

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

MONDAY

April 1, 1986

Seventy-ninth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 2:13 p.m.

The roll showed nineteen members present. Senator Zharoff was absent.

The prayer was offered by the Chaplain, Pastor Dan Pollard of the Bethany Baptist Church.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journals for the seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh and seventy-eighth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

SB 273

Message of March 26 concerning SENATE BILL NO. 273 (classification of state land for retention; efd) and HOUSE CS FOR SENATE BILL NO. 273 (RES) which had been held from March 27 was before the Senate at this time.

Senator Halford moved that the Senate concur in the House amendment and recommended the body vote no.

The question being: "Shall the Senate concur in the House amendment to SENATE BILL NO. 273?" The roll was taken with the following result:

SB 273 cont'd

HCS SB 273 RES CONCUR

Yeas: 0

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

Absent: 1 Zharoff

and so, the Senate failed to concur in the House amendment.

The Secretary was requested to notify the House of the Senate's action and request the House to recede from its amendment. In the event the House fails to recede, the President appointed a CONFERENCE COMMITTEE to meet with a like committee from the House to consider the bills:

Senator Sturgulewski, Chairman
Senator Fahrenkamp
Senator Vic Fischer

STANDING COMMITTEE REPORTS

SCR 36

The Health, Education and Social Services Committee considered SENATE CONCURRENT RESOLUTION NO. 36 (Establishing a joint special committee on mental health trust land) and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION NO. 36 (HESS)

Senator Fahrenkamp, Chairman and Senator Josephson signed "do pass". Senators Sturgulewski, DeVries and Paul Fischer signed "no recommendation".

SENATE CONCURRENT RESOLUTION NO. 36 was referred to the Finance Committee.

SJR 40

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 40 (Proposing an amendment to the Constitution of the State of Alaska relating to annulment of regulations by the legislature) and a majority of the committee recommended do pass. The report was signed by Senator Kelly, Vice-Chairman and concurred in by Senators Rodey, Faiks and Ziegler.

SJR 40 cont'd

SENATE JOINT RESOLUTION NO. 40 was referred to the Rules Committee.

SB 219

The Health, Education and Social Services Committee considered SENATE BILL NO. 219 (establishing a special unit for the investigation of criminally exploited and missing children; efd) and recommended the Finance Committee Substitute offered on page 1744 and the Letter of Intent offered on page 750 be adopted. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators DeVries, Paul Fischer, Josephson and Sturgulewski.

SENATE BILL NO. 219 was referred to the Rules Committee.

SB 341

The Finance Committee considered SENATE BILL NO. 341 (state procurement and practices and procedures; efd) and recommended the Judiciary Committee Substitute be adopted with the following amendments:

Amendment No. 1:

- Page 5, line 9: After "The" delete "board"
insert "boards."
- After "Corporation" insert "and the
Alaska State Housing Authority"
- Page 7, line 21: After "system," insert
"the Alaska State Housing
Authority,"
- Page 49, line 22: After "municipality" insert "or
the Alaska State Housing Authority"
- Page 52, line 12: After "bequest" delete "or"
- line 13: After "agreement" insert "or
federal assistance agreement."
- Page 53, line 6: After "statute" delete "or"
- After "regulation" insert
", policy or requirement,"
- line 7: After "statute" delete "or"
- After "regulation" insert
", policy or requirement,"

SB 341 cont'd

Page 54, line 12: After "University of Alaska" insert ", the Alaska State Housing Authority"

Page 55, line 4: After "property;" insert "nor does it include the construction of public housing."

Page 62: Delete lines 22-27

Amendment No. 2:

Page 10, line 18: After "Within" delete "48 hours" insert "two working days"

line 19: After "bids," delete "each bidder" insert "the apparent two lowest bidders"

Page 11, line 5: After "listed;" insert

"(7) must be substituted in order for the prime contractor to satisfy required federal affirmative action requirements;"

(8) Refuses to agree or abide with the bidder's labor agreement;"

Renumber remaining sections accordingly.

Senator Faiks, Co-Chairman, signed "do pass". Senators Kerttula, Halford, Paul Fischer and Sackett signed "no recommendation".

Seven zero fiscal notes were attached. Fiscal note from Senate Finance is in Senate Supplement No. 60.

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

SB 430

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (authorizing the commissioner of the Department of Natural Resources under certain circumstances to reduce or revoke royalty oil or gas obligation increases made in connection with the institution or operation of a cooperative or unit plan; efd) and a majority of the committee recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL
NO. 430 (FIN), entitled:

SB 430 cont'd

"An Act relating to the reduction or revocation by the commissioner of the Department of Natural Resources of oil or gas royalty obligation increases made in connection with the institution or operation of a cooperative or unit plan; and providing for an effective date."

and do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Halford, Paul Fischer, Ferguson and Sackett. Senator Kerttula signed "do not pass".

