

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

FRIDAY

February 21, 1986

Fortieth Day

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

The roll showed eighteen members present. Senator Rodey was excused from a call of the Senate. Senator Sackett was absent.

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-ninth legislative day and Senate Supplement No. 52 be approved as certified by the Secretary. Without objection, it was so ordered.

### MESSAGES FROM THE GOVERNOR

#### HJR 58

Message of February 20 was read, stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 58 (HESS)  
Urging the United States Department of Health and Human Services to ease the restrictions on the granting of Medicaid 1915(c) waivers.

Legislative Resolve No. 29

#### HJR 59

Message of February 20 was read, stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HJR 59 cont'dCS FOR HOUSE JOINT RESOLUTION NO. 59 (HESS)

Urging the United States Congress to pass an amended form of H.R. 1279 (99th Congress), the AFDC Error Reduction and Quality Control Act, or substantially similar legislation.

Legislative Resolve No. 31

SB 28

Message of February 20 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 28 (HESS)

An Act relating to 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.

Chapter 1, SLA 1986

HB 30

Governor's letter dated February 20:

Dear Senator Bennett:

I have signed the following bill and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

. 30 (FIN) (efd am S)

An Act relating to payment for purchases by the state; and providing for an effective date.

Chapter 2, SLA 1986

I have signed this bill into law because I believe that state agencies must operate in a commercially reasonable manner so that our vendors are treated fairly. If we expect prompt and complete performance, we must also promptly pay our bills. However, I believe that application of the provisions enacted in ch. 2 must be narrowly interpreted. There are some transactions involving billings for services which are not the result of a sale to a state agency. Rather, certain public benefit programs authorized by AS 47.07 (Medicaid), AS 47.08 (catastrophic illness), AS 47.25.195 (general relief-medical), AS 47.25.120 -- 47.25.500 (general relief), AS 18.05.010 (handicapped children), and AS 12.65.025 (post-mortem examination)

HB 30 cont'd

involve determinations of eligibility before the state may pay for medical or other eligible services provided by a private practitioner to an eligible person. The services covered by the foregoing benefit programs are provided at the request of the person who is entitled by law to receive the benefit. The private practitioners directly bill the state after the services are rendered. I have been advised by the attorney general that the provisions of ch. 2 will be interpreted to apply only to undisputed purchases under \$500,000 made by state agencies for use in the performance of assigned functions. I believe that any wider application was not intended by the legislature.

Sincerely,

/s/ Bill Sheffield  
Bill Sheffield  
Governor

Governor's transmittal letter dated February 21:

Dear Senator Bennett:

The names sent down for legislative confirmation as of this date are correct except for one change.

Mr. Douglas Pope, appointee to the Guide Licensing and Control Board, has submitted his resignation effective immediately. Please remove Mr. Pope's name from the confirmation list submitted to you on February 12, 1986.

Sincerely,

/s/ Bill Sheffield  
Bill Sheffield  
Governor

## STANDING COMMITTEE REPORTS

HB 356

The Rules Committee considered HOUSE BILL NO. 356 (assignment of group life policies of insurance) and recommended calendar February 21. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Faiks, Josephson and Coghill.

HOUSE BILL NO. 356 is on the calendar.

## INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 155

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 155 by Senator Kerttula, entitled:

"An Act relating to the partition of agricultural parcels."

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

SB 456

SENATE BILL NO. 456 by the Health, Education and Social Services Committee, entitled:

"An Act relating to the Board of Nursing Home Administrators; 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.

MEMORANDUM

TO: Senator Bennett, Senate President

FROM: Senator Fahrenkamp, Chairman  
Senate Committee on Health, Education and Social Services

RE: Board of Nursing Home Administrators

DATE: February 20, 1986

Pursuant to your referral under AS 44.66.050 and AS 08.03.010, the Senate Committee on Health, Education and Social Services had under review the Board of Nursing Home Administrators.

As required by statute, a public hearing was held on the review of this board. The committee considered the findings and recommendations of the Legislative Audit Division and has examined the proposed budget for the board.

After careful analysis, the committee will be introducing legislation that would extend the Board of Nursing Home Administrators for another four year period. In an effort to reduce the board's operational costs, the legislation will also propose to reduce the number of members on the board and the annual number of board meetings.

