

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

April 23, 1986

One Hundred first Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 10:39 a.m.

The roll showed nineteen members present. Senator Ziegler was excused from a call of the Senate after 11:30 a.m. Senator Eliason was excused from a call of the Senate until 1:00 p.m.

The prayer was offered by the Chaplain, Right Reverend Archimandrite Innocent (Fryntzko) of St. Nicholas Russian Orthodox Church.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the one hundredth legislative day and Senate Supplement No. 70 be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of April 22 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 277

HOUSE BILL NO. 277 by the Judiciary Committee by request, entitled:

"An Act authorizing investments in the African Development Bank by certain entities; and providing for an effective date."

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

HB 496

CS FOR HOUSE BILL NO. 496 (FIN) am by the Finance Committee, entitled:

"An Act relating to divorce, dissolution, and annulment; and amending Rule 84(a), Alaska Rules of Civil Procedure."
(with House Letter of Intent)

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

HB 527

CS FOR HOUSE BILL NO. 527 (RES) by the Resources Committee, entitled:

An Act relating to the definition of residency for purposes of the fish and game code."

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

COMMUNICATIONS

Posted 4/23:

ALASKA BOARD OF FISHERIES proposed changes in regulations concerning marking requirements for sport fishing charter vessels in accordance with AS 16.05.251 and AS 16.05.270

STANDING COMMITTEE REPORTS

SB 479

The Judiciary Committee considered SENATE BILL NO. 479 (providing for pro rata reductions of certain state payments to local governments; efd).. Senator Rodey, Chairman, signed "no recommendation". Senators Faiks and Kelly signed "do pass".

Fiscal note is zero.

SENATE BILL NO. 479 was referred to the Finance Committee.

SB 480

The Judiciary Committee considered SENATE BILL NO. 480 (eliminating the position of executive director of the Alaska Historical Commission; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 480 (JUD), entitled:

"An Act relating to the executive director of the Alaska Historical Commission; and providing for an effective date."

Senator Rodey, Chairman, signed "no recommendation". Senators Faiks and Kelly signed "do pass".

SENATE BILL NO. 480 was referred to the Finance Committee.

SB 481

The Judiciary Committee considered SENATE BILL NO. 481 (repealing the community legal assistance grants program; efd). Senator Rodey, Chairman, signed "no recommendation". Senators Faiks and Kelly signed "do pass".

SENATE BILL NO. 481 was referred to the Finance Committee.

SB 482

The Judiciary Committee considered SENATE BILL NO. 482 (day-care assistance payments to municipalities and organizations; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 482 (JUD), entitled:

"An Act relating to the administrative costs of day-care assistance payments to municipalities and organizations; and providing for an effective date."

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

SENATE BILL NO. 482 was referred to the Finance Committee.

SB 483

The Judiciary Committee considered SENATE BILL NO. 483 (suspension of the operation of certain state programs; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 483 (JUD)

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

Fiscal note from the Department of Revenue is zero.

Fiscal note from Department of Public Safety is zero;. Analysis from Division of Motor Vehicles: "The specific section (AS 28.10.411(c)) included in the bill does not exempt residents 65 years of age or older from motor vehicle registration fee. If this class of residents were no longer exempt from the motor vehicle registration fee the increase in revenue to the State would be approximately \$210,000 annually. (7,000 vehicles times fee of \$30.00 per vehicle)."

SENATE BILL NO. 483 was referred to the Finance Committee.

HCR 47

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 47 (establishing a Joint Special Committee on state employee compensation). Senator Abood, Chairman and Senators DeVries, Vic Fischer and Kelly signed "no recommendation". Senator Ray signed "do not pass as written".

HOUSE CONCURRENT RESOLUTION NO. 47 was referred to the Finance Committee.

HB 288

The Judiciary Committee considered CS FOR HOUSE BILL NO. 288 (JUD) am (taking of fish and game for subsistence and personal use; efd) a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (JUD)

and do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Faiks, Halford and Kelly. Senator Kelly further signed "do pass this version". Senator Ziegler signed "do pass, but only if the so-called Halford 'needs-based' amendment is deleted; otherwise we fly in the face of both law and logic".

HB 288 cont'd

Letter of Intent SCS CSHB 288 (JUD)

It is the intent of the Legislature that the needs criteria provided for in Section 16.05.262 be consistent with the customary and traditional language provided for in federal legislation and with customary and traditional uses of wild food resources by those in need as evidenced by An Act to Prevent the Extermination of Fur-bearing Animals in Alaska, ch. 189, 16 Stat., 180 (1870); An Act for the Protection of Game in Alaska, ch. 1037, 32 Stat., 327 (1902); An Act for the Protection of Game in Alaska, ch. 162, 35 Stat., 102 (1908); An Act to Protect the Seal Fisheries of Alaska, ch. 183, 34 Stat., 326 (1910); An Act to Establish an Alaska Game Commission, ch. 75, 43 Stat., 744 (1925).

