

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

March 26, 1986

Seventy-third Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:09 a.m.

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

The prayer was offered by the Chaplain, Most Reverend Michael Kenny, Bishop of the Roman Catholic Diocese of Juneau. Senator DeVries moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"Lord,

We continue gazing at the cross.

In one sense Jesus hangs there alone, a victim of rejection and betrayal. The kiss of a trusted friend signaled His enemies and sealed His fate. It's frightening to realize that we humans are capable of such perfidy. Even in gentle matters, we can say one thing and intend another, gesture in one direction and move in the opposite. Yet, even in small and insignificant interactions, integrity, loyalty, constancy are precious and priceless commodities. In our greater affairs they are indispensable. So it is in friendship and love...so it is in offices of public trust.

In the light of Christ betrayed, bless all our public servants and especially the men and women of this assembly with extraordinary fidelity and truthfulness. Give them the wisdom and courage to withstand the pressures of convenience and success and to walk the sometimes difficult and lonely road of directness and integrity. May they be true to their office, to their ideals, to their very souls and to You.

Amen"

The Pledge of Allegiance was recited.

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

STANDING COMMITTEE REPORTS

SB 197

The Rules Committee considered SENATE BILL NO. 197 (filing and recording and to recordable documents; efd) and a majority of the committee recommended calendar March 26. Senator Kelly, Chairman and Senator Coghill signed for calendaring. Senator Faiks signed "ok to calendar but no recommendation". Senator Bennett signed "no recommendation".

SENATE BILL NO. 197 is on the calendar.

SB 407

The Community and Regional Affairs Committee considered SENATE BILL NO. 407 (special appropriation to the Department of Community and Regional Affairs for a grant to the North Slope Borough; efd). Senator DeVries, Chairman and Senators Sturgulewski and Coghill signed "no recommendation". Senators Vic Fischer and Ferguson signed "do pass".

SENATE BILL NO. 407 was referred to the Finance Committee.

SB 464

The Judiciary Committee considered SENATE BILL NO. 464 (duties of the Commission on Judicial Conduct) and recommended do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks, Kelly, Halford and Ziegler.

Fiscal note is zero.

Analysis from Alaska Judicial Council: "This bill has no fiscal impact, as it requires no additional operating expenditures, funding or positions."

SENATE BILL NO. 464 was referred to the Rules Committee.

SJR 47

The Rules Committee considered SENATE JOINT RESOLUTION NO. 47 (Requesting additional action by the United States to reduce high seas interception of Alaska-bound salmon) and a majority of the committee recommended calendar March 26. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Coghill.

SENATE JOINT RESOLUTION NO. 47 is on the calendar.

SB 412

The Rules Committee considered SENATE BILL NO. 412 (claims against the state) and a majority of the committee recommended calendar March 26. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill, Faiks and Bennett.

SENATE BILL NO. 412 is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 468

SENATE BILL NO. 468 by the Resources Committee, entitled:

"An Act creating the Railbelt energy fund;
and providing for an effective date."

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 197

SENATE BILL NO. 197 (filing and recording and to recordable documents; efd) was read the second time.

Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 1624. Without objection, CS FOR SENATE BILL NO. 197 (JUD) was adopted.

SB 197 cont'd

CS FOR SENATE BILL NO. 197 (JUD) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 197 (JUD) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 197 (JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 197 (JUD) (filing and recording and to recordable documents; efd) pass the Senate?" The roll was taken with the following result:

CSSB 197 JUD 3RD

Yeas: 18 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Fischer Paul, Fischer Vic,
Halford, Josephson, Kelly,
Kerttula, Ray, Rodey, Sackett,
Sturgulewski, Ziegler

Nays: 0

Excused: 1 Zharoff

Absent: 1 Ferguson

and so, CS FOR SENATE BILL NO. 197 (JUD) 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.

CS FOR SENATE BILL NO. 197 (JUD) was referred to the Secretary for engrossment.

SB 412

SENATE BILL NO. 412 (claims against the state) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 412 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 412 cont'd

SENATE BILL. NO. 412 was read the third time.

The question being: "Shall SENATE BILL NO. 412 (claims against the state) pass the Senate?" The roll was taken with the following result:

SB 412 3RD

Yeas:	19	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Ziegler
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Nays:	0	
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Excused:	1	Zharoff
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and so, SENATE BILL NO. 412 passed the Senate and was referred to the Secretary for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SJR 47

SENATE JOINT RESOLUTION NO. 47 (Requesting additional action by the United States to reduce high seas interception of Alaska-bound salmon) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 47 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 47 was read the third time.

The question being: "Shall SENATE JOINT RESOLUTION NO. 47 (Requesting additional action by the United States to reduce high seas interception of Alaska-bound salmon) pass the Senate?" The roll was taken with the following result:

SJR 47 cont'd

SJR 47 3RD

Yeas: 19 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Sturgulewski, Ziegler

Nays: 0

Excused: 1 Zharoff

and so, SENATE JOINT RESOLUTION NO. 47 passed the Senate and was referred to the Secretary for engrossment.

