

SB

201



3/6/79

Committee Log Book - ~~XXXX~~Tape Number 1Side Number 1Dates 3/6/79 to ---SENATE C/RA / Chairman Sturgulewski  
CommitteePRESENT: Senators Kelly, Stimson, Rodey, Mulcahy  
No Absent

## Bill Numbers Discussed

SB 132	SB 140	SB 201	SB 137	SB 131					
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Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
1:30			Chairman Sturgulewski called meeting to order.
	005	SB 132	Sen. Kerttula
	7		Sen. Tillion
	71		Sen. Kelly
	115		Sen. Mulcahy / against bill
	128		Chairman Sturgulewski
	147		Sen. Rodey/ Motion to Move
	170		Sen. Mulcahy object
	215		Sen. Tillion
	224		Sen. Mulcahy
	264		Perry Lovitt, City of Cordova Assoc. Rick Lauber, Representing Pacific Seafood Processors
	382		Sen. Mulcahy
	392		Chairman Sturgulewski
	394		Ginny Chitwood, Alaska Municipal League
	415		John Messenger, Dept. of Revenue
	423		Sen. Kelly
	451		Sen. Mulcahy
	461		Sen. Kelly
	462		Sen. Tillion
	484		Sen. Sturgulewski Sen. Kelly move with letter of intent- ramification particularly in pollack fish
	488		Sen. Mulcahy
	493		Sen. Kelly
	494		Sen. Mulcahy/ Letter of Intent
			Chairman Sturgulewski Sen. Mulcahy / Do not pass
			Sen. Rodey / No rec.
	501		Sen. Rodey
	506		" "
	511		Sen. Tillion
	515		Sen. Rodey

OVER

SB 140

519 Chairman Sturgulewski  
534 Sen. Ray  
540 Sen. Sturgulewski  
561 Sen. Rodey  
570 Sen. Kelly  
586 Sen. Sturgulewski  
594 Sen. Ray  
597 Sen. Rodey  
601 Sen. Ray  
605 Sen. Rodey  
625 Sen. Sturgulewski  
Sen. Rodey moved to adopt CS  
633 Sen. Kelly  
636 Sen. Rodey  
643 Sen. Kelly  
656 Sen. Ray & Sen. Kelly  
675 Chairman Sturgulewski  
681 Sen. Rodey  
689 Chrmn. Sturgulewski  
691 Sen. Stimson  
697 Sen. Rodey MOVED DO PASS WITH INDIVIDUAL RECOMMENDATIONS  
706 Sen. Ray

SB 137

710 Chrm. Sturgulewski  
727 Sen. Kelly  
732 Sen. Rodey  
734 Ginny Chitwood, Ak. Municipal League  
737 Sen. Kelly & G. Chitwood  
751 Sen. Stimson, G. Chitwood, Sen. Stimson  
758 Sen. Kelly, G. Chitwood  
764 Doug Griffin, Dept. C/RA - clean up bill  
789 Sen. Stimson  
790 Chrmn. Sturgulewski  
794 Sen. Kelly  
803 Chrmn. Sturgulewski  
805 Sen. Rodey  
808 Sen. Rodey - Mtion to adopt CS SB 137 with am change  
813 Sen. Rodey & Mulcahy - pas CS, as amended - do pass

SB 201

830 G. Chitwood  
837 Sen. Rodey  
840 Sen. Kelly - move to pass with individual recommendation

ADJOURNED 3:05

~~SB 131~~ not Acted upon



Official Business

# Alaska State Legislature

Senate  
Committee on  
Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Bob Mulcahy  
Vice-Chairman  
Senator Terry Stimson  
Senator Tim Kelly  
Senator Patrick Rodey  
Senator Jalmar Kerttula  
Senator Bill Ray  
All Interested Parties

FROM: Senator Arliss Sturgulewski *AS*  
Chairman

SUBJECT: COMMITTEE MEETING - BUTROVICH ROOM, 207 Capitol Building

Tuesday, March 6, 1979

1:30 p.m.

