

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

April 16, 1986

Ninety-fourth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 10:41 a.m.

The roll showed all members present. Senator Sturgulewski was previously excused from a call of the Senate.

The prayer was offered by the Chaplain, Captain Bradford Russell of the Salvation Army.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the ninety-third legislative day and Senate Supplement No. 67 be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Ray moved and asked unanimous consent that the Senate recess to a call of the Chair for a Minority caucus. Without objection, the Senate recessed at 10:45 a.m.

AFTER RECESS

The Senate reconvened at 11:03 a.m.

MESSAGES FROM THE HOUSE

Message of April 15 was read, stating the Speaker invited the Senate to attend a Joint Session on Tuesday, April 22 at 10:30 a.m. for confirmation of the Governor's appointees.

Senator Halford moved and asked unanimous consent that the Senate accept the invitation from the House. Without objection, it was so ordered.

The Secretary was requested to notify the House.

SJR 47

Message of April 15 was read, stating the House passed and returned:

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

with a technical correction: Last page, last line, change
"Council" to "Commission".

SENATE JOINT RESOLUTION NO. 47 was referred to the Secretary for enrolling.

Message of April 15 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 93

CS FOR HOUSE BILL NO. 93 (FIN) am by the Finance Committee, entitled:

"An Act establishing a system of recreation rivers; and providing for an effective date."

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

HB 463

CS FOR HOUSE BILL NO. 463 (RULES) am by the Rules Committee, entitled:

"An Act relating to the authority to compromise certain misdemeanors and to the payment of restitution."

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

HB 647

CS FOR HOUSE BILL NO. 647 (FIN) am by the Finance Committee, entitled:

"An Act establishing requirements for warning placards; establishing requirements and limiting liability for municipal reporting programs for hazardous materials and hazardous waste; and providing for an effective date."

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

STANDING COMMITTEE REPORTS

SB 138

The Rules Committee reconsidered SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) and a majority of the committee recommended calendar April 16 and offered the following amendment to the Finance Committee Substitute:

Page 2, line 13: Insert

"(e) Nothing in this Act shall authorize private educational, political or charitable groups to sponsor events prohibited by (a) and (b) of this section."

Senator Kelly, Chairman and Senator Faiks signed for calendaring. Senator Coghill signed "calendar but do not pass". Senator Bennett signed "no recommendation".

SENATE BILL NO. 138 is on the calendar.

HB 471

The Health, Education and Social Services Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 471 (JUD) (abuse and exploitation of children) and a majority of the committee recommended 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".

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 471 (JUD) was referred to the Judiciary Committee.

HB 485

The Judiciary Committee considered CS FOR HOUSE BILL NO. 485 (JUD) (powers and duties of guardians) and recommended do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks, Kelly, Halford and Ziegler.

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

SJR 45

The Rules Committee considered SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) and recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Coghill, Josephson and Faiks.

SENATE JOINT RESOLUTION NO. 45 is on the calendar.

SB 319

The Rules Committee considered SENATE BILL NO. 319 (special education cooperative service unit) and a majority of the committee recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Faiks.

SENATE BILL NO. 319 is on the calendar.

SB 461

The Rules Committee considered SENATE BILL NO. 461 (naming the Robert J. Mitchell Expressway) and recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Coghill, Josephson and Faiks.

SENATE BILL NO. 461 is on the calendar.

SB 471

The Rules Committee considered SENATE BILL NO. 471 (drivers' licenses) and recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Coghill, Josephson and Faiks.

SENATE BILL NO. 471 is on the calendar.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 138

SENATE BILL NO. 138 (pricing and promotion of alcoholic beverages) was before the Senate at this time, having been returned to the Rules Committee April 10.

The motion to adopt the Finance Committee Substitute and new title was before the Senate with an objection pending (page 2300).

The President asked if objections were still maintained. Hearing no further objection, CS FOR SENATE BILL NO. 138 (FIN) (pricing and marketing of alcoholic beverages) was adopted.

CS FOR SENATE BILL NO. 138 (FIN) was read the second time.

Senator Kelly moved and asked unanimous consent that Amendment No. 1 offered by the Rules Committee today (page 2361), be withdrawn. Without objection, Amendment No. 1 was withdrawn.

