

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

FOURTEENTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

FRIDAY

May 9, 1986

One Hundred seventeenth Day

Pursuant to adjournment, the Senate was called to order by President Bennett at 11:04 a.m.

The roll showed nineteen members present. Senator Sackett was absent on State business.

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

"O Lord God, who has both created this cosmos and placed us on this plant earth as managers and stewards, we humbly request Your guidance in all our deliberations and decisions.

As this legislative body approaches the conclusion of this session, we remember that our people will celebrate family and mother on this coming Sunday. We pause and give You thanks for our mothers, who gave us life and taught us at her knee. We also express gratitude for our fathers who watched over us and encouraged us. We rejoice in parents who sent us out into the world with their blessing.

bless the homes of our people throughout this great land. Bless the people, whether they live in tent or townhouse, whether they dwell in igloo, cedar lodge, or modern residence. Help them all to grow in the graces of mutual appreciation and tenderness, courtesy and kindness, good humor and consideration.

We ask, O Lord, not because of our worthiness, but because of Your great mercy.

Amen"

The Pledge of Allegiance was recited.

Senator Halford moved and asked unanimous consent that the journal for the one hundred sixteenth legislative day and Senate Supplement No. 78 be approved as certified by the Secretary. Senator Kerttula objected, then withdrew his objection. There being no further objection, it was so ordered.

Senator Halford moved and asked unanimous consent that the Senate recess for a majority caucus. Without objection, the Senate recessed at 11:08 a.m.

#### AFTER RECESS

The Senate reconvened at 12:00 noon.

Senator Halford moved and asked unanimous consent that the Senate recess until 1:30 p.m. Without objection, the Senate recessed at 12:01 p.m.

#### AFTER RECESS

The Senate reconvened at 1:55 p.m.

#### MESSAGES FROM THE HOUSE

##### SJR 45

Message of May 8 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 45  
(compensation for injuries to commercial  
fishermen)

SENATE JOINT RESOLUTION NO. 45 was referred to the Secretary for enrollment.

##### SB 138

Message of May 8 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 138 (FIN) am  
(pricing and marketing of alcoholic beverages)  
with a Senate Letter of Intent

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

SB 251

Message of May 8 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 251 (HESS)  
(regulation of the practice of psychology; efd)  
with House Letter of Intent and Senate Letter of  
Intent

CS FOR SENATE BILL NO. 251 (HESS) was referred to the Secretary for enrollment.

SB 204

Message of May 9 was read, stating the House failed to recede from its amendment to CS FOR SENATE BILL NO. 204 (FIN) (contracts for architectural, engineering, and land surveying services; efd), namely HOUSE CS FOR CS FOR SENATE BILL NO. 204 (RULES).

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

Representative Koponen, Chairman  
Representative Clocksin  
Representative Jenkins

Senate members appointed May 8:

Senator Sturgulewski, Chairman  
Senator Halford  
Senator Josephson

SB 377

Message of May 8 was read, stating the House passed CS FOR SENATE BILL NO. 377 (FIN) am with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 377 (JUD) am H  
(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)

and returned for consideration.

Senator Halford moved and asked unanimous consent that the message be held until Unfinished Business. Without objection, it was so ordered.

Message of May 8 was read, stating the House passed and transmitted for consideration:

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 705

CS FOR HOUSE BILL NO. 705 (FIN) by the Finance Committee, entitled:

"An Act relating to the Alaska research development endowment; and providing for an effective date."

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

STANDING COMMITTEE REPORTS

SB 297

The Health, Education and Social Services Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 297 (practice of naturopathy and exempting the practice of naturopathy from the practice of medicine) and recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE  
BILL NO. 297 (HESS)

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

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 297 was referred to the Finance Committee.

SB 324

The Finance Committee considered SENATE BILL NO. 324 (grants for water quality enhancement programs; efd). Senator Faiks, Co-Chairman and Senator Halford signed "do pass". Senators Kerttula, Paul Fischer and Ferguson signed "no recommendation".