SB 131 - An Act providing for the issuance of general obligation bonds in the amount of \$8,000,000 for the purpose of paying the cost of sewerage systems construction; and providing for an effective date.

SB 132 - An Act relating to the refund of raw fish tax receipts to local government; and providing for an effective date.

SB 140 - An Act amending the authority of the Alaska Housing Finance Corporation to adopt administrative regulations; and providing for an effective date.

SB 201 - An Act relating to the salaries of elected municipal officials.



# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### ELEVENTH LEGISLATURE - FIRST SESSION

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JUNEAU, ALASKA

Tuesday

April 10, 1979

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#### Eighty-sixth Day

Pursuant to adjournment, the Senate was called to order by President Tillion at 10:02 a.m.

The roll call showed eighteen members present. Senators Ray and Sackett were absent.

The prayer was offered by the Chaplain, Pastor John Lenker of the Church of the Nazarene. Senator Kerttula moved and asked unanimous consent that the prayer be spread in the journal. Without objection, it was so ordered and the prayer appears as follows:

"Almighty God of all:

We recognize Your touch in the tiny spring blossoms, in the beautiful snowcapped mountains that surround this valley, in the myriad of stars that stud the vast expanse of the universe. We come to You with a sense of awe, but also with the knowledge that You are not only the great Creator, but also the Father of mankind, our Heavenly Father, aware and concerned with the affairs of men. May on this day, the wisdom and purpose of God direct the minds in making decisions which this Senate shall be called upon to make.

Help us in the spirit of our Lord's prayer to say, 'Our Father, which art in heaven, Hallowed be Thy name. Thy Kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever'.

Amen."

Senator Colletta moved and asked unanimous consent that the journal for the eighty-fifth legislative day be approved as certified. Without objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

April 4, 1979

The Honorable Clem Tillion  
President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. President:

Please add to your list of Alaskans to be confirmed for appointments to boards and commissions the following:

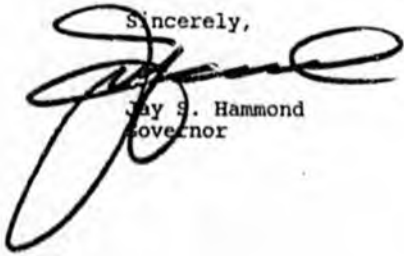
STATE COMMISSION FOR HUMAN RIGHTS

\*Diana Snowden, SRA Box 1735-M, Anchorage, term expiring 1/31/84.

BOARD OF NURSING

\*Norma J. Frank, R.N., Box 4229, Mt. Edgecumbe, term expiring 3/31/84.

Sincerely,



Jay S. Hammond  
Governor

\*Reappointed

President Tillion referred the above appointments for confirmation to the Health, Education and Social Services Committee.

MESSAGES FROM THE HOUSE

Message of April 9 was read, stating the House has concurred in the Senate amendment to HOUSE BILL NO. 45 (powers of the Alaska Legislative Council and the Legislative Budget and Audit Committee), thus adopting: SCS  
HB  
45

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL  
NO. 45 (Alaska Legislative Council and the  
Legislative Budget and Audit Committee)

Message of April 10 was read, stating the House has passed the following and transmitting for consideration:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 20 amended, by the Special Gas Pipeline Financing Committee. CS  
HCR  
20  
am

Relating to the financial and Alaska impact plan submitted by the Alaska Gas Pipeline Financing Authority,

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

FIRST READING AND REFERENCE OF HOUSE BILLS

HOUSE BILL NO. 438 amended, by the Special Gas Pipeline Financing Committee, entitled: HB  
438  
am

"An Act relating to submission of a financial and Alaska impact plan by the Alaska Gas Pipeline Financing Authority; and providing for an effective date."

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

STANDING COMMITTEE REPORTS

SB 65 The Health, Education and Social Services Committee considered SENATE BILL NO. 65 (consolidating and strengthening the state's drug laws) and recommends it be replaced with COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 65. The committee further attaches a letter of recommendation to the Judiciary Committee. Senator Hackney, Chairman and Senators Ferguson, Sturgulewski, Fahrenkamp and Colletta signed "do pass if amended."