Senator Ray offered Amendment No. 2:

Page 2, line 11: After "agent"
Insert "or employee when acting
as a caterer"

Senator Ray moved Amendment No. 2 and asked unanimous consent. Without objection, Amendment No. 2 was adopted.

The Secretary noted a technical amendment by Senator Ziegler:

Page 2, line 5: After "construed" Delete "to prohibit" and Insert "as prohibiting"

Senator Abood moved and asked unanimous consent that the State Affairs Committee Letter of Intent offered on page 1884 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 138 (FIN) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 138 cont'd

CS FOR SENATE BILL NO. 138 (FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 138 (FIN) am (pricing and marketing of alcoholic beverages) pass the Senate?" The roll was taken with the following result:

CS SB 138 FIN AM 3RD

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

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

and so, CS FOR SENATE BILL NO. 138 (FIN) am passed the Senate with a Senate Letter of Intent.

CS FOR SENATE BILL NO. 138 (FIN) am was referred to the Secretary for engrossment.

SB 319

SENATE BILL NO. 319 (special education cooperative service unit) 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 2336. Without objection, CS FOR SENATE BILL NO. 319 (FIN) (creating the special education service agency; efd) was adopted.

CS FOR SENATE BILL NO. 319 (FIN) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 319 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 319 cont'd

CS FOR SENATE BILL NO. 319 (FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 319 (FIN) (creating the special education service agency; efd) pass the Senate?" The roll was taken with the following result:

CS SB 319 FIN 3RD

Yeas:	17	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Ray, Rodey, Sackett, Zharoff, Ziegler
Nays:	1	Fischer Paul
Excused:	1	Sturgulewski
Absent:	1	Kerttula

and so, CS FOR SENATE BILL NO. 319 (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 clauses. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 319 (FIN) was referred to the Secretary for engrossment.

SB 461

SENATE BILL NO. 461 (naming the Robert J. Mitchell Expressway) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 461 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 461 was read the third time.

The question being: "Shall SENATE BILL NO. 461 (naming the Robert J. Mitchell Expressway) pass the Senate?" The roll was taken with the following result:

SB 461 cont'd

SB 461 3RD

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

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

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

and so, SENATE BILL NO. 461 passed the Senate and was referred to the Secretary for engrossment.

SB 471

SENATE BILL NO. 471 (drivers' licenses) was read the second time.

Senator Coghill moved and asked unanimous consent for the adoption of the Transportation Committee Substitute offered on page 2297. Without objection, CS FOR SENATE BILL NO. 471 (TRSP) was adopted.

CS FOR SENATE BILL NO. 471 (TRSP) was read the second time.

Senator Halford offered Amendment No. 1:

Page 1, line 6: After "licenses"
Add "for pilot car operators"

Senator Halford moved and asked unanimous consent for the 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. 471 (TRSP) (title am) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 471 (TRSP) (title am) was read the third time.

SB 471 cont'd

The question being: "Shall CS FOR SENATE BILL NO. 471 (TRSP) (title am) (drivers' licenses for pilot car operators) pass the Senate?" The roll was taken with the following result:

CS SB 471 TRSP TITLE AM 3RD

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

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

and so, CS FOR SENATE BILL NO. 471 (TRSP) (title am) passed the Senate and was referred to the Secretary for engrossment.

SENATE BILLS IN SECOND READING

SB 294

CS FOR SENATE BILL NO. 294 (RES) am (guiding; efd) which had been held from April 15, with an objection pending to adopt Amendment No. 2 (page 2352), was before the Senate in second reading.

Senator Rodey withdrew Amendment No. 2.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 294 (RES) am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 294 (RES) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 294 (RES) am (guiding; efd) pass the Senate?" The roll was taken with the following result:

SB 294 cont'd

CSSB 294 RES AM 3RD

Yeas: 11 Bennett, Coghill, Fahrenkamp,
Faiks, Ferguson, Josephson, Kelly,
Rodey, Sackett, Zharoff, Ziegler

Nays: 7 Abood, DeVries, Eliason,
Fischer Paul, Fischer Vic,
Halford, Ray

Excused: 1 Sturgulewski

Absent: 1 Kerttula

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

and so, CS FOR SENATE BILL NO. 294 (RES) 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 294 RES AM EFD

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

Nays: 0

Excused: 1 Sturgulewski

Absent: 1 Kerttula

and so, the effective date clause was adopted.

