

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

February 26, 1986

Forty-fifth Day

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

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

The prayer was offered by the Chaplain, Reverend Loren Jones of Chapel by the Lake Church.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the forty-fourth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

COMMUNICATIONS

The Secretary announced receipt of:

SAFETY SURVEY OF ALASKA RAILROAD CORPORATION
FACILITIES
Received from Department of Labor,
Labor Standards and Safety Division

Distributed to Senate and House Labor and
Commerce Committees

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

Regulations posted 2/26/86:

DEPARTMENT OF ENVIRONMENTAL CONSERVATION proposed changes dealing with air quality (18 AAC 50) on two topics: guidance for industrial development in areas that are not in compliance with National Ambient Air Quality Standards and the use of tall stacks for dispersing air pollutants.

Senator Zharoff's presence was noted.

STANDING COMMITTEE REPORTS

SCR 34

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 34 (encouraging the award of professional services contracts to Alaskan professional services and industries) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries and Vic Fischer.

SENATE CONCURRENT RESOLUTION NO. 34 was referred to the Rules Committee.

SB 351

The Finance Committee considered SENATE BILL NO. 351 (retirement of school construction debt; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 351 (FIN)

and a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Paul Fischer, Eliason, Sackett and Ferguson.

Fiscal note is zero.

Senator Kerttula moved and asked unanimous consent that he be shown as a co-sponsor on SENATE BILL NO. 351. Without objection, it was so ordered.

SENATE BILL NO. 351 was referred to the Rules Committee.

SB 376

The Community and Regional Affairs Committee considered SENATE BILL NO. 376 (making appropriations to the Department of Community and Regional Affairs to reimburse municipalities under certain programs; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 376 (C&RA), entitled:

"An Act making appropriations to the Department of Community and Regional Affairs to reimburse municipalities under certain programs and to provide an organization grant; and providing for an effective date."

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

SENATE BILL NO. 376 was referred to the Finance Committee.

SB 388

The Health, Education and Social Services Committee considered SENATE BILL NO. 388 (chronically mentally ill) and recommended it be replaced with

CS FOR SENATE BILL NO. 388 (HESS)

and a majority do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski and DeVries.

SENATE BILL NO. 388 was referred to the Finance Committee.

SB 412

The State Affairs Committee considered SENATE BILL NO. 412 (claims against the state) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries and Vic Fischer.

SENATE BILL NO. 412 was referred to the Judiciary Committee.

HB 240

The Transportation Committee considered CS FOR HOUSE BILL NO. 240 (HESS) am (overtaking and passing school buses) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP)

and a majority do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Abood, Paul Fischer and Faiks.

CS FOR HOUSE BILL NO. 240 (HESS) am was referred to the Rules Committee.

HB 373

The State Affairs Committee considered HOUSE BILL NO. 373 (repealing the regulation of concert promoters). Senator Abood, Chairman and Senator DeVries signed "do pass". Senator Vic Fischer signed "no recommendation". Senator Ray signed "do not pass unless consumers protected some other way".

Letter of Intent

Passage of HB 373 reflects the Legislature's recognition that provisions contained in AS 08.92 restrict the availability of live entertainment in the State of Alaska, while providing no corresponding consumer protection.

The Legislature expresses its intent to allow municipalities to establish their own regulations in governing live entertainment as a matter of local option and urges municipalities to consider the protection of the consumer as its primary goal.

HOUSE BILL NO. 373 was referred to the Rules Committee.

HB 377

The Health, Education and Social Services Committee considered HOUSE BILL NO. 377 (requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to the legislature) and a majority of the committee recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski and DeVries.

HOUSE BILL NO. 377 was referred to the Finance Committee.

SB 278

The Rules Committee considered SENATE BILL NO. 278 (driver license compact) and recommended calendar February 26. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Faiks, Josephson and Coghill.

SENATE BILL NO. 278 is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 430

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 by Senator Fahrenkamp, entitled:

"An Act authorizing the commissioner of the Department of Natural Resources under certain circumstances to reduce or revoke royalty oil or gas obligation increases made in connection with the institution or operation of a cooperative or unit plan; and providing for an effective date."

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

SB 457

SENATE BILL NO. 457 by the Health, Education and Social Services Committee, entitled:

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

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

TO: Senator Bennett, Senate President
FROM: Senator Fahrenkamp, Chairman
Senate Committee on Health, Education and Social Services
RE: State Physical Therapy Board
DATE: February 25, 1986

Pursuant to your referral under AS 44.66.050 and AS 08.03.010, the Senate Committee on Health, Education and Social Services reviewed the State Physical Therapy Board.

SB 457 cont'd

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 examined the proposed budget for the Board.

After careful analysis, the committee will be introducing legislation that would extend the State Physical Therapy Board for a three year period. In an effort to increase public access to physical therapy services, the legislation will also propose the repeal of statutes that regulate the supervision of physical therapists by other medical professionals.

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 278

SENATE BILL NO. 278 (driver license compact) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1858. Without objection, CS FOR SENATE BILL NO. 278 (FIN) (impoundment and registration of motor vehicles; senior citizen motor vehicle tax exemptions; licensing of certain drivers; fees for driver's licenses and permits; refusal to submit to a chemical test for intoxication; and the driver's license compact) was adopted.

CS FOR SENATE BILL NO. 278 (FIN) was read the second time.