Fiscal note is zero.

SENATE BILL NO. 324 was referred to the Rules Committee.

SB 411

The Rules Committee considered SENATE BILL NO. 411 (road maintenance service areas) and a majority of the committee recommended it be replaced with

## CS FOR SENATE BILL NO. 411 (RULES)

and calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

SENATE BILL NO. 411 is on the calendar.

HB 237

The Finance Committee considered CS FOR HOUSE BILL NO. 237 (RULES) (pension reform; efd) and a majority of the committee recommended it be replaced with the Judiciary Senate Committee Substitute. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford and Ferguson. Senator Paul Fischer signed "no recommendation".

CS FOR HOUSE BILL NO. 237 (RULES) was referred to the Rules Committee.

HB 423

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 423 (JUD) (persons found not guilty by reason of insanity) and a majority of the committee recommended do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Sturgulewski, Josephson and DeVries.

CS FOR HOUSE BILL NO. 423 (JUD) was referred to the Rules Committee.

HB 497

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 497 (JUD) am (custody, support, visitation, and birth certificates of children) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 497 (HESS)

HB 497 cont'd

and a majority do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski and DeVries.

CS FOR HOUSE BILL NO. 497 (JUD) am was referred to the Judiciary Committee.

HB 506

The Judiciary Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 506 (JUD) (joint insurance arrangements; efd) and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR  
HOUSE BILL NO. 506 (JUD)

Senator Rodey, Chairman, signed "do pass". Senator Ziegler signed "do pass, but with some qualms". Senator Kelly signed "no recommendation".

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 506 (JUD) was referred to the Labor and Commerce Committee.

HB 535

Fiscal note for SENATE CS FOR CS FOR HOUSE BILL NO. 535 (SA) (page 2696) is in Senate Supplement No. 79.

HB 606

The State Affairs Committee considered CS FOR HOUSE BILL NO. 606 (FIN) am (art in public places; efd) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 606 (SA)

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

CS FOR HOUSE BILL NO. 606 (FIN) am was referred to the Rules Committee.

HB 641

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 641 (HESS) am (generic drugs, pharmaceuticals, and the Board of Pharmacy; repealing the marijuana therapeutic research program; efd) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 641 (HESS)

and a majority do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski and DeVries.

CS FOR HOUSE BILL NO. 641 (HESS) am was referred to the Rules Committee.

HB 689

The Rules Committee considered CS FOR HOUSE BILL NO. 689 (JUD) (required equipment on and the transportation of certain loads by, motor vehicles) and a majority of the committee recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 689 (RULES)

and calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 689 (JUD) is on the calendar.

SR 11

The Rules Committee considered SENATE RESOLUTION NO. 11 (transportation of mail to Alaska mainline and bush communities) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

SENATE RESOLUTION NO. 11 is on the calendar.

SJR 34

The Rules Committee considered SENATE JOINT RESOLUTION NO. 34 (Proposing an amendment to the Constitution of the State of Alaska relating to the use and expenditure of state money) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson and Coghill.

SENATE JOINT RESOLUTION NO. 34 is on the calendar.

SB 441

The Rules Committee considered SENATE BILL NO. 441 (offenses involving restraint of a minor) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

SENATE BILL NO. 441 is on the calendar.

HCR 62

The Rules Committee considered HOUSE CONCURRENT RESOLUTION NO. 62 (Suspending Uniform Rules 41(b), 24(c), and 35 of the Alaska State Legislature concerning Senate Bill No. 402.) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson and Coghill.

HOUSE CONCURRENT RESOLUTION NO. 62 is on the calendar.

HB 98

The Rules Committee considered CS FOR HOUSE BILL NO. 98 (FIN) (medical assistance; efd) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 98 (FIN) is on the calendar.

