

SENATE JOURNAL

ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

MONDAY

May 5, 1986

One Hundred thirteenth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 10:45 a.m.

The roll showed members seventeen members present. Senators Vic Fischer and Rodey were absent. Senator Sackett was absent on State business.

The prayer was offered by the Chaplain, Pastor Milton Hunt of the Resurrection Lutheran Church. Senator DeVries moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"Most Gracious Heavenly Father,

We rejoice in the beauty of the spring that has swept over our beloved Alaska. Today, our hearts are filled with joy as we see the bright and beautiful sun shining down in all its splendor upon our snow-crowned and tree-blanketed fjord.

We request help that this marvelous weather and surrounding loveliness does not distract us. Grant concentration to these assembled Senators and their staffs that they may center on each task one by one throughout this week. Continue Your gifts of wisdom and understanding all through this session.

All petitions we present in the name of the Divine Wisdom, Jesus Christ,

Amen"

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journals for the one hundred tenth, one hundred eleventh and one hundred twelfth legislative days and Senate Supplements No. 75 and 76 be approved as certified by the Secretary. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

SB 457

Message of May 2 was read, stating the House passed CS FOR SENATE BILL NO. 457 (HESS) with a Legislative Letter of Intent and the following amendment:

Page 3, line 5: After "chiropractic", insert
"as defined in AS 08.20.220"

Page 3, line 6: After "healing" insert "but only to practice physical therapy as defined in AS 08.84.190(3)"

and so, CS FOR SENATE BILL NO. 457 (HESS) am H (State Physical Therapy Board; efd) was returned for consideration.

Senator Halford moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment to CS FOR SENATE BILL NO. 457 (HESS)?" The roll was taken with the following result:

CSSB 457 HESS AM H CONCUR

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

Nays: 0

Absent: 3 Fischer Vic, Rodey, Sackett

and so, CS FOR SENATE BILL NO. 457 (HESS) am H (State Physical Therapy Board; efd) 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.

The Secretary was requested to notify the House.

CS FOR SENATE BILL NO. 457 (HESS) am H was referred to the Secretary for enrollment.

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 209

SENATE BILL NO. 209 (relating to creating the Alaska State Fire Commission; efd) was read the second time.

Senator Kelly moved and asked unanimous consent for the adoption of the Rules Committee Substitute and new title offered ON PAGE 2592. Without objection, CS FOR SENATE BILL NO. 209 (RULES) (creating the Alaska State Fire Commission; efd) was adopted.

CS FOR SENATE BILL NO. 209 (RULES) was read the second time.

Senator Ziegler moved and asked unanimous consent that the Letter of Intent offered today be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

Senate Letter of Intent

It is not the intent of the legislature in passing legislation creating the Alaska State Fire Commission to usurp the authority of any state agency established by Alaska Statutes.

The legislature's intent is to insure cooperation, coordination and communication between all agencies involved in the state's fire protection system, and to draft policy and guidelines for consideration by the affected agencies to achieve this goal.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 209 (RULES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 209 (RULES) was read the third time.

Senator Rodey's presence was noted.

The question being: "Shall CS FOR SENATE BILL NO. 209 (RULES) (creating the Alaska State Fire Commission; efd) pass the Senate?" The roll was taken with the following result:

SB 209 cont'd

CSSB 209 RLS 3RD

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

Nays: 0

Absent: 2 Fischer Vic, Sackett

and so, CS FOR SENATE BILL NO. 209 (RULES) passed the Senate with a Senate Letter of Intent.

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. 209 (RULES) was referred to the Secretary for engrossment.

SB 418

SENATE BILL NO. 418 (Alaska minerals commission) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute and new title offered on page 2117. Without objection, CS FOR SENATE BILL NO. 418 (RES) (Alaska minerals commission; efd) was adopted.

