HB-552

"An Act relating to surplus property; and providing for an effective date."

COMMITTEE REPORT

to Cra 1/22

1/14/76

HOUSE

~~FINANCE~~ Waived 1/20

p. 113

Mr. Speaker: Date _____

The Committee on STATE AFFAIRS has had HB 552 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Helen Beirne — Do Pass — Bill Paul

Helen M. Fischer — Do Pass

Mike Nelle — " "

Joe McKinnon — " "

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Joe McKinnon Chairman

Committee Minutes for

HOUSE COMMUNITY & REGIONAL AFFAIRS

January 29, 1976

The meeting was called to order at 9:00 am by Chairman Cotten to discuss HB 552. Present were:

Rep. Cotten	Rep. Freeman
Rep. Ose	Don Berry, Municipal League
Rep. Davis	Palmer McCarter, C&RA
Rep. Kelley	Dick Bradley, Dept. of Admin.
Rep Rudd	Dick Winchell, Dept. of Admin.
Rep Ostrosky	Barbara Euglert Thomas, Staff
	Vicci Hansen, Staff

2599 Chairman Cotten called upon Dick Winchell from the Department of Administration to testify.

2601 Winchell is the Director of General Services and Supply. Cotten asked Winchell to explain the relevant federal law. Winchell stated that when the original law was enacted, prior to statehood, the Alaska Federal Surplus property was operated by the Civil Defense Agency, (ADO). Specifically, what they have is that when the law was enacted, when Civil Defense operated the program, naturally they didn't charge themselves for acquisition of property that was used for Civil Defense purposes. In 1962 the state assumed control of the program, at which time the Federal Surplus Property was placed in the Department of Administration and it was agreed at that time that Civil Defense would be charged the same fee as any other using agency.

2632 Cotten stated that he didn't understand because the statutes say that they couldn't be charged and he didn't understand how it could be agreed that they would go ahead and pay anyway. What about municipalities picking up the Federal Surplus Property?

2638 Winchell said that there would be no difference in charge, they charge a 10% fee and have always charged the municipalities this fee and that this bill is basically a "housekeeping" bill and all they want to do is bring the statutes into accord.

2644 Cotten again reiterated that he didn't understand this and Rep Kelley stated that basically what they wanted to do was make themselves legal. Winchell agreed with Kelley.

There was much discussion on the legality of this and Winchell stated that it was agreed upon with the Commissioner of Administration and the Alaska Disaster Office.

The Committee would not quite accept this bill for what it was and Freeman suggested that the Committee think about it for a while.

Don Berry from the Municipal League was very much against the bill.

3053 Winchell offered to bring additional information supporting this bill.

3055 Meeting was adjourned at 9:50 am

HB 552

JAN 14 1976

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to surplus property.

AS 44.71.020 - 44.71.040 authorize State acceptance of surplus property from the federal government; disposal of the property to qualified recipients is also authorized. At the present time, the law contains (in AS 44.71.030(a)) a provision prohibiting charging for the property when the recipient will use it "for civil defense purposes." This requirement is created by State law and does not reflect a mandate of the relevant federal law (40 U.S.C. Section 471 et seq.).

The Department of Administration believes that since the Alaska Disaster Office has paid service and handling charges since the inception of the program, and is agreeable to continued payment, the law should be changed to reflect this.

An effective date of July 1, 1976 is recommended for fiscal convenience.

Sincerely,

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. H.B. 552
Title: Surplus Property
Requested by: Date: 1-20-76
Return Date Requested:
Agency: Program:

II. FISCAL DETAIL
Budget Request Unit(s) Affected: None

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 1-20-76 PREPARED BY: [illegible]

Original: Legislative Finance 1
cc: Budget and Management 2
Prime Sponsor (First Legislator Named) 1
Commissioner's Office 1

H/S 50

HB 552

The Legislature of the State of Alaska
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
Bill No. AS 44.71.030(a)
Title: "An Act relating to surplus property; and providing for an effective date."
Requested by: Office of the Governor Date:
Return Date Requested:
Agency: Military Affairs Alaska Disaster Office Program: Public Protection

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Alaska Disaster Office
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL	2.0	2.2	2.4	2.6	2.9	3.1
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	2.0	2.2	2.4	2.6	2.9	3.1

B. FUNDING: (Thousands of dollars)

GENERAL FUND	2.0	2.2	2.4	2.6	2.9	3.1
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Alaska Disaster Office has been paying for service and handling charges for property transferred for civil defense purposes for the past 15 years; therefore, amendment to the above law would not have any fiscal impact.

Expenditure projections are for the Alaska Disaster Office. Many state agencies obtain surplus property through civil defense.

IV. ATTACHMENTS

V. DATE: November 25, 1975 PREPARED BY:

FISCAL NOTE

Second Session - Ninth Legislature

HB 552

I. REQUEST
Bill No
Title: Surplus Property
Requested by: Fred Hunter Date: Nov. 20, 1975
Return Date Requested: One week
Agency: Administration Program: Gen Services

II. FISCAL DETAIL
Budget Request Unit(s) Affected: None
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 12/2/75 PREPARED BY: Richard Winchester (copy)

Notified	Attended	
		HB552
X		Don Berry, Ak Municipal League
X		Dept C&RA
X		Dept. of Administration, Dick Winchell

JAY S. HAMMOND
GOVERNOR

HB 552

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 14, 1976

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to surplus property.

AS 44.71.020 - 44.71.040 authorize State acceptance of surplus property from the federal government; disposal of the property to qualified recipients is also authorized. At the present time, the law contains (in AS 44.71.030(a)) a provision prohibiting charging for the property when the recipient will use it "for civil defense purposes." This requirement is created by State law and does not reflect a mandate of the relevant federal law (40 U.S.C. Section 471 et seq.).

The Department of Administration believes that since the Alaska Disaster Office has paid service and handling charges since the inception of the program, and is agreeable to continued payment, the law should be changed to reflect this.

An effective date of July 1, 1976 is recommended for fiscal convenience.

Sincerely,

Jay S. Hammond
Governor

Introduced: 1/14/76
Referred: State Affairs
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

IN THE HOUSE

HOUSE BILL NO. 552

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to surplus property; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 44.71.030(a) is amended to read:

(a) The functions of the Department of Administration under secs. 20 - 40 of this chapter shall be, to the fullest extent possible, self-supporting. Funds to pay for personal services and all other expenses necessary to operate under secs. 20 - 40 of this chapter shall be obtained from appropriations authorized under secs. 20 - 40 of this chapter and fees charged to users of surplus property. [HOWEVER, NO CHARGES MAY BE MADE WHEN PROPERTY IS TRANSFERRED FOR CIVIL DEFENSE PURPOSES.] The department shall establish the fees to be charged. Charges may be made to reimburse the department for direct costs incurred on behalf of users of surplus property.

* Sec. 2. This Act takes effect July 1, 1976.

If no one can get it does it go to the state for surplus sale

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