HB 114

The Rules Committee considered CS FOR HOUSE BILL NO. 114 (JUD) am (correctional facilities and the imprisonment and rehabilitation of offenders) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 114 (JUD) am is on the calendar.

HB 161

The Rules Committee considered CS FOR HOUSE BILL NO. 161 (FIN) am (interest rate, loan conditions and repayment provisions of scholarship loans; efd) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 161 (FIN) am is on the calendar.

HB 182

The Rules Committee considered CS FOR HOUSE BILL NO. 182 (FIN) (disposition of unclaimed property) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 182 (FIN) is on the calendar.

HB 288

The Rules Committee considered CS FOR HOUSE BILL NO. 288 (JUD) am (taking of fish and game for subsistence and personal use; efd) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

CS FOR HOUSE BILL NO. 288 (JUD) am is on the calendar.

HB 377

The Rules Committee considered HOUSE BILL NO. 377 (requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to the legislature) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

HOUSE BILL NO. 377 is on the calendar.

HB 406

The Rules Committee considered HOUSE BILL NO. 406 (investment of funds from deferred compensation) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson and Coghill.

HOUSE BILL NO. 406 is on the calendar.

HB 418

The Rules Committee considered HOUSE BILL NO. 418 (liability for providing emergency medical care) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson and Coghill.

HOUSE BILL NO. 418 is on the calendar.

HB 499

The Rules Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 499 (JUD) (giving priority to payment of past due child support from a decedent's estate) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Josephson and Coghill.

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 499 (JUD) is on the calendar.

HB 562

The Rules Committee considered CS FOR HOUSE BILL NO. 562 (L&C) (adoption of bylaws by a cooperative) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

CS FOR HOUSE BILL NO. 562 (L&C) is on the calendar.

HB 704

The Rules Committee considered HOUSE BILL NO. 704 am (disposal of state materials) and a majority of the committee recommended calendar May 9. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks, Josephson and Coghill.

HOUSE BILL NO. 704 am is on the calendar.

## SPECIAL COMMITTEE REPORTS

SB 187

The following report was received and distributed at 9:40 a.m., May 9, 1986:

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE (with limited powers of free conference) considered SENATE BILL NO. 187 (adoption; efd) and HOUSE CS FOR SENATE BILL NO. 187 (2d JUD) and recommended adoption of:

CONFERENCE CS FOR SENATE BILL NO. 187  
"An Act relating to adoption; and providing  
for an effective date."

The report was signed by Senator Rodey, Chairman and Senator Kelly, Representative Gruenberg, Chairman and Representative Szymanski. Representative Pettyjohn signed "no recommendation".

Senator Halford moved that the Senate adopt CONFERENCE CS FOR SENATE BILL NO. 187.

SB 187 cont'd

The question being: "Shall CONFERENCE CS FOR SENATE BILL NO. 187 pass the Senate?" The roll was taken with the following result:

## CONFERENCE CS SB 187

Yeas:	15	Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Ferguson, Fischer Paul, Halford, Josephson, Kelly, Ray, Rodey, Sackett, Sturgulewski, Zharoff
Nays:	4	Abood, Faiks, Fischer Vic, Ziegler
Absent:	1	Kerttula

and so, CONFERENCE CS FOR SENATE BILL NO. 187 (adoption; 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.

## INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SR 12

SENATE RESOLUTION NO. 12 by the Transportation Committee,

Supporting the provisions of the Alaska  
Native Claims Settlement Act and opposing  
certain amendments to that Act,

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

SCR 46

SENATE CONCURRENT RESOLUTION NO. 46 by the Labor and  
Commerce Committee,

Suspending Uniform Rules 24(c), 35, and  
41(b) of the Alaska State Legislature  
concerning House Bill No. 522,  
(title change)

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

CONSIDERATION OF THE CALENDAR

SECOND READING OF SENATE BILLS

SB 411

SENATE BILL NO. 411 (road maintenance service areas) was read the second time.

