

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

TUESDAY

February 18, 1986

Thirty-seventh Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:20 a.m.

The roll showed eighteen members present. Senators Paul Fischer and Ziegler were excused from a call of the Senate.

The prayer was offered by the Chaplain, Reverend Lew Rooker of the Northern Light United Church.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journals for the thirty-third, thirty-fourth, thirty-fifth and thirty-sixth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

INTRODUCTION OF GUESTS

Senator Coghill introduced former Representative Charles J. Franz, who introduced his wife, Pat. Mr. Franz represented the Port Moller area during the First State Legislature in 1959-60.

MESSAGES FROM THE GOVERNOR

SCR 29

Message of February 13 was read, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SCR 29 cont'dCS FOR SENATE CONCURRENT RESOLUTION NO. 29 (HESS) am

Relating to designating February 1986 as Community College Month

Legislative Resolve No. 30

MESSAGES FROM THE HOUSE

Message of February 14 was read, stating the Speaker appointed the following members to:

GOVERNOR'S COUNCIL ON ALASKA HIRE

Representative Boucher
Representative Pignalberi

Senate members appointed February 13:

Senator Ray
Senator Zharoff

Messages of February 14 and 17 were read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HJR 51

HOUSE JOINT RESOLUTION NO. 51 by Representatives Sund, Szymanski, Goll, Grussendorf, Cato, Cotten, Larson, Fuller, Taylor, Boucher, Thompson, Hurley, Binkley, Navarre and Wallis,

Relating to Coast Guard user fees,

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

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 63

CS FOR HOUSE BILL NO. 63 (L&C) by the Labor and Commerce Committee, entitled:

HB 63 cont'd

"An Act relating to the plumbing code; and providing for an effective date."

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

HB 486

HOUSE BILL NO. 486 by Representatives Ringstad, Koponen and Davis by request, entitled:

"An Act relating to financing expansion of the power plant on the Fairbanks campus of the University of Alaska; and providing for an effective date."

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

HB 530

CS FOR HOUSE BILL NO. 530 (LOANS) am by the House Special Committee on State Loans, entitled:

"An Act relating to refinancing loans under the special mortgage loan purchase program; and providing for an effective date."

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

COMMUNICATIONS

The Secretary announced receipt of:

1985 ANNUAL PROGRESS REPORT ON EQUAL
EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE
ACTION

Received February 14, 1986 from the
Office of Equal Employment Opportunity,
Office of the Governor, in accordance with
AS 44.19.441-449

Distributed to all Senators

A copy of the report is on file in the Office of the Secretary of the Senate.

STANDING COMMITTEE REPORTS

SB 278

The Finance Committee considered SENATE BILL NO. 278 (driver license compact) and recommended it be replaced with

CS FOR SENATE BILL NO. 278 (FIN), entitled:

"An Act relating to motor vehicles."

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

Fiscal note is in Senate Supplement No. 51.

SENATE BILL NO. 278 was referred to the Rules Committee.

SB 330

The Rules Committee considered SENATE BILL NO. 330 (civil liability for veterinary care; efd) and a majority of the committee recommended calendar February 18. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Coghill.

SENATE BILL NO. 330 is on today's calendar.

SB 401

Rules Committee Chairman, Senator Kelly, signed "Return to State Affairs, 5-day Rule" on SENATE BILL NO. 401 (annulling regulations adopted by the Alaska Public Offices Commission).

SENATE BILL NO. 401 was returned to the State Affairs Committee.

HB 118

The Rules Committee considered CS FOR HOUSE BILL NO. 118 (JUD) (small claims, and the duties of magistrates; efd) and a majority of the committee recommended calendar February 18. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Coghill.

CS FOR HOUSE BILL NO. 118 (JUD) is on today's calendar.

INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SCR 35

SENATE CONCURRENT RESOLUTION NO. 35 by Senator Vic Fischer,

Relating to insurance,

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

SCR 36

SENATE CONCURRENT RESOLUTION NO. 36 by Senators Josephson, Sackett, Rodey, Vic Fischer, Faiks, Fahrenkamp and Kerttula,

Establishing a joint special committee on mental health trust land,

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

SJR 42

SENATE JOINT RESOLUTION NO. 42 by Senator Ray by request,

Relating to April 30th as a day to remember the village of Katyn, U.S.S.R.,

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

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 438

SENATE BILL NO. 438 by Senators Rodey and Kerttula, entitled:

"An Act relating to the special mortgage loan purchase program."

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

SB 439

SENATE BILL NO. 439 by Senator Josephson, entitled:

"An Act relating to spraying and application of pesticides and broadcast chemicals."