Senator Abood moved and asked unanimous consent that the State Affairs Letter of Intent on page 993 be adopted as a Senate Letter of Intent. Senator Kerttula objected, then withdrew his objection. There being no further objection, the Senate Letter of Intent was adopted.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 278 (FIN) be engrossed, advanced to third reading and placed on final passage. Senator Kerttula objected.

SB 278 cont'd

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 278 (FIN) be held in second reading. Without objection, it was so ordered and the bill will be on the February 27 calendar.

CITATIONS

Senator Halford moved and asked unanimous consent that the citation Honoring - Malcolm R. McGregor be shown as sponsored by All Other Members of the Senate. Without objection, it was so ordered.

Honoring - Bethel Regional High School Warriors
by Senator Sackett
Representatives Binkley and Wallis

In Memoriam - Terry D. King
by Representative Szymanski
Senators DeVries, Kerttula and Paul Fischer

Honoring - Malcolm R. McGregor
by Senators Kelly, Ziegler, Faiks, Sturgulewski,
Vic Fischer, Bennett, Rodey, Eliason, Coghill,
DeVries, Zharoff, Halford and All Other Members
of the Senate

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 187

Message of February 21 was read, stating the House passed and returned SENATE BILL NO. 187 with the following amendment:

HOUSE CS FOR SENATE BILL NO. 187 (2d JUD)
(adoption; efd)

Senator Halford moved that the Senate concur in the House amendment to SENATE BILL NO. 187 and recommended the members vote no.

SB 187 cont'd

The question being: "Shall the Senate concur in the House amendment to SENATE BILL NO. 187 (adoption; efd)?" The roll was taken with the following result:

HCS SB 187 2D JUD CONCUR

Yeas: 0

Nays: 18 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Fischer Paul, Fischer Vic,
Halford, Josephson, Kelly,
Kerttula, Rodey, Sackett,
Sturgulewski, Zharoff, Ziegler

Excused: 1 Ray

Absent: 1 Ferguson

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate action and request the House to recede from its amendment. In the event the House fails to recede, the President appointed a CONFERENCE COMMITTEE to meet with a like committee from the House to consider the bills:

Senator Rodey, Chairman
Senator Kelly
Senator Kerttula

SB 138

Senator Rodey, Chairman, moved and asked unanimous consent that the Judiciary Committee referral be waived on SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages). Without objection, it was so ordered.

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

ANNOUNCEMENTS

Announcements appear at the end of the journal.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., February 27, 1986. Without objection, the Senate adjourned at 11:42 a.m.

Peggy Mulligan
Secretary of the Senate

February 1986

Committee meetings in the Capitol

Change in time or place

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

Feb 27 THURSDAY
 HB 380 PUBLIC UTILITY WATER ASSESSMENTS

Mar 4 TUESDAY
 SB 407 APPROP NORTH SLOPE BOROUGH
 SB 414 MUNICIPAL LAND ENTITLEMENTS
 SB 448 HOME RULE MUNICIPALITIES
 WORK SESSION ON MUNICIPAL DISSOLUTION

Mar 6 THURSDAY
 HB 312 DUDE CREEK CRITICAL HABITAT AREA

Mar 11 TUESDAY NO MEETING

Mar 13 THURSDAY NO MEETING

FINANCE - FINANCE ROOM 518 - 8:30 AM

Feb 27 THURSDAY
 SB 171 FY 87 CAPITAL BUDGET
 HB 530 AHFC
 SB 121 CHANGES IN PERS
 SJR 28 RETURN OF EARNINGS TO PERMANENT FUND
 HB 252 STATE RETIREMENT BENEFITS
 SJR 32 CLAIMS TO WRANGEL AND OTHER ARCTIC ISLANDS

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

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 27 THURSDAY
 SB 95 DAMS & RESERVOIRS SAFETY PROGRAM
 SB 150 WATER RIGHTS ALASKA WATER USE ACT
 SB 341 STATE PROCUREMENT PRACTICES & PROCEDURES

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

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 27 THURSDAY
 SB 391, HB 218 ETHICS

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Feb 28 FRIDAY
SOLE SOURCE CONTRACT FOR RS 2477 TASK FORCE REPORT

Mar 3 MONDAY
MARINE HIGHWAY OVERVIEW

ANCHORAGE CAUCUS -

Feb 27 THURSDAY *12:00 PM HOUSE FINANCE RM
ANCHORAGE COMMUNITY COLLEGE

FINANCE SUBCOMMITTEE

*Joint with House subcommittee unless otherwise noted

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

Mar 11 TUESDAY
HUMAN RES, OLDER ALASKANS COMM; LABOR RELATIONS DIV

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

DEPARTMENT OF PUBLIC SAFETY - SENATE FINANCE RM - 3:30 PM

Mar 4 TUESDAY
FIRE PREVENTION; HWY SAFETY PLANNING; VIOLENT CRIMES
COMPENSATION BOARD; DOMESTIC VIOLENCE & SEXUAL
ASSAULT; ADMINISTRATION

Mar 6 THURSDAY
FISH & WILDLIFE PROTECTION; MOTOR VEHICLES;
STATE TROOPERS; VILLAGE PUBLIC SAFETY OFFICERS
PROGRAM; ALASKA POLICE STANDARDS COUNCIL

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