CS FOR HOUSE BILL NO. 288 (JUD) am was referred to the Rules Committee.

HB 694

The Judiciary 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 Rodey, Chairman and concurred in by Senators Kelly and Ziegler.

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

SB 365

The Rules Committee considered SENATE BILL NO. 365 (providing that a broker is the agent of an insurer for payment of premium; efd) and recommended calendar April 23. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett, Coghill, Josephson and Faiks.

SENATE BILL NO. 365 is on the calendar.

SB 391

The Rules Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (ethical conduct of governmental activities; efd) and a majority of the committee recommended calendar April 23. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson, Coghill and Bennett.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 is on the calendar.

SB 424

The Rules Committee considered SENATE BILL NO. 424 (studded tires or chains on rented motor vehicles) and a majority of the committee recommended calendar April 23. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson, Coghill and Bennett.

SENATE BILL NO. 424 is on the calendar.

INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SCR 42

SENATE CONCURRENT RESOLUTION NO. 42 by the State Affairs Committee,

Relating to a legislative committee to study the state's tax policy,

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

SJR 50

SENATE JOINT RESOLUTION NO. 50 by the Resources Committee,

Relating to the incidental catch of high-value fish stocks within the United States exclusive economic zone,

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 365

SENATE BILL NO. 365 (providing that a broker is the agent of an insurer for payment of premium; efd) was read the second time.

Senator Zharoff moved and asked unanimous consent for the adoption of the second Labor and Commerce Committee Substitute offered on page 2336. Without objection, CS FOR SENATE BILL NO. 365 (2d L&C) was adopted.

CS FOR SENATE BILL NO. 365 (2d L&C) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 365 (2d L&C) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 365 (2d L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 365 (2d L&C) (providing that a broker is the agent of an insurer for payment of premium; efd) pass the Senate?" The roll was taken with the following result:

CSSB 365 2D L&C 3RD

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

Nays: 0

Excused: 1 Eliason

Absent: 1 Ferguson

and so, CS FOR SENATE BILL NO. 365 (2d L&C) 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.

SB 365 cont'd

CS FOR SENATE BILL NO. 365 (2d L&C) was referred to the Secretary for engrossment.

SB 391

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (ethical conduct of governmental activities; efd) was read the second time.

Senator Abood moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 2309. Without objection, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) was adopted.

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) was read the second time.

Senator Coghill offered Amendment No. 1:

Page 21, line 7: Delete "the Alaska Railroad,"

line 8: After "commissions" insert
", but excluding the Alaska
Railroad"

Pages 25-26: Delete Section 4

Re-number sections accordingly

Senator Coghill moved and asked unanimous consent for the adoption of Amendment No. 1. Senators Ray, Kerttula and Vic Fischer objected.

Senator Coghill moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) be referred to the Transportation Committee. Senators Ray and Kerttula objected.

Senator Coghill moved and asked unanimous consent to withdraw his motion to refer CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) to the Transportation Committee. Without objection, it was so ordered.

Senator Coghill moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) be held two legislative days. Without objection, it was so ordered and the bill will be on the April 25 calendar in second reading with Amendment No. 1 moved and pending.

SB 424

SENATE BILL NO. 424 (studded tires or chains on rented motor vehicles) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 424 be held until tomorrow's calendar. Without objection, it was so ordered and the bill will be on the April 24 calendar in second reading.

SENATE RESOLUTIONS IN SECOND READING

SJR 12

CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) (Proposing amendments to the Constitution of the State of Alaska relating to the office of state treasurer) with a Senate Letter of Intent which was held from April 22 was before the Senate in second reading.

Senator Halford moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) (Proposing amendments to the Constitution of the State of Alaska relating to the office of state treasurer) pass the Senate?" The roll was taken with the following result:

CS SJR 12 FIN 3RD

Yeas:	10	Abood, Bennett, DeVries, Faiks, Ferguson, Fischer Paul, Halford, Kelly, Rodey, Sturgulewski
Nays:	8	Coghill, Fahrenkamp, Fischer Vic, Josephson, Kerttula, Ray, Sackett, Zharoff
Excused:	2	Eliason, Ziegler

and so, CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) failed.

Senator Kelly gave notice of reconsideration.

SJR 12 cont'd

Senator Kelly moved and asked unanimous consent that his reconsideration be taken up at this time. Without objection, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) was before the Senate in third reading on reconsideration.

Senator Kelly moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 12 (FIN) be returned to the Rules Committee. Without objection, it was so ordered.