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

SB 440

SENATE BILL NO. 440 by Senator DeVries, entitled:

"An Act relating to use of blood tests by insurers."

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

SB 441

SENATE BILL NO. 441 by Senator DeVries, entitled:

"An Act relating to offenses involving restraint of a minor."

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

SB 442

SENATE BILL NO. 442 by Senator Eliason, entitled:

"An Act relating to reciprocal insurers that provide marine insurance; and providing for an effective date."

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

SB 443

SENATE BILL NO. 443 by Senator Halford, entitled:

"An Act concerning the monthly reports of surplus lines insurance brokers."

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

SB 444

SENATE BILL NO. 444 by Senator Vic Fischer, entitled:

"An Act relating to civil actions; and amending Alaska Rules of Civil Procedure 49 and 58; and providing for an effective date."

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

SB 445

SENATE BILL NO. 445 by Senator Vic Fischer, entitled:

"An Act relating to insurance."

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

SB 446

SENATE BILL NO. 446 by Senator Josephson, entitled:

"An Act relating to the budget reserve fund and the reserve for emergency operating expenses account; and providing for an effective date."

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

SB 447

SENATE BILL NO. 447 by Senator Josephson, entitled:

"An Act making special appropriations to the budget reserve fund; and providing for an effective date."

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

SB 448

SENATE BILL NO. 448 by Senator Vic Fischer, entitled:

"An Act relating to home rule municipalities;
and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs Committee and the Judiciary Committee.

SB 449

SENATE BILL NO. 449 by the Rules Committee by request of the Governor, entitled:

"An Act relating to the Alaska vocational education equipment grant fund; 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.

Fiscal note is in Senate Supplement No. 51.

Governor's transmittal letter dated February 14:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill establishing the Alaska vocational education equipment grant fund.

The bill would establish a fund which will meet a critical need. It will help capitalize school district vocational programs, which have major equipment needs that cannot be met under the foundation formula, whether these needs are the results of new programs, technological advances, or simply replacing worn-out equipment. The fund will provide needed financial assistance to a vital program in our secondary schools.

Sincerely,

/s/ Bill Sheffield
Bill Sheffield
Governor

SB 450

SENATE BILL NO. 450 by Senator Zharoff, entitled:

"An Act making a special appropriation to the Department of Transportation and Public Facilities for completion of the Iliamna-Nondalton Road intertie project; and providing for an effective date."

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

SB 451

SENATE BILL NO. 451 by Senator Halford, entitled:

"An Act relating to civil actions; and amending Alaska Rules of Civil Procedure 49, 52 and 58."

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

SB 452

SENATE BILL NO. 452 by Senator Paul Fischer by request, entitled:

"An Act relating to an exchange of land with the Seldovia Native Association."

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

SB 453

SENATE BILL NO. 453 by Senator Zharoff, entitled:

"An Act relating to memorial scholarship revolving loans, creating the A. W. (Winn) Brindle memorial scholarship loan; 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 454

SENATE BILL NO. 454 by Senator Ferguson by request, entitled:

"An Act making special appropriations to the Department of Commerce and Economic Development for payment as grants to electric utilities, to the Department of Administration for payment as grants to municipalities, and to the Alaska Power Authority for hydroelectric projects; and providing for an effective date."

was read the first time and referred to the Labor and Commerce Committee, the Community and Regional Affairs Committee, the Resources Committee and the Finance Committee.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 330

SENATE BILL NO. 330 (civil liability for veterinary care; efd) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 330 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 330 was read the third time.

The question being: "Shall SENATE BILL NO. 330 (civil liability for veterinary care; efd) pass the Senate?" The roll was taken with the following result:

SB 330 3RD

Yeas:	18	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff
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Nays:	0	
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Excused:	2	Fischer Paul, Ziegler
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and so, SENATE BILL NO. 330 passed the Senate.

SB 330 cont'd

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.

SENATE BILL NO. 330 was referred to the Secretary for engrossment.

SECOND READING OF HOUSE BILLS

HB 118

CS FOR HOUSE BILL NO. 118 (JUD) (small claims, and the duties of magistrates; efd) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 118 (JUD) be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 118 (JUD) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 118 (JUD) (small claims, and the duties of magistrates; efd) pass the Senate?" The roll was taken with the following result:

CSHB 118 JUD 3RD

Yeas: 18 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Vic, Halford,
Josephson, Kelly, Kerttula, Ray,
Rodey, Sackett, Sturgulewski,
Zharoff

Nays: 0

Excused: 2 Fischer Paul, Ziegler

and so, CS FOR HOUSE BILL NO. 118 (JUD) 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.

CS FOR HOUSE BILL NO. 118 (JUD) was signed by the President and Secretary and returned to the House.