CS FOR SENATE BILL NO. 418 (RES) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 418 (RES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 418 (RES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 418 (RES) (Alaska minerals commission; efd) pass the Senate?" The roll was taken with the following result:

SB 418 cont'd

CSSB 418 RES 3RD

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

Nays: 0

Absent: 2 Fischer Vic, Sackett

and so, CS FOR SENATE BILL NO. 418 (RES) 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. 418 (RES) was referred to the Secretary for engrossment.

SB 377

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 377 (civil actions; amending Alaska Rules of Civil Procedure 11, 49, 52, 58, 68, and 82; efd) be moved to the bottom of today's calendar. Without objection, it was so ordered.

Senator Vic Fischer's presence was noted.

SENATE BILLS IN THIRD READING

SB 356

CS FOR SENATE BILL NO. 356 (FIN) am (election campaign financing and the Alaska Public Offices Commission; efd) which was held from May 2 was before the Senate in third reading on reconsideration.

Senator Halford moved and asked unanimous consent that the Senate return to second reading for a specific amendment. Without objection, it was so ordered.

Senators Kerttula, Halford and Faiks offered Amendment No. 7:

SB 356 cont'd

Page 19, after line 20: In subsection (d) after "individual" Delete: ", political action committee, or political party".

In subsection (f) after "individual" Delete: "or a political action committee"

After subsection (f) Insert:

"(g) A political action committee may not make a contribution to a candidate or to another political action committee or to a political party."

Senator Halford moved Amendment No. 7. Senator Kelly objected.

Senator Halford offered an amendment to Amendment No. 7:

Delete: "or political party"

Senator Halford moved the amendment to Amendment No. 7. Senator Kerttula objected, then withdrew his objection.

The question being: "Shall amendment to Amendment No. 7 be adopted?" The roll was taken with the following result:

CSSB 356 FIN AM AM TO AM7

Yeas: 15 Abood, Bennett, Coghill, DeVries,
Eliason, Fahrenkamp, Faiks,
Ferguson, Fischer Paul, Halford,
Josephson, Kelly, Sturgulewski,
Zharoff, Ziegler

Nays: 4 Fischer Vic, Kerttula, Ray, Rodey

Absent: 1 Sackett

and so, amendment to Amendment No. 7 was adopted.

The question now being: "Shall Amendment No. 7 as amended be adopted?" The roll was taken with the following result:

CSSB 356 FIN AM AM 7

Yeas: 13 Abood, Bennett, Coghill, DeVries,
Eliason, Faiks, Fischer Paul,
Fischer Vic, Halford, Kelly,
Kerttula, Rodey, Zharoff

Nays: 6 Fahrenkamp, Ferguson, Josephson,
Ray, Sturgulewski, Ziegler

Absent: 1 Sackett

SB 356 cont'd

and so, Amendment No. 7 as amended was adopted.

Senator Vic Fischer moved and asked unanimous consent to return to second reading for a specific amendment. Without objection, it was so ordered.

Senator Vic Fischer withdrew proposed Amendment No. 8.

Senator Vic Fischer offered Amendment No. 9:

Page 19, after line 20: Insert new subsection to read:

"(h) A candidate, a campaign officer of a candidate, a political action committee, and an officer of a political action committee may not accept a contribution from anyone who is not a registered voter in the State of Alaska."

Senator Vic Fischer moved Amendment No. 9. Senator Abood objected.

Senator Vic Fischer offered amendment to Amendment No. 9:

Insert after "Alaska" "or a political party."

Senator Vic Fischer moved amendment to Amendment No. 9. Senators Kerttula, Paul Fischer, Abood and Halford objected.

Senator Vic Fischer withdrew amendment to Amendment No. 9.

Senator Vic Fischer offered a new amendment to Amendment No. 9:

After "Alaska" Insert ", except a political party."

Senator Vic Fischer moved and asked unanimous consent for the adoption of amendment to Amendment No. 9. Without objection, amendment to Amendment No. 9 was adopted.

The question now being: "Shall Amendment No. 9, as amended, be adopted?"

