

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

February 20, 1986

Thirty-ninth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:15 a.m.

The roll showed all members present.

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 journal for the thirty-eighth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of February 19 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 327

CS FOR HOUSE BILL NO. 327 (JUD) am by the Judiciary Committee, entitled:

"An Act relating to protection for public employees."

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

STANDING COMMITTEE REPORTS

SJR 9

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 9 (proposing amendments to the Constitution of the State of Alaska relating to the election of the attorney general) and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD)

and a majority do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks and Kelly. Senator Halford signed "no recommendation".

SENATE JOINT RESOLUTION NO. 9 was referred to the Rules Committee.

SJR 33

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 33 (supporting National Friendship Week). Senator Abood, Chairman and Senators DeVries and Ray signed "no recommendation". Senator Vic Fischer signed "do pass".

SENATE JOINT RESOLUTION NO. 33 was referred to the Rules Committee.

SB 138

The State Affairs Committee considered SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) and recommended it be replaced with

CS FOR SENATE BILL NO. 138 (SA)

and a majority do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Ray and Vic Fischer.

Letter of Intent

Senate State Affairs

February 20, 1986

It is the intent of the Senate State Affairs Committee in adopting the committee substitute for SB 138, that licensees of premises where alcoholic beverages are sold by the drink be prohibited from sponsoring "happy hours" and similar types of alcohol promotion that encourage excessive drinking.

SB 138 cont'd

The committee intends that such prohibitions be applied only to actions of the licensee or licensee's agent and not to actions of individual patrons. Specifically, the Committee intends that the prohibition in Sec. 04.16.015(6) against encouraging or permitting organized games or contests that involve drinking alcoholic beverages or awarding alcoholic beverages as prizes be limited to licensees or their agents and not to individual patrons.

SENATE BILL NO. 138 was referred to the Judiciary Committee.

SB 309

The Resources Committee considered SENATE BILL NO. 309 (royalty value of a natural gas lease on state land; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 309 (RES), entitled:

"An Act relating to royalty gas contracts;
and providing for an effective date."

and a majority do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Coghill, Vic Fischer and Fahrenkamp. Senators Halford, Eliason and Zharoff signed "no recommendation".

Fiscal Note is zero. Analysis from Department of Natural Resources: "The valuation provisions of this bill will be applied only for future long-term gas contracts, and there is no way to estimate any fiscal impact on the state. Any revenue losses should be balanced by savings in utility costs for consumers, according to the bill."

SENATE BILL NO. 309 was referred to the Rules Committee.

SB 346

The Rules Committee considered SENATE BILL NO. 346 (income of the Alaska permanent fund; efd) and a majority of the committee recommended calendar February 20. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Faiks. Senator Coghill signed "do not pass". Senator Josephson signed "do not calendar until March".

SENATE BILL NO. 346 is on the calendar.

HB 28

The Rules Committee considered CS FOR HOUSE BILL NO. 28 (FIN) (2d title am) (re-eng) (special appropriation for the undistributed income account in the Alaska permanent fund to the principal of the permanent fund; efd) and a majority of the committee recommended calendar February 20. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Faiks. Senator Coghill signed "do not pass". Senator Josephson signed "do not calendar until March - do not pass".

Fiscal note referred to on page 1876 is zero. Analysis from Senate Finance: "The Department of Revenue estimates that \$1,017,400,000 will be deposited into the principal of the Permanent Fund from the Undistributed Income Account on July 1, 1986."

CS FOR HOUSE BILL NO. 28 (FIN) (2d title am) (re-eng) is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 455

SENATE BILL NO. 455 by the Labor and Commerce Committee, entitled:

"An Act requiring certain motor vehicle insurance policies to provide reduced rates for certain persons."

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

Senator Ray moved and asked unanimous consent that the Senate stand in recess to a call of the Chair for a minority caucus. Without objection, the Senate recessed at 11:22 a.m.

