

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

January 16, 2002

#### Third Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:09 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Pastor Greg Lindsay of the Northern Light United Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Respecting the religious tradition of each person here, let's pause for a moment of prayer and reflection.

Let us pray: God of the mountains, the skies and the seas, help us to be honest today. Preserve us from false talk, from cheap words, and from insincere conversation. May the words of our mouths reflect the spiritual truths that reside in our hearts.

Help us to leave our anger and hostility at the door, and to come together for the purpose of serving all the people. Take our uncertainty about the future, our hopes and our dreams and shape with us a society where the least among us are not forgotten, and the greatest among us contribute much. For to those who have been given much, much will be required.  
Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

**Certification**

Senator Leman moved and asked unanimous consent that the journals for the first and second legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

**Messages from the Governor**

Declaration of Disaster Emergency dated December 3, 2001, with an accompanying letter was received and is on file in the Senate Secretary's Office. The Declaration and letter had been copied to the Finance Committee.

Declaration of Disaster Emergency dated January 2, 2002, with an accompanying letter was received and is on file in the Senate Secretary's Office. The Declaration and letter had been copied to the Finance Committee.

**Messages from the House**

Messages dated January 16 were read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Legislature at 6:00 p.m., Wednesday, January 16, 2002.

Senator Leman moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Senator Ellis objected, then withdrew his objection. There being no further objections, it was so ordered.

The Secretary was requested to notify the House.

The House of Representatives respectfully invites the Senate to a Joint Session of the Legislature at 11:00 a.m., Wednesday, February 20, 2002 to hear Chief Justice Fabe's annual State of the Judiciary message.

Senator Leman moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

### **Communications**

The following reports are on file in the Office of the Secretary of the Senate:

Alaska Seafood Marketing Institute, FY 2000 Annual Report  
from Barbara J. Belknap, Executive Director  
in accordance with AS 16.51.400

State of Alaska, Summary Statewide Cost Allocation Plan, Fiscal Year Ended June 30, 2002  
from Kim Garner, Division of Finance Director, Department of Administration  
in accordance with the requirements of U.S. Office of Management and Budget Circular A-87, "Cost Principles for State and Local Governments," and the Federal award(s) to which they apply

Alaska Permanent Fund Corporation, Annual Report 2001  
from Robert D. Storer, Executive Director  
in accordance with AS 37.13.170

West Virginia Legislature, House Resolution No. 1 "Expressing the sense of the House of Delegates and decrying the outrageous terrorist attacks launched against the United States on Tuesday, September 11, 2001, expressing sympathy to the families and friends of those killed or injured, and urging the President of the United States and other federal officials to deal swiftly with those who threaten our freedom."  
from Gregory M. Gray, Clerk of the West Virginia House of Delegates

Developmental Disabilities Waiting List Report, An Annual Report on the Demographics and Public Policy Issues, November 2001, Prepared by the Division of Mental Health and Developmental Disabilities from Jay Livey, Commissioner, Department of Health and Social Services  
in accordance with AS 47.80.140(d)

Alaska Annual Report on Activities of the National Conference of Commissioners on Uniform State Laws  
from Deborah Behr, Alaska Uniform Law Commissioner, Office of the Attorney General, Department of Law

### **Introduction and Reference of Senate Bills**

#### **SB 234**

SENATE BILL NO. 234 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

Last year, I signed into law a bill that offered life saving health care for low-income women diagnosed with breast or cervical cancer. Today I am asking that you make this treatment available permanently.

The Legislature made the unfortunate decision last year to offer this cancer treatment through the Medicaid program for only two years. That means a woman could literally be midstream in her cancer treatment and suddenly get cut off simply because the program is now destined to end on June 26, 2003. Imagine being caught in this circumstance: you are diagnosed with breast or cervical cancer; you are eligible for Medicaid services for treatment under this new program; you are uncertain whether the treatment can be completed because the program will end. I can't fathom why we would want to place a woman and her loved ones in this untenable position.

This program offers cancer treatment to uninsured women who have been diagnosed with breast or cervical cancer under a federally financed screening program - the Center for Disease Control's (CDC) early detection program. Established by Congress in 1990, the CDC program provides screening exams to millions of persons throughout the country each year. In Alaska, there are currently four CDC grantees providing clinical breast exams, pelvic exams, and mammograms to medically under-served Alaskans meeting the requisite eligibility guidelines.

