

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

FRIDAY

March 21, 1986

Sixty-eighth Day

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

The roll showed fifteen members present. Senators Coghill, Vic Fischer, Rodey, Sackett and Zharoff were excused from a call of the Senate.

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-seventh legislative day and Senate Supplement No. 59 be approved as certified by the Secretary. Without objection, it was so ordered.

### STANDING COMMITTEE REPORTS

#### SJR 41

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 41 (Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit). Senator Kelly, Vice-Chairman and Senator Ziegler signed "no recommendation". Senators Faiks and Halford signed "do pass".

SENATE JOINT RESOLUTION NO. 41 was referred to the Finance Committee.

#### SB 323

The Judiciary Committee considered SENATE BILL NO. 323 (suspension and revocation of a minor's license to drive and the definition of driver's license; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 323 (JUD)

SB 323 cont'd

Senator Kelly, Vice-Chairman, signed "do pass". Senators Faiks and Halford signed "no recommendation". Senator Ziegler signed "do not pass, punishment is disproportionate to the crime".

Fiscal note is zero.

SENATE BILL NO. 323 was referred to the Finance Committee.

SB 411

The Community and Regional Affairs Committee considered SENATE BILL NO. 411 (road maintenance service areas) and a majority of the committee recommended it be replaced with

## CS FOR SENATE BILL NO. 411 (C&amp;RA)

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

Fiscal note is zero.

Analysis from Department of Transportation and Public Facilities, Plans, Programs and Budget Division: "The proposed bill is strictly a housekeeping measure and has no fiscal impact on either the operating or capital budget. No additional positions are required.

The proposed bill revised AS 19.30 in five areas:

- 1) AS 19.30.260 and 19.30.280 prohibit funding in those road improvement areas that are financed through the issuance of municipal debt. For clarity, the addition to 19.30.260 should read as follows: Grants to road maintenance service areas under AS 19.30.260-19.30.320 are limited to those road maintenance service areas in which road improvement was not financed through the issuance of municipal debt during the three previous fiscal years.
- 2) AS 19.30.290(b) clarifies the fact that road construction can be performed by the municipality.
- 3) AS 19.30.310 changes the due date for reports. This change does not adversely affect the department's capability to submit a combined annual report to the Governor by December 1.
- 4) AS 19.30.320(1) clarifies acceptable expenditures related to road improvements by expanding the definition.
- 5) AS 19.30.320(3) clarifies the definition and requirements of a municipality and should be revised as follows to reflect the powers necessary to qualify for a road improvement grant:

SB 411 cont'd

- (3) 'municipality' means an organized borough of any class, a unified municipality, or a city of any class, that has road construction and [OR] maintenance powers."

SENATE BILL NO. 411 was referred to the Transportation Committee.

SB 412

The Judiciary 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 Kelly, Vice-Chairman and concurred in by Senators Faiks, Ziegler and Halford.

Fiscal note is zero.

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

HB 238

The State Affairs Committee considered CS FOR HOUSE BILL NO. 238 (JUD) am (personal leave for pregnancy, childbirth and adoption; credit for service in the state's retirement systems for certain leave without pay; efd) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 238 (SA), entitled:

"An Act relating to personal leave for pregnancy, childbirth and adoption; and providing for an effective date."

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

CS FOR HOUSE BILL NO. 238 (JUD) am was referred to the Judiciary Committee.

SB 409

The Rules Committee considered SENATE BILL NO. 409 (right to farm) and a majority of the committee recommended calendar March 21. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

SENATE BILL NO. 409 is on the calendar.

SB 421

The Rules Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (attachment and assignment of permanent fund dividends; efd) and a majority of the committee recommended calendar March 21. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 is on the calendar.

## INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SCR 39

SENATE CONCURRENT RESOLUTION NO. 39 by the State Affairs Committee,

Suspending Uniform Rules 41(b), 24(c), and 35 of the Alaska State Legislature concerning House Bill 238,

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

## CONSIDERATION OF THE CALENDAR

## SECOND READING OF SENATE BILLS

SB 409

SENATE BILL NO. 409 (right to farm) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 2085. Without objection, CS FOR SENATE BILL NO. 409 (RES) was adopted.