SB 356 cont'd

CSSB 356 FIN AM AM 9, as AM

Yeas: 6 Bennett, Faiks, Fischer Vic,
Halford, Kelly, Rodey

Nays: 13 Abood, Coghill, DeVries, Eliason,
Fahrenkamp, Ferguson,
Fischer Paul, Josephson, Kerttula,
Ray, Sturgulewski, Zharoff,
Ziegler

Absent: 1 Sackett

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

and so, Amendment No. 9, as amended, failed.

Senator Kelly moved and asked unanimous consent to return to second reading for a specific amendment. Without objection, it was so ordered.

Senator Kelly offered Amendment No. 10:

Page 19, After line 20: Delete old language (f)
Add new subsection (f): "(f) A political party may not accept a contribution from a political action committee."

Senator Kelly moved Amendment No. 10. Senator Ray objected.

The question being: "Shall Amendment No. 10 be adopted?"
The roll was taken with the following result:

CSSB 356 FIN AM AM 10

Yeas: 10 Abood, Coghill, DeVries, Eliason,
Fahrenkamp, Ferguson,
Fischer Paul, Kelly, Sturgulewski,
Ziegler

Nays: 9 Bennett, Faiks, Fischer Vic,
Halford, Josephson, Kerttula, Ray,
Rodey, Zharoff

Absent: 1 Sackett

and so, Amendment No. 10 was adopted.

CS FOR SENATE BILL NO. 356 (FIN) am was automatically in third reading on reconsideration.

SB 356 cont'd

Senator Halford moved and asked unanimous consent that the Senate return to second reading for the purpose of rescinding action on the adoption of Amendment No. 10.

Senator Ray called the Senate.

The President stated the call was satisfied.

Without objection, the Senate returned to second reading for the purpose of rescinding action on the adoption of Amendment No. 10.

Senator Halford moved the Senate rescind action in adopting Amendment No. 10. Senator Kelly objected.

The question being: "Shall the Senate rescind action in adopting Amendment No. 10?" The roll was taken with the following result:

CSSB 356 FIN AM MOTION

Yeas:	19	Abood, Bennett, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays:	1	Coghill
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and so, the Senate rescinded its action in adopting Amendment No. 10.

The question now being?" Shall Amendment No. 10 be adopted?" The roll was taken with the following result:

CSSB 356 FIN AM AM 10

Yeas:	8	Coghill, DeVries, Fahrenkamp, Ferguson, Fischer Paul, Kelly, Sturgulewski, Ziegler
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Nays:	12	Abood, Bennett, Eliason, Faiks, Fischer Vic, Halford, Josephson, Kerttula, Ray, Rodey, Sackett, Zharoff
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and so, Amendment No. 10 failed.

SB 356 cont'd

CS FOR SENATE BILL NO. 356 (FIN) am was automatically in third reading on reconsideration.

Senator Sackett moved and asked unanimous consent that the fiscal note dated April 25, 1986 be withdrawn. Senator Kelly objected, then withdrew his objection. There being no further objection, the fiscal note was withdrawn.

The question to be reconsidered is: "Shall CS FOR SENATE BILL NO. 356 (FIN) am (election campaign financing and the Alaska Public Offices Commission; efd) pass the Senate?" The roll was taken with the following result:

CSSB 356 FIN AM 3RD RECON

Yeas:	15	Abood, Bennett, Coghill, DeVries, Eliason, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Sackett, Sturgulewski
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Nays:	5	Fahrenkamp, Ray, Rodey, Zharoff, Ziegler
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and so, CS FOR SENATE BILL NO. 356 (FIN) am 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 clauses. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 356 (FIN) am was referred to the Secretary for engrossment.

Senator Halford moved and asked unanimous consent that the Senate recess until 1:30 p.m. Without objection, the Senate recessed at 12:24 p.m.

AFTER RECESS

The Senate reconvened at 2:16 p.m.