In fiscal year 2001, the CDC grantees diagnosed 24 cases of breast cancer and 105 cases of cervical cancer in Alaska. Those women who are otherwise uninsured and eligible for these Medicaid services could receive treatment for their disease. This literally means the difference between life and death for these women.

When I signed into law the bill last year that allowed Alaska to offer this new Medicaid option, I pledged I would do everything possible this year to remove the sunset placed on the program. I look forward to the support of those legislators, about two-thirds of your joint membership, who vocally opposed the sunset provision but allowed it to go forward so the program could be put in place as soon as possible. In the interest of women's health in Alaska, I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Tony Knowles

Governor

**SB 235**

SENATE BILL NO. 235 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Military and Veterans' Affairs

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

This bill I transmit today is part of a package of bills I am forwarding to the Legislature to address Alaska's ability to respond to disasters and emergencies. It would enact the Emergency Management Assistance Compact (EMAC), making Alaska the 43rd state to do so.

The EMAC is a mutual aid agreement that facilitates inter-state assistance in declared disasters and emergencies, including man-made disasters and civil emergencies as well as natural disasters. A party state, through its authorized representative, may request assistance of another party state in the form of personnel, equipment, materials, or supplies for emergency functions such as fire services, medical services, transportation, or other necessities. The EMAC provides that states shall honor requests for assistance, but may withhold resources as necessary to ensure reasonable protection in its own state. The requesting state shall reimburse states rendering aid including actual costs incurred and any losses or damages.

The EMAC addresses certain legal issues of common concern relating to emergency assistance. It provides that officers and employees of the state rendering aid are considered agents of the requesting state for tort liability and immunity purposes. An assisting state's officers or employees may not be liable for any good faith act or omission of its forces or because of maintenance or use of equipment or supplies. This provides officers or employees of another state coming to assist Alaska in a disaster the same immunity from liability afforded our employees and agents.

Under the EMAC, each state pays compensation and death benefits to members of its emergency forces who are killed while rendering aid to another state in the same manner and on the same terms as if they were injured or killed within their own state.

The bill also updates state law so that an Alaskan civilian volunteer performing emergency or disaster relief functions in another state under the EMAC, or at the request of our state division of emergency services, is considered an Alaska state employee for workers' compensation purposes. The reenacted statute will control state liability for workers' compensation benefits by limiting eligibility to those volunteers who are on a roster maintained by the division of emergency services.

Finally, this bill repeals the outdated Interstate Civil Defense and Disaster Compact; its goals are being met under the EMAC.

Enacting the EMAC will benefit the state by providing immediate access to additional trained and experienced emergency specialists and other emergency resources nationwide during a disaster. It will further benefit the state by providing for prompt reimbursement by the Federal Emergency Management Agency (FEMA) of the costs of emergency resources provided by other states to Alaska in the event of a disaster. Presently, the state must negotiate an agreement with the FEMA for reimbursement in each disaster.

I urge your support for joining EMAC, as most other states have done.

Sincerely,

/s/

Tony Knowles  
Governor

**SB 236**

SENATE BILL NO. 236 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act making supplemental and other appropriations for homeland security; and providing for an effective date."

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

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

Today I am formally transmitting to the Legislature an appropriations bill to implement the recommendations of the administration's Terrorism Disaster Policy Cabinet regarding state security and response capabilities in the aftermath of September 11<sup>th</sup>. The bill covers costs incurred to date fulfilling immediate requirements such as airport security, as well as increased preparedness and response capabilities for the rest of FY2002 and all of FY2003. This comprehensive bill also funds capital investments for transportation security, emergency response equipment and other high priority recommendations of the cabinet group.

I forwarded a draft of this legislation to you in November with a request for advance hearings to facilitate prompt consideration of the proposal in the beginning weeks of the session. Although those hearings were not held, we made the Terrorism Disaster Policy Cabinet's report and budget detail on their recommendations widely



available to legislators and the public via the Internet. As anticipated in my November letter, the final bill has some updates from that earlier version although there are no changes to the basic recommendations for action.

