

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

TUESDAY

February 4, 1986

Twenty-third Day

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

The roll showed all members present.

The prayer was offered by the Chaplain, Right Reverend Archimandrite Innocent (Fryntzko) of St. Nicholas Russian Orthodox Church. Senator Zharoff moved and asked unanimous consent that the prayer be spread in the journal. Without objection, it was so ordered.

"In the Name of the Father and the Son,
and the Holy Spirit,

O, All-wise and All-gracious Lord our Saviour! Do Thou enlighten our minds that we may firmly believe in Thee, our only Saviour and Redeemer! Inspire us with Thy words:

'Have faith in God. For verily I say unto you, that whosoever shall say unto this mountain, be thou removed, and be thou cast into the sea; and shall not doubt in his heart, but shall believe that those things which He saith shall come to pass; he shall have whatsoever He saith.

Therefore, I say unto you, what things so ever you desire, when you pray, believe that you shall have them. And when you stand praying, forgive, if you have ought against any; that your Father also which is in Heaven may forgive you your trespasses.

But if you do not forgive, neither will your Father which is in Heaven forgive your trespasses.'

O Lord, give Thy blessing!

Amen"

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the twenty-second legislative day and Senate-House Joint Supplement No. 17 be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of February 3 was read, stating the House passed and returned:

SCR 31

SENATE CONCURRENT RESOLUTION NO. 31
(proposing establishment of Constitution
Observance Day in Alaska's schools and
marking the 30th signing anniversary)

SENATE CONCURRENT RESOLUTION NO. 31 was referred to the Secretary for enrollment.

SB 28

Message of February 3 was read, stating the House passed CS FOR SENATE BILL NO. 28 (HESS) am with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 28 (HESS)
(training state employees, and certain employees
of the districts of the state public school
system on the recognition and reporting of child
abuse and neglect)

and returned for consideration.

Senator Halford moved that the Senate concur in the House amendment to CS FOR SENATE BILL NO. 28 (HESS) am.

The question being: "Shall the Senate concur in the House amendment to CS FOR SENATE BILL NO. 28 (HESS) am?" The roll was taken with the following result:

HCS CSSB 28 HESS CONCUR

Yeas: 20 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Sturgulewski, Zharoff,
Ziegler

Nays: 0

SB 28 cont'd

and so, HOUSE CS FOR CS FOR SENATE BILL NO. 28 (HESS) (training state employees, and certain employees of the districts of the state public school system on the recognition and reporting of child abuse and neglect) passed the Senate.

HOUSE CS FOR CS FOR SENATE BILL NO. 28 (HESS) was referred to the Secretary for enrollment.

The Secretary was requested to notify the House.

Message of February 3 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 31

HOUSE BILL NO. 31 by Representatives Shultz, Marrou, Taylor and Boucher, entitled:

"An Act relating to the obstruction or hindrance of lawful hunting, fishing, or trapping."

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

COMMUNICATIONS

The Secretary announced receipt of:

ALASKA INDUSTRIAL DEVELOPMENT AUTHORITY'S ANNUAL REPORT, January 31, 1986, from Bertram Wagon, Executive Director, in accordance with AS 44.88.210

ALASKA RAILROAD CORPORATION LEGISLATIVE VIBRATIONS REPORT, January 28, 1986, as required by Section 3(b), Chapter 153, SLA 1984

Copies of all reports are on file in the Office of the Secretary of the Senate.

STANDING COMMITTEE REPORTS

SB 80

The Finance Committee considered SENATE BILL NO. 80 (number of psychiatrists or psychologists appointed to examine a criminal defendant; efd) and recommended the Health, Education and Social Services Committee Substitute with a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Halford, Paul Fischer, Eliason, Ferguson and Sackett.

SENATE BILL NO. 80 was referred to the Rules Committee.

SB 204

The Finance Committee considered SENATE BILL NO. 204 (contracts for architectural, engineering, and land surveying services; efd) and recommended it be replaced with:

CS FOR SENATE BILL NO. 204 (FIN)

and a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Halford, Paul Fischer, Eliason and Ferguson. Senator Sackett signed "no recommendation".