Senator Kelly moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 2703. Without objection, CS FOR SENATE BILL NO. 411 (RULES) was adopted.

CS FOR SENATE BILL NO. 411 (RULES) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 411 (RULES) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 411 (RULES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 411 (RULES) (road maintenance service areas) pass the Senate?" The roll was taken with the following result:

CSSB 411 RLS 3RD

Yeas:	19	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays:	1	Fischer Vic
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and so, CS FOR SENATE BILL NO. 411 (RULES) passed the Senate and was referred to the Secretary for engrossment.

SB 441

SENATE BILL NO. 441 (offenses involving restraint of a minor) was read the second time.

SB 441 cont'd

Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 2675. Without objection, CS FOR SENATE BILL NO. 441 (JUD) was adopted.

CS FOR SENATE BILL NO. 441 (JUD) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 441 (JUD) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 441 (JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 441 (JUD) (offenses involving restraint of a minor) pass the Senate?" The roll was taken with the following result:

CSSB 441 JUD 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
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Nays:	0	
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and so, CS FOR SENATE BILL NO. 441 (JUD) passed the Senate and was referred to the Secretary for engrossment.

## SECOND READING 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) which had been held from May 8 was read the second time.

Senator Sackett moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2626. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was adopted.

HB 500 cont'd

SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was read the second time.

Senators Josephson and Vic Fischer offered Amendment No. 1:

Page 43, line 17: After "Occupational Safety and Health"

Delete (34 positions) \$ 2,514,800  
Insert (36 positions) \$ 2,676,900

Senator Josephson moved and asked unanimous consent for the adoption of Amendment No. 1. Senator Sackett objected.

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

SCS CSHB 500 FIN AM 1

Yeas: 2 Fischer Vic, Josephson  
Nays: 18 Abood, Bennett, Coghill, DeVries,  
Eliason, Fahrenkamp, Faiks,  
Ferguson, Fischer Paul, Halford,  
Kelly, Kerttula, Ray, Rodey,  
Sackett, Sturgulewski, Zharoff,  
Ziegler

and so, Amendment No. 1 failed.

Senators Josephson and Vic Fischer offered Amendment No. 2:

Page 85, after line 17, insert the following:

	(Appropriation Items)	(General Fund)
Ombudsman	\$ 1,451,200	\$ 1,451,200

Senator Josephson moved and asked unanimous consent for the adoption of Amendment No. 2. Senator Sackett objected.

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

HB 500 cont'd

SCS CSHB 500 FIN AM 2

Yeas: 3 Fischer Vic, Josephson, Ray  
 Nays: 17 Abood, Bennett, Coghill, DeVries,  
 Eliason, Fahrenkamp, Faiks,  
 Ferguson, Fischer Paul, Halford,  
 Kelly, Kerttula, Rodey, Sackett,  
 Sturgulewski, Zharoff, Ziegler

and so, Amendment No. 2 failed.

Senator Vic Fischer offered Amendment No. 3:

Page 85, line 8: Insert:

Allocation

Ombudsman \$ 1,451,200

Senator Vic Fischer moved and asked unanimous consent that Amendment No. 3 be withdrawn. Without objection, Amendment No. 3 was withdrawn.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) (making appropriations for the operating and loan program expenses of state government; efd) pass the Senate?" The roll was taken with the following result:

SCS CSHB 500 FIN 3RD

Yeas: 17 Abood, Bennett, Coghill, DeVries,  
 Eliason, Fahrenkamp, Faiks,  
 Ferguson, Fischer Paul, Halford,  
 Kelly, Kerttula, Rodey, Sackett,  
 Sturgulewski, Zharoff, Ziegler  
 Nays: 3 Fischer Vic, Josephson, Ray

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) passed the Senate.

HB 500 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 clause. Without objection, it was so ordered.

Senator Sackett gave notice of reconsideration and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered.

## House Bills in Third Reading

SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was before the Senate on reconsideration.