Detecting and responding to threats of terrorism is no longer a theoretical exercise. Like all other states, Alaska must make its own risk assessment and determine the appropriate levels of security and emergency response capabilities to meet our responsibilities to our citizens.

This critical state policy decision requires the best efforts of the administration and the legislature. I pledge the full assistance of my commissioners and others to assisting you in your earliest possible review of these recommendations.

Sincerely,

/s/

Tony Knowles  
Governor

A spreadsheet of cost estimates by department from the Office of Management and Budget was attached and is on file in the Senate Secretary's Office.

**SB 237**

SENATE BILL NO. 237 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to civil defense and disasters; and  
providing for an effective date."

was read the first time and referred to the State Affairs and Health,  
Education and Social Services Committees.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Military and Veterans'  
Affairs

Fiscal Note No. 2, zero, Department of Health and Social Services

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

I am transmitting a bill relating to disasters and civil defense, which results from recommendations of the Terrorism Disaster Policy Cabinet following the tragic events of September 11, 2001. It is one of six bills I am forwarding to the Legislature today to ensure Alaska is fully prepared in terrorism prevention and emergency response.

This bill would authorize the governor to declare that a state of emergency exists and to exercise emergency civil defense powers in the event of a terrorist attack or a credible threat of a terrorist attack on the state. Presently, the governor is authorized to declare a civil defense emergency and exercise these powers only in the event of an "actual enemy attack."

This bill also would amend the definition of "disaster" in state law to include a terrorist or enemy attack, an outbreak of disease, or a credible threat of such an event. This would authorize the governor to declare a disaster emergency and to exercise the disaster emergency powers if any of the above events occurred and causes or threatens severe damage, injury, loss of life or property, or shortage of food, water, or fuel. Presently, such incidents are not included within the definition of "disaster," hampering the state's ability to respond if they occur.

Finally, this bill would amend the enumerated powers of the governor in the event of a disaster emergency to include the ability to allocate or redistribute pharmaceuticals and other medicines and supplies. Presently, the governor is authorized to allocate or redistribute only food, water, fuel, or clothing in the event of a disaster emergency. It also would authorize the governor to access, inspect, and share health care and medical records as necessary to protect public health and safety in the event of a disaster emergency. Without this authority, the state is unable to effectively respond to a bioterrorist attack or an epidemic.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Tony Knowles  
Governor

**SB 238**

SENATE BILL NO. 238 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

This bill I transmit today contains recommendations of the Administration's Terrorism Disaster Policy Cabinet convened in response to the attacks of September 11<sup>th</sup>. It is one of six bills I am forwarding for the Legislature's consideration to ensure Alaska is fully prepared in terrorism prevention and emergency response. This bill relates to plans and programs for the security of state facilities and systems.

This bill would assist the Department of Transportation and Public Facilities (DOT&PF) and its Alaska International Airports System and rural airport network in responding to the need for increased security since the tragic events of September 11. It would also enable all state agencies, including the DOT&PF, to maintain the confidentiality of their sensitive security plans.

Specifically, the bill would allow the DOT&PF to impose civil administrative penalties of up to \$1,100 per incident for violations of an airport security program. Currently, the Federal Aviation Administration (FAA) may assess a civil penalty of up to \$1,100 against the DOT&PF for violating any of the department's FAA-approved airport security programs. Although the FAA considers the DOT&PF to be the violator for federal regulatory purposes, nearly all violations are the result of conduct of employees of airport tenants and contractors. Usually, the DOT&PF passes these fines on to its tenants and contractors. This situation, however, is an unsatisfactory way to get airport tenants and contractors to correct security problems because it requires the DOT&PF to invite the FAA to punish that department in order to charge the penalty to the violator.

The DOT&PF should be able to directly assess civil penalties against its contractors, lessees, and licensees, and their agents and employees, for violating a security program. This will make those responsible for security more vigilant and responsive to the increased needs. It is anticipated the DOT&PF would adopt regulations that would set out the procedures for the assessment of penalties and would establish an appeals process to meet the constitutional requirements of due process.

