

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

April 10, 1986

Eighty-eighth Day

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

The roll showed eighteen members present. Senator Eliason was excused from a call of the Senate. Senator Sackett was absent.

The prayer was offered by the Chaplain, Father Roger Wharton of the Holy Trinity Episcopal Church. Senator Coghill moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"Lord God, the signs of renewal are all around us. The budding plants, the blooming crocus, the first robin and the longer days. Thank You for Your renewing and creative force alive in our world. Fill the men and women of the Senate with Your spirit so that they may be agents of positive change and renewal in our State. Encourage them with the hope of spring so that they might melt the cold evil of despair. Break open their hearts that they may receive and pour forth Your love into the world. This we ask in the Name of Him Whose heart was broken for our sake, Jesus, the Christ.

Amen"

The Pledge of Allegiance was recited.

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

MESSAGES FROM THE HOUSE

SB 273

Message of April 9 was read, stating the House failed to recede from the House amendment to SENATE BILL NO. 273, namely: HOUSE CS FOR SENATE BILL NO. 273 (RES) (classification of state land for retention; efd)

The Speaker appointed the following members to the CONFERENCE COMMITTEE to meet with members from the Senate to consider the bills:

Representative Shultz, Chairman
Representative Herrmann
Representative Jenkins

Senate members appointed April 1:

Senator Sturgulewski, Chairman
Senator Fahrenkamp
Senator Vic Fischer

Message of April 9 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 255

CS FOR HOUSE BILL NO. 255 (HESS) by the Health, Education and Social Services Committee, entitled:

"An Act authorizing the Department of Health and Social Services to enter into agreements concerning the care and custody of Native children."

(with House Letter of Intent)

was read the first time and referred to the Health, Education and Social Services Committee and the Finance Committee.

HB 430

CS FOR HOUSE BILL NO. 430 (FIN) by the Finance Committee, entitled:

HB 430 cont'd

"An act regulating audiologists, hearing aid dealers and the dispensing of hearing aids."

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

HB 552

CS FOR HOUSE BILL NO. 552 (FIN) am by the Finance Committee, entitled:

"An Act relating to setting speed limits and neighborhood speed zones."

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

HB 561

CS FOR HOUSE BILL NO. 561 (FIN) am by the Finance Committee, entitled:

"An Act relating to public use cabins; and providing for an effective date."
(with House Letter of Intent)

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

HB 605

CS FOR HOUSE BILL NO. 605 (FIN) by the Finance Committee, entitled:

"An Act establishing the Shuyak State Game Refuge."

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

HB 627

CS FOR HOUSE BILL NO. 627 (RULES) (title am) by the Rules Committee, entitled:

HB 627 cont'd

"An Act relating to the appropriation of water."

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

COMMUNICATIONS

Posted 4/10:

PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA STATE BOARD OF DENTAL EXAMINERS dealing with the grading of the clinical examination to implement AS 08.36.190 (supplements March 4 notice of proposed changes)

STANDING COMMITTEE REPORTS

SCR 41

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 41 (Suspending Uniform Rules 41(b), 24(c) and 35 of the Alaska State Legislature concerning Senate Bill 386) and a majority of the committee recommended calendar April 10. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Faiks. Senator Kelly further signed "do pass".

SENATE CONCURRENT RESOLUTION NO. 41 is on the calendar.

SJR 45

The Labor and Commerce Committee considered SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett and Ray.

Fiscal note is zero.

SENATE JOINT RESOLUTION NO. 45 was referred to the Rules Committee.

SJR 48

The Resources Committee considered SENATE JOINT RESOLUTION NO. 48 (continued operation of the Institute of Northern Forestry at Fairbanks and the Forestry Survey Group in Anchorage) and a majority of the committee recommended do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Coghill, Halford, Fahrenkamp, Zharoff and Vic Fischer.

SENATE JOINT RESOLUTION NO. 48 was referred to the Rules Committee.

SB 100

The Finance Committee considered SENATE BILL NO. 100 (prohibiting salaries for certain employees from exceeding the governor's salary; efd) and a majority of the committee recommended the State Affairs Committee Substitute be adopted and do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Halford, Paul Fischer and Ferguson.

Fiscal note is in Senate Supplement No. 64.

SENATE BILL NO. 100 was referred to the Rules Committee.

SB 294

The Finance Committee considered SENATE BILL NO. 294 (guiding; efd) and recommended the Resources Committee Substitute be adopted. Senator Faiks, Co-Chairman, signed "do pass". Senators Kerttula and Paul Fischer signed "no recommendation". Senator Halford signed "do not pass unless amended". Senator Ferguson signed "do pass if amended".

SENATE BILL NO. 294 was referred to the Rules Committee.

SB 365

The Labor and Commerce Committee considered SENATE BILL NO. 365 (providing that a broker is the agent of an insurer for payment of premium; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 365 (L&C)

with a majority do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett and Ray.