The question to be reconsidered is: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) (making appropriations for the operating and loan program expenses of state government; efd) pass the Senate?" The roll was taken with the following result:

## SCS CSHB 500 FIN RECON

Yeas:	17	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Halford, Kelly, Kerttula, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays:	3	Fischer Vic, Josephson, Ray
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and so, SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was referred to the Secretary for engrossment.

Senator Halford moved and asked unanimous consent that the Senate recess to a call of the Chair. Without objection, the Senate recessed at 3:58 p.m.

## AFTER RECESS

The Senate reconvened at 4:15 p.m.

HB 288

Senator Halford moved and asked unanimous consent that CS FOR HOUSE BILL NO. 288 (JUD) am be moved from the bottom of today's calendar and be taken up at this time. Without objection, it was so ordered.

## Second Reading of House Bills

CS FOR HOUSE BILL NO. 288 (JUD) am (taking of fish and game for subsistence and personal use; efd) was read the second time.

Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 2446. Senators Ferguson and Ray objected.

Senator Ray called the Senate on the entire bill.

The President stated the call was satisfied.

Senator Rodey renewed his motion for the adoption of the Judiciary Senate Committee Substitute. Senators Ferguson and Ray objected.

The question being: Shall the Judiciary Senate Committee Substitute for CS FOR HOUSE BILL NO. 288 (JUD) am be adopted?" The roll was taken with the following result:

## GSHB 288 JUD AM SCS JUD

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

and so, the Judiciary Senate Committee Substitute was not adopted.

HB 288 cont'd

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 2064.

Senator Coghill objected.

The question being: "Shall the Resources Senate Committee Substitute for CS FOR HOUSE BILL NO. 288 (JUD) am be adopted?" The roll was taken with the following result:

## CSHB 288 JUD AM SCS RES

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

and so, the Resources Senate Committee Substitute was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) was read the second time.

Amendment No. 1 offered by Senator Ziegler was not read since it applied to the Judiciary Senate Committee Substitute which was not adopted.

Senator Sturgulewski offered Amendment No. 2:

Page 4, lines 6 - 9: Delete

"Section 16.05.259. ADMINISTRATIVE APPEALS. The Board of Fisheries and the Board of Game, acting jointly, may establish by regulation an appeal procedure for persons aggrieved by the adoption or repeal of a regulation."

Senator Sturgulewski moved and asked unanimous consent for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

Senator Coghill offered Amendment No. 3:

Page 2, after line 20 is amended by adding a new Section.

HB 288 cont'd

"(e) Regulations adopted under (a) of this section shall provide that, consistent with the provisions of AS 16.05.258, the taking of fish by residents for personal or family human consumption by hook and line, or by dipnet where currently established, shall have a reasonable preference over other consumptive uses of the resource."

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

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

## SCS CSHB 288 RES AM S A3

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

and so, Amendment No. 3 failed.

Senator Halford moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S was read the third time.

Senator Coghill offered a Letter of Intent on SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S:

## Letter of Intent

It is the intent of the legislature in passing SCS for CSHB 288 (RES) am S to deal with fishing and hunting privileges in Alaska. This bill has nothing to do with the issue of Native sovereignty and should not be construed as granting any governmental power or recognition to any group, organization, or entity not specifically referred to in the Alaska State Constitution.

HB 288 cont'd

Senator Coghill moved and asked unanimous consent that the Letter of Intent be adopted as a Senate Letter of Intent. Senator Ziegler objected.

The question being: "Shall the Letter of Intent for SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S be adopted as a Senate Letter of Intent?" The roll was taken with the following result:

## SCS CSHB 288 RES AM S LETTER OF INTENT

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

and so, the Letter of Intent was adopted as a Senate Letter of Intent.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S (taking of fish and game for subsistence and personal use; efd) pass the Senate?" The roll was taken with the following result:

## SCS CSHB 288 RES AM S 3RD

Yeas: 12 Coghill, Eliason, Ferguson,  
Fischer Vic, Josephson, Kerttula,  
Ray, Rodey, Sackett, Sturgulewski,  
Zharoff, Ziegler

Nays: 8 Abood, Bennett, DeVries,  
Fahrenkamp, Faiks, Fischer Paul,  
Halford, Kelly

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S passed the Senate with a Senate Letter of Intent.