The bill also would add an exclusion to the list of state records that are available for public inspection and copying to allow for confidentiality of certain security and safety documents and information. Similarly, the bill allows a new exemption from the public notice provisions and procedures for adopting regulations so that regulations regarding certain security plans, programs and procedures may be protected information. Specific exemptions from these requirements of the Administrative Procedure Act already exist, such as prison security plans for the Department of Corrections.

Thank you for your prompt consideration of this bill.

Sincerely,

/s/

Tony Knowles  
Governor

**SB 239**

SENATE BILL NO. 239 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

This bill I transmit today contains recommendations of the Administration's Terrorism Disaster Policy Cabinet convened in response to the attacks of September 11<sup>th</sup>. It is one of six bills I am forwarding for the Legislature's consideration to ensure Alaska is fully prepared in terrorism prevention and emergency response.

This measure allows the Governor to ensure that state employees who are members of reserve and auxiliary military units, including the Alaska National Guard and Alaska Naval Militia, will not be financially penalized while on certain active duty. These courageous Alaskans could continue to receive their state salaries, or the equivalent, and some or all of their state benefits.

This is the right thing to do for our reserve and auxiliary service members who are called to active duty. The governors of many other states already possess this authority. Alaska should join their ranks.

This authority would be discretionary and triggered by an order of the governor. I do not anticipate a governor would invoke this provision for a short-term mobilization of the National Guard for, say, disaster assistance. I would expect that it generally would be invoked only for

large-scale activations such as those we have seen recently across the country. The intent of the bill is that state employees called to active duty should not be financially harmed.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Tony Knowles  
Governor

**SB 240**

SENATE BILL NO. 240 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the crimes of damaging an oil or gas pipeline or supporting facility, criminal mischief, and terroristic threatening; making conforming amendments; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Administration

Governor's transmittal letter dated January 14, 2002:

Dear President Halford:

I am transmitting a bill that would increase the criminal penalties for certain acts of terrorism and would prohibit the mailing of imitation substances with the intent to frighten people or cause other specified harm. This proposal is part of a package of six bills I am presenting to the Legislature today regarding terrorism prevention and emergency response.

The bill proposes the following criminal penalties:

- Intentional damage of an oil or gas pipeline or supporting facility would be raised to a class A felony (from the current class B felony);
- Unlawful tampering with an oil or gas pipeline or supporting facility would be raised to a class B felony (from a class C felony);
- Unlawful tampering with an airplane or helicopter would be raised to a class B felony (from a class C felony);
- Unlawful tampering with water, including a public or private water supply, with intent to cause physical injury would be the same level of crime as tampering with a food, drug, or cosmetic - a class B felony;
- Sending or attempting to send an imitation biological or chemical substance with intent to frighten people or cause other specified harm would be a class B felony. (Current law provides for either a class C felony or no criminal charge, depending on the circumstances.);
- Making a false report under certain circumstances regarding the sending or presence of a harmful biological or chemical substance, or a false report threatening damage to an oil or gas pipeline or supporting facility would be established as a class C felony.

It is unfortunate that recent tragedies and ensuing upheavals in our country make these measures very important. I urge your prompt and favorable action on this bill.

Sincerely,

/s/

Tony Knowles  
Governor

**SB 241**

SENATE BILL NO. 241 BY SENATOR GREEN, entitled:

"An Act relating to membership in the Comprehensive Health Insurance Association."

was read the first time and referred to the Health, Education and Social Services and Labor and Commerce Committees.

**SB 242**

SENATE BILL NO. 242 BY SENATOR TAYLOR, entitled:

"An Act relating to concealed handgun permittees."

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

**SB 243**

SENATE BILL NO. 243 BY SENATORS THERRIAULT, Taylor, Austerman, entitled:

"An Act extending the termination date of the Board of Chiropractic Examiners; and relating to chiropractors."

was read the first time and referred to the Labor and Commerce Committee.

**SB 244**

SENATE BILL NO. 244 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act extending the termination date of the Board of Examiners in Optometry; and relating to optometrists."

was read the first time and referred to the Labor and Commerce Committee.