CITATIONS

Honoring - Cordova Intermediate Division of State
Champions 1986 Future Problem Solving Bowl
by Senators DeVries and Kerttula

Honoring - Robert R. Newell
by Senators Ray and DeVries

Honoring - Tom and Terry Kennedy
by Representative Shultz
Senator Coghill

Honoring - Martha Shields
by Representatives Sund, Taylor and Goll
Senators Ziegler and Eliason

In Memoriam - John J. Longacre
by Representative Uehling
Senators Zharoff, Bennett, Rodey, Sturgulewski,
Halford, DeVries and Vic Fischer

In Memoriam - Marvin C. Kinberg
by Representative Grussendorf
Senators Eliason and DeVries

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.

SENATE BILLS IN SECOND READING

SB 377

SENATE BILL NO. 377 (civil actions; amending Alaska Rules of Civil Procedure 11, 49, 52, 58, 68, and 82; efd) which was held from May 2 was before the Senate in second reading.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2534 and new title offered on page 2557. Senator Rodey objected and called the Senate.

The call of the Senate was satisfied.

Senator Sturgulewski moved and asked unanimous consent that she be allowed to abstain from voting. Senators Ray and Abood objected.

Senator Josephson moved and asked unanimous consent that he be allowed to abstain from voting. Senator Fahrenkamp objected.

SB 377 cont'd

Senator Rodey withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 377 (FIN) (civil actions; directing the Department of Law to conduct a study; amending Alaska Rules of Civil Procedure 11, 49, 52, 58, 68 and 82; efd) was adopted.

CS FOR SENATE BILL NO. 377 (FIN) was read the second time.

Senator Fahrenkamp offered Amendment No. 1:

Page 10: Delete line 24 through page 11, line 2
and renumber remaining sections accordingly.

Page 11: Delete line 29 through page 12, line 3
and renumber remaining sections accordingly.

Senator Fahrenkamp moved Amendment No. 1. Senator Kelly objected.

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

CSSB 377 FIN AM 1

Yeas: 6 Fahrenkamp, Fischer Vic,
Josephson, Kerttula, Rodey,
Ziegler

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

and so, Amendment No. 1 failed.

Senator Ray offered Amendment No. 2:

Page 4, line 3: After "of" delete "a" and insert
"an injured"

Senator Ray moved for the adoption of Amendment No. 2 and asked unanimous consent. Senators Kelly and Halford objected.

The question being: "Shall Amendment No. 2 be adopted?"
The roll was taken with the following result:

SB 377 cont'd

CSSB 377 FIN AM 2

Yeas: 13 Abood, Bennett, Coghill,
Fahrenkamp, Ferguson, Fischer Vic,
Josephson, Ray, Rodey, Sackett,
Sturgulewski, Zharoff, Ziegler

Nays: 7 DeVries, Eliason, Faiks,
Fischer Paul, Halford, Kelly,
Kerttula

Senator Kerttula changed from nay to yea.

and so, Amendment No. 2 was adopted.

Senator Rodey offered Amendment No. 3:

Page 2: Delete line 23 through page 3, line 2 and insert

Sec. 09.17.020. PUNITIVE DAMAGES. (a) Punitive damages may not be awarded in an action, whether in tort, contract, or otherwise, unless supported by clear and convincing evidence. Fifty percent of any punitive or exemplary damages that may be adjudged against the party defending the claim shall be awarded to the benefit of the state and when paid deposited in the general fund.

(b) The amount of punitive damages awarded to the state shall be considered a part of the amount recovered by the claiming party for purposes of calculating an award of attorney fees.

(c) Except for purposes of seeking execution on a judgment, the state may not bring or be joined in an action based on punitive damages that may be awarded under this section.

Senator Rodey moved Amendment No. 3. Senator Kelly objected.

Senator Rodey offered an amendment to Amendment No. 3:

Delete all wording after "evidence"

Senator Rodey moved and asked unanimous consent for the adoption of the amendment to Amendment No. 3. Senators Eliason and Sackett objected. Senator Sackett withdrew his objection.