Two zero fiscal notes were attached. Analysis from Department of Administration, General Services and Supply: "No direct financial impact on the Department of Administration. It is difficult to calculate the increased cost of contracts for the services of architects, engineers and surveyors when price is removed from consideration in the award of their contracts, but there will be a definite premium paid without price competition."

Analysis from Department of Transportation and Public Facilities, Standards and Technical Services Division: "It is not possible to estimate the fiscal impact of this bill on state agencies but it is believed to be insignificant. For the most part the provisions of the bill are very similar to those in current practice. There may be a fiscal impact to some political subdivisions which receive grants or Transfer of Responsibility Agreements (TORA) from state agencies for projects that require engineering, architectural or land surveying services. To properly identify these costs the Alaska Municipal League or the Political Subdivisions should be contacted directly."

SENATE BILL NO. 204 was referred to the Rules Committee.

SB 348

The Finance Committee considered SENATE BILL NO. 348 (special appropriation for the 1986 Iditarod sled dog race; efd) and a majority of the committee recommended do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Halford, Ferguson, Paul Fischer, Eliason and Sackett.

SENATE BILL NO. 348 was referred to the Rules Committee.

SB 227

The Rules Committee considered SENATE BILL NO. 227 (practice of social work and establishing the Board of Social Worker Examiners; efd) and a majority of the committee recommended calendar February 4. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Bennett and Coghill.

SENATE BILL NO. 227 is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 383

SENATE BILL NO. 383 by Senator Kerttula by request, entitled:

"An Act relating to inheritance by step-children and stepparents; and providing for an effective date."

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

SB 384

SENATE BILL NO. 384 by the Rules Committee by request of the Legislative Budget and Audit Committee, entitled:

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

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

SB 385

SENATE BILL NO. 385 by Senator Kerttula, entitled:

"An Act relating to the public employees' retirement system and the teachers' retirement system; and providing for an effective date."

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 227

SENATE BILL NO. 227 (practice of social work and establishing the Board of Social Worker Examiners; efd) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1662. Without objection, CS FOR SENATE BILL NO. 227 (FIN) was adopted.

CS FOR SENATE BILL NO. 227 (FIN) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 227 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 227 (FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 227 (FIN) (practice of social work and establishing the Board of Social Worker Examiners; efd) pass the Senate?" The roll was taken with the following result:

CSSB 227 FIN 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sturgulewski, Zharoff, Ziegler

Nays: 1 Sackett

SB 227 cont'd

and so, CS FOR SENATE BILL NO. 227 (FIN) passed the Senate.

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

Senator Sackett gave notice of reconsideration on CS FOR SENATE BILL NO. 227 (FIN).

SENATE RESOLUTIONS IN SECOND READING

SCR 29

CS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) (designating February 1986 as Community College Month) which was held from February 3 was before the Senate in second reading.

Zero fiscal note was received from the Finance Committee today.

Senator Fahrenkamp offered Amendment No. 1:

Page 1, line 24:
After "that" insert
"the Governor is respectfully requested
to designate"

After "1986" delete "is"

Page 1, line 25:
Delete "designated"
Delete "the Governor is requested"

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

CS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) am was before the Senate on final passage.

The question being: "Shall CS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) am (designating February 1986 as Community College Month) pass the Senate?" The roll was taken with the following result:

SCR 29 cont'd

CSSCR 29 HESS AM

Yeas: 20 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Sturgulewski, Zharoff,
Ziegler

Nays: 0

and so, CS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) am passed the Senate and was referred to the Secretary for engrossment.

CITATIONS

Senator Ray moved and asked unanimous consent that the citation Honoring - Bettye Fahrenkamp be co-sponsored by All Other Members of the Senate. Without objection, it was so ordered.