**Consideration of the Calendar****Citations**

Commemorating – Dr. Martin Luther King, Jr. Day  
Senator(s) Davis, Halford, Elton, Lincoln, Austerman, Taylor, Kelly,  
Green, Wilken, Leman, Phillips, Ellis, Stevens, Ward, Donley

Senator Leman moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

**Unfinished Business**

Senator Halford appointed Senator Stevens to replace Senator Pearce on the Joint Armed Services Committee.

Senator Halford formally welcomed Senator Ben Stevens to the membership of the Twenty-Second Alaska State Legislature.

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate on January 18. Without objection, Senator Davis was excused.

**Recess**

Senator Leman moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 11:26 a.m.

**After Recess****Joint Session in the House**

Speaker Porter called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Halford at 6:06 p.m.

The roll of the Senate was called and showed twenty members present.

The roll of the House was taken and showed thirty-nine members present. Representative Rokeberg was excused.

**SB 103**

Senator Leman moved that CONFERENCE CS FOR SENATE BILL NO. 103 "An Act relating to election campaigns and legislative ethics" become law notwithstanding the Governor's veto.

The question being: "Shall CONFERENCE CS FOR SENATE BILL NO. 103 become law notwithstanding the Governor's veto?" The roll of the House was taken with the following result:

CCS SB 103

Override Veto

HOUSE

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

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Harris, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses

Excused: Rokeberg

The roll of the Senate was called with the following result:

CCS SB 103

Override Veto

SENATE

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken, Austerman, Cowdery, Donley, Green, Kelly, Leman, Halford

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

**TOTALS: YEAS: 40 NAYS: 19 EXCUSED: 1**

and so, the Governor's veto of CONFERENCE CS FOR SENATE BILL NO. 103 "An Act relating to election campaigns and legislative ethics" was overridden.

**SB 166**

Senator Leman moved that SENATE BILL NO. 166 "An Act relating to the time of filling by appointment a vacancy in the office of United States senator" become law notwithstanding the Governor's veto.

Representative Murkowski moved and asked unanimous consent to be allowed to abstain from voting because of a conflict of interest. Objections were heard and Representative Murkowski was required to vote.

The question being: "Shall SENATE BILL NO. 166 become law notwithstanding the Governor's veto?" The roll of the Senate was called with the following result:

SB 166

Override Veto

SENATE

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Stevens, Taylor, Therriault, Torgerson, Ward, Wilken, Austerman, Cowdery, Donley, Green, Kelly, Leman, Phillips, Halford

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

The roll of the House was taken with the following result:

SB 166

Override Veto

HOUSE

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

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

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Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses

Excused: Rokeberg

**TOTALS: YEAS: 41 NAYS: 18 EXCUSED: 1**

and so, the Governor's veto of SENATE BILL NO. 166 "An Act relating to the time of filling by appointment a vacancy in the office of United States senator" was overridden.

**HB 177**

Senator LEMAN moved that SENATE CS FOR CS FOR HOUSE BILL NO. 177(RLS) am S "An Act regulating nongroup entities and certain tax-exempt organizations under Alaska's election campaign finance statutes; and requiring disclosure of the true source of campaign contributions" become law notwithstanding the Governor's veto.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 177(RLS) am S become law notwithstanding the Governor's veto?" The roll of the House was taken with the following result:

SCS CSHB 177(RLS) am S

Override Veto

HOUSE

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

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses

Excused: Rokeberg

The roll of the Senate was called with the following result:

SCS CSHB 177(RLS) am S

Override Veto

SENATE

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Taylor, Therriault, Torgerson, Ward, Wilken, Austerman,  
Cowdery, Donley, Green, Kelly, Lemman, Phillips, Stevens, Halford

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

**TOTALS: YEAS: 41 NAYS: 18 EXCUSED: 1**

and so, the Governor's veto of SENATE CS FOR CS FOR HOUSE BILL NO. 177(RLS) am S "An Act regulating nongroup entities and certain tax-exempt organizations under Alaska's election campaign finance statutes; and requiring disclosure of the true source of campaign contributions" was overridden.

**HB 244**

Senator Lemman moved that SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date" become law notwithstanding the Governor's veto.

