

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

March 6, 1986

Fifty-third Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:14 a.m.

The roll showed all members present.

The prayer was offered by the Chaplain, Pastor Joseph Filancia, Jr. of the Assembly of God Church. Senator Zharoff moved and asked unanimous consent that the prayer be spread Without objection, it was so ordered.

"Our Father and our God,

We thank You today for Your love and mercy.
We thank You for Your word that we can stand
on and trust it to lead and guide us.

Today we want to pray for all our leaders
that are serving in our State government.
We pray for Governor Sheffield that Your
strength and peace would be with him today.
We pray for every Senator that You, Father,
would encourage them and by Your spirit let
them know that Your love and grace is with
them.

May we always honor You in our lives and serve
Your people. Bless this day all that we do,
and keep Your hand on these Your servants.
This we ask in Your most holy name.

Amen"

The Pledge of Allegiance was recited.

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

MESSAGES FROM THE HOUSE

HB 100

Message of March 5 was read, stating the House concurred in the Senate amendment to HOUSE BILL NO. 100, thus passing:

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)

HB 240

Message of March 5 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 240 (HESS), thus passing:

SENATE CS FOR CS FOR HOUSE BILL NO. 240 (TRSP)
(overtaking and passing school buses)

SB 187

Message of March 5 was read, stating the Speaker granted limited powers of free conference, as requested by the House conferees, considering SENATE BILL NO. 187 (adoption; efd) and HOUSE CS FOR SENATE BILL NO. 187 (2d JUD) on the following specific point:

Access to adoption information for adult adoptees

Message of March 5 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 228

CS FOR HOUSE BILL NO. 228 (FIN) by the Finance Committee, entitled:

HB 228 cont'd

"An Act relating to retirement benefits for part-time teachers."

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

HB 409

CS FOR HOUSE BILL NO. 409 (TRSP) by the Transportation Committee, entitled:

"An Act relating to training and licensing of school bus drivers; and providing for an effective date."

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

COMMUNICATIONS

Proposed Regulations changes posted 3/6:

NOTICE OF PROPOSED CHANGES:
BOARD OF DENTAL EXAMINERS
Under authority of AS 08.36.070 and AS 08.36.190, repealing a point grading system for the clinical examination; clarifying procedure used for notification of clinical exam grades

STANDING COMMITTEE REPORTS

Senate Labor and Commerce Committee Report

Dear Mr. President:

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate Labor and Commerce Committee considered the Governor's appointments named:

ALASKA STATE BOARD OF PUBLIC ACCOUNTANCY

Michael Hanrahan, Anchorage
*Sandra Langland, Fairbanks

BOARD OF BARBERS AND HAIRDRESSERS

Neva Black, Kenai
*Marse Kueber, Fairbanks
John Melvin, Anchorage

BOARD OF ELECTRICAL EXAMINERS

Steven Boyd, Ketchikan
Walter Gardner, Anchorage

BOARD OF MARINE PILOTS

Captain W. Murphy, Homer

OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD

Guy Stringham, Dillingham
Robert Taylor, Fairbanks

RAILROAD LABOR RELATIONS AGENCY

Janet Baughman-Steele, Fairbanks

BOARD OF VETERINARY EXAMINERS

David George, Juneau
Derrick Leedy, DVM, Nome
Patrick Moriarty, DVM, Fairbanks

ALASKA WORKERS' COMPENSATION BOARD

*Robert Anders, Anchorage
*Thomas Chandler, Ketchikan
John Creed, Anchorage
*Elmer Eller, Anchorage
*Jackie Russell, Kenai
Donald Scott, Anchorage
Stephen Thompson, Fairbanks

*Reappointment

There were no stated objections to confirmation of the named individuals by committee members. This does not necessarily indicate an intention to vote for or against the individuals named at the time of the joint session on confirmation.

The report was signed by Senator Zharoff, Chairman and Senators Eliason, Bennett, Ray and Sackett.

Senate State Affairs Committee Report

March 6, 1986

Dear Mr. President:

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee considered the Governor's appointments named:

ASSESSMENT REVIEW BOARD

Christopher Follis, Juneau
Wayne Haerer, Kodiak

ATHLETIC COMMISSION

Stanley Anderson, Nome
Phil Hauser, Anchorage

STATE COMMISSION FOR HUMAN RIGHTS

*James Chase, Anchorage

PUBLIC OFFICES COMMISSION

Annie Laurie Howard, Anchorage

*Reappointment

There were no stated objections to confirmation of the named individuals by committee members. This does not necessarily indicate an intention to vote for or against the individuals named at the time of the joint session on confirmation.

