

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

MONDAY

April 28, 1986

One Hundred sixth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:20 a.m.

The roll showed all members present.

The prayer was offered by the Chaplain, Jon Paden of the Church of Christ.

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the Senate recess for a majority caucus. Senator Josephson announced a minority caucus. Without objection, the Senate recessed at 11:20 a.m.

AFTER RECESS

The Senate reconvened at 12:20 p.m.

Senator Halford moved and asked unanimous consent that the journal for the one hundred third, one hundred fourth and one hundred fifth legislative days and Senate Supplement No. 71 be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Ziegler moved and asked unanimous consent that the Senate proceed to Special Orders. Without objection, it was so ordered.

SPECIAL ORDERS

Senator Ziegler moved and asked unanimous consent that he be excused from the Senate, not subject to a call, from 1:30 p.m. for the remainder of the day. Without objection, Senator Ziegler was excused.

The Senate reverted to:

MESSAGES FROM THE HOUSE

Message of April 26 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 500

CS FOR HOUSE BILL NO. 500 (FIN)
(making appropriations for the operating and loan program expenses of state government; efd)

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

The Speaker appointed the following House members to a Conference Committee to consider CS FOR HOUSE BILL NO. 500 (FIN) and any Senate amendments:

Representative Adams
Representative Duncan
Representative Rieger

COMMUNICATIONS

The Secretary announced receipt of:

TREATMENT ALTERNATIVES TO STREET CRIME (TASC)
ANNUAL REPORT
by Municipality of Anchorage, Department of
Health and Human Services

FORUM '86, VOLUME II
by Alaska Land Use Council, Land Use Advisors
Committee, Juneau, Anchorage and Fairbanks 1986

A SEARCH FOR CONTROL: THE EFFECT OF ALCOHOL ON PUBLIC RIGHTS AND PRIVATE WRONGS
 Report to the Legislature, Joint Special Committee on Local Option Laws
 by Laurie H. Otto, Otto & Constantino, Attorneys at Law, March 1986

ATTACHMENTS:

Letter of April 22 and Memorandum of April 7 from John Binkley, Chairman, Joint Committee on Local Option Laws transmitting the report and summarizing the work of the committee

Executive Summary of the above report

A copy of CSSSHB 700 (FIN)
 "An Act relating to regulation of alcoholic beverages and enactment of municipal ordinances."

Section Analysis of CSSSHB 700 (FIN)

Opinion of March 28 from the Department of Law on the constitutionality of CSSSHB 700 (FIN)

The report has been distributed to all legislators

Copies of all reports are on file in the Office of the Secretary of the Senate.

STANDING COMMITTEE REPORTS

SB 13

The Finance Committee considered SENATE BILL NO. 13 (making a special appropriation to the Office of the Governor for the federal budget impact fund; efd) and recommended it be replaced with

CS FOR SENATE BILL NO. 13 (FIN), entitled:

"An Act relating to student loans; creating the Alaska Student Loan Corporation; and providing for an effective date."

Senator Faiks, Co-Chairman and Senators Halford, Paul Fischer and Eliason signed "no recommendation". Senators Ferguson and Sackett signed "do pass". Senator Kerttula signed "do not pass".

SENATE BILL NO. 13 was referred to the Rules Committee.

SB 356

The new title for CS FOR SENATE BILL NO. 356 (FIN) (page 2482) is:

"An Act relating to election campaign financing and the Alaska Public Offices Commission; and providing for an effective date."

SB 405

The Finance Committee considered SENATE BILL NO. 405 (loans under the Alaska grain reserve program) and recommended it be replaced with

CS FOR SENATE BILL NO. 405 (FIN), entitled:

"An Act relating to loans under the Alaska grain reserve program; and providing for an effective date."

Senator Faiks, Co-Chairman and Senators Kerttula, Halford, Eliason and Ferguson signed "do pass".

Fiscal note is zero.

SENATE BILL NO. 405 was referred to the Rules Committee.

SB 414

The Resources Committee considered 2d SPONSOR SUBSTITUTE FOR SENATE BILL NO. 414 (general grant land entitlements; efd) and recommended it be replaced with

CS FOR 2d SPONSOR SUBSTITUTE FOR SENATE
BILL NO. 414 (RES)

and a majority do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Halford, Coghill, Fahrenkamp and Vic Fischer. Senator Zharoff signed "no recommendation".

