

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

TUESDAY

April 8, 1986

Eighty-sixth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:10 a.m.

The roll showed sixteen members present. Senators Eliason, Paul Fischer, and Sturgulewski were excused from a call of the Senate. Senator Rodey was absent.

The prayer was offered by the Chaplain, Father Roger Wharton of the Holy Trinity Episcopal Church.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the eighty-fifth legislative day and Senate Supplement No. 62 be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

SCR 32

The House passed and returned CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (SA) (bicentenary of the United States Constitution).

CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (SA) was referred to the Secretary for enrolling.

Senator Rodey's presence was noted.

SB 57

Message of April 7 was read, stating the House passed CS FOR SENATE BILL NO. 57 (RULES) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 57 (FIN)
(preferential use of Alaska agricultural or fisheries products; efd)

and returned for consideration with:

House Letter of Intent

It is the intent of the Legislature that for the purposes of HCS CSSB 57 (Finance), "state money" shall be construed to include but not be limited to state reimbursement to municipalities and school districts for school or related construction, foundation funding for education to municipalities and school districts, municipal assistance, revenue sharing, and capital projects financed by state general funds.

Senator Halford moved that the Senate concur in the House amendment to CS FOR SENATE BILL NO. 57 (RULES) and adopt the House Letter of Intent.

The question being: "Shall the Senate concur in the House amendment to CS FOR SENATE BILL NO. 57 (RULES) and adopt the House Letter of Intent?" The roll was taken with the following result:

HCS CSSB 57 FIN CONCUR

- Yeas: 16 Abood, Bennett, Coghill, DeVries, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Kelly, Kerttula, Ray, Rodey, Sackett, Zharoff, Ziegler
- Nays: 0
- Excused: 3 Eliason, Fischer Paul, Sturgulewski
- Absent: 1 Josephson

and so, HOUSE CS FOR CS FOR SENATE BILL NO. 57 (FIN) (preferential use of Alaska agricultural or fisheries products; efd) passed the Senate with a Legislative Letter of Intent.

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.

SB 57 cont'd

The Secretary was requested to notify the House.

HOUSE CS FOR CS FOR SENATE BILL NO. 57 (FIN) was referred to the Secretary for enrollment.

Message of April 7 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HCR 36

CS FOR HOUSE CONCURRENT RESOLUTION NO. 36 (FIN) by the Finance Committee,

Relating to intrastate airline travel,

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

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 15

CS FOR HOUSE BILL NO. 15 (C&RA) by the Community and Regional Affairs Committee, entitled:

"An Act relating to advisory elections on certain annexation proposals."

was read the first time and referred to the State Affairs Committee, the Community and Regional Affairs Committee and the Finance Committee.

HB 160

CS FOR HOUSE BILL NO. 160 (FIN) by the Finance Committee, entitled:

"An Act relating to utilities and encroachments in state airports, public facilities, and highways; relocation of utilities; and providing for an effective date."

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

HB 355

CS FOR HOUSE BILL NO. 355 (Fisheries) am by the House Special Committee on Fisheries, entitled:

"An Act authorizing the establishment and implementation of on-board observer programs; and providing for an effective date."

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

HB 689

CS FOR HOUSE BILL NO. 689 (JUD) by the Judiciary Committee, entitled:

"An Act relating to required equipment on and the transportation of certain loads by, motor vehicles."

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

HB 697

CS FOR HOUSE BILL NO. 697 (HESS) by the Health, Education and Social Services Committee, entitled:

"An Act prohibiting municipal sales tax on purchases made with food stamps; and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs Committee and the Health, Education and Social Services Committee.

COMMUNICATIONS

Posted 4/8:

Notice of Public Hearing
ALASKA HOUSING FINANCE CORPORATION
to amend 15 AAC 118.260, 283, 305 and
310, Refinance Program of the Corporation
for urban nonconforming or rural conforming
loans

STANDING COMMITTEE REPORTS

SJR 12

The Finance Committee considered SENATE JOINT RESOLUTION NO. 12 (proposing amendments to the Constitution of the State of Alaska relating to the office of state treasurer) and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN)

Senator Faiks, Co-Chairman and Senators Halford and Ferguson signed "do pass". Senator Kerttula signed "do not pass".

Fiscal note is zero.

SENATE FINANCE COMMITTEE

LETTER OF INTENT

It is the intent of the Finance Committee that the State Treasurer be subject to the same impeachment provisions under Article II, Section 20 of the Constitution which apply to all civil officers of the State.

SENATE JOINT RESOLUTION NO. 12 was referred to the Rules Committee.