The report was signed by Senator Fahrenkamp, Chairman and Senators Sturgulewski, Josephson, DeVries and Paul Fischer.

## UNFINISHED BUSINESS

SB 346

Senator Josephson moved and asked unanimous consent that the reconsideration on CS FOR SENATE BILL NO. 346 (FIN) (income of the Alaska permanent fund; efd) be taken up at this time. Without objection, it was so ordered.

## SENATE BILLS IN THIRD READING

CS FOR SENATE BILL NO. 346 (FIN) was before the Senate in third reading on reconsideration.

The question to be reconsidered is: "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:

## CS SB 346 FIN RECON

Yeas:	11	Abood, Bennett, DeVries, Eliason, Faiks, Fischer Paul, Fischer Vic, Halford, Kelly, Kerttula, Sturgulewski
Nays:	7	Coghill, Fahrenkamp, Ferguson, Josephson, Ray, Zharoff, Ziegler
Excused:	1	Rodey
Absent:	1	Sackett

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

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:

## CS SB 346 FIN EFD

Yeas:	18	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Sturgulewski, Zharoff, Ziegler
Nays:	0	
Excused:	1	Rodey
Absent:	1	Sackett

SB 346 cont'd

and so, the effective date clause was adopted.

CS FOR SENATE BILL NO. 346 (FIN) was referred to the Secretary for engrossment.

HB 28

Senator Josephson moved and asked unanimous consent that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) (special appropriation from the undistributed income account in the Alaska permanent fund to the principal of the permanent fund; efd) be taken up at this time. Without objection, it was so ordered.

## HOUSE BILLS IN THIRD READING

SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) was before the Senate in third reading on reconsideration.

The question to be reconsidered is: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) (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 CS HB 28 FIN RECON

Yeas:	12	Abood, Bennett, DeVries, Eliason, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Kelly, Kerttula, Sturgulewski
Nays:	6	Coghill, Fahrenkamp, Josephson, Ray, Zharoff, Ziegler
Excused:	1	Rodey
Absent:	1	Sackett

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) passed the Senate on reconsideration.

Senator Halford moved the effective date clause.

HB 28 cont'd

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

SCS CS HB 28 FIN EFD

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

Nays: 0

Excused: 1 Rodey

Absent: 1 Sackett

and so, the effective date clause was adopted.

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

## CONSIDERATION OF THE CALENDAR

## SECOND READING OF HOUSE BILLS

HB 356

HOUSE BILL NO. 356 (assignment of group life policies of insurance) was read the second time.

Senator Halford moved and asked unanimous consent that HOUSE BILL NO. 356 be advanced to third reading and placed on final passage. Without objection, it was so ordered.

HOUSE BILL NO. 356 was read the third time.

The question being: "Shall HOUSE BILL NO. 356 (assignment of group life policies of insurance) pass the Senate?" The roll was taken with the following result:

HB 356 3RD

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

Nays: 0

Excused: 1 Rodey

Absent: 1 Sackett

HB 356 cont'd

and so, HOUSE BILL NO. 356 passed the Senate, was signed by the President and Secretary and returned to the House.

## CITATIONS

Honoring - Mary Lou Hanson  
by Senator Rodey

Honoring - Alaska All Star Pee Wee Hockey  
by Representatives Pignalberi, Phillips,  
Navarre and Jenkins  
Senators Kelly, Halford, Paul Fischer and  
Sturgulewski

In Memoriam - Lisa Rudd  
by Senators Vic Fischer, Fahrenkamp, Zharoff,  
Ziegler, Paul Fischer, Sturgulewski,  
Eliason, Halford, Kerttula, Faiks,  
Josephson, Abood, Ray and Bennett  
Representative Koponen

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.

## UNFINISHED BUSINESS

SB 397

Senator Sturgulewski moved and asked unanimous consent that she be shown as a co-sponsor on SENATE BILL NO. 397 (public use cabins; efd). Without objection, it was so ordered.

## ANNOUNCEMENTS

Announcements appear at the end of the journal.