Senator Ray gave notice of reconsideration.

SECOND READING OF HOUSE BILLS

HB 409

CS FOR HOUSE BILL NO. 409 (TRSP) (training and licensing of school bus drivers; efd) which had been held from April 14 (page 2340) was read the second time.

HB 409 cont'd

Senator Rodey offered Amendment No. 1:

Page 1, line 20:

After "age"
 Insert "has had an Alaska driver's license
 for at least one year."

Senator Rodey moved Amendment No. 1. Senators Abood and Coghill objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 409 TRSP AM 1

Yeas: 5 Fischer Vic, Josephson, Kerttula,
 Rodey, Zharoff

Nays: 14 Abood, Bennett, Coghill, DeVries,
 Eliason, Fahrenkamp, Faiks,
 Ferguson, Fischer Paul, Halford,
 Kelly, Ray, Sackett, Ziegler

Excused: 1 Sturgulewski

Senator Paul Fischer changed from "yea" to "nay".

and so, Amendment No. 1 failed.

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 409 (TRSP) be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 409 (TRSP) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 409 (TRSP) (training and licensing of school bus drivers; efd) pass the Senate?" The roll was taken with the following result:

CSHB 409 TRSP 3RD

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

Nays: 0

Excused: 1 Sturgulewski

HB 409 cont'd

and so, CS FOR HOUSE BILL NO. 409 (TRSP) 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. 409 (TRSP) was signed by the President and Secretary and returned to the House.

SECOND READING OF SENATE RESOLUTIONS

SJR 45

SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 45 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 45 was read the third time.

The question being: "Shall SENATE JOINT RESOLUTION NO. 45 (compensation for injuries to commercial fishermen) pass the Senate?" The roll was taken with the following result:

SJR 45 3RD

Yeas:	19	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Zharoff, Ziegler
Nays:	0	
Excused:	1	Sturgulewski

and so, SENATE JOINT RESOLUTION NO. 45 passed the Senate and was referred to the Secretary for engrossment.

CITATIONS

Senator Coghill moved and asked unanimous consent that the Citation - Honoring Irene Ryan be shown as sponsored by All Members of the Senate. Without objection, it was so ordered.

Honoring - Irene Ryan - Alaskan of the Year 1986
by Senators Sturgulewski, Ziegler, Bennett,
Fahrenkamp, DeVries, Vic Fischer, Ferguson,
Halford, Kerttula, Faiks, Josephson, Abood,
Rodey, Ray, Eliason, Coghill and All Other
Members of the Senate
Representative Jenkins

In Memoriam - Jessie L. Dodson
by Representatives Jenkins, Boucher, Collins,
Furnace, Gruenberg, Hanley, Martin, Pearce,
Pignalberi, Uehling, Rieger, Clocksin,
Binkley, Hurley, M.M. Miller, Larson and
Cotten
Senators Sturgulewski, Abood, Rodey, Vic
Fischer, Kelly, Ziegler, DeVries, Ferguson,
Fahrenkamp, Kerttula, Halford, Faiks,
Josephson, Ray, Coghill and Eliason

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

SB 100

Senator Ray requested that the reconsideration on CS FOR SENATE BILL NO. 100 (SA) (prohibiting salaries for certain employees from exceeding the governor's salary; efd) be taken up.

CS FOR SENATE BILL NO. 100 (SA) was before the Senate in third reading on reconsideration.

Senator Halford moved and asked unanimous consent that the reconsideration on CS FOR SENATE BILL NO. 100 (SA) be held until the April 17 calendar. Without objection, it was so ordered and the bill will be on the April 17 calendar.

HB 493

The reconsideration on 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) was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

ANNOUNCEMENTS

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 18. Without objection, Senator Coghill was excused.