CS FOR SENATE BILL NO. 409 (RES) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 409 (RES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 409 cont'd

CS FOR SENATE BILL NO. 409 (RES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 409 (RES) (right to farm) pass the Senate?" The roll was taken with the following result:

CS SB 409 RES 3RD

Yeas: 15 Abood, Bennett, DeVries, Eliason,  
Fahrenkamp, Faiks, Ferguson,  
Fischer Paul, Halford, Josephson,  
Kelly, Kerttula, Ray,  
Sturgulewski, Ziegler

Nays: 0

Excused: 5 Coghill, Fischer Vic, Rodey,  
Sackett, Zharoff

and so, CS FOR SENATE BILL NO. 409 (RES) passed the Senate and was referred to the Secretary for engrossment.

SB 421

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (attachment and assignment of permanent fund dividends; efd) was read the second time.

Senator Halford moved and asked unanimous consent that SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 was read the third time.

Senator Faiks noted a zero fiscal note from the Department of Revenue:

Analysis: "The Department of Revenue does not understand this bill. The Commissioner of Revenue has sought clarification from the Attorney General. When that clarification is received, a fiscal note will be prepared."

The question being: "Shall SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (attachment and assignment of permanent fund dividends; efd) pass the Senate?" The roll was taken with the following result:

SB 421 cont'd

## SSSB 421 3RD

Yeas: 15 Abood, Bennett, DeVries, Eliason,  
Fahrenkamp, Faiks, Ferguson,  
Fischer Paul, Halford, Josephson,  
Kelly, Kerttula, Ray,  
Sturgulewski, Ziegler

Nays: 0

Excused: 5 Coghill, Fischer Vic, Rodey,  
Sackett, Zharoff

and so, SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 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.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 was referred to the Secretary for engrossment.

## SENATE RESOLUTIONS IN SECOND READING

SCR 26

SENATE CONCURRENT RESOLUTION NO. 26 which was held from March 20 was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 26 (suspending Uniform Rule 41(b) of the Alaska State Legislature concerning House Bill No 155) pass the Senate?" The roll was taken with the following result:

## SCR 26

Yeas: 15 Abood, Bennett, DeVries, Eliason,  
Fahrenkamp, Faiks, Ferguson,  
Fischer Paul, Halford, Josephson,  
Kelly, Kerttula, Ray,  
Sturgulewski, Ziegler

Nays: 0

Excused: 5 Coghill, Fischer Vic, Rodey,  
Sackett, Zharoff

and so, SENATE CONCURRENT RESOLUTION NO. 26 passed the Senate and was referred to the Secretary for engrossment.

## SECOND READING OF HOUSE BILLS

HB 155

CS FOR HOUSE BILL NO. 155 (JUD) (notice requirements on the closure of mobile home parks and permitting the establishment of horizontal property regimes for mobile homes; efd) which was held from March 20 was read the second time.

Senator Kelly moved and asked unanimous consent for the adoption of the Rules Senate Committee Substitute offered on page 2118. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) (limitations on a mobile home park operator's right to terminate tenancy within the mobile home park and granting a tenant in property being converted to a common interest ownership under AS 34.08 a right of first refusal) was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) 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. 155 (RLS) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) (limitations on a mobile home park operator's right to terminate tenancy within the mobile home park and granting a tenant in property being converted to a common interest ownership under AS 34.08 a right of first refusal) pass the Senate?" The roll was taken with the following result:

SCS CSHB 155 RLS 3RD

Yeas:	15	Abood, Bennett, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Halford, Josephson, Kelly, Kerttula, Ray, Sturgulewski, Ziegler
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Nays:	0	
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Excused:	5	Coghill, Fischer Vic, Rodey, Sackett, Zharoff
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and so, SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) passed the Senate and was referred to the Secretary for engrossment.

## CITATIONS

Honoring - Chugiak High School Chaparrals  
Dance/Drill Team, U.S.A. Competition  
by Representatives Phillips, Hanley, Szymanski  
and Cotten  
Senators Kelly and Halford

Honoring - Young J. Hwang  
by Senators Ray, Bennett, Josephson, Faiks  
and Kerttula

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.