SENATE RESOLUTIONS IN SECOND READING

SJR 39

CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD) am (Proposing an amendment to the Constitution of the State of Alaska relating to the right of a citizen to keep and bear arms) which was held from March 25, was before the Senate in second reading.

The Secretary noted a technical correction to the title of CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD) am as requested by the Judiciary Chairman: change "firearms" to "arms".

Senator Vic Fischer offered Amendment No. 2:

Page 1, lines 17-18: Delete: "of the state."
Insert: ", except that the manner of keeping and bearing arms may be regulated by law."

Senator Vic Fischer moved Amendment No. 2. Senator Abood objected.

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

SJR cont'd

CSSJR 39 JUD AM AM 2

Yeas: 2 Fischer Vic, Ray

Nays: 16 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Fischer Paul, Halford, Josephson,
Kelly, Kerttula, Rodey, Sackett,
Sturgulewski, Ziegler

Excused: 1 Zharoff

Absent: 1 Ferguson

and so, Amendment No. 2 failed.

Senator Vic Fischer offered Amendment No. 3:

Page 1, line 14: Delete: "each citizen of the state"
(would reinstate "the people")

Senator Vic Fischer moved Amendment No. 3, then withdrew his motion.

Senator Vic Fischer withdrew Amendment No. 3.

Senator Halford moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 39 (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. 39 (JUD) am was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD) am (Proposing an amendment to the Constitution of the State of Alaska relating to the right of a citizen to keep and bear arms) pass the Senate?" The roll was taken with the following result:

CSSJR 39 JUD AM 3RD

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

Nays: 1 Ray

Excused: 1 Zharoff

Absent: 1 Ferguson

SJR 39 cont'd

and so, CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD) am passed the Senate and was referred to the Secretary for engrossment.

CITATIONS

Honoring - William "Bill" Mendenhall
by Representatives Koponen, Frank, M.W. Miller,
Shultz and Ringstad
Senators Bennett, Vic Fischer, Sturgulewski,
Fahrenkamp, Coghill and Kerttula

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

HB 470

Senator Sturgulewski, Chairman, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE BILL NO. 470 (FIN) am (release of oil and hazardous substances; repealing the oil spill mitigation account; efd). Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 470 (FIN) am was referred to the Finance Committee.

ANNOUNCEMENTS

Senator Halford announced the Joint Session scheduled March 27 to hear the Honorable Jay Rabinowitz, Chief Justice of the Alaska Supreme Court, is cancelled and rescheduled for April 11.

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 on March 27. Without objection, Senator Rodey was excused.

ENGROSSMENT

SB 197

CS FOR SENATE BILL NO. 197 (JUD) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 412

SENATE BILL NO. 412 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 47

SENATE JOINT RESOLUTION NO. 47 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 39

CS FOR SENATE JOINT RESOLUTION NO. 39 (JUD) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., March 27, 1986. Without objection, the Senate adjourned at 12:04 p.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

NO MEETING MARCH 27, APRIL 1

Apr 3 THURSDAY

HB 236 QUADRENNIAL OLYMPIC RESERVE ACCOUNT
SB 467 CAMPGROUNDS FBX NORTH STAR BOROUGHFINANCE - FINANCE ROOM 518 - 8:30 AM

Mar 27 THURSDAY

SB 338 REAPPROPRIATING SUSITNA, BRADLEY
SB 370 CHILD SUPPORT ENFORCEMENT & AFDC
SB 430 REVOKE, REDUCE ROYALTY OIL & GAS INCREASES
HB 252 STATE RETIREMENT BENEFITS
SJR 12 OFFICE OF STATE TREASURER

Apr 1 TUESDAY *TELECONFERENCE

HB 380 PUBLIC UTILITY WATER ASSESSMENTS

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

Mar 27 THURSDAY

BRIEFING ON CHILD SUPPORT ENFORCEMENT

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Mar 27 THURSDAY

SB 7 REINSTATING STATE INCOME TAX
SB 362, SJR 34 BUDGET RESERVE FUND; APPROP LIMIT
SJR 40 LEGISLATIVE ANNULMENT OF AGENCY REGULATIONSRESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Mar 28 FRIDAY NO MEETING

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Mar 27 THURSDAY

CANCELED RESCHEDULED APRIL 1

Apr 1 TUESDAY

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

Apr 2 WEDNESDAY

SB 391 EXECUTIVE BRANCH ETHICS

Apr 3 THURSDAY

SB 391 EXECUTIVE BRANCH ETHICS

Mar 27 CANCELED - JOINT SESSION CHIEF JUSTICE RABINOWITZ

RESCHEDULED APRIL 11