SB 365 cont'd

SENATE BILL NO. 365 was referred to the Rules Committee.

SB 367

The Finance Committee considered SENATE BILL NO. 367 (Alaskan resident employment preferences; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 367 (FIN)

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

Fiscal notes are in Senate Supplement No. 64.

SENATE BILL NO. 367 was referred to the Rules Committee.

SB 372

The State Affairs Committee considered SENATE BILL NO. 372 (eligible age for service in the militia of the state; efd) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators Ray, Vic Fischer and DeVries.

SENATE BILL NO. 372 was referred to the Finance Committee.

SB 411

The Transportation Committee considered SENATE BILL NO. 411 (road maintenance service areas) and a majority of the committee recommended do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Faiks, Abood and Josephson.

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

SB 461

The Transportation Committee considered SENATE BILL NO. 461 (naming the Robert J. Mitchell Expressway). Senator Coghill, Chairman and Senator Josephson signed "do pass". Senator Abood signed "no recommendation".

SB 461 cont'd

Fiscal note is in Senate Supplement No. 64.

SENATE BILL NO. 461 was referred to the Rules Committee.

SB 469

The Labor and Commerce Committee considered SENATE BILL NO. 469 (exempting commercial fishermen from workers' compensation coverage) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett and Ray.

Fiscal note is zero.

SENATE BILL NO. 469 was referred to the Rules Committee.

SB 471

The Transportation Committee considered SENATE BILL NO. 471 (drivers' licenses) and recommended it be replaced with

CS FOR SENATE BILL NO. 471 (TRSP)

and a majority do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Abood and Josephson.

Fiscal note is zero.

Analysis from Division of Motor Vehicles: Basically no fiscal impact.

Analysis from Commissioner Sundberg, Department of Public Safety: "Position Paper - SB 471. Oppose as written. I feel it is inappropriate to issue a separate class of license for the purpose outlined in this piece of legislation. Each separate class of license is generally established for safety purposes where it is felt operation of a specific type of vehicle is unique, and different testing methods are necessary. If there were accident statistics to reflect operators of pilot cars were causing a high number of accidents in comparison to miles driven, then a separate class may be justified. I know of no such statistics.

SB 471 cont'd

If the purpose of this legislation is to promote local hire, I would recommend an amendment to AS 28.15.011 by adding a subsection (d). The new subsection to contain wording similar to the following:

"(d) A person may not drive a pilot car unless the person has a valid Alaska driver's license in their possession. An operator of a pilot car is not exempt under AS 28.15.021(2). The operator of a pilot car must be at least 19 years of age, and have held a valid driver's license at least one year. In this subsection, "pilot car" means a motor vehicle used as an extension of the warning system of an oversized motor vehicle with or without a load, or of a motor vehicle carrying a permitted oversized load."

This amendment would not require a separate class of license, and would be considerably easier to administer.

SENATE BILL NO. 471 was referred to the Rules Committee.

HB 318

The Labor and Commerce Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 318 (L&C) (rights of injured state employees) and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR
HOUSE BILL NO. 318 (L&C)

Senator Zharoff, Chairman and Senator Sackett signed "do pass". Senator Ray signed "no recommendation".

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 318 (L&C) was referred to the Finance Committee.

HB 406

The State Affairs Committee considered HOUSE BILL NO. 406 (investment of funds from deferred compensation) and recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Vic Fischer, Ray and Kelly.

HOUSE BILL NO. 406 was referred to the Finance Committee.

HB 479

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 479 (L&C) (biomass fuel systems) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Sackett and Ray.

CS FOR HOUSE BILL NO. 479 (L&C) was referred to the Finance Committee.

SB 138

The Rules Committee considered SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) and a majority of the committee recommended calendar April 10. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Bennett and Josephson.

SENATE BILL NO. 138 is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 220

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220 by Senators Coghill, Abood and DeVries, entitled:

"An Act abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; and providing for an effective date."

was read the first time and referred to the Health, Education and Social Services Committee, the Resources Committee and the Finance Committee.

SB 475

SENATE BILL NO. 475 by the Resources Committee, entitled:

"An Act designating the woolly mammoth as the state fossil."

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

UNFINISHED BUSINESS

SB 281

Senator Rodey requested that the reconsideration on CS FOR SENATE BILL NO. 281 (FIN) am (interest rate on state loan programs; efd) be taken up.

SENATE BILLS IN THIRD READING

SB 281

CS FOR SENATE BILL NO. 281 (FIN) am was before the Senate in third reading on reconsideration.

Senator Rodey moved and asked unanimous consent that the reconsideration on CS FOR SENATE BILL NO. 281 (FIN) am be held one day. Without objection, the bill will be on the April 11 calendar on reconsideration.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 138

SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute and new title offered on page 2270. Senator Ray objected.