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:

HB 288 cont'd

SCS CSHB 288 RES AM S EFD

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

and so, the effective date clause was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S was referred to the Secretary for engrossment.

SR 11

Senator Halford moved and asked unanimous consent to advance to SENATE RESOLUTION NO. 11. Without objection, it was so ordered.

Second Reading of Senate Resolutions

SENATE RESOLUTION NO. 11 (transportation of mail to Alaska mainline and bush communities) was read the second time.

Senator Ferguson offered Amendment No. 1:

Page 1, line 24: Add a new section to read:

"and

WHEREAS it is critical to the residents in the bush communities to have the mail and goods delivered in a timely manner, this must be a basis for consideration;"

Senator Ferguson moved for the adoption of Amendment No. 1 and asked unanimous consent. Without objection, Amendment No. 1 was adopted.

SENATE RESOLUTION NO. 11 am was before the Senate on final passage.

The question being: "Shall SENATE RESOLUTION NO. 11 am (transportation of mail to Alaska mainline and bush communities) pass the Senate?" The roll was taken with the following result:

SR 11 cont'd

## SR 11 AM

Yeas: 14 Bennett, Coghill, DeVries,  
Fahrenkamp, Faiks, Ferguson,  
Fischer Vic, Halford, Kelly,  
Kerttula, Ray, Rodey,  
Sturgulewski, Ziegler

Nays: 0

Absent: 6 Abood, Eliason, Fischer Paul,  
Josephson, Sackett, Zharoff

and so, SENATE RESOLUTION NO. 11 am passed the Senate, was referred to the Secretary for engrossment and enrollment.

HB 98

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 98 (FIN) (medical assistance; efd) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 114

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 114 (JUD) am (correctional facilities, and the imprisonment and rehabilitation of offenders) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 161

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 161 (FIN) am (interest rate, loan conditions and repayment provisions of scholarship loans; efd) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 182

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 182 (FIN) (disposition of unclaimed property) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 377

Senator Kelly moved and asked unanimous consent that HOUSE BILL NO. 377 (requiring inclusion of recommended plans for improving access by the handicapped to public buildings and facilities in the capital improvement program recommended by the governor to the legislature) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 406

Senator Kelly moved and asked unanimous consent that HOUSE BILL NO. 406 (investment of funds from deferred compensation) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 418

Senator Kelly moved and asked unanimous consent that HOUSE BILL NO. 418 (liability for providing emergency medical care) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 499

Senator Kelly moved and asked unanimous consent that CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 499 (JUD) (giving priority to payment of past due child support from a decedent's estate) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 562

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 562 (L&C) (adoption of bylaws by a cooperative) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 704

Senator Kelly moved and asked unanimous consent that HOUSE BILL NO. 704 am (disposal of state materials) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

SCR 44

Senator Kelly moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 44 (Suspending Uniform Rules 41(b), 24(c), and 35 of the Alaska State Legislature concerning House Bill 305) be returned to the Rules Committee. Without objection, the resolution was returned to Rules.

HB 305

Senator Kelly moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 305 (L&C) am S (barbers, hairdressers, and cosmetologists; efd) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

HB 697

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 697 (HESS) (prohibiting municipal sales tax on purchases made with food stamps; efd) be returned to the Rules Committee. Without objection, the bill was returned to Rules.

SJR 34

Senator Kelly moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 34 (Proposing an amendment to the Constitution of the State of Alaska relating to the use and expenditure of state money) be returned to the Rules Committee. Without objection, the resolution was returned to Rules.

