

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

April 9, 1986

Eighty-seventh Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:16 a.m.

The roll showed eighteen members present. Senators Eliason and Paul Fischer were excused from a call of the Senate.

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-sixth legislative day and Senate Supplement No. 63 be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

SCR 24

Message of April 8 was read, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 24

Relating to appointment of representatives to the Pacific Fisheries Legislative Task Force.

Legislative Resolve No. 38

SCR 26

Message of April 8 was read, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SCR 26 cont'd

SENATE CONCURRENT RESOLUTION NO. 26

Suspending Uniform Rule 41(b) of the Alaska State
Legislature concerning House Bill No. 155.

Legislative Resolve No. 40

HB 104

Message of April 8 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 104 (JUD) am S

An Act relating to computation, forfeiture and restoration of statutory good time; and providing for an effective date.

Chapter No. 11, SLA 1986

MESSAGES FROM THE HOUSE

Message of April 8 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HCR 47

HOUSE CONCURRENT RESOLUTION NO. 47 by the Finance Committee,

Relating to establishing a Joint Special
Committee on state employee compensation,

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

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 436

CS FOR HOUSE BILL NO. 436 (RULES) by the Rules Committee,
entitled:

"An Act requiring a properly equipped and
staffed caboose on certain trains."

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

COMMUNICATIONS

The Secretary announced receipt of:

ALASKA PUBLIC DEFENDER AGENCY ANNUAL
REPORT FISCAL YEAR 1985 from Dana Fabe,
Public Defender in accordance with
AS 18.85.160

A copy is on file in the Office of the Secretary of the Senate.

STANDING COMMITTEE REPORTS

SJR 41

The Rules Committee considered SENATE JOINT RESOLUTION NO. 41 (Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit) and a majority of the committee recommended calendar April 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks and Bennett. Senator Josephson signed "do not calendar".

SENATE JOINT RESOLUTION NO. 41 is on the calendar.

SB 363

The Judiciary Committee considered SENATE BILL NO. 363 (Motion Picture Fair Competition) and recommended it be replaced with

CS FOR SENATE BILL NO. 363 (JUD)

Senator Rodey, Chairman and Senator Ziegler signed "no recommendation". Senator Kelly signed "do not pass".

SENATE BILL NO. 363 was referred to the Labor and Commerce Committee.

SB 371

The Health, Education and Social Services Committee considered SENATE BILL NO. 371 (amending the controlled substance schedules) and a majority of the committee recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators DeVries and Josephson.

SENATE BILL NO. 371 was referred to the Judiciary Committee.

SB 458

The Judiciary Committee considered SENATE BILL NO. 458 (air carriers) and a majority of the committee recommended do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Ziegler and Kelly.

SENATE BILL NO. 458 was referred to the Finance Committee.

SB 472

The Health, Education and Social Services Committee considered SENATE BILL NO. 472 (interim management of the mental health trust; efd). Senator Fahrenkamp, Chairman and Senator Josephson signed "do pass". Senator DeVries signed "no recommendation".

SENATE BILL NO. 472 was referred to the Resources Committee.

HB 236

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 236 (FIN) am (creating a Quadrennial Olympic reserve account; efd) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 236 (C&RA)

and do pass. The report was signed by Senator DeVries, Chairman and concurred in by Senators Ferguson, Vic Fischer and Coghill.

CS FOR HOUSE BILL NO. 236 (FIN) am was referred to the Finance Committee.

HB 559

The Resources Committee considered HOUSE BILL NO. 559 (approving the sale of Kuparuk River Unit royalty oil by the State of Alaska to Petro Star, Inc. and Chevron U.S.A., Inc.; efd) and a majority of the committee recommended do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Coghill, Vic Fischer and Zharoff. Senator Halford signed "no recommendation".

HOUSE BILL NO. 559 was referred to the Finance Committee.

HB 694

The Community and Regional Affairs Committee considered HOUSE BILL NO. 694 (establishment of the Metlakatla Housing Authority) and a majority of the committee recommended do pass. The report was signed by Senator DeVries, Chairman and concurred in by Senators Ferguson, Vic Fischer and Coghill.

HOUSE BILL NO. 694 was referred to the Judiciary Committee.

SB 281

The Rules Committee considered SENATE BILL NO. 281 (interest rate on state loan programs; efd) and a majority of the committee recommended calendar April 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Bennett and Josephson.

SENATE BILL NO. 281 is on the calendar.

HB 113

The Rules 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) and a majority of the committee recommended calendar April 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Bennett and Josephson.

CS FOR HOUSE BILL NO. 113 (FIN) is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 473

SENATE BILL NO. 473 by the Labor and Commerce Committee, entitled:

"An Act extending the termination date of the Real Estate Commission; and providing for an effective date."

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

SB 474

SENATE BILL NO. 474 by the Labor and Commerce Committee, entitled:

"An Act relating to exemptions from licensing requirements as electrical administrators; and providing for an effective date."

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 281

SENATE BILL NO. 281 (interest rate on state loan programs; efd) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2270. Without objection, CS FOR SENATE BILL NO. 281 (FIN) was adopted.