Honoring - Bettye Fahrenkamp
by Senators Sackett, Vic Fischer, Ziegler,
Ferguson, Abood, Zharoff, Sturgulewski,
Bennett, Halford, Eliason, Ray and
All Other Members of the Senate

Honoring - Desiree Oborn, Barbara Harris and
Komichi Hatashi
by Senators Faiks, Halford and Sturgulewski

Honoring - Bruce L. Livingstone, M.D.
by Senators Josephson, Vic Fischer, Halford
and Sturgulewski
Representative Hanley

Senator Halford moved and asked unanimous consent that the citation calendar be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

ANNOUNCEMENTS

Announcements appear at the end of the journal.

SPECIAL ORDERS

Senator Bennett moved and asked unanimous consent that he be excused from a call of the Senate on February 7. Without objection, Senator Bennett was excused.

Senator Sackett moved and asked unanimous consent that he be excused from a call of the Senate on February 7. Without objection, Senator Sackett was excused.

Senator Kelly moved and asked unanimous consent that he be excused from a call of the Senate on February 7. Without objection, Senator Kelly was excused.

ENGROSSMENT

SCR 29

CS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ENROLLMENT

SCR 31

SENATE CONCURRENT RESOLUTION NO. 31 was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:00 p.m., February 4, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., February 5, 1986. Without objection, the Senate adjourned at 11:38 a.m.

Peggy Mulligan
Secretary of the Senate

February 1986

ANNOUNCEMENTS

Committee meetings in the Capitol

Change in time or place

COMMUNITY & REGIONAL AFFAIRS - BELTZ ROOM 211 - 3:30 PM

Feb 4 TUESDAY *RM 17
 LOCAL BOUNDARY COMMISSION
 *JOINT WITH HOUSE C&RA *TELECONFERENCE
 WITH COMMISSION

Feb 6 THURSDAY *RM 17
 LOCAL BOUNDARY COMMISSION
 ISSUES OTHER THAN NORTH SLOPE/NANA
 *JOINT WITH HOUSE C&RA
 *TELECONFERENCE

Feb 11 TUESDAY *RM 17
 LOCAL BOUNDARY COMMISSION NORTH SLOPE/NANA ISSUES
 *JOINT WITH HOUSE C&RA *TELECONFERENCE

FINANCE - FINANCE ROOM 518 - 8:30 AM

Feb 5 WEDNESDAY
 REVIEW CAPITAL PROJECTS DEPT'S
 COMMERCE & ECONOMIC DEV, DNR, ADMIN, LABOR

Feb 6 THURSDAY
 SB 219 ESTABLISHING CHILDREN'S CRIME UNIT
 SB 84 AMENDING VARIOUS MOTOR VEHICLE LAWS
 SB 121 MISC CHANGES IN VARIOUS RETIREMENT LAWS
 HB 118 SMALL CLAIMS AND DUTIES OF MAGISTRATES
 HJR 24 FED REVENUE SHARING, OUTER CONTINENTAL SHELF

HEALTH, EDUCATION & SOCIAL SERVICES - BELTZ RM 211 - 1:30 PM

Feb 4 TUESDAY
 HJR 58 EASE RESTRICTIONS ON MEDICAID WAIVERS
 HB 98 SERVICES PROVIDED; MEDICAL ASSIST PROGRAM
 *TELECONFERENCE

Feb 6 THURSDAY
 HJR 59 AFDC, FOOD STAMPS, MEDICAID; QUALITY CONTROL
 SB 351 RETIREMENT OF SCHOOL CONSTRUCTION DEBT
 *2:30 BRIEFING BY THE INDIAN HEALTH SERVICE

Feb 11 TUESDAY
 SB 251 PRACTICE OF PSYCHOLOGY
 HB 172 RIGHTS OF PHYSICALLY & MENTALLY DISABLED
 *TELECONFERENCE

Feb 13 THURSDAY
 BRIEFING BY CRIMINAL JUSTICE WORKING GROUP
 GROWTH IN PRISON INMATE POPULATION
 *TELECONFERENCE ANCHORAGE

