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ALASKA STATE LEGISLATURE - SENATE

SENATOR RICHARD I. ELIASON

LABOR AND COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
JUDICIARY COMMITTEE
FISHERIES SUB-COMMITTEE



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MEMORANDUM

TO: Sen. Bill Ray, Chair
Senate Judiciary Committee

FROM: Sen. Dick Eliason *Dick*

DATE: March 2, 1983

RE: HCR 11 - Relating to the use by petit jurors of earphones

As requested I reviewed the above-referenced resolution and I am now reporting my findings to you.

This resolution, introduced by Rep. Fritz, would encourage the Alaska Court System to study the use of earphones by petit jurors. The use of earphones may alleviate the occasional problems caused when an individual juror may not be able to hear the testimony offered during a trial due either to distractions in the court room or an unstated physical impairment to the hearing of the juror. The fiscal impact of this resolution is zero.

Rep. Milo Fritz is available to meet with committee members to explain the rationale behind this resolution if you so wish.

Attachment

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HCR 11 Date on Bill: _____
 Title: "Relating to use by petit jurors of headphones"
 Sponsor: _____
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

		FY 83	FY 84	FY 85	FY 86
Capital					
Operating					
Total	0	0	0	0	0

b. Revenues:

Revenue					
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

-- This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of impact.

Prepared By: *Arthur H. Snowden Jr.* Phone: _____
 Division: Alaska Court System, Fiscal Operations Date: 2/15/83
 Approved by Commissioner: _____ Date: _____
 Department: _____

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

INTRODUCTION OF RESOLUTIONS (House)

HCR 9, (cont'd)

resolves that this project be financed through public contributions.

Introduced January 20 and referred to State Affairs and Finance.

Access to
Whittier,
Alaska

HOUSE CONCURRENT RESOLUTION NO. 10, by Reps. Fritz, Szymanski and Barnes. Requests the Governor to direct the Dept. of Transportation and Public Facilities to study paving of the Whittier railroad tunnel for vehicular traffic and to enter into negotiations with the Alaska Railroad for the acquisition of right-of-way privileges to permit use of the right-of-way for vehicular access to Whittier, Alaska. States that there are a number of places along the railbed of the Alaska Railroad that are paved for temporary use by automobiles when snowslides cover the Seward Highway, and that a significant number of people seek access to Whittier and access is limited to service on the Alaska Railroad.

Introduced January 21 and referred to State Affairs, Transportation and Finance.

Petit Jurors
(use of ear-
phones)

HOUSE CONCURRENT RESOLUTION NO. 11, by Rep. Fritz. Would encourage the Alaska Court System to study the use of ear-phones by petit jurors. States that there are occasions where an individual juror may not be able to hear the testimony offered during a trial, due either to distractions in the court room or an unstated physical impairment to the hearing of the juror.

Introduced January 21 and referred to Judiciary.

Yukon-
Kuskokwim
Canal

HOUSE CONCURRENT RESOLUTION NO. 12, by Rep. Fritz. Requests the Governor to direct the Dept. of Transportation and Public Facilities to conduct a study regarding the feasibility and cost of construction of a canal between the Yukon and Kuskokwim Rivers at the place where the rivers approach one another most closely, which would give central Alaska access to a seaport. The study must give due recognition and consideration to the rights of Native people and to the environmental effects of such a canal. The Commissioner of Transportation and Public Facilities would be required to submit to the Legislature by January 30, 1984, a final report concerning a Yukon-Kuskokwim canal.

Introduced January 21 and referred to State Affairs, Transportation and Finance.

OPEC Meetings
(Alaskan
observer)

HOUSE RESOLUTION NO. 1, by Rep. Lindauer. Would request and encourage the Governor to send an observer to OPEC meetings for the purpose of participating in the meetings to the fullest extent permissible. States that it is important for the state to have current world oil market information for adequate planning.

Introduced January 18 and referred to Resources and Finance.

Representative Barnes moved and asked unanimous consent that the Journal for the thirty-first day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 16, 1983, was read stating the Senate has approved the following citations and is transmitting the same for consideration:

Honoring Merrily Hill
by Senators Bennett and Fahrenkamp

Honoring Amy Harms
by Senators Bennett and Fahrenkamp

The above citations were referred to the Rules Committee for placement on the calendar.