2d SPONSOR SUBSTITUTE FOR SENATE BILL NO. 414 was referred to the Finance Committee.

HB 93

The Resources Committee considered CS FOR HOUSE BILL NO. 93 (FIN) am (system of recreation rivers; efd) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 93 (RES)

Senator Sturgulewski, Chairman and Senators Fahrenkamp and Vic Fischer signed "do pass". Senators Coghill and Zharoff signed "no recommendation".

CS FOR HOUSE BILL NO. 93 (FIN) am was referred to the Finance Committee.

HB 161

The Finance Committee considered CS FOR HOUSE BILL NO. 161 (FIN) am (interest rate, loan conditions and repayment provisions of scholarship loans; efd) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 161 (FIN)

Senator Faiks, Co-Chairman and Senators Paul Fischer and Eliason signed "no recommendation". Senators Ferguson and Sackett signed "do pass". Senator Kerttula signed "do not pass".

Fiscal note is in Senate Supplement No. 72.

CS FOR HOUSE BILL NO. 161 (FIN) am was referred to the Rules Committee.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 371

SENATE BILL NO. 371 (amending the controlled substance schedules) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 371 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SB 371 cont'd

SENATE BILL NO. 371 was read the third time.

The question being: "Shall SENATE BILL NO. 371 (amending the controlled substance schedules) pass the Senate?" The roll was taken with the following result:

SB 371 3RD

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

Nays: 0

Absent: 1 Sackett

and so, SENATE BILL NO. 371 passed the Senate and was referred to the Secretary for engrossment.

SB 468

SENATE BILL NO. 468 (creating the Railbelt energy fund; efd) 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 2476. Without objection, CS FOR SENATE BILL NO. 468 (FIN) (creating the Railbelt energy council; efd) was adopted.

CS FOR SENATE BILL NO. 468 (FIN) was read the second time.

Senators Coghill and Faiks offered Amendment No. 1:

Page 1, line 25: Delete "southcentral"
Insert "the Railbelt area of"

SB 468 cont'd

Senator Coghill 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. 468 (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. 468 (FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 468 (FIN) am (creating the Railbelt energy council; efd) pass the Senate?" The roll was taken with the following result:

CS SB 468 FIN AM 3RD

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

Nays: 0

Absent: 1 Sackett

and so, CS FOR SENATE BILL NO. 468 (FIN) am 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 SENATE BILL NO. 468 (FIN) am was referred to the Secretary for engrossment.

SB 474

SENATE BILL NO. 474 (exemptions from licensing requirements as electrical administrators; efd) was read the second time.

SB 474 cont'd

Senator Zharoff moved and asked unanimous consent for the adoption of the Labor and Commerce Committee amendment offered on page 2463. Without objection, Amendment No. 1 was adopted.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 474 am be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 474 am was read the third time.

The question being: "Shall SENATE BILL NO. 474 am (exemptions from licensing requirements as electrical administrators; efd) pass the Senate?" The roll was taken with the following result:

SB 474 AM 3RD

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

Nays: 0

Absent: 1 Sackett

and so, SENATE BILL NO. 474 am 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 Eliason gave notice of reconsideration on SENATE BILL NO. 474 am.

SENATE BILLS IN SECOND READING

SB 391

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) (ethical conduct of governmental activities; efd) which had been held from April 25 was before the Senate with Amendment No. 1 moved and pending (page 2450).

SB 391 cont'd

Senator Coghill moved and asked unanimous consent that Amendment No. 1 be withdrawn. Without objection, Amendment No. 1 was withdrawn.

Senator Coghill offered Amendment No. 2:

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

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

Page 26, line 3: Delete ", except AS 39.52,"

line 4: After "corporation"
Insert "However, the corporation
shall adopt a code of ethics for its
employees which is substantially equivalent
to that adopted in AS 39."

Senator Coghill moved Amendment No. 2.

Senator Josephson offered amendment to Amendment No. 2:

Page 26, line 4: In new material insert after the word
"its" "directors and"

Senator Josephson moved amendment to Amendment No. 2 and asked unanimous consent. Without objection, amendment to Amendment No. 2 was adopted.

Senator Coghill moved the adoption of Amendment No. 2 as amended and asked unanimous consent. Without objection, Amendment No. 2 as amended was adopted.

