

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

March 19, 1986

Sixty-sixth Day

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

The roll showed all members present.

The prayer was offered by the Chaplain, Arssalan Sadighi of the Juneau Baha'i Assembly.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the sixty-fifth legislative day and Senate Supplement No. 57 be approved as certified by the Secretary. Without objection, it was so ordered.

STANDING COMMITTEE REPORTS

March 18, 1986

Dear Mr. President:

The Senate Committee on Health, Education and Social Services has considered the attached list of Governor's appointees and has no stated objection to their appointment. This does not, however, indicate an individual committee member's intent to vote for or against any appointment at the time of confirmation.

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

Board of Chiropractic Examiners
Gundelfinger, DC, Thomas, Juneau
*Ketz, DC, Kenneth, Anchorage

Board of Dental Examiners

Baxter, Christine, Fairbanks
 Gellert, Hubert, Anchorage
 *Woller, DDS, Timothy, Fairbanks

Board of Dispensing Opticians

McClanahan, Gregg, Anchorage
 Smith, Donald, Anchorage

State Medical Board

Hensley, Abigale R., Anchorage
 *Rhyneer, MD, George, Anchorage

Board of Nursing

Farley, Anita, Anchorage

Board of Nursing Home Administrators

*Deater, Eloise, Anchorage

Board of Examiners in Optometry

Gonnason, OD, Jeffrey, Anchorage

Board of Pharmacy

Kelley, Laura, Eagle River
 Race, Gerald, Juneau
 Strand, Claire, Petersburg

Physical Therapy Board

Dudley, Gail, Anchorage
 Thompson, Susan, Kenai

Professional Teaching Practices Commission

Bergquist, Ph.D, Sidney, Anchorage
 *Shelton, Norma "Nicki", Hoonah
 *Simpler, Charles "Tom", Kodiak
 Tatsuda, Laurel, Juneau

Board of Psychologist and Psychological Associate Examiners

Fischer, Ph.D, Margaret, Anchorage
 *Greenough, Ph.D, James, Sitka

Board of Regents

Bousley, Lance P., Juneau

*Reappointment

SJR 39

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 39 (proposing an amendment to the Constitution of the State of Alaska relating to the right of a citizen to keep and bear arms) and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD),

Proposing an amendment to the Constitution of the State of Alaska relating to the right of a citizen to keep and bear firearms.

SJR 39 cont'd

and do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Kelly, Faiks, Halford and Ziegler.

Fiscal note is zero.

SENATE JOINT RESOLUTION NO. 39 was referred to the Rules Committee.

SB 294

The Resources Committee considered SENATE BILL NO. 294 (guiding; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 294 (RES)

Senator Sturgulewski, Chairman and Senators Coghill and Fahrenkamp signed "do pass". Senators Eliason, Zharoff and Vic Fischer signed "no recommendation".

Fiscal note is zero.

SENATE BILL NO. 294 was referred to the Finance Committee.

SB 341

The Judiciary Committee considered SENATE BILL NO. 341 (state procurement practices and procedures; efd) and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 341 (JUD)

and do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks and Kelly. Senator Ziegler signed "do pass, but only if ASHA is excluded from the bill". Senator Halford signed "no recommendation".

SENATE BILL NO. 341 was referred to the Finance Committee.

SB 400

The Judiciary Committee considered SENATE BILL NO. 400 (a reporting system for fraudulent applications for permanent fund dividends; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 400 (JUD)

and do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks, Kelly, Halford and Ziegler.

SB 400 cont'd

Fiscal note is in Senate Supplement No. 58.

SENATE BILL NO. 400 was referred to the Finance Committee.

SB 456

The Health, Education and Social Services Committee considered SENATE BILL NO. 456 (Board of Nursing Home Administrators; efd) and a majority of the committee recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson and DeVries.

Fiscal note is in Senate Supplement No. 58.

LETTER OF INTENT
FOR SB 456

During fiscal year 1985, operating costs of the Board of Nursing Home Administrators exceeded \$3,000. These costs were partially offset by the \$1,818 collected in license fees. SB 456 is intended to reduce the board's operating costs through reducing the membership of the board from 5 to 3 and reducing the minimum number of board meetings to one a year.

In addition, AS 08.70.150 and AS 08.01.065 authorize the Department of Commerce to establish license fees administratively with the concurrence of the board, and require that the fees reflect to the extent possible the actual costs to the Department of the board.

It is the intent of the Senate Committee on Health, Education and Social Services that the Department set fees for the Board of Nursing Home Administrators that are sufficient to cover the costs of its operations, and do so in a timely manner.

SENATE BILL NO. 456 was referred to the Finance Committee.

SB 457

The Health, Education and Social Services Committee considered SENATE BILL NO. 457 (State Physical Therapy Board; efd) and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 457 (HESS)

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

SB 457 cont'd

Fiscal note is zero. Analysis from Department of Commerce and Economic Development, Occupational Licensing: "The bill extends the State Physical Therapy Board for three years and enacts a re-write of AS 08.84.120 relating to REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE. The bill also classifies a violation as a Class B Misdemeanor. In addition, the bill repeals sections relating to practice by referral, therefore allowing physical therapists to practice independently. The bill is not expected to generate new costs or revenues."