SENATE BILL NO. 65 was referred to the Judiciary Committee.

Letter of recommendations to the Judiciary Committee accompanying the above bill follows:

April 9, 1979

Robert Ziegler, Chairman  
Senate Judiciary Committee  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Chairman Ziegler,

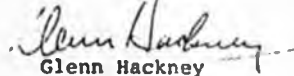
The Senate Health, Education and Social Services Committee, in its review of SB 65, has red flagged the following sections of SB 65 for close examination by the Senate Judiciary Committee: sections 14 - 18.

Section 14 would require that an individual claiming exemption from the provisions of this bill would bear the burden of proof in proving his exemption. This Committee requests that Judiciary address the constitutionality of placing the burden of proof on the claimant as opposed to placing the burden of proof on the state to prove that the individual is not exempt.

Section 15 divides controlled substances into five categories similar to categories established under federal law. However, the classification format that the state intends to adopt through this bill, i.e. Class A, Class B, etc., varies from the federal government's in that the federal government's format is based on a numerical system of classification, i.e. Schedule I, Schedule II, etc. In order to avoid problems that might surface as a result of using dissimilar classification formats, this Committee requests that Judiciary consider the merits of adopting a system of classification that will coincide with the classification format used by the federal government.

Sections 16, 17, and 18. This Committee requests that  
 Judiciary take a look at the conformity between the penalty  
 sections of this bill and the penalties prescribed for similar  
 offenses in the Alaska Criminal Code. SB  
65

Sincerely,

  
 Glenn Hackney  
 Chairman

The Rules Committee considered SENATE BILL NO. 53 (special  
 appropriation to Office of the Governor for state's efforts  
 concerning federal withdrawal of Alaska land) and recommends SB  
53  
 it be replaced with COMMITTEE SUBSTITUTE FOR SENATE BILL  
 NO. 53 (Finance) (page 761) and further recommends it be  
 placed on the April 10 calendar. Senator Colletta, Chair-  
 man and Senators Hohman, Tillion and Sumner signed "do pass  
 and place on April 10 calendar". Senator Ziegler signed  
 "place on April 10 calendar".

SENATE BILL NO. 53 appears on today's calendar.

The Rules Committee considered HOUSE BILL NO. 44 (supple- HB  
44  
 mental appropriations to the Legislative Affairs Agency)  
 and recommends it be replaced with SENATE COMMITTEE SUBSTI-  
 TUTE FOR HOUSE BILL NO. 44 and further recommends it be  
 placed on the April 10 calendar. Senator Colletta,  
 Chairman, signed "do pass and place on April 10 calendar".  
 Senators Hohman, Sumner and Ziegler signed "place on the  
 April 10 calendar".

HOUSE BILL NO. 44 appears on today's calendar.

INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SENATE RESOLUTION NO. 8 by Senators Colletta and Stimson, SR  
8

Relating to geothermal resources,

was read the first time and referred to the Resources Com-  
 mittee.

SJR SENATE JOINT RESOLUTION NO. 32 by Senators Kelly and  
32 Kerttula,

Expressing concern over the reported  
persecution of members of the Baha'i  
religious community in Iran,

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

Senator Kerttula moved and asked unanimous consent that  
the Senate recess to a call of the Chair for the purpose  
of a Democratic caucus. Without objection, the Senate  
recessed at 10:14 a.m.

#### AFTER RECESS

The Senate reconvened at 11:00 a.m.

#### CONSIDERATION OF THE CALENDAR

#### SECOND READING OF SENATE BILLS

SB SENATE BILL NO. 53 (special appropriation to the Office  
53 of the Governor for the state's efforts concerning federal  
withdrawal of Alaska land) was read the second time.

CS Senator Sackett moved and asked unanimous consent for the  
SB adoption of the Finance Committee Substitute offered on  
53 page 761. Without objection, COMMITTEE SUBSTITUTE FOR  
(Fin) SENATE BILL NO. 53 (Finance) was adopted.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance)  
(appropriating for the operating and capital expenses  
of the state government) was read the second time.