The Secretary noted Senator Vic Fischer's technical amendment in Amendment No. 2 as amended:

After employees Delete "which" and insert "that"

Senator Kelly moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am be placed at the bottom of the calendar. Without objection, it was so ordered.

SB 424

SENATE BILL NO. 424 (studded tires or chains on rented motor vehicles) which had been held from April 24 was before the Senate in second reading.

SB 391 cont'd

Senator Coghill moved and asked unanimous consent for the adoption of Amendment No. 3. Senator Abood objected.

The question being: Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CS SSSB 391 SA AM AM 3

Yeas:	11	Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Ferguson, Fischer Paul, Halford, Kelly, Zharoff, Ziegler
Nays:	9	Abood, Faiks, Fischer Vic, Josephson, Kerttula, Ray, Rodey, Sackett, Sturgulewski

and so, Amendment No. 3 was adopted.

Senator Halford moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am 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. 391 (SA) am was read the third time.

The question being: "Shall CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am (ethical conduct of governmental activities; efd) pass the Senate?" The roll was taken with the following result:

CS SSSB 391 SA AM 3RD

Yeas:	20	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
Nays:	0	

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

and so, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am passed the Senate.

SB 391 cont'd

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 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am was referred to the Secretary for engrossment.

Senator Halford moved and asked unanimous consent that the rules be suspended, the notice and publication requirements be waived and the citation Honoring - St. George Island Bicentennial be made a special order of business. Without objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

Honoring - St. George Island Bicentennial
by Representative Herrmann
Senators Zharoff and Vic Fischer

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 405

Senator Coghill moved and asked unanimous consent that Senator Kerttula be shown as a co-sponsor on SENATE BILL NO. 405 (loans under the Alaska grain reserve program). Without objection, it was so ordered.

HB 477

Senator Sturgulewski, Chairman, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE BILL NO. 477 (FIN) (making, amending, and repealing appropriations for energy programs; efd). Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 477 (FIN) was referred to the Finance Committee.

HB 559

Senator Kerttula requested that the reconsideration on HOUSE BILL NO. 559 be taken up.

HOUSE BILL NO. 559 was before the Senate in third reading on reconsideration.

The question to be reconsidered is: "Shall 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) pass the Senate?" The roll was taken with the following result:

HB 559 RECON

Yeas: 16 Abood, Bennett, Coghill, DeVries,
Fahrenkamp, Faiks, Fischer Paul,
Fischer Vic, Halford, Josephson,
Kelly, Kerttula, Ray, Rodey,
Sackett, Sturgulewski

Nays: 0

Absent: 4 Eliason, Ferguson, Zharoff,
Ziegler

and so, HOUSE BILL NO. 559 passed the Senate on reconsideration.

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.

HOUSE BILL NO. 559 was signed by the President and Secretary and returned to the House.

ANNOUNCEMENTS

Senator Kelly, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Rules Committee meeting on April 28 to consider SENATE CONCURRENT RESOLUTION NO. 43 (Suspending Uniform Rules 41(b), 24(c), and 35 of the Alaska State Legislature concerning House Bill No. 382). Without objection, it was so ordered.

Senator Rodey, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Judiciary Committee meeting on May 1 to consider CS FOR HOUSE BILL NO. 237 (RULES) (pension reform; efd). Without objection, it was so ordered.

Announcements appear at the end of the journal.

ENGROSSMENT

SCR 38

SENATE CONCURRENT RESOLUTION NO. 38 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 371

SENATE BILL NO. 371 was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 391

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 391 (SA) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 468

CS FOR SENATE BILL NO. 468 (FIN) am 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 29, 1986. Without objection, the Senate adjourned at 1:25 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 29 TUESDAY