A message dated February 16, 1983, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SENATE 10 (Res)

COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 10
(Resources)

Requesting rejection and renegotiation
of the proposed United States-Canada
salmon interception treaty.

was read the first time and referred to the House Special
Committee on Fisheries and the Resources Committee.

REPORTS OF STANDING COMMITTEES

HCR 11

The Judiciary Committee has had HOUSE CONCURRENT RESOLUTION NO. 11 (relating to the use by petit jurors of ear-phones) under consideration, recommends it do pass and

HCR 11

attaches a zero fiscal note. Concurring: Russell (Chairman), Barnes, Wendte, Clockain and Linka.

HCR 11 was referred to the Rules Committee for placement on the calendar.

HCR 16

The Health, Education and Social Services Committee has had HOUSE CONCURRENT RESOLUTION NO. 16 (relating to hepatitis B) under consideration and recommends it do pass. Concurring: Fritz (Co-Chairman), Tischer (Co-Chairman), Koponen, Cato and H. W. Miller.

HCR 16 was referred to the Rules Committee for placement on the calendar.

HB 74

The Transportation Committee has had HOUSE BILL NO. 74 (special appropriation to the City of Kenana for rehabilitation of the Tanana River dock and waterfront facilities; effective date) under consideration and recommends it do pass. Concurring: Cato (Chairman), Abood, M.W. Miller, Lacher and Phillips. Not concurring: Herrmann had no recommendation.

HB 74 was referred to the Finance Committee.

HB 152

The Community and Regional Affairs Committee has had HOUSE BILL NO. 152 (making a supplemental appropriation to the miscellaneous services account; effective date) under consideration and recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 152 (CRA) (same title), that it do pass, and attaches a zero fiscal note. Concurring: Lacher (Chairman), Fritz, McBride, Clockain and Phillips. Not concurring: Tischer had no recommendation.

HB 152 was referred to the Finance Committee.

HB 153

The Community and Regional Affairs Committee has had HOUSE BILL NO. 153 (making a supplemental appropriation

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Responsibility for the regulation of marine pilotage is shared by the federal and state governments. The federal government, through the U.S. Coast Guard (USCG), regulates pilotage on enrolled vessels, while the individual states are given the right, in the United States Code, to regulate pilotage on registered vessels. Enrolled vessels are vessels registered in the United States and engaged in commerce between American ports; registered vessels are those vessels engaged in foreign trade. The individual states have the right to regulate pilotage on vessels engaged in foreign trade.

"(4) an assessment of alternative methods of achieving the purposes of the program;"

The Committee concluded that there was not a viable alternative method of achieving the purposes of the program.

"(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level;"

The Committee believes the consequences of eliminating the board or consolidating its activities would expose shipping, the public, and the environment to the potential consequences of a maritime mishap.

"(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts; and"

The Committee believes that a safety record of over 7,000 dockings without mishap justifies continuing the Board of Marine Pilots.

"(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest."

The Board of Marine Pilots should work with Department of Commerce and Economic Development, Division of Occupational Licensing to ensure that public notices of examinations are sufficiently and timely advertised.

The letter was signed by Representative Furnace (Chairman), Behling, Koponen and Malone.

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HOUSE BILL NO. 219 by Lindauer, Abood, Barnes, Bussell, Cato, Cowdery, Duncan, Flood, Fritz, Fuller, Furnace, Grussendorf, Huribert, Liaska, M. H. Miller, Pestinger, Phillips, Tischer, Uehling, Ward and Hayes, entitled:

"An Act relating to Local Citizen Advisory Boards of the University of Alaska."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HCR 11

HOUSE CONCURRENT RESOLUTION NO. 11 (relating to the use by petit jurors of earphones) was read the second time with the Judiciary Committee report (page 292 of the Journal).

The question being: "Shall HCR 11 pass the House?" The roll was taken with the following result:

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Yeas:	31	Abood, Adams, Barnes, Bussell, Cato, Glockain, Cowdery, Davis, Duncan, Flood, Fritz, Fuller, Furnace, Grussendorf, Hayes, Lacher, Larson, Lindauer, Liaska, Martin, McBride, Miller, M.H., Miller, M.W., Phillips, Ringstad, Shultz, Szymanski, Tischer, Uehling, Vaska, Wendte
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Nays:	0	
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Excused:	5	Bettinworth, Goll, Malone, Pestinger, Zharoff
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Absent:	4	Herrmann, Huribert, Koponen, Ward
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And so, HCR 11 passed the House and was referred to the Chief Clerk for engrossment.