HCR 62

Senator Kelly moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 62 (Suspending Uniform Rules 41(b), 24(c), and 35 of the Alaska State Legislature concerning Senate Bill No. 402) be returned to the Rules Committee. Without objection, the resolution was returned to Rules.

HB 689

Senator Kelly moved and asked unanimous consent that CS FOR HOUSE BILL NO. 689 (JUD) (required equipment on and the transportation of certain loads by, motor vehicles) be held until tomorrow's calendar. Without objection, it was so ordered and the bill will be on the May 10 calendar.

## UNFINISHED BUSINESS

HB 327

Senator Rodey, Chairman, moved and asked unanimous consent that the Judiciary Committee referral be waived on CS FOR HOUSE BILL NO. 327 (JUD) am (protection for public employees). Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 327 (JUD) am was referred to the Rules Committee.

HB 506

Senator Zharoff, Chairman, moved and asked unanimous consent that the Labor and Commerce Committee referral be waived on CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 506 (JUD) (joint insurance arrangements; efd). Without objection, it was so ordered.

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 506 (JUD) was referred to the Finance Committee.

## ANNOUNCEMENTS

HB 497

Senator Rodey, Chairman, moved and asked unanimous consent that the five-day notice and publication requirements be waived for the Judiciary Committee meeting today to consider CS FOR HOUSE BILL NO. 497 (JUD) am (custody, support, visitation, and birth certificates of children). Without objection, it was so ordered.

Announcements appear at the end of the journal.

## STANDING COMMITTEE REPORTS

HB 63

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 63 (L&C) (plumbing code; efd) and recommended it be replaced with

HB 63 cont'd

SENATE CS FOR CS FOR HOUSE BILL NO. 63 (L&C)

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

CS FOR HOUSE BILL NO. 63 (L&C) was referred to the Rules Committee.

## ENGROSSMENT

SB 411

CS FOR SENATE BILL NO. 411 (RULES) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 441

CS FOR SENATE BILL NO. 441 (JUD) was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 288

SENATE CS FOR CS FOR HOUSE BILL NO. 288 (RES) am S was engrossed, signed by the President and Secretary and returned to the House for consideration with a Senate Letter of Intent.

HB 500

SENATE CS FOR CS FOR HOUSE BILL NO. 500 (FIN) was engrossed, signed by the President and Secretary and returned to the House for consideration.

## ENGROSSMENT AND ENROLLMENT

SR 10

SENATE RESOLUTION NO. 10 (Establishing a Select Committee on State Licensing Procedures) was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:20 p.m., May 9, 1986.

## ADJOURNMENT

Senator Halford moved and asked unanimous consent that the Senate adjourn until 10:30 a.m., May 10, 1986. Without objection, the Senate adjourned at 5:40 p.m.

Peggy Mulligan  
Secretary of the Senate

May 1986

ANNOUNCEMENTS

Committee meetings in the Capitol

\*Change in time or place\*

FINANCE - FINANCE ROOM 518 - 8:30 AM

May 10 SATURDAY  
T.B.A

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

May 9 FRIDAY \*5:00 PM  
HB 688 TAX CREDITS FOR EDUCATIONAL INSTITUTIONS

JUDICIARY - BUTROVICH ROOM 205 - 1:30 PM

May 9 FRIDAY \*5:50 PM HOUSE C&RA RM  
HB 31 OBSTRUCTION HUNTING, FISHING & TRAPPING  
HB 497 CUSTODY, BIRTH CERTIFICATES

RULES - BELTZ ROOM 211 - 1:00 PM

May 10 SATURDAY \*9:30 AM  
SUPPLEMENTAL CALENDAR

CONFERENCE COMMITTEE -

May 9 FRIDAY \*3:00 PM BUTROVICH RM 205  
SB 204 ARCHITECTURAL, ENGINEERING & LAND SURVEYING

LEGISLATIVE COUNCIL -

May 10 SATURDAY \*12:30 PM CAPITOL BUILDING RM 17

