

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

January 16, 2002

#### Third Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:03 a.m.

Roll call showed 38 members present. Representative Rokeberg had been previously excused from a call of the House today. Representative Williams was absent and his presence was noted later.

The invocation was offered by the Reverend Paul D. Beran of Resurrection Lutheran Church. Representative Davies moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Gracious Father and Creator, You looked over the work of Your hands and said it is very good. We see that vividly here in Alaska: the beauty of snow-covered mountains, majestic trees stretching skyward, rich minerals buried in the earth, seas alive with food, petroleum hidden in the depths, and a people diverse, resourceful, and uniquely talented. Help us to be responsible caretakers of all that You have made.

You have elected us as representatives of the people. A heavy responsibility rests upon our shoulders. We desire to lead rightly. But we do not know all things; at best, we see scarcely one step at a time. We seek You, for You know all things. We seek Your wisdom, we seek Your guidance. Lead us by Your Spirit. In the Name of Jesus, Who came, not to be served, but to serve. Amen.

The Pledge of Allegiance was led by Representative James.

**CERTIFICATION OF THE JOURNAL**

Representative James moved and asked unanimous consent that the journal for the first and second legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE GOVERNOR**

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

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

**MESSAGES FROM THE SENATE**

A message dated January 14, 2002, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., January 22 to hear an address by the Honorable Ted Stevens, U.S. Senator.

**COMMUNICATIONS**

The following letter, with attachments, dated January 3, 2002, was received from Fran Ulmer, Lieutenant Governor:

"Dear Speaker Porter:

I have certified the petition, 'Bill Increasing Alaska's Minimum Hourly Wage' and have determined that it was properly filed. With the assistance of the Attorney General, I will prepare a ballot title and proposition in accordance with AS 15.45.180.

A copy of the proposed law, which will be enacted if a majority of the votes cast on the initiative proposition favor its adoption, is enclosed.

If, however, in formal concurrence with the Attorney General, I determine that the Legislature has enacted legislation that is substantially the same as the proposed law before the date of the election, the petition will be declared void and no such ballot proposition will appear. (AS 15.45.210)

Please feel free to contact my office should you have any questions or need further information.

Sincerely,  
/s/  
Fran Ulmer  
Lieutenant Governor"

The following were received:

Dept. of Community & Economic Development  
Alaska Industrial Development & Export Authority  
Annual Review of Assets  
January 10, 2002  
(as required by AS 44.88.205)

Alaska Science & Technology Foundation  
2001 Annual Report  
(as required by AS 37.17.090)

#### **INTRODUCTION OF CITATIONS**

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

In Memoriam - Elsa Louise Pedersen  
By Representative Lancaster

In Memoriam - Charles "Charlie" Lincoln Parker  
By Representatives Chenault, Lancaster

In Memoriam - Robert "Bob" Bondurant  
By Representative Lancaster

In Memoriam - Richard Lowell "Dick" Rumfelt  
By Representative Lancaster

In Memoriam - Harold A. Jackson II  
By Representatives Chenault, Lancaster

In Memoriam - James Herbert Wiley  
By Representative Lancaster

In Memoriam - Virgil O. Dahler  
By Representative Lancaster

In Memoriam - Curtis Menard Jr.  
By Senators Green, Leman; Representatives Ogan, Masek, Kohring

In Memoriam - Lois R. Irvin  
By Senator Torgerson

In Memoriam - Curtis Shattuck  
By Senator Elton

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS**

**HCR 21**

HOUSE CONCURRENT RESOLUTION NO. 21 by Representative Whitaker:

Supporting the passage of a comprehensive long-term state budgetary and fiscal regime.

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

**HJR 31**

HOUSE JOINT RESOLUTION NO. 31 by Representative Ogan:

Relating to requesting the United States Congress to propose an amendment to the Constitution of the United States that would address emergency appointments to and powers of the United States Senate.

was read the first time and referred to the House Special Committee on Military and Veterans' Affairs and the State Affairs Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS**

**HB 322**

HOUSE BILL NO. 322 by the House 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 & Social Services and Finance Committees.

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

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"

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

**HB 323**

HOUSE BILL NO. 323 by the House 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 House Special Committee on Military and Veterans' Affairs and the State Affairs and Labor & Commerce Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Military & Veterans' Affairs

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

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"

**HB 324**

HOUSE BILL NO. 324 by the House 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 House Special Committee on Military and Veterans' Affairs and the State Affairs and Finance Committees.

A spreadsheet of cost estimates by department from the Office of Management & Budget was attached and is on file in the Chief Clerk's office.

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

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 11th. 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 assist you in your earliest possible review of these recommendations.