SJR 41

The Finance Committee considered SENATE JOINT RESOLUTION NO. 41 (proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit). Senator Faiks, Co-Chairman and Senator Ferguson signed "do pass". Senators Kerttula and Halford signed "no recommendation".

Fiscal note is zero.

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

SB 138

The Finance Committee considered SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) and recommended it be replaced with

CS FOR SENATE BILL NO. 138 (FIN), entitled:

"An Act relating to pricing and marketing of alcoholic beverages."

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

Fiscal note is zero.

SENATE BILL NO. 138 was referred to the Rules Committee.

SB 281

The Finance Committee considered SENATE BILL NO. 281 (interest rate on the state loan programs; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 281 (FIN)

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

Fiscal note is zero.

SENATE BILL NO. 281 was referred to the Rules Committee.

SB 398

The Finance Committee considered SENATE BILL NO. 398 (establishing a moose habitat and conservation tag and fee; efd) and recommended the Resources Committee Substitute be adopted. Senator Faiks, Co-Chairman, signed "do pass". Senator Kerttula signed "no recommendation". Senators Halford and Ferguson signed "do not pass".

Two fiscal notes are in Senate Supplement No. 63.

SENATE BILL NO. 398 was referred to the Rules Committee.

SB 430

The Rules 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 recommended it be replaced with

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

"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."

A majority of the committee recommended calendar April 8. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 is on the calendar.

HB 113

The Finance Committee considered CS FOR HOUSE BILL NO. 113 (FIN) (providing a working reserve for the payment of claims and obligations arising from accrued leave, unemployment compensation, workers' compensation and general liability for state employees; efd). Senator Faiks, Co-Chairman and Senator Ferguson signed "do pass". Senators Kerttula and Halford signed "no recommendation".

CS FOR HOUSE BILL NO. 113 (FIN) was referred to the Rules Committee.

SB 219

The Rules Committee considered SENATE BILL NO. 219 (establishing a special unit for the investigation of criminally exploited and missing children; efd) and recommended calendar April 8. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Josephson, Faiks and Coghill.

SENATE BILL NO. 219 is on the calendar.

HB 493

The Rules Committee considered CS FOR HOUSE BILL NO. 493 (JUD) (making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; efd) and a majority of the committee recommended calendar April 8. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks.

CS FOR HOUSE BILL NO. 493 (JUD) is on the calendar.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 219

SENATE BILL NO. 219 (establishing a special unit for the investigation of criminally exploited and missing children; efd) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute and a new title offered on page 1744. Without objection, CS FOR SENATE BILL NO. 219 (FIN) (establishing a special unit for the investigation of repeated child sexual abuse and the criminal exploitation of children; efd) was adopted.

CS FOR SENATE BILL NO. 219 (FIN) was read the second time.

Senator DeVries offered Amendment No. 1:

Page 1, line 15: delete "combat"
insert "contend with"

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

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 219 (FIN) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 219 (FIN) am was read the third time.

SB 219 cont'd

Senator Abood moved and asked unanimous consent that the State Affairs Committee Letter of Intent offered on page 695 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

The question being: "Shall CS FOR SENATE BILL NO. 219 (FIN) am (establishing a special unit for the investigation of repeated child sexual abuse and the criminal exploitation of children; efd) pass the Senate?" The roll was taken with the following result:

CS SB 219 FIN AM 3RD

Yeas: 17 Abood, Bennett, Coghill, DeVries,
Fahrenkamp, Faiks, Ferguson,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Zharoff, Ziegler

Nays: 0

Excused: 3 Eliason, Fischer Paul,
Sturgulewski

and so, CS FOR SENATE BILL NO. 219 (FIN) am passed the Senate with a Senate Letter of Intent.

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. 219 (FIN) am was referred to the Secretary for engrossment.

SB 430

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) was read the second time.

SB 430 cont'd

Senator Kelly moved and asked unanimous consent for the adoption of the Rules Committee Substitute and new title offered on page 2271. Senator Kerttula objected, then withdrew his objection. There being no further objection, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) (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; efd) was adopted.

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) was read the third time.

The question being: "Shall CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) (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; efd) pass the Senate?" The roll was taken with the following result:

CS SSSB 430 RLS 3RD

Yeas:	15	Abood, Bennett, Coghill, DeVries, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Rodey, Sackett, Zharoff, Ziegler
Nays:	2	Kerttula, Ray
Excused:	3	Eliason, Fischer Paul, Sturgulewski

and so, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) 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.

Senator Vic Fischer gave notice of reconsideration.

SECOND READING OF HOUSE BILLS

HB 493

CS FOR HOUSE BILL NO. 493 (JUD) (making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; efd) was read the second time.

Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 2231. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) was adopted.

Senator Rodey moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) be held one legislative day. Without objection, the bill will be on the April 9 calendar in second reading.

CITATIONS

In Memoriam - Vernon Henry France
by Senators Kerttula, DeVries and Halford
Representative Hurley

In Memoriam - Dr. Della Keats
by Senators Ferguson, Sackett, Sturgulewski,
Vic Fischer, Zharoff, Kerttula and Ray
Representatives Ringstad, Adams, Fuller
and Hurley

Honoring - University of Alaska Fairbanks '86
College Bowl Team Northwest Regional
Champions
by Representatives Koponen and Davis
Senators Fahrenkamp, Bennett, DeVries and
Faiks

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

Announcements appear at the end of the journal.

ENGROSSMENT

SB 219

CS FOR SENATE BILL NO. 219 (FIN) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

ENROLLMENT

SCR 32

CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (SA) (bicentenary of the United States Constitution) was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 10:10 a.m., April 8, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., April 9, 1986. Without objection, the Senate adjourned at 12:03 p.m.

Peggy Mulligan
Secretary of the Senate

April 1986

ANNOUNCEMENTS

COMMUNITY & REGIONAL AFFAIRS - BELTZ ROOM 211 - 3:30 PM
 Apr 10 THURSDAY NO MEETING

FINANCE - FINANCE ROOM 518 - 8:30 AM
 Apr 9 WEDNESDAY *4:30 PM
 SB 338 REAPPROP SUSITNA, BRADLEY POWER
 SB 468 RAILBELT ENERGY FUND
 Apr 10 THURSDAY
 REVENUE BONDS TO FUND CAPITAL PROJECTS

HEALTH, EDUCATION & SOCIAL SERVICES - BELTZ RM 211 - 1:30 PM
 Apr 10 THURSDAY
 CHILD PROTECTION POLICIES & PROCEDURES
 HB 471 ABUSE AND EXPLOITATION OF CHILDREN

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM
 Apr 10 THURSDAY
 SB 363 MOTION PICTURE FAIR COMPETITION
 SB 377 TORT REFORM (CONT'D)
 SB 470 UNIFORM COMMON INTEREST OWNERSHIP ACT
 HB 534 VIOLENT CRIMES COMPENSATION

LABOR AND COMMERCE - BELTZ ROOM 211 - 3:30 PM
 Apr 9 WEDNESDAY
 SJR 45 FISHERMEN'S INJURIES COMPENSATION
 SB 469 EXEMPT FISHERMEN FROM WORKERS COMP
 SB 365 BROKER AS INSURER'S AGENT FOR PREMIUMS
 HB 318 RIGHTS TO INJURED STATE EMPLOYEES
 SB 429 REGULATIONS AFFECTING SMALL BUSINESS
 HB 479 LOANS FOR BIOMASS FUEL SYSTEMS
 Apr 11 FRIDAY
 SB 426 PHONE, ELECTRIC UTILITIES EXEMPT FROM APUC

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM
 Apr 9 WEDNESDAY
 SJR 48 FUNDING FOR FORESTRY RESEARCH
 SB 414 GENERAL GRANT LAND ENTITLEMENTS
 SB 271 ALASKA HIRE, NATURAL RESOURCE PROJECTS
 Apr 11 FRIDAY
 SB 334 HATCHER PASS PUBLIC USE AREA
 SB 223 CANCELED
 HB 21 HOMESITES FOR VETERANS
 HB 510 GAME FARMING

RULES - BELTZ ROOM 211 - 1:00 PM
 Apr 8 TUESDAY
 CALENDAR BILLS

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM
 Apr 9 WEDNESDAY
 SB 391 EXECUTIVE BRANCH ETHICS
 Apr 10 THURSDAY
 HB 406 DEFERRED COMPENSATION
 SB 372 ELIGIBILITY FOR MILITIA SERVICE

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PMApr 9 WEDNESDAY

- SB 411 ROAD MAINTENANCE SERVICE AREAS
- SB 424 WINTER TIRES ON RENTED VEHICLES
- SB 461 NAMING ROBERT J. MITCHELL EXPRESSWAY
- SB 471 DRIVERS LICENSES

BUDGET AND AUDIT -Apr 9 WEDNESDAY

*12:00 PM HOUSE FINANCE RM

LEGISLATIVE COUNCIL -Apr 9 WEDNESDAY

*12:00 PM BUTROVICH ROOM RM

REALLOCATION OF FUNDS, TRAVEL POLICY

MAJORITY CAUCUS -Apr 8 TUESDAY

*UPON ADJOURNMENT BUTROVICH RM 205