SB 377 cont'd

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

CSSB 377 FIN AM AM TO AM3

Yeas: 13 Abood, Bennett, Coghill, DeVries,
Fahrenkamp, Fischer Vic,
Josephson, Ray, Rodey, Sackett,
Sturgulewski, Zharoff, Ziegler

Nays: 7 Eliason, Faiks, Ferguson,
Fischer Paul, Halford, Kelly,
Kerttula

and so, the amendment to Amendment No. 3 was adopted.

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

CSSB 377 FIN AM AM 3

Yeas: 12 Abood, Bennett, DeVries,
Fahrenkamp, Fischer Vic,
Josephson, Ray, Rodey, Sackett,
Sturgulewski, Zharoff, Ziegler

Nays: 8 Coghill, Eliason, Faiks, Ferguson,
Fischer Paul, Halford, Kelly,
Kerttula

and so, Amendment No. 3 as amended was adopted.

Senator Rodey offered Amendment No. 4:

Page 7, line 28: Delete "several liability" insert
"joint and several liability, except that a
party who is allocated less than 50 percent
of the total fault of all the parties may not
be jointly liable for more than twice the
percentage of fault allocated to that party."

Senator Rodey moved Amendment No. 4. Senator Kelly objected.

Senator Ray called the Senate on the entire bill.

The President stated the call was satisfied.

The question being: "Shall Amendment No. 4 be adopted?"
The roll was taken with the following result:

SB 377 cont'd

CSSB 377 FIN AM AM 4

Yeas: 6 Fahrenkamp, Fischer Vic,
Josephson, Rodey, Zharoff,
Ziegler

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

and so, Amendment No. 4 failed.

Senator Rodey withdrew Amendments No. 5 and 6.

Senator Josephson offered Amendment No. 7:

Page 13, line 2: Delete lines 2-3 and insert

"Sec. 19. This Act takes effect on the
sixtieth legislative day following the submittal
by the Department of Law to the Legislature of
the studies required to be made under Sec. 18 of
this Act."

Senator Josephson moved Amendment No. 7.

The question being: "Shall Amendment No. 7 be adopted?"
The roll was taken with the following result:

CSSB 377 FIN AM AM 7

Yeas: 9 Abood, Fahrenkamp, Fischer Vic,
Halford, Josephson, Kerttula,
Rodey, Sackett, Ziegler

Nays: 11 Bennett, Coghill, DeVries,
Eliason, Faiks, Ferguson,
Fischer Paul, Kelly, Ray,
Sturgulewski, Zharoff

and so, Amendment No. 7 failed.

Senator Kerttula offered Amendment No. 8:

Page 2, line 21: After "exceed" delete "\$500,000"
insert "\$750,000"

SB 377 cont'd

Senator Kerttula moved Amendment No. 8. Senator Kelly objected.

The question being: "Shall Amendment No. 8 be adopted?"
The roll was taken with the following result:

CSSB 377 FIN AM AM 8

Yeas: 8 Fahrenkamp, Fischer Vic, Halford,
Josephson, Kerttula, Rodey,
Sackett, Ziegler

Nays: 12 Abood, Bennett, Coghill, DeVries,
Eliason, Faiks, Ferguson,
Fischer Paul, Kelly, Ray,
Sturgulewski, Zharoff

and so, Amendment No. 8 failed.

Senator Josephson offered Amendment No. 9:

Page 5, line 19: Delete "an" insert "a negligent"

Senator Josephson moved for the adoption of Amendment No. 9 and asked unanimous consent. Without objection, Amendment No. 9 was adopted.

Senator Ray removed the call of the Senate.

Senator Kelly requested that the Senate advance to Announcements.

ANNOUNCEMENTS

SR 10

Senator Kelly, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Rules Committee meeting on May 5 to consider SENATE RESOLUTION NO. 10 (Establishing a Select Committee on State Licensing Procedures). Without objection, it was so ordered.

Senator Kelly announced a Rules Committee meeting upon recess to consider SENATE RESOLUTION NO. 10 and for calendaring bills for May 6.

SB 441

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 7 to consider SENATE BILL NO. 441 (offenses involving restraint of a minor). Without objection, it was so ordered.

