

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

March 13, 1986

Sixtieth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:13 a.m.

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

The prayer was offered by the Chaplain, Reverend E. David Spencer of the Shepherd of the Valley Lutheran Church. Senator Abood moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"O Lord, our God, we invoke the presence of Your knowledge and wisdom upon this body of lawmakers. The challenge to do more with less is before them. May the reality of the absence of unlimited financial resources lead them not to discouragement and defeat, but rather a dedication to an efficient and effective budget, free from duplication, waste, and pressures to satisfy the influential few.

As the challenge of work is before them, the diversion of this evening's game featuring the lawmakers of this great State versus the pampered and famous heroes of the gridiron from the South, is more than an interruption. Rather, it is a needed good time in the midst of a difficult and challenging time to exercise good government.

May this body of senior lawmakers provide from its wealth of knowledge and experience the needed presence and participation that will send a clear message to the lower forty-eight, that Alaska is not only big, but Alaska is also powerful, whether in victory, or in permitting visitors the luxury of a win.

So bless us O Lord, whether in the necessary and serious business of lawmaking, or in the diversionary fun of life, so necessary for intellectual and spiritual health.

In Christ's name, we pray.

Amen."

The Pledge of Allegiance was recited.

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

#### MESSAGES FROM THE HOUSE

Message of March 12 was read, stating the House passed and transmitted for consideration:

#### FIRST READING AND REFERENCE OF HOUSE BILLS

##### HB 407

CS FOR HOUSE BILL NO. 407 (RULES) am by the Rules Committee, entitled:

"An Act relating to the use of, and certain reports and records concerning game animals."

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

##### HB 492

HOUSE BILL NO. 492 by Representatives Duncan, Grussendorf, Marrou and Taylor entitled:

"An Act relating to sport fishing from commercially licensed troll vessels; and providing for an effective date."

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

COMMUNICATIONS

Posted 3/13/86:

ALASKA REAL ESTATE COMMISSION  
proposed changes to adopt regulations  
in Title 12, dealing with Real Estate  
Brokers and Salespersons

STANDING COMMITTEE REPORTS

SJR 46

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 46 (democracy in the Philippines) and a majority of the committee recommended it be replaced with:

CS FOR SENATE JOINT RESOLUTION NO. 46 (SA)

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

Fiscal note is zero.

SENATE JOINT RESOLUTION NO. 46 was referred to the Rules Committee.

SB 373

The Transportation Committee considered SENATE BILL NO. 373 (metropolitan planning organizations) and a majority of the committee recommended it be replaced with:

CS FOR SENATE BILL NO. 373 (TRSP)

and do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Faiks, Abood and Paul Fischer. Senator Josephson signed "do not pass".

SENATE BILL NO. 373 was referred to the Finance Committee.

SB 375

The Resources Committee considered SENATE BILL NO. 375 (release of oil and hazardous substances; efd) and a majority of the committee recommended it be replaced with:

SB 375 cont'd

CS FOR SENATE BILL NO. 375 (RES), entitled:

"An Act relating to the release of oil and hazardous substances; repealing the oil spill mitigation account; and providing for an effective date."

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

COMMITTEE ON RESOURCES  
LETTER OF INTENT  
FOR  
CSSB 375 (RES)

To encourage responsible, experienced Alaskan companies to enter the oil and hazardous substance cleanup business and to facilitate the goals of cleaning up these substances, it is the intent of the Legislature to clarify the definition of "construction contracts" in AS 45.45.900. The provision in CSSB 375 (Resources) addresses an ambiguity in the current statute which prohibits indemnification agreements in construction contracts by specifically exempting hazardous waste cleanup contracts from this definition.

The provision does not require any entity, public or private, to enter into an indemnification agreement. It is not intended to hold any party harmless or exempt parties from liability for mishandling of oil or hazardous substances. The intent is to provide a mechanism for the allocation of liability among parties by allowing them to enter into contracts which provide protections and clear lines of responsibility.

/s/ Arliss Sturgulewski  
Senator Arliss Sturgulewski  
Chairman, Senate Resources Committee

SENATE BILL NO. 375 was referred to the Finance Committee.