The reports were signed by Senator Abood, Chairman and Senators DeVries, Kelly, Ray and Vic Fischer.

SCR 32

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 32 (bicentenary of the United States Constitution) and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (SA)

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

SENATE CONCURRENT RESOLUTION NO. 32 was referred to the Rules Committee.

SJR 8

The State Affairs Committee considered SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 8 (amendments to the Constitution of the United States and rescinding Legislative Resolve No. 1 of the Second Session of the Twelfth Alaska State Legislature) and recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE
JOINT RESOLUTION NO. 8 (SA)

and a majority do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries and Kelly. Senators Vic Fischer and Ray signed "no recommendation."

SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 8 was referred to the Judiciary Committee.

SJR 9

The Rules 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 a majority of the committee recommended calendar March 6. Senator Kelly, Chairman, signed "calendar". Senators Coghill and Josephson signed "calendar but do not pass".

SENATE JOINT RESOLUTION NO. 9 is on the calendar.

SB 292

The Labor and Commerce Committee considered SENATE BILL NO. 292 (placing the employees of the Alaska Power Authority in the exempt service under the State Personnel Act; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 292 (L&C); entitled:

"An Act relating to the Alaska Power Authority;
and providing for an effective date."

with attached amendment:

Page 1, line 26: After "serve" insert "at the
pleasure of the Governor,"

and do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett, Eliason, Bennett and Ray.

SB 292 cont'd

SENATE BILL NO. 292 was referred to the State Affairs Committee.

SB 333

The Labor and Commerce Committee considered SENATE BILL NO. 333 (changing the name of the Alaska State Housing Authority) and recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett, Eliason, Bennett and Ray.

SENATE BILL NO. 333 was referred to the Finance Committee.

SB 458

The Transportation Committee considered SENATE BILL NO. 458 (air carriers) and a majority of the committee recommended do pass and recommended a further referral to the Finance Committee. The report was signed by Senator Coghill, Chairman and concurred in by Senators Abood and Josephson. Senator Faiks signed "no recommendation".

President Bennett gave an additional referral to the Finance Committee.

SENATE BILL NO. 458 was referred to the Judiciary Committee and then the Finance Committee.

HCR 9

The Finance Committee considered HOUSE CONCURRENT RESOLUTION NO. 9 (Whittier-Shotgun Cove Access) and recommended it be replaced with

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 9 (FIN),

Relating to access to Whittier and to
Shotgun Cove,

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

Senator Kerttula moved and asked unanimous consent that his recommendation be shown as "do pass". Without objection, it was so ordered.

HCR 9 cont'd

Fiscal note is zero.

HOUSE CONCURRENT RESOLUTION NO. 9 was referred to the Rules Committee.

HJR 51

The Transportation Committee considered HOUSE JOINT RESOLUTION NO. 51 (Coast Guard user fees) and a majority of the committee recommended do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Abood, Faiks and Josephson.

HOUSE JOINT RESOLUTION NO. 51 was referred to the Resources Committee.

HB 55

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 55 (FIN) am (liquor licensees' duty to contact taxis for patrons and to display alcohol warning signs) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 55 (L&C)

and a majority do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett, Eliason and Ray. Senator Bennett signed "no recommendation".

CS FOR HOUSE BILL NO. 55 (FIN) am was referred to the Judiciary Committee.

HB 319

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 319 (L&C) (physical agents) and a majority of the committee recommended do pass. Senator Zharoff, Chairman, signed "no recommendation". Senators Sackett, Eliason, Bennett and Ray signed "do pass".

CS FOR HOUSE BILL NO. 319 (L&C) was referred to the Finance Committee.

SCR 34

The Rules 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 calendar March 6. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill, Josephson and Faiks.

SENATE CONCURRENT RESOLUTION NO. 34 is on the calendar.

SJR 43

The Rules Committee considered SENATE JOINT RESOLUTION NO. 43 (Fairbanks as the nominee for the site of the 1988 Arctic Winter Games) and recommended calendar March 6. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill, Bennett, Josephson and Faiks.