HOUSE BILLS IN SECOND READING

HB 111

SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) (local service roads and trails; efd) which was held from February 11 was before the Senate in second reading with Amendment No. 1 offered (page 1798).

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

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S (local service roads and trails; efd) pass the Senate?" The roll was taken with the following result:

SCSCSHB 111 TRSP AM S 3rd

Yeas: 17 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Vic, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Sturgulewski, Zharoff

Nays: 1 Halford

Excused: 2 Fischer Paul, Ziegler

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S was referred to the Secretary for engrossment.

CITATIONS

- Honoring - Bill Cooper
by Senators Bennett and Fahrenkamp
- Honoring - North Mountain View Improvement
Committee
by Representatives Martin, Uehling, Pourchot,
and Hanley
Senators Vic Fischer and Josephson
- Honoring - Lars Eide
by Representatives Taylor, Sund and Hurley
Senators Ziegler and Eliason
- Honoring - Village Public Safety Officers
Program Graduates
by Representatives Binkley, Herrmann, Fuller
and Wallis
Senators Sackett, Eliason, Ferguson, Zharoff
and DeVries
- In Memoriam - Jan Butrovich Evans
by Representatives Ringstad, Frank, M.W. Miller,
Davis, Koponen and Hurley
Senators Bennett, Coghill, Fahrenkamp, Ziegler,
Vic Fischer, Kerttula, Ferguson, Sturgulewski,
Sackett, Josephson, Ray, Eliason, Abood,
DeVries, Faiks, Paul Fischer, Halford, Kelly,
Rodey and Zharoff
- In Memoriam - Cyril A. Coyne
by Representatives Goll, M.M. Miller and Duncan
Senators Vic Fischer, Ray, Sturgulewski and
Eliason

UNFINISHED BUSINESS

SB 413

Senator Sturgulewski moved and asked unanimous consent that she be added as a co-sponsor on SENATE BILL NO. 413 (illegally controlled enterprises and the forfeiture of property that is used in violation of state law; efd). Without objection, it was so ordered.

ANNOUNCEMENTS

Announcements appear at the end of the journal.

SPECIAL ORDERS

Senator Eliason moved and asked unanimous consent that he be excused from the Senate, not subject to a call, on February 24. Without objection, Senator Eliason was excused.

Senator Josephson move and asked unanimous consent that he be excused from a call of the Senate on February 24. Without objection, Senator Josephson was excused.

ENGROSSMENT

SB 330

SENATE BILL NO. 330 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 111

SENATE CS FOR CS FOR HOUSE BILL NO. 111 (TRSP) am S was engrossed, signed by the President and Secretary and returned to the House for consideration.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., February 19, 1986. Without objection, the Senate adjourned at 12:01 p.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 18 TUESDAY
SB 324 WATER QUALITY ENHANCEMENT GRANTS
SB 335 WATER, SEWER, & SOLID WASTE MNGMT BONDS

Feb 20 THURSDAY
SB 369 MUNICIPAL FISCAL NOTE FOR LEGISLATION

Feb 25 TUESDAY
SB 356 CAMPAIGN FINANCING

Feb 27 THURSDAY
HB 380 PUBLIC UTILITY WATER ASSESSMENTS

Mar 4 TUESDAY
HB 312 DUDE CREEK CRITICAL HABITAT AREA

FINANCE - FINANCE ROOM 518 - 8:30 AM

Feb 19 WEDNESDAY
SB 346, HB 28 PERMANENT FUND
CAPITAL PROJECTS OF DEPARTMENTS CORRECTIONS
ENVIRONMENTAL CONSERVATION, PUBLIC SAFETY

Feb 20 THURSDAY
SB 349 REORGANIZATION OF DELTA PROJECT DEBT
HB 193 EMINENT DOMAIN

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

Feb 18 TUESDAY
SB 264 LIMITATIONS ON FINGERPRINTING MINORS
SUNSET REVIEW DENTAL EXAMINERS & NURSING HOME ADMIN.

Feb 20 THURSDAY
SUNSET REVIEW BOARD OF PHARMACY, PHYSICAL THERAPY

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Feb 18 TUESDAY
CONFIRMATION OF GOVERNOR'S APPOINTMENTS
SJR 9 ELECTION OF THE ATTORNEY GENERAL
SB 400 FRAUDULENT PERMANENT FUND APPLICATIONS
HB 356 ASSIGNMENT OF GROUP INSURANCE POLICIES

Feb 20 THURSDAY
SJR 39 RIGHT TO KEEP AND BEAR ARMS
SB 95 SAFETY OF DAMS AND RESERVOIRS
SB 150 WATER RIGHTS UNDER THE ALASKA WATER USE ACT
SB 364 STATE PAYMENT OF CERTAIN UNTIMELY CLAIMS

