

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

February 27, 1986

Forty-sixth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:19 a.m.

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

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

The Pledge of Allegiance was recited.

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

MESSAGES FROM THE HOUSE

SJR 29

Message of February 26 was read, stating the House has passed and returned:

SENATE JOINT RESOLUTION NO. 29
(maintenance of essential air service
to Cordova, Yakutat, Petersburg, Wrangell,
and Gustavus, Alaska)

SENATE JOINT RESOLUTION NO. 29 was referred to the Secretary for enrollment.

SJR 30

Message of February 26 was read, stating the House has passed and returned:

SENATE JOINT RESOLUTION NO. 30
(passenger service by Korean Air Lines
in Anchorage)

SJR 30 cont'd

SENATE JOINT RESOLUTION NO. 30 was referred to the Secretary for enrollment.

Message of February 26 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HCR 55

HOUSE CONCURRENT RESOLUTION NO. 55 by Representatives Cato, Grussendorf, Taylor, Cotten, Navarre, Pearce, Hanley and Jenkins,

Relating to the eighteenth annual Girls' State,
was read the first time and referred to the State Affairs Committee.

HCR 56

HOUSE CONCURRENT RESOLUTION NO. 56 by Representatives Cato, Grussendorf, Taylor, Cotten, Navarre, Pearce, Hanley and Jenkins,

Relating to the twentieth annual Boys' State,
was read the first time and referred to the State Affairs Committee.

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 227

CS FOR HOUSE BILL NO. 227 (FIN) by the Finance Committee, entitled:

"An Act relating to fish processors and primary fish buyers; and providing for an effective date." (with Letter of Intent)

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

COMMUNICATIONS

Regulations posted 2/27/86:

DEPARTMENT OF NATURAL RESOURCES
proposed changes in Title II of the Alaska
Administrative Code, dealing with agricultural
parcels and subdivision of patented agri-
cultural parcels

DEPARTMENT OF NATURAL RESOURCES
proposed amendments: (1) in an application fee
for assignments or transfers of working or royalty
interests in oil and gas leases
(2) Division of Parks and Outdoor Recreation's
definition of "vehicle"
(3) revising the procedure for handling applica-
tions mailed in for over-the-counter limited
homestead staking authorizations

Senator Sturgulewski, Chairman, moved and asked unanimous consent that the proposed regulations be referred to the Resources Committee. Without objection, it was so ordered.

STANDING COMMITTEE REPORTS

SB 171

The Finance Committee considered SENATE BILL NO. 171 (making, transferring, and repealing fiscal year 1985 operating budget appropriations within the Department of Commerce and Economic Development; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 171 (FIN), entitled:

"An Act making special appropriations for capital projects; and providing for an effective date."

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

SENATE BILL NO. 171 was referred to the Rules Committee.

SB 310

The State Affairs Committee considered SENATE BILL NO. 310 (establishing the Alaska Natural Hazards Safety Commission) and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 310 (SA)

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

SENATE BILL NO. 310 was referred to the Finance Committee.

SB 423

The State Affairs Committee considered SENATE BILL NO. 423 (creating a missing persons information clearinghouse) and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 423 (SA)

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

SENATE BILL NO. 423 was referred to the Judiciary Committee.

HB 100

The Rules Committee considered HOUSE BILL NO. 100 (detention of vessels as security for oil-pollution damages; clarifying a definition relating to discharge of hazardous substances; efd) and a majority of the committee recommended calendar February 27. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill, Josephson and Faiks.

HOUSE BILL NO. 100 is on the calendar.

HB 240

The Rules Committee considered CS FOR HOUSE BILL NO. 240 (HESS) am (overtaking and passing school buses) and a majority of the committee recommended calendar February 27. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill, Josephson and Faiks.

CS FOR HOUSE BILL NO. 240 (HESS) am is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SJR 43

SENATE JOINT RESOLUTION NO. 43 by the Rules Committee by request,

Relating to Fairbanks as the nominee for the site of the 1988 Arctic Winter Games,

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

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 458

SENATE BILL NO. 458 by the Transportation Committee, entitled:

"An Act relating to air carriers."

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

SB 459

SENATE BILL NO. 459 by the Rules Committee by request, entitled:

"An Act making a special appropriation for the 1988 Arctic Winter Games in Fairbanks; and providing for an effective date."

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

CONSIDERATION OF THE CALENDAR

SENATE BILLS IN SECOND READING

SB 278

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) which was held from February 26 was before the Senate in second reading.

SB 278 cont'd

Senator Kerttula offered Amendment No. 1:

Page 10, line 25: After "violated;"
Insert "describe the rights to hearing and
due process given the person convicted;"

Page 11, line 19: After "state"
Insert "if the offense constituting the
conduct reported under AS 28.37.130 has
elements similar to those of the home
state as defined in the home state at
the time the offense constituting the
conduct reported under AS 28.37.130 was
committed"

Page 11, after line 27: Insert a new subsection
"(d) For the conduct reported under
AS 28.37.130 to be given the same effect
as if the conduct had occurred in the home
state, the convicted person must have been
guaranteed essentially the same rights to
hearing and due process as required by the
home state in prosecuting an offense that
has elements similar to the conduct reported
under AS 28.37.130."

Senator Kerttula moved and asked unanimous consent for the
adoption of Amendment No. 1. Senator Rodey objected.

Senator Kerttula offered Amendment to Amendment No. 1:

First paragraph: After "person"
Delete "convicted"

Third paragraph: After "the"
Delete "convicted"

Fifth line: After "guaranteed" delete
"essentially"
Insert "substantially"

Senator Kerttula moved and asked unanimous consent for the
adoption of the Amendment to Amendment No. 1. Senator
Fahrenkamp objected, then withdrew her objection. There
being no further objection, Amendment to Amendment No. 1 was
adopted.