SENATE JOINT RESOLUTION NO. 43 is on the calendar.

SPECIAL COMMITTEE REPORTS

SB 187

March 5, 1986

Dear Senator Bennett:

The Senate Conference Committee considering SENATE BILL NO. 187 and HOUSE CS FOR SENATE BILL NO. 187 (2d JUD) (adoption; efd) requests limited powers of free conference on the following specific point:

1. Access to Adoption Information for adult adoptees

The report was signed by Senator Rodey, Chairman and Senators Kelly and Kerttula, Senate conferees and Representative Gruenberg, Chairman and Representatives Szymanski and Pettyjohn, House conferees.

Senator Rodey moved and asked unanimous consent that the Senate conferees be granted limited powers of free conference on the point specified. Without objection, President Bennett granted the Senate conferees limited powers of free conference as requested.

The Secretary was requested to notify the House.

House conferees were granted limited powers March 5.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 360

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 360 by Senators Faiks, Bennett, Zharoff, DeVries, Rodey and Paul Fischer, entitled:

"An Act relating to tax credits for employing and training residents; and providing for an effective date."
(new title)

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE RESOLUTIONS

SJR 9

SENATE JOINT RESOLUTION NO. 9 (Proposing amendments to the Constitution of the State of Alaska relating to the election of the attorney general) was read the second time.

Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 1884. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) was adopted.

CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) was read the second time.

Senator Vic Fischer offered Amendment No. 1:

Page 1, line 9: Insert new section as follows:

*Section 1. Article III, Sec. 1, Constitution of the State of Alaska is hereby repealed.

Renumber subsequent sections accordingly

Senator Vic Fischer moved Amendment No. 1. Senator Halford objected.

SJR 9 cont'd

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

CS SJR 9 JUD AM 1

Yeas: 4 Coghill, Fischer Vic, Kerttula,
Sackett

Nays: 16 Abood, Bennett, DeVries, Eliason,
Fahrenkamp, Faiks, Ferguson,
Fischer Paul, Halford, Josephson,
Kelly, Ray, Rodey, Sturgulewski,
Zharoff, Ziegler

Senator Josephson changed from "yea" to "nay".

and so, Amendment No. 1 failed.

Senators Halford and Kerttula offered Amendment No. 2:

Page 3, after line 5, insert:

"SECTION 32. ELECTION TO OTHER EXECUTIVE OFFICES. A person who has been elected attorney general is not eligible to hold office as governor or lieutenant governor until one full term has intervened."

Renumber sections accordingly.

Senator Halford moved for adoption of Amendment No. 2 and asked unanimous consent. Senator Ray objected.

The question being: "Shall Amendment No. 2 be adopted?"
The roll was taken with the following result:

CS SJR 9 JUD AM 2

Yeas: 15 Abood, Bennett, DeVries, Eliason,
Faiks, Fischer Paul, Fischer Vic,
Halford, Josephson, Kelly,
Kerttula, Rodey, Sackett,
Sturgulewski, Ziegler

Nays: 5 Coghill, Fahrenkamp, Ferguson,
Ray, Zharoff

SJR 9 cont'd

and so, Amendment No. 2 was adopted.

Senator Halford moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am (Proposing amendments to the Constitution of the State of Alaska relating to the election of the attorney general) pass the Senate?" The roll was taken with the following result:

CS SJR 9 JUD AM 3RD

Yeas: 9 Abood, Bennett, DeVries, Faiks,
Fischer Paul, Halford, Kelly,
Rodey, Sturgulewski

Nays: 11 Coghill, Eliason, Fahrenkamp,
Ferguson, Fischer Vic, Josephson,
Kerttula, Ray, Sackett, Zharoff,
Ziegler

and so, CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am failed.

Senator Kelly gave notice of reconsideration.

Senator Kelly moved and asked unanimous consent that the reconsideration on CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am be taken up at this time. Without objection, it was so ordered.

SENATE RESOLUTIONS IN THIRD READING

CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am before the Senate on reconsideration.

Senator Kelly moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 9 (JUD) am be returned to the Rules Committee. Without objection, the resolution was returned to the Rules Committee.

SJR 43

SENATE JOINT RESOLUTION NO. 43 (Fairbanks as the nominee for the site of the 1988 Arctic Winter Games) was read the second time.