LABOR AND COMMERCE - BELTZ ROOM 211 - 3:30 PM

Feb 19 WEDNESDAY
HB 55 WARNING SIGNS, TAXIS FOR INTOXICATED PERSONS
SB 295 MENTAL HEALTH DISABILITY INSURANCE

Feb 22 SATURDAY *1:00 PM FAIRBANKS BOROUGH BLDG
ALASKAN HIRE

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Feb 19 WEDNESDAY *TELECONFERENCE
SB 294 GUIDING
SB 309 NATURAL GAS VALUATION; COOK INLET BASIN
HB 288 SUBSISTENCE

RESOURCES cont'd

Feb 21 FRIDAY
 SB 375, HB 100 HAZARDOUS SUBSTANCE
 SB 155 AGRICULTURAL PARCELS
 SB 338 REAPPROP SUSITNA, BRADLEY

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Feb 19 WEDNESDAY *TELECONFERENCE SB 138 ONLY*
 SB 138 ALCOHOLIC DRINK DISCOUNTS & CONTESTS
 SB 302 VIOLENT CRIMES COMPENSATION BOARD
 Feb 20 THURSDAY
 SJR 8 CONSTITUTIONAL CONVENTION RULE
 SJR 33 NATIONAL FRIENDSHIP WEEK
 SB 310 NATURAL HAZARDS SAFETY COMMISSION
 HB 373 DEREGULATING CONCERT PROMOTERS

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Feb 19 WEDNESDAY
 AIRFARE HEARING, ALASKA AIRLINES, WESTERN AIRLINES
 Feb 21 FRIDAY NO MEETING
 Feb 24 MONDAY DOT CAPITAL PROJECTS COMMISSIONER KNAPP
 HB 240 PASSING SCHOOL BUSES
 Feb 26 WEDNESDAY
 ALASKA RAILROAD CORPORATION OVERVIEW FRANK TURPIN
 Feb 28 FRIDAY NO MEETING
 Mar 3 MONDAY
 MARINE HIGHWAY OVERVIEW

MAJORITY CAUCUS

Feb 18 TUESDAY *UPON ADJOURNMENT BUTROVICH RM

FINANCE SUBCOMMITTEE

*Joint with House subcommittee unless otherwise noted

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

Feb 18 TUESDAY
 ADMIN MNGMT; FINANCE; GEN SV & SUPPLY; CIP DIRECT
 PUBLIC DEFENDER; PUBLIC ADVOCATE; PUBLIC OFFICES COM
 Feb 25 TUESDAY
 HUMAN RES - PERSONNEL; RETIREMENT & BENEFITS
 LABOR RELATIONS AGENCY; PIONEER BENEFITS
 Mar 11 TUESDAY
 HUMAN RES - OLDER ALASKANS COMM; LABOR RELATIONS DIV

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 20 THURSDAY
 BDS OF FISH & GAME; COMMERCIAL FISHERIES ENTRY COM
 Feb 27 THURSDAY
 FRED
 Mar 4 THURSDAY
 COMMERCIAL FISHERIES; VESSELS; SPORT FISH

DEPT. OF HEALTH & SOCIAL SVS - SENATE FINANCE RM - 1:00 PM

Feb 18 TUESDAY
 PURCHASES SV; SOCIAL SV; CHILD & YOUTH CUSTODY
 SOCIAL SV BLOCK GRANT; YOUTH SV; MANILLAQ
 NORTON SOUND; KAWERAK; TANANA CHIEFS; TLINGIT-HAIDA
 ANCHORAGE SOCIAL SERVICES; FAIRBANKS SOCIAL SERVICES

Feb 20 THURSDAY
 STATE HEALTH SERVICES; HEALTH GRANTS
 ALCOHOL AND DRUG ABUSE SERVICES

Feb 27 THURSDAY
 COMMUNITY & MENTAL HEALTH GRANTS
 DEVELOPMENTAL DISABILITY GRANTS
 INSTITUTION & ADMINISTRATION; ADMIN. SERVICES

DOI/PF - SENATE FINANCE RM - 3:30 PM

Feb 18 TUESDAY *TELECONFERENCE TO ANCHORAGE
 CENTRAL REGION; ANCHORAGE INTERNATIONAL AIRPORT

Feb 27 THURSDAY *HOUSE FINANCE RM
 NORTHERN REGION; INTERIOR, WESTERN & SOUTHCENTRAL
 DISTRICT *TELECONFERENCE FBX, NOME, VALDEZ

Feb 28 FRIDAY
 SOUTHEAST REGION; MARINE HIGHWAY SYSTEM