CS FOR SENATE BILL NO. 281 (FIN) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 281 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 281 (FIN) was read the third time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 281 (FIN) be returned to second reading for a specific amendment. Without objection, it was so ordered.

Senators Halford and Rodey offered Amendment No. 1:

Page 1, line 19: Add

"(d) For purposes of this Act, an instrumentality of the state does not include a political subdivision of the state."

SB 281 cont'd

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

CS FOR SENATE BILL NO. 281 (FIN) am was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 281 (FIN) am (interest rate on state loan programs; efd) pass the Senate?" The roll was taken with the following result:

CSSB 281 FIN AM 3RD

Yeas: 12 Abood, Bennett, Coghill, DeVries,
Ferguson, Fischer Vic, Halford,
Josephson, Kelly, Sackett,
Sturgulewski, Zharoff

Nays: 5 Fahrenkamp, Kerttula, Ray, Rodey,
Ziegler

Excused: 2 Eliason, Fischer Paul

Absent: 1 Faiks

and so, CS FOR SENATE BILL NO. 281 (FIN) am passed the Senate.

Senator Halford moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSSB 281 FIN AM EFD

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

Nays: 0

Excused: 2 Eliason, Fischer Paul

and so, the effective date clause was adopted.

Senator Rodey gave notice of reconsideration.

SECOND READING OF HOUSE BILLS

HB 113

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) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 113 (FIN) be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 113 (FIN) was read the third time.

The question being: "Shall 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) pass the Senate?" The roll was taken with the following result:

CSHB 113 FIN 3RD

Yeas:	18	Abood, Bennett, Coghill, DeVries, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays:	0	
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Excused:	2	Eliason, Fischer Paul
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and so, CS FOR HOUSE BILL NO. 113 (FIN) 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 HOUSE BILL NO. 113 (FIN) was signed by the President and Secretary and returned to the House.

HOUSE BILLS IN SECOND READING

HB 493

SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) (making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; efd) which was held from April 8 was before the Senate at this time.

SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) was read the second time.

Senator Rodey moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) be held until the Tuesday calendar. Without objection, it was so ordered and the bill will be on the April 15 calendar in second reading.

SECOND READING OF SENATE RESOLUTIONS

SJR 41

SENATE JOINT RESOLUTION NO. 41 (Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit) was read the second time.

Senator Faiks moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 41 be held two legislative days. Without objection, it was so ordered and the resolution will be on the April 14 calendar in second reading.

CITATIONS

Honoring - Charlie Akers
by Senators Kerttula and DeVries
Representative Hurley

In Memoriam - Randy Thom
by Senators Kerttula, DeVries 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

President Bennett made the following appointment:

PACIFIC STATES AND TERRITORIES
OCEAN RESOURCES PROJECT
(Western Conference, Council of State Governments)

Senator Fred Zharoff

SB 430

The reconsideration on 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 not taken up.

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) was referred to the Secretary for engrossment.

ANNOUNCEMENTS

On Friday, April 11, the Senate will convene at 10:30 a.m. and will meet for the Joint Session in the House chamber at 11:00 a.m. to hear the State of the Judiciary message by Chief Justice Rabinowitz.

Announcements appear at the end of the journal.

ENGROSSMENT

SB 430

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 430 (RULES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ENROLLMENT

SB 57

HOUSE CS FOR CS FOR SENATE BILL NO. 57 (FIN) (preferential use of Alaska agricultural or fisheries products; efd) 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 with a Legislative Letter of Intent at 8:35 a.m., April 9, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 11:00 a.m., April 10, 1986. Without objection, the Senate adjourned at 12:00 noon.

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 10 THURSDAY NO MEETING

FINANCE - FINANCE ROOM 518 - 8:30 AM
Apr 10 THURSDAY

REVENUE BONDS TO FUND CAPITAL PROJECTS
SB 294 GUIDE AND THE GUIDE BOARD
SB 323 REVOCATION OF A MINOR'S LICENSE
SB 367 RESIDENT EMPLOYMENT PREFERENCE
SB 413 REPOSSESSION BILL
SB 100 PROHIBITING SALARIES EXCEEDING GOVERNORS
SB 209 ALASKA STATE FIRE COMMISSION
SB 379 PREMIUM TAX FOR DOMESTIC INSURERS
HB 161 STUDENT LOAN

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 11 FRIDAY

SB 426 PHONE, ELECTRIC UTILITIES EXEMPT FROM APUC

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Apr 11 FRIDAY

SB 334 HATCHER PASS PUBLIC USE AREA
SB 223 CANCELED
SB 414 GENERAL GRANT LAND ENTITLEMENTS
HB 21 HOMESITES FOR VETERANS
HB 510 GAME FARMING

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Apr 10 THURSDAY

HB 406 DEFERRED COMPENSATION
SB 372 ELIGIBILITY FOR MILITIA SERVICE

BUDGET AND AUDIT -

Apr 10 THURSDAY

*12:00 PM HOUSE FINANCE RM