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

SB 278 cont'd

Senator Ferguson offered Amendment No. 2:

Page 2, delete line 11 through page 3, line 4 and insert:

" * Sec. 3. AS 28.10.011(11) is repealed and reenacted to read:

(11) being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to
 (A) the land-connected state highway system, or
 (B) a highway or vehicular way with an average daily traffic volume greater than 499;"

Senator Ferguson 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 CS FOR SENATE BILL NO. 278 (FIN) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

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

The question being: "Shall CS FOR SENATE BILL NO. 278 (FIN) am (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) pass the Senate?" The roll was taken with the following result:

CSSB 278 FIN AM 3RD

Yeas: 17 Abood, Bennett, Coghill, DeVries, Eliason, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler

Nays: 2 Fahrenkamp, Kerttula

Excused: 1 Ray

and so, CS FOR SENATE BILL NO. 278 (FIN) am passed the Senate with a Senate Letter of Intent.

SB 278 cont'd

CS FOR SENATE BILL NO. 278 (FIN) am was referred to the Secretary for engrossment.

SECOND READING OF HOUSE BILLS

HB 100

HOUSE BILL NO. 100 (detention of vessels as security for oil-pollution damages; clarifying a definition relating to discharge of hazardous substances; efd) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 1913. Without objection, SENATE CS FOR HOUSE BILL NO. 100 (RES) was adopted.

SENATE CS FOR HOUSE BILL NO. 100 (RES) was read the second time.

Fiscal note is zero.

Senator Halford moved and asked unanimous consent that SENATE CS FOR HOUSE BILL NO. 100 (RES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR HOUSE BILL NO. 100 (RES) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 100 (RES) (detention of vessels as security for oil-pollution damages; clarifying a definition relating to discharge of hazardous substances; efd) pass the Senate?" The roll was taken with the following result:

SCS HB 100 RES 3RD

Yeas:	19	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays:	0	
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Excused:	1	Ray
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HB 100 cont'd

and so, SENATE CS FOR HOUSE BILL NO. 100 (RES) 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 HOUSE BILL NO. 100 (RES) was referred to the Secretary for engrossment.

HB 240

CS FOR HOUSE BILL NO. 240 (HESS) am (overtaking and passing school buses) was read the second time.

Senator Coghill moved and asked unanimous consent for the adoption of the Transportation Senate Committee Substitute offered on page 1928. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) was read the second time.

Fiscal note is zero.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) 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. 240 (TRSP) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) (overtaking and passing school buses) pass the Senate?" The roll was taken with the following result:

SCS CSHB 240 TRSP 3RD

Yeas:	17	Abood, Bennett, Coghill, DeVries, Eliason, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Rodey, Sackett, Sturgulewski, Zharoff
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Nays:	2	Fahrenkamp, Ziegler
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Excused:	1	Ray
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HB 240 cont'd

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) passed the Senate and was referred to the Secretary for engrossment.

UNFINISHED BUSINESS

HB 380

Senator Faiks, Co-Chairman, moved and asked unanimous consent for an additional referral to the Finance Committee on CS FOR HOUSE BILL NO. 380 (C&RA) am (public utility water and sewer service extensions). Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 380 (C&RA) am was referred to the Community and Regional Affairs Committee and the Finance Committee.

ANNOUNCEMENTS

Announcements appear at the end of the journal.

SPECIAL ORDERS

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

ENGROSSMENT

SB 278

CS FOR SENATE BILL NO. 278 (FIN) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

HB 100

SENATE CS FOR HOUSE BILL NO. 100 (RES) was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 240

SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP) was engrossed, signed by the President and Secretary and returned to the House for consideration.

ENROLLMENT

SJR 29

SENATE JOINT RESOLUTION NO. 29 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 2:30 p.m., February 27, 1986.

SJR 30

SENATE JOINT RESOLUTION NO. 30 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 2:30 p.m., February 27, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., February 28, 1986. Without objection, the Senate adjourned at 11:59 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 28 FRIDAY *9:00 AM TELECONFERENCE
SB 356 CAMPAIGN FINANCING CONT'D
COMMISSIONERS - ALASKA PUBLIC OFFICES COMMISSION

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

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

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

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

Mar 3 MONDAY
WORK SESSION - SUNSET REVIEWS

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

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Mar 5 WEDNESDAY
SCR 32 BICENTENARY OF U.S. CONSTITUTION
HB 237 SPOUSE AS BENEFICIARY OF PENSION BENEFITS
HB 238 LEAVE FOR ADOPTION, PREGNANCY, BIRTH
HB 242 CHARGE-BACK OF DATA PROCESSING SERVICE

Mar 6 THURSDAY
CONFIRMATION HEARINGS
HJR 54, HB 454 STATE OFFICERS COMPENSATION
SENATE ANNOUNCEMENTS
PAGE 2

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 - JOE CAMP
DOT/PF OVERVIEW

Mar 5 WEDNESDAY
HJR 51 COAST GUARD USER FEES
WORK SESSION WITH ALASKA AIR CARRIERS ASSOC

LEGISLATIVE COUNCIL -

Mar 4 TUESDAY *12:00 PM BUTROVICH RM
 FY 1987 BUDGET, LAA COMPUTER SYSTEM UPGRADE

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

Mar 4 THURSDAY
 COMMERCIAL FISHERIES; VESSELS; SPORT FISH

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 28 FRIDAY
 SOUTHEAST REGION; MARINE HIGHWAY SYSTEM