## ANNOUNCEMENTS

Senator Faiks, Co-Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Finance Committee meeting on March 27 to consider SENATE BILL NO. 338 (repealing appropriations and reappropriating money; efd). Without objection, it was so ordered.

Announcements appear at the end of the journal.

## ENGROSSMENT

SCR 26

SENATE CONCURRENT RESOLUTION NO. 26 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 409

CS FOR SENATE BILL NO. 409 (RES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 421

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 155

SENATE CS FOR CS FOR HOUSE BILL NO. 155 (RLS) was engrossed, signed by the President and Secretary and returned to the House for consideration.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., March 24, 1986. Without objection, the Senate adjourned at 11:46 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 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 25 TUESDAY  
 SB 333 ASHA NAME CHANGE  
 SB 339, SB 402, HB 208 MERCURY, ICE, SALMON CLASSICS  
 SB 341 STATE PROCUREMENT PRACTICES  
 SB 355 COURT FACILITY IN FAIRBANKS  
 SB 359 DISCLOSURE OF STATE TAX ASSESSMENTS  
 SJR 12 OFFICE OF STATE TREASURER

Mar 27 THURSDAY  
 SB 370 CHILD SUPPORT ENFORCEMENT & AFDC  
 SB 430 REVOKE, REDUCE ROYALTY OIL & GAS INCREASES  
 HB 252 STATE RETIREMENT BENEFITS  
 HB 380 PUBLIC UTILITY WATER ASSESSMENTS  
 SB 338 REAPPROPRIATING SUSITNA, BRADLEY

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

Mar 25 TUESDAY  
 SCR 26 JOINT COMMITTEE MENTAL HEALTH TRUST LANDS

Mar 27 THURSDAY  
 BRIEFING ON CHILD SUPPORT ENFORCEMENT

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Mar 25 TUESDAY  
 HB 126 AMENDING ALASKA SECURITIES ACT  
 HB 288 SUBSISTENCE  
 HB 493 REVISION OF STATUTES BY REVISOR'S  
 SB 464 COMMISSION ON JUDICIAL CONDUCT

Mar 26 WEDNESDAY \*1:15 PM SENATE FINANCE RM  
 HB 551, SB 363 MOTION PICTURE DISTRIBUTION  
 \*JOINT WITH HOUSE LABOR AND COMMERCE

Mar 27 THURSDAY  
 SB 7 REINSTATING STATE INCOME TAX  
 SB 362, SJR 34 BUDGET RESERVE FUND; APPROP LIMIT  
 SJR 40 LEGISLATIVE ANNULMENT OF AGENCY REGULATIONS

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

Mar 24 MONDAY  
 SB 365 BROKER AS INSURER'S AGENT FOR PREMIUMS  
 SB 429 REGULATIONS AFFECTING SMALL BUSINESS

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Mar 24 MONDAY  
 SJR 47 HIGH SEAS INTERCEPTION OF SALMON  
 SB 462 ACCESS TO RECREATION AREAS  
 SB 343 PROTECTION OF NATURAL RANGELANDS  
 HJR 51 COAST GUARD USER FEES

March 21, 1986

2133

RESOURCES COMMITTEE cont'd

Mar 26 WEDNESDAY  
OVERVIEW ALASKA POWER AUTHORITY  
BOB HEATH, DIRECTOR  
Mar 28 FRIDAY NO MEETING

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Mar 27 THURSDAY  
HJR 54, HB 454 PAY OF PUBLIC OFFICIALS  
HB 237 SPOUSE AS BENEFICIARY OF PENSION BENEFITS  
SB 372 AGE FOR ELIGIBILITY FOR MILITIA SERVICE

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Mar 24 MONDAY  
SB 428 POWERS OF DEPT OF TRANSPORTATION  
Mar 26 WEDNESDAY  
SB 424 STUDED TIRES ON RENTAL CARS

MAJORITY CAUCUS -

Mar 21 FRIDAY \*UPON ADJOURNMENT BUTROVICH RM

PUBLIC MEETING ON TORT REFORM -

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