Sincerely,  
/s/  
Tony Knowles  
Governor"

**HB 325**

HOUSE BILL NO. 325 by the House 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 House Special Committee on Military and Veterans' Affairs and the State Affairs and Health, Education & Social Services Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Military & Veterans' Affairs

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

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"

**HB 326**

HOUSE BILL NO. 326 by the House 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 House Special Committee on Military and Veterans' Affairs and the State Affairs and Judiciary Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

This bill I transmit today contains recommendations of the Administration's Terrorism Disaster Policy Cabinet convened in response to the attacks of September 11th. 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"

**HB 327**

HOUSE BILL NO. 327 by the House 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 House Special Committee on Military and Veterans' Affairs and the State Affairs Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Administration/All Depts.

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The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

This bill I transmit today contains recommendations of the Administration's Terrorism Disaster Policy Cabinet convened in response to the attacks of September 11th. 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"

**HB 328**

HOUSE BILL NO. 328 by the House 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 Judiciary Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Law

The Governor's transmittal letter dated January 14, 2002, appears below:

"Dear Speaker Porter:

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"

**HB 329**

HOUSE BILL NO. 329 by the House Judiciary Committee by request, entitled:

"An Act requiring that a chemical test be administered to determine the presence of alcohol or a controlled substance after the commission of an offense while operating a motor vehicle, aircraft, or watercraft."

was read the first time and referred to the Judiciary and Finance Committees.

**HB 330**

HOUSE BILL NO. 330 by the House Judiciary Committee by request, entitled:

"An Act relating to providing alcoholic beverages to a person under 21 years of age."

was read the first time and referred to the Judiciary and Finance Committees.



**HB 331**

HOUSE BILL NO. 331 by Representative Kott, entitled:

"An Act relating to appointment of persons to positions that require confirmation by the legislature; and providing for an effective date."

was read the first time and referred to the State Affairs Committee.

**HB 332**

HOUSE BILL NO. 332 by Representative Bunde, entitled:

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

**HB 333**

HOUSE BILL NO. 333 by the House Finance Committee, entitled:

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

**HB 334**

HOUSE BILL NO. 334 by the House Finance Committee, entitled:

"An Act making appropriations for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

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

HOUSE BILL NOS. 335, 336, and 337 have been preassigned to the Governor's budget bills.

**HB 338**

HOUSE BILL NO. 338 by the House Community & Regional Affairs Committee, entitled:

"An Act making a special appropriation for a grant to Boys and Girls Clubs of Southcentral Alaska for a youth suicide prevention program; and providing for an effective date."

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

**HB 339**

HOUSE BILL NO. 339 by Representative Fate, 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 & Commerce and Finance Committees.

**HB 340**

HOUSE BILL NO. 340 by the House Rules Committee by request of the Legislative Budget & Audit Committee, entitled:

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

was read the first time and referred to the Labor & Commerce and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR**

**LEGISLATIVE CITATIONS**

Representative James moved and asked unanimous consent that the House approve the citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Commemorating - Dr. Martin Luther King Jr. Day

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Foster, Green, Guess, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Lancaster, McGuire, Meyer, Morgan, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

### UNFINISHED BUSINESS

Representative James 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 Hayes - from 2:05 p.m., January 18 to 9:35 p.m., January 21, 2002

Representative Halcro - from 7:00 p.m., January 18 to 9:30 a.m., January 21, 2002; and from 3:00 p.m., February 1 to 9:30 a.m., February 4, 2002

Representative Joule - from 5:00 p.m., January 27 to 10:00 a.m., January 30, 2002

Representative Kerttula - from 7:23 p.m., February 7 to 9:35 p.m., February 8, 2002

Representative Masek - from 7:00 p.m., January 18 to 9:33 p.m., plane time, January 22, 2002

Representative McGuire - from 7:00 a.m., January 19 to 9:30 a.m., January 22, 2002

Representative Murkowski - from 7:20 a.m., January 19 to 9:35 p.m., January 21, 2002

Representative Ogan - from 7:20 p.m., January 25 to 9:35 p.m., January 27, 2002; and from 2:05 p.m., February 27 to 10:04 p.m., March 3, 2002

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Representative Rokeberg - from 6:00 a.m., January 25 to 10:00 p.m., January 29, 2002

Representative Scalzi - from noon, January 21 to 6:00 p.m., January 25, 2002

Representative Williams - from 2:20 p.m., January 18 to 9:45 p.m., January 21, 2002

Representative James moved and asked unanimous consent that the House recess until 6:00 p.m. There being no objection, the House recessed at 10:29 a.m.

**AFTER RECESS**

The Speaker called the House back to order at 6:05 p.m.

**JOINT SESSION IN THE HOUSE**

In accordance with Uniform Rule 51, Speaker Porter turned the gavel over to President Halford who called the joint session to order at 6:06 p.m.

The purpose of the joint session was to consider the Governor's veto of the following bills:

- HB 177 CAMPAIGN FINANCE: GROUPS & DISCLOSURE
- HB 244 RIGHT-OF-WAY TO DENALI BOR. FOR RR/UTIL.
- SB 103 ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS
- SB 166 APPOINTMENT OF US SENATORS

A roll call of the Senate showed 20 members present.