## ENGROSSMENT

SB 346

CS FOR SENATE BILL NO. 346 (FIN) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 28

SENATE CS FOR CS FOR HOUSE BILL NO. 28 (FIN) 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 24, 1986. Without objection, the Senate adjourned at 11:49 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 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 25 TUESDAY  
REVIEW ALASKA HOUSING FINANCE CORP - RON LEHR  
HB 530 SPECIAL MORTGAGE LOAN PURCHASE PROGRAMS  
SB 351 SCHOOL CONSTRUCTION DEBT  
SB 171 PROPOSED FY 87 CAPITAL BUDGET  
Feb 26 WEDNESDAY  
REVIEW CAPITAL PROJECTS DEPARTMENTS LABOR  
PUBLIC SAFETY, TRANSPORTATION & PUBLIC FACILITIES  
Feb 27 THURSDAY  
SB 121 MISC CHANGES IN VARIOUS RETIREMENT LAWS  
HB 252 STATE RETIREMENT BENEFITS  
SJR 28 REQUIRE RETURN OF EARNINGS TO PERMANENT FUND

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

Feb 25 TUESDAY  
SB 388, HB 172, HB 377 RIGHTS OF DISABLED  
Feb 27 THURSDAY \*STATEWIDE TELECONFERENCE  
SB 319 CREATING SPECIAL EDUCATION SERVICE AGENCY  
HB 98 MEDICAL ASSISTANCE  
Mar 4 TUESDAY  
HB 114 CORRECTIONS LAWS  
Mar 6 THURSDAY  
SB 370 CHILD SUPPORT ENFORCEMENT & AFDC  
SB 453 MEMORIAL SCHOLARSHIP LOANS  
HB 161 STUDENT LOANS; ELIGIBILITY, INTEREST RATES

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Feb 25 TUESDAY  
SJR 39 RIGHT TO KEEP AND BEAR ARMS  
SB 364 STATE PAYMENT OF CERTAIN UNTIMELY CLAIMS  
SB 400, SB 421 ATTACHMENT PERMANENT FUND DIVIDENDS  
DISCUSSION JUDICIAL COUNCIL RE: GRAND JURY REPORT  
Feb 27 THURSDAY  
SB 95 DAMS & RESERVOIRS SAFETY PROGRAM  
SB 150 WATER RIGHTS UNDER THE ALASKA WATER USE ACT  
SB 341 STATE PROCUREMENT PRACTICES & PROCEDURES

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 \*TELECONFERENCE  
 SB 375, HB 100 HAZARDOUS SUBSTANCE  
 SB 155 AGRICULTURAL PARCELS  
 SB 338 REAPPROP SUSITNA, BRADLEY

Feb 24 MONDAY  
 SB 223 SUSITNA STATE FOREST  
 SR 8 USE OF ALASKAN WOOD  
 SB 343 PROTECTION OF NATURAL RANGELANDS  
 SB 368 SALE OF INHERITED REMOTE PARCELS

Feb 26 WEDNESDAY  
 HB 288 SUBSISTENCE

Feb 28 FRIDAY  
 SB 271 ALASKA HIRE; RESOURCE PROJECTS ON STATE LAND  
 \*3:30 ALASKA WATER RESOURCES BOARD

RULES - BELTZ ROOM 211 - 12:30 PM

Feb 27 THURSDAY \*1:00 PM  
 SCR 26 RULES SUSPENSION IN RELATION TO HB 155  
 HB 155 CONDOMINIUM REGIMES; MANUFACTURED HOUSING

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

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, HB 218 ETHICS ACT

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

Feb 26 WEDNESDAY  
 ALASKA RAILROAD CORPORATION OVERVIEW FRANK TURPIN

Feb 28 FRIDAY NO MEETING

Mar 3 MONDAY  
 MARINE HIGHWAY OVERVIEW

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 27 THURSDAY  
 FRED

Mar 4 THURSDAY  
 COMMERCIAL FISHERIES; VESSELS; SPORT FISH

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

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 & SOUTHCENTRAL  
DISTRICT \*TELECONFERENCE FBX, NOME, VALDEZ

Feb 28 FRIDAY

SOUTHEAST REGION; MARINE HIGHWAY SYSTEM