SB 379

The Labor and Commerce Committee considered SENATE BILL NO. 379 (premium tax for domestic insurers) and a majority of the committee recommended it be replaced with:

CS FOR SENATE BILL NO. 379 (L&C), entitled:

"An Act relating to the premium tax for domestic insurers; and identifying the tax years to which the Act applies."

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

SB 379 cont'd

SENATE BILL NO. 379 was referred to the Finance Committee.

SB 410

The Resources Committee considered SENATE BILL NO. 410 (financing of shore-based fish processors by the Commercial Fishing and Agriculture Bank) and a majority of the committee recommended it be replaced with:

CS FOR SENATE BILL NO. 410 (RES), entitled:

"An Act relating to financing of fish processors and agricultural and timber processors and harvesters by the Commercial Fishing and Agriculture Bank; and providing for an effective date."

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

Fiscal note is zero.

COMMITTEE ON RESOURCES  
LETTER OF INTENT  
FOR  
CSSB 410 (RES)

This legislation is intended to enhance the ability of the Alaska Commercial Fishing and Agriculture Bank to fulfill its legislatively mandated responsibilities by broadening its potential market. It is therefore the intent of the legislature that the term "shore-based fish processors" shall not be interpreted to exclude fish processing corporations whose operations include both shore-based and floating processing facilities. For the purposes of this legislation a fish processing company that operates both shore-based and floating facilities shall be considered to be a shore-based fish processor.

SENATE BILL NO. 410 was referred to the Finance Committee.

SB 420

The State Affairs Committee considered SENATE BILL NO. 420 (repealing outside service credits under the Teachers' Retirement System; efd). Senator Abood, Chairman and and Senator DeVries signed "do pass". Senators Vic Fischer, Ray and Kelly signed "no recommendation".

SB 420 cont'd

SENATE BILL NO. 420 was referred to the Health, Education and Social Services Committee.

HB 218

The State Affairs Committee considered CS FOR HOUSE BILL NO. 218 (JUD) (standards of conduct of legislators and legislative employees and to the Select Committee on Legislative Ethics; efd) and a majority of the committee recommended it be replaced with:

SENATE CS FOR CS FOR HOUSE BILL NO. 218 (SA)

Senator Abood, Chairman and Senator Ray signed "no recommendation". Senators DeVries and Vic Fischer signed "do pass".

CS FOR HOUSE BILL NO. 218 (JUD) was referred to the Judiciary Committee.

HB 288

The Resources Committee considered CS FOR HOUSE BILL NO. 288 (JUD) am (taking of fish and game for subsistence and personal use; efd) and a majority of the committee recommended it be replaced with:

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES)

and do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Vic Fischer, Zharoff and Eliason. Senator Halford signed "do not pass, violates Article I, Section 1, Alaska Constitution". Senator Coghill signed "do not pass, violates the individual's right" and Senator Fahrenkamp signed "no recommendation".

CS FOR HOUSE BILL NO. 288 (JUD) am was referred to the Judiciary Committee.

## INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SCR 37

SENATE CONCURRENT RESOLUTION NO. 37 by the Rules Committee,

Proposing amendments to the Uniform  
Rules relating to changes in the title  
of a resolution,

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

## CONSIDERATION OF THE CALENDAR

## HOUSE BILLS IN THIRD READING

HB 144

CS FOR HOUSE BILL NO. 144 (JUD) (title am) (lists of political campaign contributions) which was held from March 12, was before the Senate in third reading.

Senator Eliason moved and asked unanimous consent that CS FOR HOUSE BILL NO. 144 (JUD) (title am) be returned to second reading for the purpose of a specific amendment. Without objection, it was so ordered.

Senator Eliason offered Amendment No. 1:

Page 1, line 15: After (a). Insert: "The commissioner shall also mail a copy of the list to each of the candidates and groups which were recipients of those credited contributions."

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

CS FOR HOUSE BILL NO. 144 (JUD) am S was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 144 (JUD) am S (lists of political campaign contributions) pass the Senate?" The roll was taken with the following result:

CSHB 144 JUD AM S 3RD

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

Nays: 1 Ziegler

Excused: 1 Fahrenkamp

Absent: 1 Ferguson

and so, CS FOR HOUSE BILL NO. 144 (JUD) am S passed the Senate.