Fiscal note is zero.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 43 be held until Monday's calendar. Without objection, it was so ordered and the resolution will be on the March 10 calendar in second reading.

SCR 34

SENATE CONCURRENT RESOLUTION NO. 34 (Encouraging the award of professional services contracts to Alaskan professional services and industries) was read the second time.

Fiscal note is zero.

Senator Halford moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 34 be held until tomorrow's calendar. Without objection, it was so ordered and the resolution will be on the March 7 calendar.

CITATIONS

Honoring - Esther C. Wunnicke
by Senators Vic Fischer, Kelly, Ziegler,
Fahrenkamp, Zharoff, Sturgulewski, Paul
Fischer, Rodey, Bennett, Halford, DeVries,
Coghill, Eliason, Faiks, Kerttula, Abood
and Ray

Senator Halford moved and asked unanimous consent that the citation calendar be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

UNFINISHED BUSINESS

Senator Sturgulewski moved and asked unanimous consent that she be excused from a call of the Senate on March 18. Without objection, Senator Sturgulewski was excused.

Senator Eliason moved and asked unanimous consent that he be excused from a call of the Senate on April 9. Without objection, Senator Eliason was excused.

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

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. March 7, 1986 and meet in Joint Session at 10:00 a.m. in the House chamber. Without objection, the Senate adjourned at 12:19 a.m.

Peggy Mulligan
Secretary of the Senate

March 1986

ANNOUNCEMENTS

Committee meetings in the Capitol
Change in time or place

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

- Mar 11 TUESDAY
 - SB 407 APPROP NORTH SLOPE BOROUGH
 - SB 414 MUNICIPAL LAND ENTITLEMENTS
 - SB 448 HOME RULE MUNICIPALITIES
 - WORK SESSION ON MUNICIPAL DISSOLUTION
- Mar 13 THURSDAY
 - HB 327 DISCLOSURE OF INFORMATION
 - SB 369 MUNICIPAL FISCAL NOTE FOR LEGISLATION
- Mar 18 TUESDAY
 - HB 186 ANCHORAGE COASTAL WILDLIFE REFUGE

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

- Mar 11 TUESDAY *TELECONFERENCE
 - HB 114 CORRECTIONS LAWS

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

- Mar 10 MONDAY
 - SB 377 LIMITATIONS ON CIVIL LIABILITY
 - SB 379, SB 404, SB 442 INSURANCE PACKAGE

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

- Mar 7 FRIDAY
 - SB 398 MOOSE HABITAT AND CONSERVATION TAG & FEE
 - SB 409 RIGHT TO FARM
 - SB 397 PUBLIC USE CABINS
 - SB 430 AUTHORITY TO REVOKE, REDUCE ROYALTY INCREASE
 - SB 155 SPLITTING & COMBINING AGRICULTURAL PARCELS
 - SJR 1 AGRICULTURAL RIGHTS IN STATE LAND

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

- Mar 12 WEDNESDAY
 - SJR 46 DEMOCRACY IN THE PHILIPPINES
 - HCR 55 EIGHTEENTH ANNUAL GIRLS' STATE
 - HCR 56 TWENTIETH ANNUAL BOYS' STATE
 - SB 425 LONGEVITY BONUS ABSENCES MEDICAL CARE
 - HB 218 LEGISLATIVE ETHICS
- Mar 13 THURSDAY
 - SB 100 LIMIT CERTAIN PUBLIC EMPLOYEES' SALARIES
 - SB 420 TEACHER OUTSIDE SERVICE CREDIT
 - HB 237 SPOUSE BENEFICIARY OF PENSION BENEFITS
 - HB 238 LEAVE FOR ADOPTION, PREGNANCY, BIRTH

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

- Mar 10 MONDAY
 - OVERVIEW DOT/PF
- Mar 12 WEDNESDAY
 - SB 373 METROPOLITAN PLANNING

ANCHORAGE CAUCUS--

- Mar 11 TUESDAY *6:30 PM HOUSE FINANCE RM
 - ANCHORAGE TEACHERS *TELECONFERENCED

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

DEPT OF ENVIRONMENTAL CONSERVATION - BUTROVICH RM - 3:30 PM

Mar 13 THURSDAY

*****JOINT SESSION*****

Mar 7 FRIDAY 10:00 AM HOUSE CHAMBERS

U.S. SENATOR TED STEVENS