Senators Therriault, Lincoln moved and asked unanimous consent to be allowed to abstain from voting because of a conflict of interest. Objections were heard and Senators Therriault, Lincoln were required to vote.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) become law notwithstanding the Governor's veto?"  
The roll of the House was taken with the following result:

SCS CSHB 244(RES)  
Override Veto  
HOUSE

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

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hayes, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Joule, Kapsner, Kerttula, Kookesh, Moses

Excused: Rokeberg

The roll of the Senate was called with the following result:

SCS CSHB 244(RES)  
Override Veto  
SENATE

YEAS: 13 NAYS: 7 EXCUSED: 0 ABSENT: 0

Yeas: Therriault, Torgerson, Ward, Wilken, Cowdery, Donley, Green, Kelly, Leman, Phillips, Stevens, Taylor, Halford

Nays: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Olson

**TOTALS: YEAS: 41 NAYS: 18 EXCUSED: 1**

and so, the Governor's veto of SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date" was overridden.

The Joint Session stood at ease at 6:23 p.m.

President Halford called the Joint Session back to order At 6:59 p.m. to hear the Honorable Tony Knowles, Governor, deliver his combined State of the State and State of the Budget address.

President Halford appointed Representative Guess and Senator Davis to escort Governor Knowles to the Joint Session.

President Halford introduced the First Lady of Alaska, Susan Knowles and their daughter Devon Knowles.

The House Sergeant at Arms, Sean Riley, announced the Governor's entrance to the House Chamber.

The Honorable Tony Knowles was escorted to the rostrum and introduced by President Halford.

Governor Knowles delivered his address. This address appears in Senate and House Joint Journal Supplement No. 8.

The Governor received a standing ovation and was escorted from the chamber by Senator Davis and Representative Guess.

Senator Leman moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Halford adjourned the Joint Session at 7:48 p.m.

#### **After Recess**

#### **In the Senate**

The Senate reconvened at 8:18 p.m.

#### **Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Lemman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 18, 2002. Without objection, the Senate adjourned at 8:19 p.m.

Heidi Vogel  
Secretary of the Senate

January 2002



**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.

**STANDING COMMITTEES**

+ indicates teleconference  
 = indicates bill previously heard/scheduled

**FINANCE**

**Jan 17      Thursday                      Senate Finance 532              9:30 AM**  
 Overview of Possible Supplemental Request for FY 02  
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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Jan 16      Wednesday                      Senate Finance 532              1:30 PM**  
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 Joint Meeting with House HESS  
 Overview: Division of Public Health  
 Session Initiatives

**Jan 18      Friday                                  Senate Finance 532              1:30 PM**  
 No Meeting Scheduled  
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**STATE AFFAIRS**

**Jan 17      Thursday                                  Beltz 211                      3:30 PM**  
 -- Meeting Canceled --  
 Organizational Meeting  
 Bills Previously Heard/Scheduled  
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**TRANSPORTATION**

**Jan 22      Tuesday                                  Butrovich 205                      1:30 PM**  
 SB 215      COMMON CARRIER LIQUOR LICENSE

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**TRANSPORTATION (continued)**

**Jan 24 Thursday Butrovich 205 1:30 PM**  
No Meeting Scheduled  
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**JOINT COMMITTEES**

**ARMED SERVICES COMMITTEE**

**Feb 05 Tuesday Butrovich 205 1:30 PM**  
Lt. General Norton Schwartz Briefing  
Strategic Plan Discussion  
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**LEGISLATIVE BUDGET & AUDIT**

**Jan 24 Thursday House Finance 519 12:00 PM**  
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**NATURAL GAS PIPELINES**

**Jan 16 Wednesday Butrovich 205 12:00 PM**  
+  
Natural Gas Pipeline Project Updates  
Chairman's Update  
Dr. Doug Reynolds  
Department of Revenue:Commissioner Condon  
Department of Natural Resources: Commissioner Pourchot  
Foothills Pipe Lines Ltd: John Ellwood  
Alaska Gas Producers' Pipeline Team:  
Dave MacDowell  
Phillips Alaska Inc: Michael Hurley  
Committee Member Comments  
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**OTHER MEETINGS**

**JOINT SESSION**

**Jan 16 Wednesday House Chamber 6:00 PM**

**Jan 22 Tuesday House Chamber 11:00 AM**  
U.S. Senator Ted Stevens