HB 144 cont'd

CS FOR HOUSE BILL NO. 144 (JUD) am S was referred to the Secretary for engrossment.

## CITATIONS

Honoring - Mary McKinnon

by Representatives Gruenberg, Hurley, Boucher,  
Jenkins, Martin, Pignalberi, Furnace, Hanley,  
Davis, Navarre, Cato, Pearce, Clocksin,  
Pourchot and Cotten  
Senators Rodey, Vic Fischer, Kelly,  
Sturgulewski, Ferguson, Zharoff, Kerttula,  
Halford, Ray, Josephson, Eliason, Sackett  
and Faiks

Honoring - Soldotna High School's Academic  
Decathlon Team

by Representatives Navarre, Koponen, Szymanski  
and Marrou  
Senators Paul Fischer, Sturgulewski, DeVries,  
Kerttula and Abood

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.

Senator Halford moved and asked unanimous consent that the rules be suspended and the notice and publication requirements be waived and the citation In Memoriam - Magnus Colcord "Rusty" Heurlin be made a special order of business. Without objection, it was so ordered.

## SPECIAL ORDER OF BUSINESS

In Memoriam - Magnus Colcord "Rusty" Heurlin

by Senators Bennett, Fahrenkamp, Coghill,  
Vic Fischer, Sturgulewski, Sackett,  
Kerttula, Halford and Josephson  
Representatives Koponen, Davis, Ringstad,  
Frank and M.W. Miller

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

SPECIAL ORDERS

Senator Kerttula moved and asked unanimous consent that he be excused from a call of the Senate, March 17. Without objection, Senator Kerttula was excused.

ENGROSSMENT

HB 144

CS FOR HOUSE BILL NO. 144 (JUD) am S was engrossed, signed by the President and Secretary and returned to the House for consideration.

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 14, 1986. Without objection, the Senate adjourned at 11:37 a.m.

Peggy Mulligan  
Secretary of the Senate

March 1986

Committee meetings in the Capitol  
 \*Change in time or place\*

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

Mar 18 TUESDAY  
 HB 186 ANCHORAGE COASTAL WILDLIFE REFUGE  
 SB 369 MUNICIPAL FISCAL NOTE FOR LEGISLATION  
 Mar 20 THURSDAY  
 SB 411 ROAD MAINTENANCE SERVICE AREAS

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

Mar 17 MONDAY \*10:00 AM  
 WORK SESSION HB 114 CORRECTIONS FACILITIES  
 Mar 18 TUESDAY  
 SB 251 PRACTICE OF PSYCHOLOGY  
 SB 456 BOARD OF NURSING HOME ADMINISTRATORS  
 SB 457 STATE BOARD OF PHYSICAL THERAPISTS

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

Mar 14 FRIDAY  
 SB 377 TORT REFORM (CONT'D)  
 SB 404 INSURANCE  
 Mar 17 MONDAY  
 SB 377 TORT REFORM (CONT'D)

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Mar 14 FRIDAY  
 SB 353 WATERFOWL CONSERVATION STAMP PROGRAM  
 SB 405 LOANS ALASKA GRAIN RESERVE PROGRAM  
 SB 462 ACCESS TO RECREATION AREAS  
 Mar 26 WEDNESDAY  
 OVERVIEW ALASKA POWER AUTHORITY  
 BOB HEATH, DIRECTOR

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Mar 19 WEDNESDAY  
 SB 391 EXECUTIVE BRANCH ETHICS ACT  
 Mar 20 THURSDAY  
 SB 391 EXECUTIVE BRANCH ETHICS ACT

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Mar 17 MONDAY  
 OVERVIEW OF INTERNATIONAL AIRPORT PLANNING  
 HB 409 LICENSING OF SCHOOL BUSES  
 Mar 19 WEDNESDAY  
 OVERVIEW BUSH AIRPORT PLANNING AND FUNDING

OMBUDSMAN SELECTION COMMITTEE -

Mar 19 WEDNESDAY \*7:00 PM RM 122 REP. MILLER OFFICE  
 \*\*\*CANCELED\*\*\*