Senator Kelly moved and asked unanimous consent that SENATE BILL NO. 138 be returned to the Rules Committee. Without objection, it was so ordered.

SENATE BILLS IN THIRD READING

SB 387

CS FOR SENATE BILL NO. 387 (FIN) (taxation of watercraft motor fuel) which had been held on reconsideration from April 4 was before the Senate at this time.

Senator Ziegler moved and asked unanimous consent that CS FOR SENATE BILL NO. 387 (FIN) be held one day. Without objection, the bill will be on the April 11 calendar on reconsideration.

SECOND READING OF SENATE RESOLUTIONS

SCR 41

SENATE CONCURRENT RESOLUTION NO. 41 (suspending Uniform Rules 41(b), 24(c) and 35 of the Alaska State Legislature concerning Senate Bill 386) was read the second time.

SENATE CONCURRENT RESOLUTION NO. 41 was before the Senate on final passage.

The question being: Shall SENATE CONCURRENT RESOLUTION NO. 41 (suspending Uniform Rules 41(b), 24(c) and 35 of the Alaska State Legislature concerning Senate Bill 386) pass the Senate?" The roll was taken with the following result:

SCR 41

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

Nays: 0

Excused: 1 Eliason

Absent: 2 Ferguson, Sackett

Senator Kerttula changed from "nay" to "yea".

and so, SENATE CONCURRENT RESOLUTION NO. 41 passed the Senate.

Senator Kelly gave notice of reconsideration.

Senator Ray moved and asked unanimous consent that the Citation - Honoring Dr. Henry I. Akiyama be shown as sponsored by All Members of the Senate. Without objection, it was so ordered.

CITATIONS

Honoring - Dr. Henry I. Akiyama
by Senators Kerttula, Ziegler, Ray, Rodey,
Ferguson, Sackett, Zharoff, Halford, Vic
Fischer, Sturgulewski, Abood, Fahrenkamp,
Bennett and All Other Members of the Senate

Honoring - Dimond High Boys Nordic Ski Team - State
Champions

by Representatives Hanley, Pearce, Rieger, Martin
and Pettyjohn
Senators Rodey, Sturgulewski 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.

UNFINISHED BUSINESS

HB 605

Senator Zharoff, Chairman moved and asked unanimous consent that CS FOR HOUSE BILL NO. 605 (FIN) (establishing the Shuyak State Game Refuge) have an additional referral to the Labor and Commerce Committee. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 605 (FIN) was referred to the Resources Committee and the Labor and Commerce Committee.

SB 220

Senator Fahrenkamp, Chairman, moved and asked unanimous consent that the Health, Education and Social Services Committee referral be waived on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220 (abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd). Without objection, it was so ordered.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220 was referred to the Resources Committee and the Finance Committee.

SPECIAL ORDERS

Senator Ziegler moved and asked unanimous consent that he be excused from the Senate, not subject to a call, on April 15. Without objection, Senator Ziegler was excused.

Senator Zharoff moved and asked unanimous consent that he be excused from the Senate, not subject to a call, on April 21. Without objection, Senator Zharoff was excused.

ANNOUNCEMENTS

Announcements appear at the end of the journal.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 10:30 a.m., April 11, 1986. Without objection, the Senate adjourned at 12:05 p.m.

Peggy Mulligan
Secretary of the Senate

April 1986

ANNOUNCEMENTS

Committee meetings in the Capitol

Change in time or place

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

Apr 11 FRIDAY
 SB 426 PHONE, ELECTRIC UTILITIES EXEMPT FROM APUC
 SB 429 REGULATIONS AFFECTING SMALL BUSINESS

Apr 14 MONDAY
 HB 217 INTEREST RATES FOR VARIOUS LOANS
 SB 443 SURPLUS LINES INSURANCE BROKERS
 HB 20 INTEREST ON PUBLIC UTILITIES DEPOSITS

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

RULES - BELTZ ROOM 211 - 1:00 PM

Apr 10 THURSDAY
 CALENDAR BILLS

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Apr 11 FRIDAY *9:30 AM
 SB 391 EXECUTIVE BRANCH ETHICS

Apr 16 WEDNESDAY
 SB 326 APPROP TAX STUDY
 SB 425 LONGEVITY BONUS ABSENCES FOR MEDICAL CARE

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Apr 14 MONDAY
 SB 424 WINTER TIRES FOR RENTED VEHICLES

Apr 16 WEDNESDAY
 ALASKA MARINE HIGHWAY SYSTEM'S LONG TERM PLAN
 SB 450 APPRO ILIAMNA-NONDALTON INTERTIE

Apr 18 FRIDAY
 HB 689 EQUIPMENT ON VEHICLES
 HB 321 ADVERSE CLAIMS AND BOUNDARY DISPUTES

MAJORITY CAUCUS - BUTROVICH ROOM

Apr 10 *UPON ADJOURNMENT