AFTER RECESS

The Senate reconvened at 11:34 a.m.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 346

SENATE BILL NO. 346 (income of the Alaska permanent fund; efd) was read the second time.

Senator Ray called the Senate.

The President stated the call was satisfied.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1875. Without objection CS FOR SENATE BILL NO. 346 (FIN) was adopted.

CS FOR SENATE BILL NO. 346 (FIN) was read the second time.

Senator Rodey offered Amendment No. 1:

Page 1, lines 9 - 18: Delete Section 1.

Senator Rodey moved Amendment No. 1. Senator Halford objected.

The question being: "Shall Amendment No. 1 be adopted?"
The roll was taken with the following result:

CSSB 346 FIN AM 1

Yeas:	8	Coghill, Fahrenkamp, Ferguson, Josephson, Ray, Rodey, Zharoff, Ziegler
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Nays:	12	Abood, Bennett, DeVries, Eliason, Faiks, Fischer Paul, Fischer Vic, Halford, Kelly, Kerttula, Sackett, Sturgulewski
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and so, Amendment No. 1 failed.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 346 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 346 (FIN) was read the third time.

SB 346 cont'd

The question being: "Shall CS FOR SENATE BILL NO. 346 (FIN) (income of the Alaska permanent fund; efd) pass the Senate?"
The roll was taken with the following result:

CSSB 346 FIN 3RD

Yeas: 13 Abood, Bennett, DeVries, Eliason,
Faiks, Fischer Paul, Fischer Vic,
Halford, Kelly, Kerttula, Rodey,
Sackett, Sturgulewski

Nays: 7 Coghill, Fahrenkamp, Ferguson,
Josephson, Ray, Zharoff, Ziegler

and so, CS FOR SENATE BILL NO. 346 (FIN) passed the Senate.

Senator Halford moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSSB 346 FIN EFD

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, the effective date clause was adopted.

Senator Josephson gave notice of reconsideration on CS FOR SENATE BILL NO. 346 (FIN).

SENATE BILLS IN SECOND READING

SB 386

SENATE BILL NO. 386 (making supplemental appropriations for session expenses of the legislature; efd) which was held from February 19 was before the Senate in second reading.

SB 386 cont'd

Senator Faiks offered Amendment No. 1:

Page 1, line 11: Delete "Legislative Council"
 Insert "Legislative Affairs Agency"

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

Senator Faiks offered Amendment No. 2:

Page 1, line 10: Delete "\$1,054,088"
 Insert "\$1,111,432"

Change funding accordingly.

Senator Faiks moved and asked unanimous consent for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 386 am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 386 am was read the third time.

The question being: "Shall SENATE BILL NO. 386 am (making supplemental appropriations for session expenses of the legislature; efd) pass the Senate?" The roll was taken with the following result:

SB 386 AM 3RD

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

Nays: 0

Absent: 1 Ziegler

and so, SENATE BILL NO. 386 am 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.

SB 386 cont'd

SENATE BILL NO. 386 am was referred to the Secretary for engrossment.

SECOND READING OF HOUSE BILLS

HB 28

CS FOR HOUSE BILL NO. 28 (FIN) (2d title am) (re-engr)
(making a special appropriation from the undistributed income account in the Alaska permanent fund to the principal of the permanent fund; efd) was read the second time.

Senator Faiks moved and asked unanimous consent that the Finance Senate Committee Substitute offered on page 1875 be adopted. Senator Josephson objected.

The question being: "Shall the Finance Senate Committee Substitute be adopted?" The roll was taken with the following result:

SCS CSHB 28 FIN MOTION

- Yeas: 15 Abood, Bennett, DeVries, Eliason, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Kelly, Kerttula, Rodey, Sackett, Sturgulewski, Zharoff
- Nays: 4 Coghill, Fahrenkamp, Josephson, Ray
- Absent: 1 Ziegler

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) was adopted.

