second reading.

Senator Stevens moved and asked unanimous consent that the Senate rescind its action in adopting Amendment No. 3. Without objection, it was so ordered.

Amendment No. 3 was before the Senate.

Senator Stevens moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 3:

Page 3 of Amendment No. 3, following line 18:

Insert "Page 49, line 30, following "2006":

Insert ", and a regulation adopted by the Department of Revenue to implement, interpret, make specific, or otherwise carry out AS 43.55.165(k) and (l), as enacted by sec. 57 of this Act, may apply retroactively to January 1, 2007"

"Page 50, following line 18:

Insert "(b) AS 43.55.165(k) and (l), enacted by sec. 57 of this Act, are retroactive to January 1, 2007. "

Reletter the following subsections of section 68.

Page 50, line 19, following "(b)":

Insert "and (c) ""

There being no objection, Amendment No. 3 was amended.

Senator Stevens moved for the adoption of Amendment No. 3 as amended. Senator McGuire objected.

Senator Stedman called the Senate. The call was satisfied.

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

SCS CSHB 2001(FIN) am S
Second Reading
Amendment No. 3 as amended

YEAS: 12 NAYS: 7 EXCUSED: 1 ABSENT: 0

Yeas: Davis, Dyson, Ellis, Elton, French, Kookesh, Olson, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Nays: Bunde, Green, Hoffman, Huggins, McGuire, Stedman, Stevens

Excused: Cowdery

and so, Amendment No. 3 as amended was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S was automatically in third reading on reconsideration.

Senator Stevens moved and asked unanimous consent that the bill be returned to second reading for the purpose of rescinding action on Amendment No. 2-A. Without objection, the bill was in second reading.

Senator Stevens moved and asked unanimous consent that the Senate rescind its action in adopting Amendment No. 2-A. Without objection, it was so ordered.

Amendment No. 2-A was before the Senate.

Senator Stevens moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 2-A:

Page 1, line 7 following "incurred"
Delete: "in the state"

There being no objection, Amendment No. 2-A was amended.

Senator Stevens moved and asked unanimous consent for the adoption of Amendment No. 2-A as amended. Without objection, Amendment No. 2-A as amended was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S was automatically in third reading on reconsideration.

President Green stated the reconsideration of SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S would be held on the Secretary's desk. Without objection, it was so ordered.

Senator Stevens moved and asked unanimous consent that the reconsideration of SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S, which had been held on the Secretary's desk, be brought up at this time. Without objection, it was so ordered.

Senator Stevens moved and asked unanimous consent that the bill be returned to second reading for the purpose of rescinding action on Amendment No. 1. Without objection, the bill was in second reading.

Senator Stevens moved and asked unanimous consent that the Senate rescind its action in adopting Amendment No. 1. Without objection, it was so ordered.

Amendment No. 1 was before the Senate.

Senator Stevens moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 1:

Page 4 of Amendment No. 1, following line 9:

Insert "Page 38, line 12, following "AS 43.55.170;":

Insert "**this subparagraph does not apply to gas subject to AS 43.55.011(o);**"

Page 38, line 20, following "AS 43.55.170;":

Insert "**this subparagraph does not apply to gas subject to AS 43.55.011(o);**"

Page 39, line 3, following AS 43.55.170":

Insert "**;(E) gas produced during a month from a lease or property outside the Cook Inlet sedimentary basin and used in the state is the gross value at the point of production of that gas taxable under AS 43.55.011(e) and produced by the producer from**

that lease or property, less 1/12 of the producer's lease expenditures under AS 43.55.165 for the calendar year applicable to that gas produced by the producer from that lease or property, as adjusted under AS 43.55.170"

There being no objection, Amendment No. 1 was amended.

Senator Stevens moved and asked unanimous consent for the adoption of Amendment No. 1 as amended. Without objection, Amendment No. 1 as amended was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S "An Act relating to the production tax on oil and gas and to conservation surcharges on oil; providing a limit on the amount of tax that may be levied on the production of certain gas that is produced outside of the Cook Inlet sedimentary basin; relating to the sharing between agencies of certain information relating to the production tax and to oil and gas or gas only leases; expanding the period in which the Department of Revenue may assess the amount of oil and gas production tax and conservation surcharges; relating to state oil and gas audit masters; relating to oil and gas auditors and certain oil and gas auditor supervisors; establishing an oil and gas tax credit fund and authorizing payment from that fund; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 2001(FIN) am S

Third Reading - On Reconsideration

Effective Dates

YEAS: 14 NAYS: 5 EXCUSED: 1 ABSENT: 0

Yeas: Davis, Dyson, Ellis, Elton, French, Kookesh, McGuire, Olson, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Nays: Bunde, Green, Hoffman, Huggins, Stedman

Excused: Cowdery

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S passed the Senate on reconsideration.

Senator Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 2001(FIN) am S was referred to the Secretary for transmittal to the House with copies of certified amendments attached (engrossment waived Page 1556).

Unfinished Business

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from December 2 through December 8. Without objection, Senator Bunde was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Stevens moved and asked unanimous consent that the Second Special Session of the Twenty-fifth Alaska State Senate stand in adjournment sine die. Without objection, the Senate adjourned at 2:09 p.m.

Kirsten Waid
Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Dec 10	Monday	Anch Lio Conf Rm	9:00 AM
	EXECUTIVE SESSION:		
	- Consider Final & Preliminary Audits		
	OPEN SESSION:		
	- LB&A Committee Policy Manual Changes		
	- Update on Electronic Workpaper Software Procurement		
	- Contracts: Solicitation & Award for Audit Services Not to Exceed \$125,000		
	- Other Committee Business		