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Feb 4 TUESDAY
 SB 95 DAMS AND RESERVOIRS SAFETY PROGRAMS
 SB 161 COMMISSION TO SET PAY OF ELECTED OFFICIALS
 SJR 15 ELECTED OFFICIALS COMPENSATION COMMISSION

Feb 6 THURSDAY
 SB 139 CRIME OF CONSPIRACY
 SB 344 INCREASING NUMBER OF SUPERIOR COURT JUDGES
 SB 361 POWER OF MAGISTRATES IN EXTRADITIONS

February 4, 1986

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RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Feb 5 WEDNESDAY
 HAZARDOUS WASTE OVERVIEW
 SB 375 RELEASE OF OIL AND HAZARDOUS SUBSTANCES
 HB 100 HAZARDOUS SUBSTANCE; DEFINITIONS, DAMAGES
 Feb 7 FRIDAY NO MEETING

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Feb 5 WEDNESDAY
 ****CANCELED****
 Feb 6 THURSDAY
 SJR 12 OFFICE OF STATE TREASURER ESTABLISHED
 SB 148 ESTABLISHING OFFICE OF STATE TREASURER
 *TELECONFERENCE
 Feb 7 FRIDAY
 HB 252 STATE RETIREMENT BENEFITS
 HB 144 CAMPAIGN CONTRIBUTION TAX CREDIT LIST
 SB 372 ELIGIBLE AGE FOR SERVICE IN STATE MILITIA

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Feb 5 WEDNESDAY
 OVERVIEW IMPLEMENTATION OF HB 133
 DEPT PUBLIC SAFETY AND COMMERCE AND ECONOMIC DEV
 HB 111 LOCAL SERVICE ROADS AND TRAILS

FINANCE SUBCOMMITTEE

*Joint with House subcommittee unless otherwise noted

DEPARTMENT OF ADMINISTRATION - HOUSE FINANCE RM - 1:00 PM

Feb 6 THURSDAY
 COMMISSIONER'S OFF; ADMIN SV; TELECOMM;
 INFOR RESOURCE MNGMT; PUBLIC BROADCASTING COMM
 Feb 11 TUESDAY
 RISK MANAGEMENT
 Feb 18 TUESDAY
 ADMIN MNGMT; FINANCE; GEN SV & SUPPLY;
 CIP DIRECT; PUBLIC DEFENDER; PUBLIC ADVOCATE;
 PUBLIC OFFICES COMM
 Feb 25 TUESDAY
 HUMAN RES - PERSONNEL; RETIREMENT & BENEFITS;
 LABOR RELATIONS AGENCY; PIONEER BENEFITS
 Mar 11 TUESDAY
 HUMAN RES - OLDER ALASKANS COMM; LABOR RELATIONS DIV

DEPARTMENT OF CORRECTIONS - SENATE FINANCE RM - 3:30 PM

Feb 4 TUESDAY *SENATE ONLY
 NORTHERN, SOUTH CENTRAL AND SE REGIONS

COURT SYSTEM - HOUSE FINANCE RM - 7:00 AM

Feb 25 TUESDAY
 Feb 26 WEDNESDAY

DEPARTMENT OF FISH AND GAME - HOUSE FINANCE RM - 1:00 PM

Feb 4 TUESDAY
ADMINISTRATION AND SUPPORT; SUBSISTENCE DIVISION

Feb 13 THURSDAY
GAME; HABITAT

Feb 20 THURSDAY
BOARDS OF FISH AND GAME;
COMMERCIAL FISHERIES ENTRY COMMISSION

Feb 27 THURSDAY
FRED

Mar 4 THURSDAY
COMMERCIAL FISHERIES; VESSELS; SPORT FISH

DEPARTMENT OF LABOR - BUTROVICH RM - 3:00 PM

Feb 8 SATURDAY
ADMIN SERVICES; MNGMT; SPECIAL SERVICES;
OCCUPATIONAL SAFETY, HEALTH; FISHERMANS FUND;
WORKERS COMP; SECOND INJURY FUND