Senator Colletta moved and asked unanimous consent that  
the Rules be suspended and COMMITTEE SUBSTITUTE FOR SENATE  
BILL NO. 53 (Finance) be considered engrossed, advanced to  
third reading and placed on final passage. Without objec-  
tion, it was so ordered.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance)  
was read the third time.

CS  
SR  
53  
(Fin)

The question being: "Shall COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) (appropriating for the operating and capital expenses of the state government) pass the Senate?" The roll was taken with the following result:

Yeas:	20	Bennett, Bradley, Colletta, Dankworth, Fahrenkamp, Ferguson, Hackney, Hohman, Kelly, Kerttula, Meland, Mulcahy, Ray, Rodey, Sackett, Stimson, Sturgulewski, Summer, Tillion, Ziegler
Nays:	0	

and so, COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) passed the Senate.

Senator Colletta moved and asked unanimous consent that the roll call on the passage of the above bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

Senator Colletta gave notice of reconsideration on COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered.

#### SENATE BILLS IN THIRD READING

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) was before the Senate at this time on reconsideration.

The question to be reconsidered is: "Shall COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) (appropriating for the operating and capital expenses of the state government) pass the Senate?" The roll was taken with the following result:

CS Yeas: 20 Bennett, Bradley, Colletta,  
 SB Dankworth, Fahrenkamp, Ferguson,  
 53 Hackney, Hohman, Kelly, Kerttula,  
 (Fin) Meland, Mulcahy, Ray, Rodey,  
 Sackett, Stimson, Sturgulewski,  
 Sumner, Tillion, Ziegler

Nays: 0

and so, COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Fin) passed the Senate on reconsideration.

Senator Colletta moved and asked unanimous consent that the roll call on the passage of the above bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Finance) was referred to the Secretary for engrossment.

SB SENATE BILL NO. 201 (relating to the salaries of elected  
 201 municipal officials) was read the second time.

CS Senator Sturgulewski moved and asked unanimous consent for  
 SB the adoption of the Rules Committee Substitute offered on  
 201 page 763. Without objection, COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 201 was adopted.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201 was read the second time.

Senator Colletta moved and asked unanimous consent that the Rules be suspended and COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201 was read the third time.

*File  
4/20/79*

The question being: "Shall COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201 (relating to the salaries of elected municipal officials) pass the Senate?" The roll was taken with the following result:

CS  
SB  
201

Yeas: 20 Bennett, Bradley, Colletta,  
Dankworth, Fahrnkamp, Ferguson,  
Hackney, Hohman, Kelly, Kerttula,  
Meland, Mulcahy, Ray, Rodey,  
Sackett, Stimson, Sturgulewski,  
Sumner, Tillich, Ziegler

Nays: 0

and so, COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201 passed the Senate and was referred to the Secretary for engrossment.

#### SECOND READING OF HOUSE BILLS

HOUSE BILL NO. 44 (supplemental appropriations to the Legislative Affairs Agency) was read the second time.

HB  
44

Senator Hohman moved and asked unanimous consent for the adoption of the Rules Senate Committee Substitute offered today. Without objection, SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44 was adopted.

SCS  
HB  
44

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44 was read the second time.

Senator Colletta moved and asked unanimous consent that the Rules be suspended and SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44 was read the third time.

SCS The question being: "Shall SENATE COMMITTEE SUBSTITUTE FOR  
 HB HOUSE BILL NO. 44 (supplemental appropriations to the  
 44 Legislative Affairs Agency) pass the Senate?" The roll was  
 taken with the following result:

Yeas:	20	Bennett, Bradley, Colletta, Dankworth, Fahrenkamp, Ferguson, Hackney, Hohman, Kelly, Kerttula, Meland, Mulcahy, Ray, Rodey, Sackett, Stimson, Sturgulewski, Summer, T'Amion, Ziegler
Nays:	0	

and so, SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44  
 passed the Senate.

Senator Colletta moved and asked unanimous consent that  
 the roll call on the passage of the above bill be con-  
 sidered the roll call on the effective date clause.  
 Without objection, it was so ordered.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44 was  
 referred to the Secretary for engrossment.