HB 312 DUDE CREEK CRITICAL HABITAT AREA

HB 558 REVENUE SHARING AND MUNICIPAL ASSISTANCE

May 1 THURSDAY

HB 476 AUTOMOBILE INSURANCE PREMIUMS

FINANCE - FINANCE ROOM 518 - 8:30 AM

Apr 29 TUESDAY

SB 377 TORT REFORM

SB 408 STATE AID FOR EDUCATION

SB 379 PREMIUM TAX FOR DOMESTIC INSURERS

SB 466 EXTEND ALCOHOLIC BEVERAGE CONTROL BOARD

SJR 28 ALASKA PERMANENT FUND

SB 486 APPROP APA FOR BRADLEY LAKE

SB 484 PUBLIC EMPLOYEE COLLECTIVE BARGAINING

SB 334 HATCHER PASS PUBLIC USE AREAS

SB 355 COURT FACILITY FBX

SB 400 FRAUDULENT APPLICATIONS FOR PERMANENT FUND

SB 401 ANNUL REGULATIONS ADOPTED BY APOC

SB 418 ALASKA MINERALS COMMISSION

SB 453 MEMORIAL SCHOLARSHIP REVOLVING LOANS

HB 58 FISHERIES BUSINESS TAX

HB 193 AGRICULTURAL PRODUCT CREDIT

SCHEDULE FOR WEEK OF 4/29 - 5/2

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

Apr 29 TUESDAY

SB 295 MENTAL HEALTH DISABILITY INSURANCE

HB 255 CARE AND CUSTODY OF NATIVE CHILDREN

May 1 THURSDAY

HB 614 EXTEND BOARD OF DENTAL EXAMINERS

HB 697 PROHIBIT MUNICIPAL SALE TAX WITH FOOD STAMPS

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

Apr 29 TUESDAY

HB 114 CORRECTIONAL FACILITIES

HB 238 LEAVE FOR PREGNANCY, CHILD BIRTH & ADOPTION

HB 471 ABUSE AND EXPLOITATION OF CHILDREN

HB 563 DUTIES COMMISSION JUDICIAL CONDUCT

SB 264 UNLAWFUL CONDUCT OF MINORS

SB 443 SURPLUS LINES INSURANCE BROKERS MONTHLY REPORTS

May 1 THURSDAY

HB 125 CONSUMER PROTECTION ACT EXTEND TO BUSINESSES

HB 218 LEGISLATIVE ETHICS

HB 321 ADVERSE CLAIMS AND BOUNDARY DISPUTES

HB 322 FINGERPRINTS OF ALASKA BAR ASSOCIATION

HB 237 SPOUSE AS BENEFICIARY OF PENSION BENEFITS

HB 438 VIOLATING ALASKA HISTORIC PRESERVATION ACT

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

Apr 30 WEDNESDAY *1:15 PM COURT BUILDING RM 603
 SUNSET REVIEW ALASKA PUBLIC UTILITIES COMM
 REAL ESTATE COMMISSION
 SB 473 EXTEND REAL ESTATE COMMISSION
 *JOINT WITH HOUSE LABOR AND COMMERCE

May 2 FRIDAY
 HB 63 PLUMBING CODE
 HB 305 BARBERS, COSMETOLOGISTS, ESTHETICIANS
 HB 430 AUDIOLOGISTS AND HEARING AID DEALERS
 HB 517 ARTISTS AND WORKS OF ART

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

Apr 30 WEDNESDAY
 HB 627 APPROPRIATION OF WATER
 SB 485, SJR 49 ALASKA RESEARCH DEVELOPMENT ENDOWMENT
 SB 467 OPERATION OF CAMPGROUNDS

May 2 FRIDAY
 HB 605 SHUYAK STATE GAME REFUGE
 SJR 38 FEDERAL TAX ON IMPORTED OIL
 HB 693 ALASKA RESEARCH POLICY
 HB 492 SPORT FISHING FROM COMMERCIAL VESSELS

RULES - BELTZ ROOM 211 - 1:00 PM

Apr 28 MONDAY *1:20 PM
 SCR 43 SUSPENDING UNIFORM RULES - HB 382
 CALENDAR BILLS

May 1 THURSDAY
 HB 288 SUBSISTENCE

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

Apr 30 WEDNESDAY
 SB 71, HB 3 OPEN ALCOHOLIC BEVERAGES IN VEHICLES
 HCR 58 ALASKA SENIOR LEGISLATURE
 HB 15 ADVISORY ELECTIONS; ANNEXATION PROPOSALS

May 1 THURSDAY
 HJR 60 INTERNATIONAL YEAR OF PEACE
 HB 539 TELECOMMUNICATIONS; REDUCED RATES
 HB 601 ABOLISHING INACTIVE BOARDS, COMM'S ETC

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

Apr 28 MONDAY
 CANCELED HB 552

Apr 30 WEDNESDAY
 HCR 36 INTRASTATE AIRLINE INDUSTRY STUDY
 SB 416 LIMITED WARRANTIES FOR USED VEHICLES

May 2 FRIDAY
 HB 552 NEIGHBORHOOD SPEED LIMITS