HB 476

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 7 to consider CS FOR HOUSE BILL NO. 476 (JUD) (automobile insurance premiums). Without objection, it was so ordered.

HB 338

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 May 7 to consider CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 338 (JUD) am (establishing a state lottery; authorizing an advisory vote on the lottery; efd). Without objection, it was so ordered.

HB 647

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 May 7 to consider CS FOR HOUSE BILL NO. 647 (FIN) am (establishing requirements and limiting liability for municipal reporting programs for hazardous materials and hazardous waste; efd). Without objection, it was so ordered.

The Senate reverted to:

UNFINISHED BUSINESS

SB 488

Senator Abood, Chairman, moved and asked unanimous consent that the State Affairs Committee referral be waived on SENATE BILL NO. 488 (location of the Fifteenth Legislature in Anchorage). Senator Ray objected.

HB 456

Senator Coghill, Chairman, moved and asked unanimous consent that the Transportation Committee referral be waived on CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 456 (JUD) (registration of commercial and noncommercial motor vehicles and providing a penalty for failure to obtain title or registration; efd). Without objection, it was so ordered.

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 456 (JUD) was referred to the Judiciary Committee.

Senator Kelly moved and asked unanimous consent that the Senate recess for a Rules Committee meeting. Without objection, the Senate recessed at 4:03 p.m.

AFTER RECESS

The Senate reconvened at 4:37 p.m.

SB 488

Senator Abood, Chairman, moved and asked unanimous consent that his previous motion to waive SENATE BILL NO. 488 (location of the Fifteenth Legislature in Anchorage) from the State Affairs Committee, be withdrawn. Without objection, it was so ordered.

Senator Kerttula moved and asked unanimous consent that the Senate revert to Introduction and Reference of Senate Bills. Without objection, the Senate reverted to

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 489

SENATE BILL NO. 489 by the Finance Committee, entitled:

"An Act extending the termination date of the Alaska Public Utilities Commission; and providing for an effective date."

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

The Senate advanced to

CONSIDERATION OF THE CALENDAR

SB 377 cont'd

Senator Kerttula offered Amendment No. 10:

Page 10, line 20: Delete lines 20 - 23.

Senator Kerttula moved Amendment No. 10. Senator Kelly objected.

Senator Kerttula withdrew Amendment No. 10.

Senator Josephson offered Amendment No. 11:

Page 7, line 28: Delete "several liability"
 Insert in lieu thereof: "joint and several
 liability, except that a party allocated less
 than 50 percent of the total fault allocated
 to all parties shall be jointly liable only
 for 50 percent of the damages awarded."

Senator Josephson moved Amendment No. 11. Senator Kelly objected.

The question being: "Shall Amendment No. 11 be adopted?"
 The roll was called with the following result:

Yeas:	7	Fahrenkamp, Fischer Vic, Halford, Josephson, Rodey, Zharoff, Ziegler
Nays:	13	Eliason, Faiks, Ferguson, Fischer Paul, Kelly, Kerttula, Ray, Sackett, Sturgulewski, Abood, Coghill, DeVries, Bennett

and so, Amendment No. 11 failed.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 377 (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. 377 (FIN) am was read the third time.

Senator Kerttula moved and asked unanimous consent that CS FOR SENATE BILL NO. 377 (FIN) am be returned to second reading for a specific amendment. Without objection, it was so ordered.

SB 377 cont'd

Amendment No. 10 by Senator Kerttula was again before the Senate.

Senator Kerttula moved and asked unanimous consent that Amendment No. 10 be adopted. Without objection, Amendment No. 10 was adopted.

Senator Ray called the Senate on the entire bill.

The President stated the call was satisfied.