LETTER OF INTENT
FOR
CSSB 457 (HESS)

SB 457 provides for the continuation of the State Physical Therapy Board for three years. It also repeals those statutes that regulate the supervision of physical therapists by other medical professionals. It is the intent of the committee that the board present to the Legislature at its next sunset review, a report evaluating the performance of physical therapists practicing without referral. The report should include information indicating the number of physical therapists in the state practicing without referral, their qualifications, including education and the number of years licensed and practicing, the number of clients served with and without referral, the number of complaints filed, effects on the cost of medical malpractice insurance, and a recommendation on the continued independent practice of licensed physical therapists.

It is also the intent of the committee that the board adopt regulations requiring licensed physical therapists to complete at least 25 hours of continued medical education every two years.

SENATE BILL NO. 457 was referred to the Rules Committee.

HB 172

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 172 (JUD) am (rights of physically and mentally disabled persons) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 172 (HESS)

Senator Fahrenkamp, Chairman and Senator Josephson signed "do pass". Senator DeVries signed "no recommendation".

Two fiscal notes are in Senate Supplement No. 58.

HB 172 cont'dLETTER OF INTENT
FOR
SCS CSHB 172 (HESS)

The Alaska State Commission for Human Rights is currently charged with eliminating and preventing unlawful discrimination in Alaska. SCS CSHB 172 (HESS) extends this civil rights protection to mentally and physically disabled persons. Sections 4 and 5 protect the rights of physically and mentally disabled persons to use public streets, buildings and accommodations. It is the intent of the Senate Committee on Health, Education and Social Services that the Commission's enforcement responsibility of these rights extend only to accepting complaints and not to conducting criminal investigations or prosecutions.

CS FOR HOUSE BILL NO. 172 (JUD) am was referred to the Finance Committee.

HB 228

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 228 (FIN) (retirement benefits for part-time teachers). Senator Fahrenkamp, Chairman and Senator Josephson signed "do pass". Senator DeVries signed "no recommendation".

CS FOR HOUSE BILL NO. 228 (FIN) was referred to the Finance Committee.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 466

SENATE BILL NO. 466 by the Health, Education and Social Services Committee, entitled:

"An Act extending the termination date of the Alcoholic Beverage Control Board; 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.

CONSIDERATION OF THE CALENDAR

CITATIONS

Honoring - Don Harrison
by Representatives Taylor and Sund
Senator Ziegler

In Memoriam - Joseph J. Waddell
by Senators Eliason, Ray, Ziegler and
Halford

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 463

Senator Faiks, Co-Chairman, moved and asked unanimous consent that SENATE BILL NO. 463 (imposing requirements on employers who hire nonresidents for employment in the state; efd) have an additional referral to the Finance Committee. Without objection, it was so ordered.

SENATE BILL NO. 463 was referred to the Labor and Commerce Committee and the Finance Committee.

ANNOUNCEMENTS

Announcements appear at the end of the journal.

SPECIAL ORDERS

Senator Rodey moved and asked unanimous consent that he be excused from a call of the Senate March 20-21. Without objection, Senator Rodey was excused.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., March 20, 1986. Without objection, the Senate adjourned at 11:35 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 20 THURSDAY
 SB 411 ROAD MAINTENANCE SERVICE AREAS
 HB 327 DISCLOSURE OF INFORMATION

Mar 25 TUESDAY
 SB 407 GRANT NORTH SLOPE BOROUGH
 SB 414 MUNICIPAL LAND ENTITLEMENTS
 SB 448 HOME RULE MUNICIPALITIES

Apr 3 THURSDAY
 HB 236 QUADRENNIAL OLYMPIC RESERVE ACCOUNT

FINANCE - FINANCE ROOM 518 - 8:30 AM

Mar 20 THURSDAY
 SB 387 TAXATION WATERCRAFT MOTOR FUEL
 SB 421 ATTACHMENT OF PERMANENT FUND DIVIDENDS
 SJR 28 RETURN OF EARNINGS PERMANENT FUND
 HB 113 RESERVE TO PAY STATE EMPLOYEE BENEFITS
 SB 339, SB 402, HB 208 MERCURY, ICE, SALMON CLASSICS
 HJR 34 FEDERAL FUNDING CHILD NUTRITION PROGRAMS
 SB 333 ASHA NAME CHANGE

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

Mar 20 THURSDAY
 SCR 36 JOINT COMMITTEE MENTAL HEALTH TRUST LANDS

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Mar 20 THURSDAY
 SB 323 MINORS DRIVERS' LICENSES
 SB 341 PROCUREMENT PRACTICES
 SJR 39 RIGHT TO KEEP AND BEAR ARMS

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Mar 21 FRIDAY
 HCR 8 NATURAL GAS PIPELINE
 HJR 53 US & USSR BOUNDARY DISPUTE
 HB 281 TRAPPING CABIN PERMITS
 HB 31 OBSTRUCTING HUNTING, FISHING, TRAPPING

Mar 26 WEDNESDAY
 OVERVIEW ALASKA POWER AUTHORITY
 BOB HEATH, DIRECTOR

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Mar 20 THURSDAY
 HJR 54, HB 454 PAY OF PUBLIC OFFICIALS
 HB 238 LEAVE FOR ADOPTION, PREGNANCY, BIRTH

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Mar 24 MONDAY
 SB 428 ACQUISITION OF RIGHTS-OF-WAY

Mar 26 WEDNESDAY
 SB 424 STUDED TIRES ON RENTAL CARS

PUBLIC MEETING ON TORT REFORM -

Mar 22 SATURDAY *9:00 AM ANCHORAGE SUPREME COURT CHAMBERS