CS COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211 amended (public  
 HB elementary and secondary education) was read the second  
 211 time.  
 am

Senator Colletta moved and asked unanimous consent that  
 the Rules be suspended and COMMITTEE SUBSTITUTE FOR HOUSE  
 BILL NO. 211 amended be advanced to third reading and  
 placed on final passage. Without objection, it was so  
 ordered.

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211 amended was  
 read the third time.

The question being: "Shall COMMITTEE SUBSTITUTE FOR HOUSE  
 BILL NO. 211 amended (public elementary and secondary  
 education) pass the Senate?" The roll was taken with the  
 following result:

Yeas: 19	Bennett, Bradley, Colletta, Dankworth, Fahrenkamp, Ferguson, Hackney, Kelly, Kerttula, Meland, Mulcahy, Ray, Rodey, Sackett, Stimson, Sturgulewski, Summer, Tillion, Ziegler	CS HB 211 am
Nays: 0		
Absent: 1	Polman	

and so, COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211 amended passed the Senate.

Senator Colletta moved and asked unanimous consent that the roll call on the passage of the above bill be considered the roll call on Section 8. Without objection, it was so ordered.

Senator Colletta moved and asked unanimous consent that the roll call on the passage of the above bill be considered the roll call on Section 9. Without objection, it was so ordered.

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211 amended was signed by the President and Secretary and returned to the House.

ENGROSSMENT AND ENROLLMENT

The following have been engrossed, signed by the President and Secretary and transmitted to the House for consideration:	CS SB 53
COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 53 (Fin)	(Fin)
COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 201	CSSB 201
SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 44	SCS HB 44
SENATE BILL NO. 164 amended has been enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:46 p.m., April 9, 1979.	SB 164 am

ANNOUNCEMENTS

Labor & Management SJR 28		Upon Adj., 4/10
Resources Land Disposal	Butrovich Room 207, Capitol	Upon Adj., 4/10 until 4:00 p.m.
Commerce HJR 27, SCR 6 CSHB 294 am, SB 157	Beltz Room 209, Capitol	3:00 p.m., 4/10
Regulation Review Committee	Butrovich Room 207, Capitol	5:00 p.m., 4/10
Electoral Review	Court Room A Court Bldg.	6:30 p.m., 4/10
Finance bill session	423, Capitol	9:00 a.m., 4/11
Budget & Audit	423, Capitol	Noon, 4/11
Resources HB 36	Butrovich Room 207, Capitol	1:30 p.m., 4/11
State Affairs CSHB 12 (Fin) CSHB 26, CSHB 28 SSHB 30	Beltz Room 209, Capitol	3:30 p.m., 4/11
Judiciary SB 212	Beltz Room 209, Capitol	1:30 p.m., 4/11

ADJOURNMENT

Senator Colletta moved and asked unanimous consent that the Senate adjourn until 10:00 a.m., April 11. Without objection, the Senate adjourned at 11:30 a.m.

Peggy Mulligan  
Senate Secretary

April 1979



Official Business

# Alaska State Legislature

## Senate Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Bob Mulcahy  
Vice-Chairman  
Senator Terry Stimson  
Senator Tim Kelly  
Senator Patrick Rodey  
Senator Jalmar Kerttula  
Senator Bill Ray  
All Interested Parties

FROM: Senator Arliss Sturgulewski *AS*  
Chairman

SUBJECT: COMMITTEE MEETING - BUTROVICH ROOM, 207 Capitol Building

Tuesday, March 6, 1979

1:30 p.m.

SB 131 - An Act providing for the issuance of general obligation bonds in the amount of \$8,000,000 for the purpose of paying the cost of sewerage systems construction; and providing for an effective date.

SB 132 - An Act relating to the refund of raw fish tax receipts to local government; and providing for an effective date.

SB 140 - An Act amending the authority of the Alaska Housing Finance Corporation to adopt administrative regulations; and providing for an effective date.

SB 201 - An Act relating to the salaries of elected municipal officials.