The question now being: "Shall CS FOR SENATE BILL NO. 377 (FIN) am (civil actions; directing the Department of Law to conduct a study; amending Alaska Rules of Civil Procedure 11, 49, 52, 58, 68 and 82; efd) pass the Senate?" The roll was taken with the following result:

CSSB 377 FIN AM 3RD

Yeas:	15	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Halford, Kelly, Kerttula, Ray, Sturgulewski, Zharoff
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Nays:	5	Fischer Vic, Josephson, Rodey, Sackett, Ziegler
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and so, CS FOR SENATE BILL NO. 377 (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 clauses. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 377 (FIN) am was referred to the Secretary for engrossment.

UNFINISHED BUSINESS

HB 338

Senator Zharoff, Chairman, moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 338 (JUD) am (establishing a state lottery; authorizing an advisory vote on the lottery; efd) have an additional referral to the Labor and Commerce Committee. Without objection, it was so ordered.

HB 338 cont'd

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 338 (JUD) am was referred to the State Affairs Committee, the Labor and Commerce Committee and the Finance Committee.

SB 488

Senator Zharoff, Chairman, moved and asked unanimous consent that SENATE BILL NO. 488 (location of the Fifteenth Legislature in Anchorage) have an additional referral to the Labor and Commerce Committee. Without objection, it was so ordered.

SENATE BILL NO. 488 was referred to the State Affairs Committee, the Judiciary Committee, the Labor and Commerce Committee and the Finance Committee.

ANNOUNCEMENTS

SB 297

Senator Zharoff, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Labor and Commerce Committee meeting on May 6 to consider SPONSOR SUBSTITUTE FOR SENATE BILL NO. 297 (practice of naturopathy and exempting the practice of naturopathy from the practice of medicine). Without objection, it was so ordered.

SB 489

Senator Zharoff, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Labor and Commerce Committee meeting on May 7 to consider SENATE BILL NO. 489 (extending the termination date of the Alaska Public Utilities Commission; efd). Without objection, it was so ordered.

Announcements appear at the end of the journal.

Senator Halford moved and asked unanimous consent that the Senate revert to Messages from the House. Without objection, the Senate revert to

MESSAGES FROM THE HOUSE

Message of May 5 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 402

CS FOR HOUSE BILL NO. 402 (JUD) by the Judiciary Committee, entitled:

"An Act relating to absentee voting."

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

ENGROSSMENT

SB 209

CS FOR SENATE BILL NO. 209 (RULES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

SB 356

CS FOR SENATE BILL NO. 356 (FIN) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 377

CS FOR SENATE BILL NO. 377 (FIN) am was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 418

CS FOR SENATE BILL NO. 418 (RES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

ENROLLMENT

SCR 43

SENATE CONCURRENT RESOLUTION NO. 43 (Suspending Uniform Rules 41(b), 24 (c), and 35 of the Alaska State Legislature concerning House Bill No. 382) was enrolled, signed by the President and Secretary, Speaker and Chief Clerk of the House and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:45 p.m., May 5, 1986.

SB 67

HOUSE CS FOR CS FOR SENATE BILL NO. 67 (HESS) (Relating to arrest by a peace officer without a warrant and service of process in cases of domestic violence) was enrolled, signed by the President and Secretary, Speaker and Chief Clerk of the House and the engrossed and enrolled copies transmitted to the Office of the Governor at 8:50 a.m., May 5, 1986.

ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 10:30 a.m., May 6, 1986. Without objection, the Senate adjourned at 5:19 p.m.

Peggy Mulligan
Secretary of the Senate

May 1986

ANNOUNCEMENTS

Committee meetings in the Capitol

Change in time or place

COMMUNITY & REGIONAL AFFAIRS - BELTZ ROOM 211 - 3:30 PM

May 6 TUESDAY
 HB 15 ADVISORY ELECTIONS ANNEXATION PROPOSALS
 HB 327 PROTECTION FOR PUBLIC EMPLOYEES

FINANCE - FINANCE ROOM 518 - 8:30 AM

May 5 MONDAY *6:30 PM
 HB 500 FY 87 OPERATING BUDGET

May 6 TUESDAY
 HB 500 FY 87 OPERATING BUDGET
 HB 513 BUDGET RESERVE FUND; APPROP LIMIT
 SJR 34 USE AND EXPENDITURE OF STATE MONEY
 SB 484 PUBLIC EMPLOYEE COLLECTIVE BARGAINING
 HB 241 FISCAL ADMINISTRATION OF U OF A
 HB 499 PAYMENT OF CHILD SUPPORT DECEDENTS ESTATE
 HB 601 ABOLISH INACTIVE BOARDS, COMM.'S, ETC.