Senator Halford moved and asked unanimous consent that the rules be suspended and the notice and publication requirements be waived and that the Richard W. Freer citation be made a special order of business. Without objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

Honoring - Richard W. Freer
by Representatives Duncan and M.M. Miller
Senators Ray, Ziegler, Zharoff, Vic
Fischer, Kerttula and Coghill

Senator Halford moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

UNFINISHED BUSINESS

SB 215

Senator Fahrenkamp, Chairman, moved and asked unanimous consent that the Health, Education and Social Services Committee referral be waived on SENATE BILL NO. 215 (use of funds from the undistributed income account in the Alaska permanent fund for public school funding, establishing a two-year funding cycle; efd). Without objection, it was so ordered.

SENATE BILL NO. 215 was referred to the Finance Committee.

SB 380

Senator Abood, Chairman, moved and asked unanimous consent that the State Affairs Committee referral be waived on SENATE BILL NO. 380 (commercial vehicle financial responsibility; efd). Without objection, it was so ordered.

SENATE BILL NO. 380 was referred to the Labor and Commerce Committee and the Transportation Committee.

SB 381

Senator Fahrenkamp, Chairman, moved and asked unanimous consent that the Health, Education and Social Services Committee referral be waived on SENATE BILL NO. 381 (making special appropriations to the Public School Foundation Account; efd). Without objection, it was so ordered.

SENATE BILL NO. 381 was referred to the Finance Committee.

SB 385

Senator Abood, Chairman, moved and asked unanimous consent that the State Affairs Committee referral be waived on SENATE BILL NO. 385 (public employees' retirement system and the teachers' retirement system; efd). Without objection, it was so ordered.

SENATE BILL NO. 385 was referred to the Health, Education and Social Services Committee and the Finance Committee.

HB 693

Senator Sturgulewski, Chairman, moved and asked unanimous consent that CS FOR HOUSE BILL NO. 693 (SA) am (establishing the Alaska research policy) have an additional referral to the Resources Committee. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 693 (SA) am was referred to the Resources Committee and the Finance Committee.

ANNOUNCEMENTS

Senator Abood, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the State Affairs Committee meeting on April 24 to consider SENATE CONCURRENT RESOLUTION NO. 42 (legislative committee to study the state's tax policy). Without objection, it was so ordered.

Announcements appear at the end of the journal.

ENGROSSMENT

SB 365

CS FOR SENATE BILL NO. 365 (2d L&C) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 10:30 a.m., April 24, 1986. Without objection, the Senate adjourned at 11:50 a.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 PMApr 24 THURSDAY
HB 697 FOOD STAMP PURCHASESFINANCE - FINANCE ROOM 518 - 8:30 AMApr 24 THURSDAY
DOT/PF BUDGET AMENDMENTS FOR REVIEW
SB 356 REVISION OF CAMPAIGN FINANCING LAWS
SB 377 TORT REFORM
SB 468 RAILBELT ENERGY COUNCIL
SB 476, SB 477 HYDRO PROJECTS; DEVIL'S CANYON
HB 382 ACCELERATED RETIREMENT IN PERS
HB 699 CREATING THE RAILBELT ENERGY FUNDHEALTH, EDUCATION & SOCIAL SERVICES - BELTZ RM 211 - 1:30 PMApr 24 THURSDAY
SB 408 STATE AID TO EDUCATION (CONT'D)
HB 426 POSTSECONDARY EDUCATION INSTITUTIONS
HB 255 CARE AND CUSTODY OF NATIVE CHILDRENJUDICIARY - BUTROVICH ROOM 205 - 1:30 PMApr 24 THURSDAY
SB 321 COMMISSION ON JUDICIAL QUALIFICATIONS
SB 371 CONTROLLED SUBSTANCE SCHEDULES
HB 114 CORRECTIONAL FACILITIES
HB 463 COMPROMISE AND RESTITUTION
HB 471 ABUSE AND EXPLOITATION OF CHILDRENRESOURCES - BUTROVICH ROOM 205 - 1:30 PMApr 25 FRIDAY
HB 93 SYSTEM OF RECREATION RIVERS
HB 635 WILLOW CREEK STATE RECREATION AREASTATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AMApr 24 THURSDAY
SB 292 PLACING APA STAFF IN THE EXEMPT SERVICE
HCR 58 ALASKA SENIOR LEGISLATURE
HB 15 ADVISORY ELECTIONS ANNEXATION PROPOSALS
SCR 42 LEGISLATIVE COMMITTEE STATE'S TAXANCHORAGE CAUCUS -Apr 24 THURSDAY *12:00 PM HOUSE FINANCE RM
BUDGET OVERVIEW & BRIEFING
BY FINANCE COMMITTEES