ENGROSSMENT

SJR 45

SENATE JOINT RESOLUTION NO. 45 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 138

CS FOR SENATE BILL NO. 138 (FIN) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

SB 319

CS FOR SENATE BILL NO. 319 (FIN) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 461

SENATE BILL NO. 461 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 471

CS FOR SENATE BILL NO. 471 (TRSP) (title am) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 493

SENATE CS FOR CS FOR HOUSE BILL NO. 493 (JUD) was engrossed, signed by the President and Secretary and returned to the House for consideration.

ENROLLMENT

SJR 47

SENATE JOINT RESOLUTION NO. 47 (Requesting additional action by the United States to reduce high seas interception of Alaska-bound salmon) 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 10:50 a.m., April 16, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 10:30 a.m., April 17, 1986. Without objection, the Senate adjourned at 12:09 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 17 THURSDAY
SB 467 OPERATION OF CAMPGROUNDS

FINANCE - FINANCE ROOM 518 - 8:30 AM

Apr 17 THURSDAY BUDGET CLOSE-OUTS
*8:30 - 11:00 AM 1:30 - 3:00 PM
LAW, EDUCATION, GOVERNOR, REVENUE, CORRECTIONS
DOT/PF

Apr 18 FRIDAY BUDGET CLOSE-OUTS
*8:30 - 11:00 AM 1:30 - 3:00 PM
COMMUNITY & REGIONAL AFFAIRS, NATURAL RESOURCES,
COMMERCE & ECONOMIC DEVELOPMENT, UNIVERSITY,
HEALTH & SOCIAL SERVICES, COURT SYSTEM

Apr 19 SATURDAY BUDGET CLOSE-OUTS
*8:30 - 11:00 AM 1:30 - 3:00 PM
LABOR, MILITARY & VETERANS AFFAIRS, PUBLIC SAFETY,
FISH & GAME, ENVIRONMENTAL CONSERVATION,
ADMINISTRATION, LEGISLATURE

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

Apr 17 THURSDAY
SB 215 PERMANENT FUND INCOME; SCHOOL FUNDING
SB 264 LIMITATION ON FINGERPRINTING MINORS
SB 381 APPROP PUBLIC SCHOOL FOUNDATION ACCOUNT
SB 408 STATE AID TO EDUCATION

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Apr 17 THURSDAY
SB 168 RIGHTS OF DEAF, BLIND, DISABLED PERSONS
SB 377 TORT REFORM (CONT'D)
HB 288 SUBSISTENCE
HB 331 THEFT OF COMMERCIAL FISHING GEAR

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

Apr 18 FRIDAY
SB 399 U OF A RISK MANAGEMENT FUND

RESURCES - BUTROVICH ROOM 205 - 1:30 PM

Apr 18 FRIDAY
HB 355 ON-BOARD OBSERVER PROGRAMS
HB 407 USE AND SEALING OF CERTAIN GAME ANIMALS
HB 561 PUBLIC USE CABINS
HB 627 APPROPRIATION OF WATER

RULES - BELTZ ROOM 211 - 1:00 PM

Apr 16 WEDNESDAY
CALENDAR BILLS

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Apr 17 THURSDAY
SCR 12 SENIOR CITIZENS' HOUSING, PIONEERS' HOMES
HB 237 SPOUSES' BENEFICIARY FOR PENSION BENEFITS

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Apr 18 FRIDAY
 CANCELED - RESCHEDULED 4/21

Apr 21 MONDAY
 HB 689 EQUIPMENT ON VEHICLES
 HB 321 ADVERSE CLAIMS AND BOUNDARY DISPUTES

ANCHORAGE CAUCUS -

Apr 17 THURSDAY *12:00 PM HOUSE FINANCE RM
 BUDGET

BUDGET AND AUDIT -

Apr 19 SATURDAY
 TENTATIVE SCHEDULE - TBA

CONFERENCE COMMITTEE -

Apr 17 THURSDAY *3:30 PM BUTROVICH RM 205
 POSTPONED SB 140

Apr 18 FRIDAY *8:30 AM CAPITOL 112
 SB 187 ADOPTION

LEGISLATIVE COUNCIL -

Apr 17 THURSDAY *12:00 PM GOVERNORS CONFERENCE RM
 FY 87 BUDGET