Fiscal note is in Senate Supplement No. 60.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 was referred to the Rules Committee.

SB 466

The Health, Education and Social Services Committee considered SENATE BILL NO. 466 (extending the termination date of the Alcoholic Beverage Control Board; efd) and recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski, DeVries and Paul Fischer.

SENATE BILL NO. 466 was referred to the Finance Committee.

HB 114

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 114 (JUD) am (correctional facilities, and the imprisonment and rehabilitation of offenders) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 114 (HESS)

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

HB 114 cont'd

LETTER OF INTENT
FOR
SCS FOR CS FOR HOUSE BILL NO. 114 (HESS)

In passing SCS for CS for House Bill 114 (HESS), "An Act relating to correctional facilities, and the imprisonment and rehabilitation of offenders", the legislature intends that the phrase "minimal negative impact on an existing private industry or labor force in the state", located in various sections of the bill (relating to work programs and correctional industries), be interpreted so as to prevent competition by prison work programs with private sector employment.

The standard of "minimal negative impact on an existing private industry or labor force in the state" has been utilized by the Correctional Industries Commission in its evaluation of proposed industries under AS 33.32.015(b) (3) and AS 33.32.080(c) since the creation of the Commission in 1982. The legislature intends that the Commission continue to apply this standard in such a way as to prohibit competition with private industry.

CS FOR HOUSE BILL NO. 114 (JUD) am was referred to the Judiciary Committee.

HB 126

The Judiciary Committee considered CS FOR HOUSE BILL NO. 126 (JUD) (amending the Alaska Securities Act) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 126 (JUD)

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

CS FOR HOUSE BILL NO. 126 (JUD) was referred to the Finance Committee.

HB 161

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 161 (FIN) am (interest rate, loan conditions and repayment provisions of scholarship loans; efd) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 161 (2d HESS)

HB 161 cont'd

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

LETTER OF INTENT
FOR
SCS FOR CSHB 161 (2d HESS)

SENATE CS FOR CS FOR HOUSE BILL NO. 161 (2d HESS) proposed several changes to the Scholarship Loan Program in an effort to enhance the activity of the program without increasing state appropriations to the fund.

Section 1 would require all applicants to submit information necessary to determine eligibility for federal financial aid. It is the intent of the Senate Committee on Health, Education and Social Services that this information be used to counsel and advise students on the availability of federal financial aid and to encourage qualified students to apply for federal assistance. It is also the intent of the committee that the information be kept on file with the Alaska Commission on Postsecondary Education and used in the development of recommendations for revisions to the program.

Section 6 would require the Alaska Commission on Postsecondary Education to submit recommendations to the legislature for changes to the scholarship loan program. It is the intent of the committee that the report include a detailed study of a proposal based on financial need, a "two-tiered" proposal that would provide supplemental loan funds based on financial need, a proposal that matches the features of the federal aid program and establishes the state as a lender of last resort, and other proposals that would enable the program to meet projected loan demand with reduced state appropriations.

CS FOR HOUSE BILL NO. 161 (FIN) am was referred to the Finance Committee.

HB 252

The Finance Committee considered CS FOR HOUSE BILL NO. 252 (SA) (state retirement benefits; efd) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 252 (FIN)

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

HB 252 cont'd

Two fiscal notes are in Senate Supplement No. 60.

CS FOR HOUSE BILL NO. 252 (SA) was referred to the Rules Committee.

HB 485

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 485 (JUD) (powers and duties of guardians) and a majority of the committee recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski and DeVries. Senator Paul Fischer signed "no recommendation."

CS FOR HOUSE BILL NO. 485 (JUD) was referred to the Judiciary Committee.

HJR 53

The Rules Committee considered HOUSE JOINT RESOLUTION NO. 53 am (United States and Soviet Union boundary dispute and the resources in the area under dispute) and a majority of the committee recommended calendar April 1. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

HOUSE JOINT RESOLUTION NO. 53 am is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 469

SENATE BILL NO. 469 by the Labor and Commerce Committee, entitled:

"An Act exempting commercial fishermen from worker's compensation coverage."

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

SB 470

SENATE BILL NO. 470 by the Finance Committee, entitled:

"An Act relating to the Uniform Common
Interest Ownership Act."

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HJR 53

HOUSE JOINT RESOLUTION NO. 53 am (United States and Soviet
Union boundary dispute and the resources in the area under
dispute) was read the second time.

Senator Halford moved and asked unanimous consent that HOUSE
JOINT RESOLUTION NO. 53 am be advanced to third reading and
placed on final passage. Without objection, it was so
ordered.

HOUSE JOINT RESOLUTION NO. 53 am was read the third time.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 53 am
(United States and Soviet Union boundary dispute and the
resources in the area under dispute) pass the Senate?" The
roll was taken with the following result:

HJR 53 AM 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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Absent:	1	Zharoff
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and so, HOUSE JOINT RESOLUTION NO. 53 am passed the Senate,
was signed by the President and Secretary and returned to
the House.