A roll call of the House showed 39 members present. Representative Rokeberg had been previously excused today.

**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 CCS SB 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

TOTAL: 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

**TOTAL: YEAS: 40 NAYS: 19 EXCUSED: 1 ABSENT: 0**

And so, the Governor's veto was overridden, and CCS SB 103 became law.

**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 that she be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Murkowski was required to vote.

The question being: "Shall SB 166 become law notwithstanding the Governor's veto?" The roll of the Senate was called with the following result:

SB 166

Override Veto

SENATE

TOTAL: 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

**TOTAL: YEAS: 41 NAYS: 18 EXCUSED: 1 ABSENT: 0**

And so, the Governor's veto was overridden, and SB 166 became law.

**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 SCS CSHB 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

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

SCS CSHB 177(RLS) am S

Override Veto

SENATE

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

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

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

**TOTAL: YEAS: 41 NAYS: 18 EXCUSED: 1 ABSENT: 0**

And so, the Governor's veto was overridden, and SCS CSHB 177(RLS) am S became law.

**HB 244**

Senator Leman 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 and Lincoln moved and asked unanimous consent that they be allowed to abstain from voting due to a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall SCS CSHB 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

TOTAL: 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

**TOTAL: YEAS: 41 NAYS: 18 EXCUSED: 1 ABSENT: 0**

And so, the Governor's veto was overridden, and SCS CSHB 244(RES) became law.

The joint session stood at ease at 6:23 p.m.

#### AFTER AT EASE

President Halford called the joint session back to order at 6:59 p.m.

The purpose was to hear the State of the State and State of the Budget Address by the Honorable Tony Knowles, Governor of Alaska.

HOUSE JOURNAL

1990

January 16, 2002

President Halford appointed Representative Guess and Senator Davis to escort the Governor to the joint session.

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

The House Sergeant-at-Arms announced the Governor's entrance into the House Chamber.

The Governor was escorted to the rostrum and welcomed by President Halford.

Governor Knowles delivered his address and it is published in Senate and House Joint Journal Supplement No. 8.

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

Senator Leman moved and asked unanimous consent that the joint session adjourn. There being no objection, President Halford adjourned the joint session at 7:48 p.m.

**IN THE HOUSE**

**UNFINISHED BUSINESS**

**HCR 11**

Representative Stevens added his name as cosponsor to:

**HOUSE CONCURRENT RESOLUTION NO. 11**

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the Education Committee, a standing committee of the legislature.

**HB 6**

Representative Scalzi added his name as cosponsor to:

HOUSE BILL NO. 6

"An Act relating to optional exemptions from municipal property taxes on residential property."

**HB 283**

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 283

"An Act relating to appointments to the Board of Fisheries and to the ex officio secretary of the Board of Fisheries."

**HB 284**

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 284

"An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

**HB 285**

Representatives Stevens and Chenault added their names as cosponsors to:

HOUSE BILL NO. 285

"An Act adding a second verse to the official Alaska state song."

**HB 288**

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 288

"An Act relating to commercial fisheries limited entry permit buy-back programs."

**HB 303**

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 303

"An Act relating to the levy and collection of a sales tax; and providing for an effective date."

**HB 304**

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 304

"An Act relating to disposition of income of the permanent fund; and providing for an effective date."

**HB 307**

Representative Davies added his name as cosponsor to:

HOUSE BILL NO. 307

"An Act delaying to June 30, 2007, the last date by which hydrocarbon exploration geophysical work must be performed or drilling of a stratigraphic test well or exploratory well must be completed in order for a person to qualify for an exploration incentive credit."

**HB 308**

Representative Davies added his name as cosponsor to:

HOUSE BILL NO. 308

"An Act extending to discoveries of oil or gas in the Tanana River drainage basin the discovery royalty credits that are authorized for lessees of state land drilling exploratory wells and making the first discovery of oil or gas in an oil or gas pool and for licensees under oil and gas exploration licenses making the first discovery of oil or gas in an oil or gas pool that convert those licenses to oil and gas leases."

**HB 320**

Representatives Meyer, Fate, and Hudson added their names as cosponsors to:

HOUSE BILL NO. 320

"An Act relating to the use of electronic ballots."

**HB 321**

Representative Meyer added his name as cosponsor to:

HOUSE BILL NO. 321

"An Act relating to the purpose for crime victims' compensation; prohibiting the payment of compensation to a person responsible for the maintenance of the victim if that person knew or should have known of the crime and did not assist the victim or report the crime to the police; and limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault, sexual abuse of a minor, or a crime involving domestic violence."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

No Floor Session 1/17

Floor Session 10:00 a.m., 1/18

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn. There being no objection, the House adjourned at 7:48 p.m.

Suzi Lowell  
Chief Clerk