Fiscal note from Department of Revenue is in Senate Supplement No. 52.

SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) 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. 28 (FIN) was read the third time.

HB 28 cont'd

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) (making a special appropriation from the undistributed income account in the Alaska permanent fund to the principal of the permanent fund; efd) pass the Senate?" The roll was taken with the following result:

SCS CSHB 28 FIN 3RD

Yeas: 14 Abood, Bennett, DeVries, Eliason,
Faiks, Ferguson, Fischer Paul,
Fischer Vic, Halford, Kelly,
Kerttula, Rodey, Sackett,
Sturgulewski

Nays: 6 Coghill, Fahrenkamp, Josephson,
Ray, Zharoff, Ziegler

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 28 (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 Josephson gave notice of reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN).

CITATIONS

Honoring - Wrangell's Tent City Festival
by Representatives Sund and Taylor
Senator Ziegler

Honoring - Six Lifetime Traditional Counselors
by Representatives Binkley and Wallis
Senator Sturgulewski

In Memoriam - Joe Hong
by Senators Vic Fischer, Ziegler, Eliason and
Sturgulewski

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 Rodey moved and asked unanimous consent that he be excused from a call of the Senate on February 21 and February 24. Without objection, Senator Rodey was excused.

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

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

Senator Kelly moved and asked unanimous consent that he be excused from a call of the Senate on February 24-25. Without objection, Senator Kelly was excused.

Senator Zharoff moved and asked unanimous consent that he be excused from a call of the Senate on February 24-25. Senator Abood objected, then withdrew his objection. There being no further objection, Senator Zharoff was excused.

ENGROSSMENT

SB 386

SENATE BILL NO. 386 am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., February 21, 1986. Without objection, the Senate adjourned at 12:50 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 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

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

Feb 20 THURSDAY
SUNSET REVIEW
BOARD OF PHARMACY, PHYSICAL THERAPY

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

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 21 FRIDAY
HB 55 WARNING SIGNS, TAXIS FOR INTOXICATED PERSONS

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

Feb 26 WEDNESDAY *3:00 PM SENATE FINANCE RM
PRESENTATION ON INSURANCE
*JOINT WITH JUDICIARY

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

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 21 FRIDAY
SB 356 CAMPAIGN FINANCING

Feb 26 WEDNESDAY
SB 401 ANNULLING REGULATIONS ADOPTED BY APOC
SCR 34 PROFESSIONAL SERVICES CONTRACTS
SB 412 CLAIMS AGAINST THE STATE
SB 423 MISSING PERSONS INFORMATION CLEARINGHOUSE

Feb 27 THURSDAY
SB 391 EXECUTIVE BRANCH ETHICS ACT
HB 218 LEGISLATIVE ETHICS

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Feb 21 FRIDAY NO MEETING

Feb 24 MONDAY
DOT CAPITAL PROJECTS COMMISSIONER KNAPP
HB 240 PASSING SCHOOL BUSES

TRANSPORTATION cont'd

Feb 26 WEDNESDAY
 ALASKA RAILROAD CORPORATION OVERVIEW FRANK TURPIN
 Feb 28 FRIDAY NO MEETING
 Mar 3 MONDAY
 MARINE HIGHWAY OVERVIEW

BUDGET AND AUDIT -

Feb 21 FRIDAY *12:00 PM HOUSE FINANCE RM

JOINT ETHICS COMMITTEE -

Feb 20 THURSDAY *3:00 PM CAPITOL BLDG - RM TBA

FINANCE SUBCOMMITTEE

*Joint with House subcommittee unless otherwise noted

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

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 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

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

Feb 27 THURSDAY *HOUSE FINANCE RM
 NORTHERN REGION; INTERIOR, WESTERN & SOUTH CENTRAL
 DISTRICT *TELECONFERENCE FBX, NOME, VALDEZ
 Feb 28 FRIDAY
 SOUTHEAST REGION; MARINE HIGHWAY SYSTEM