ANNOUNCEMENTS

Senator Kelly, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Rules Committee meeting on April 2 to consider SENATE CONCURRENT RESOLUTION NO. 41 (Suspending Uniform Rules 41(b), 24(c) and 35 of the Alaska State Legislature concerning Senate Bill 386). Without objection, it was so ordered.

Senator Eliason, Vice-Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Labor and Commerce Committee meeting on April 4 to consider SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen). Without objection, it was so ordered.

Senator Eliason, Vice-Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Labor and Commerce Committee meeting on April 4 to consider SENATE BILL NO. 469 (exempting commercial fishermen from workers' compensation coverage). Without objection, it was so ordered.

Announcements appear at the end of the journal.

SPECIAL ORDERS

Senator Coghill moved and asked unanimous consent that he be excused from a call of the Senate on April 15. Without objection, Senator Coghill was excused.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., April 2, 1986. Without objection, the Senate adjourned at 2:39 p.m.

Peggy Mulligan
Secretary of the Senate

April 1986

ANNOUNCEMENTS

Committee meetings in the Capitol

Change in time or place

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

Apr 3 THURSDAY

HB 236 QUADRENNIAL OLYMPIC RESERVE ACCOUNT
 SB 467 CAMPGROUNDS FBX NORTH STAR BOROUGH
 SB 448 HOME RULE MUNICIPALITIES

Apr 8 TUESDAY

HB 694 METLAKATLA HOUSING AUTHORITY

FINANCE - FINANCE ROOM 518 - 8:30 AM

Apr 3 THURSDAY

SB 100 LIMIT CERTAIN PUBLIC EMPLOYEES' SALARIES
 SB 138 ALCOHOLIC DRINK DISCOUNTS AND CONTESTS
 SB 319 SPECIAL EDUCATION COOPERATIVE SERVICE UNIT
 SB 453 MEMORIAL SCHOLARSHIP
 SJR 12 OFFICE OF THE STATE TREASURER ESTABLISHED
 SJR 41 AMEND CONSTITUTIONAL APPROPRIATION LIMIT
 HB 58 SHORE BASED FISHERIES BUSINESS
 HB 380 PUBLIC UTILITY WATER ASSESSMENT

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

Apr 3 THURSDAY

SB 436 AGRICULTURAL SCIENCES MEMORIAL CHAIR
 DISCUSSION ON MENTAL HEALTH TRUST LANDS

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Apr 2 WEDNESDAY

HB 288 SUBSISTENCE
 SB 367 RESIDENT HIRE
 SB 413 ANTI-RACKETEERING CRIME BILL
 HB 493 REVISION OF STATUTES
 SB 363 MOTION PICTURE FAIR COMPETITION

Apr 3 THURSDAY

HB 534 VIOLENT CRIMES COMPENSATION
 SB 86 RUNAWAY AND MISSING MINORS
 SB 377 TORT REFORM
 SB 458 AIR CARRIERS
 SB 364 STATE PAYMENT OF UNTIMELY CLAIMS

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

Apr 4 FRIDAY

SJR 45 FISHERMEN'S INJURIES COMPENSATION
 SB 469 EXEMPT FISHERMEN FROM WORKERS COMP
 SB 429 REGULATIONS AFFECTING SMALL BUSINESS

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Apr 2 WEDNESDAY

SB 468 RAILBELT ENERGY FUND
 SB 460 WATER QUALITY IN PLACER MINING
 SCR 18 GUIDE LICENSING AND CONTROL BOARD
 HCR 18 BRISTOL BAY SALMON MANAGEMENT POLICIES

Apr 4 FRIDAY

SB 393 APPROVING KUPARUK ROYALTY OIL SALE
 SB 414 GENERAL GRANT LAND ENTITLEMENTS
 SB 271 ALASKA HIRE, OIL & GAS PROJECTS

RULES - BELTZ ROOM 211 - 12:30 PM

Apr 2 WEDNESDAY *1:00 PM
SCR 41 SUSPENSION OF THE UNIFORM RULES - SB 386
CALENDAR BILLS

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Apr 2 WEDNESDAY
HJR 54, HB 454 PAY OF PUBLIC OFFICIALS
Apr 3 THURSDAY
SB 391 EXECUTIVE BRANCH ETHICS

CONFERENCE COMMITTEE -

Apr 3 THURSDAY *3:30 PM BUTROVICH RM 205
SB 140 TERMINALLY ILL

INTERNATIONAL TRADE -

Apr 3 THURSDAY *4:00 PM SENATE FINANCE RM
ALASKA RESOURCES WITH PACIFIC RIM

MAJORITY CAUCUS -

Apr 1 TUESDAY *UPON ADJOURNMENT BUTROVICH RM 205