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

May 6 TUESDAY
 HB 418 LIABILITY FOR EMERGENCY MEDICAL CARE
 HB 497 CUSTODY, BIRTH, SUPPORT PARENTAL
 RESPONSIBILITY

SB 435 ALASKA CHILDREN'S TRUST CORP AND FUND

May 8 THURSDAY
 HB 641 GENERIC DRUGS EXTEND BOARD OF PHARMACY
 HCR 61 BASIC HEALTH CARE FOR ALASKANS

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

May 6 TUESDAY *4:00 PM SENATE FINANCE RM
 HB 496 DIVORCE, DISSOLUTION, ANNULMENT
 HB 55 WARNING SIGNS TAXIS FOR INTOXICATED PERSONS

May 7 WEDNESDAY *4:00 PM SENATE FINANCE RM
 HB 544 BUSINESS LICENSES & NAMES
 HB 516 IMPEACHMENT & DISQUALIFICATION OF JUDGES
 HB 563 DUTIES OF COMMISSION ON JUDICIAL CONDUCT
 SB 441 RESTRAINT OF A MINOR
 HB 476 AUTOMOBILE INSURANCE PREMIUMS

May 8 THURSDAY *4:00 PM SENATE FINANCE RM
 HB 454, HJR 54 COMMISSION COMPENSATION OFFICIALS

May 9 FRIDAY *4:00 PM SENATE FINANCE RM
 HB 31 OBSTRUCTION HUNTING, FISHING & TRAPPING

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

May 6 TUESDAY *TIME AND PLACE TBA*
 HB 68 MOTOR VEHICLE LIABILITY INSURANCE
 HB 494 LIENS FOR LABOR & MATERIALS FURNISHED
 HB 603 DISPENSING OPTICIANS
 HB 517 SALE & CONSIGNMENT OF WORKS OF ART
 HB 217 INTEREST RATES FOR VARIOUS LOANS
 SB 297 PRACTICE OF NATUROPATHY

May 7 WEDNESDAY
 SB 489 EXTEND ALASKA PUBLIC UTILITIES COMMISSION
 HB 63 PLUMBING CODE

RESOURCES - BUTROVICH ROOM 205 - 1:30 PM

May 6 TUESDAY *1:00 PM
 HB 693 ALASKA RESEARCH POLICY

May 7 WEDNESDAY
 HB 312 DUDE CREEK CRITICAL HABITAT AREA
 HB 527 RESIDENCY IN DEFINITION FISH & GAME CODE
 HB 704 DISPOSAL OF STATE MATERIALS

RULES - BELTZ ROOM 211 - 1:00 PM

May 5 MONDAY *4:10 PM
 SR 10 LICENSING PROCEDURES
 CALENDAR BILLS

STATE AFFAIRS - BUTROVICH ROOM 205 - 9:00 AM

May 6 TUESDAY
 HB 284 ELECTIONS ABSENTEE BALLOTS, RECOUNTS
 HB 502 DISCLOSURE OF STATE TAX ASSESSMENTS
 HB 35 STATE REGULATION OF FIREWORKS

May 7 WEDNESDAY
 HB 338 ESTABLISHING A STATE LOTTERY
 HB 647 MUNICIPAL HAZARDOUS SUBSTANCE WASTE

TRANSPORTATION - BUTROVICH ROOM 205 - 3:30 PM

May 7 WEDNESDAY
 HB 160 UTILITIES AND ENCROACHMENTS

CONFERENCE COMMITTEE -

May 6 TUESDAY *3:30 PM BUTROVICH RM 205
 SB 140 TERMINALLY ILL

