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COMMITTEE REPORT  
HOUSE

5/1

(7)

FURTHER: FINANCE

4/17/85

Date: \_\_\_\_\_

LABOR & COMMERCE

SB 90

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

"An Act relating to the power of the Department of Commerce and Economic Development to administer appropriations for grants; and providing for an effective date."

under consideration and recommends:

do pass [ ] do not pass

[ ] do pass with attached amendments(s)

[ ] replace with CS for \_\_\_\_\_ [ ] same title [ ] new title

and recommends \_\_\_\_\_

[ ] AND attaches a "Letter of Intent" [ ] New Fiscal Note

[ ] reports it back without recommendation [ ] Zero Fiscal Note Attached

[ ] referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*[Handwritten signatures]*  
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VICE - CHAIRMAN

SB 90 File Contents

April 29, 1985 Monday

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- 2) Overview -- Committee Staff
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  - d) Senate L & C Action p. 568
  - e) Senate Finance Action p. 796
  - f) Senate Passage p. 813
- 4) Alaska Statutes AS 44.33.020

INTRODUCTION OF BILLS (Senate)(cont'd)

SB 89 (cont'd)

Section 1 of the bill provides that if the state leases a public building financed by ASHA, the state's rental obligation is subject to annual appropriation. This provision makes explicit the assurance that public leases do not impair the appropriation prerogatives of the legislature.

Current law provides that ASHA must sell interests in land through public auction or by sealed bids at a fair market price. Section 2 of the bill enables ASHA to sell land or a public building, in appropriate instances, to the state, a federal agency, or a political subdivision for less than the appraised value and without competitive bidding. A comparable provision governs the sale of state land or resources under AS 38. See AS 38.05.315.

This bill will promote the efficient operation of ASHA, and I urge your consideration of and support for the bill.

State Grants SENATE BILL NO. 90, by the Rules Committee by request of (power of C&ED the Governor. Would allow the state Dept. of Commerce & to administer) Economic Development to administer state grants. Effective July 1, 1985.

Introduced January 23 and referred to Labor & Commerce and Finance.

In his message transmitting the bill to the Senate for consideration, Governor Sheffield stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that confers on the Department of Commerce and Economic Development the power to make grants of state money for purposes authorized by law. The department has been advised by the attorney general that its authority over, and administration of, grants could be improved if specific statutory authority for those purposes is enacted. This authorization would confer the power to implement the grants by administrative regulation. Too often grants are awarded without specific standards in place to assure performance of the grant agreement or fairness to persons seeking to obtain state financial assistance.

I hope that the legislature will view this bill favorably. It is time that a concerted effort is made to account for each dollar that is given out to achieve public purposes. Unless we provide for more formality in these transactions, it will be difficult to assure that the intent of the legislature is met.

Medical Assistance Expenses SENATE BILL NO. 91, by the Rules Committee by request of the Governor. Relates to recovery by the state of medical assistance expenses when it is determined that a third party is liable. Effective immediately.  
(recovery of)

Introduced January 23 and referred to State Affairs, Health, Education & Social Services and Finance. The State Affairs referral was waived on January 24. To HESS and Finance.

In his message transmitting the bill to the Senate for consideration, Governor Sheffield stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to subrogation. The bill establishes, for the Department of Health and Social Services, a statutory right to subrogation

AN ACT RELATING TO THE POWER OF THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT TO ADMINISTER APPROPRIATIONS FOR GRANTS; AND PROVIDING FOR AN EFFECTIVE DATE.

PRIME SPONSOR: RULES COMMITTEE  
CO-SPONSORS:

BY REQ OF THE GOVERNOR

\$000 GENERAL(FNOTE)

\$000 OTHER(FNOTE)

CURRENT STATUS: (H) L&C

DATE		PAGE	ACTION
01/23/85	(S)	109	READ THE FIRST TIME - REFERRAL(S)
01/23/85	(S)	110	GOVERNOR'S TRANSMITTAL LETTER
01/23/85	(S)	110	FISCAL NOTE ZERO
03/19/85	(S)	568	L&C RPT 3 DP
04/15/85	(S)	796	FIN RPT 5DP
04/16/85	(S)	811	RLS RPT CALENDAR TODAY
04/16/85	(S)	813	READ THE SECOND TIME
04/16/85	(S)	813	ADVANCED TO THIRD READING UNAN CONSENT
04/16/85	(S)	813	READ THE THIRD TIME
04/16/85	(S)	813	PASSED Y17 N- X2 A1

DATE		PAGE	ACTION
04/16/85	(S)	814	EFFECTIVE DATE SAME AS PASSAGE
04/16/85	(S)	820	TRANSMITTED TO (H)
04/17/85	(H)	960	READ THE FIRST TIME LABOR&COMMERCE FINANCE RULES

M E M O R A N D U M

To: All Members, House Labor and Commerce Committee

From: Roger Poppe, Committee Aide

Date: April 29, 1985

Subject: Overview, SB 96

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This bill is a new bill heard this year. There is no companion legislation in the Senate. This bill was submitted as a Governor's bill by the DCED. It passed Senate Labor and Commerce with 3 Do Passes; Senate Finance with 5 Do Passes, and on April 16 it passed the Senate by a unanimous vote of 17-0-2-1.

The fiscal note from DCED is zero.

Despite the seeming length of the bill, the only change in the statute is to add an item (27) to AS 44.33.020, which is found on the last page of the bill. Basically, the bill gives the DCED the clear statutory authority to develop regulations and standards to administer grants that pass through the Department to local governments, agencies, and unorganized regions. The Department already does this activity, but with no clear authority in current statute to do this, the Attorney General's office has advised DCED to seek such authority to avoid any future complications.

SB 87

SENATE BILL NO. 87 by Senator Ray, entitled:

"An Act relating to campaign financing."

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

SB 88

SENATE BILL NO. 88 by the Rules Committee by request of the Governor, entitled:

"An Act relating to the creation of the Alaska Life and Disability Insurance Guaranty Association; changing Rule 62(a), Rules of Civil Procedure, by providing for an automatic state of 60 days in a liquidation, rehabilitation, or conservation proceeding; and providing for an effective date."

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

Fiscal note is zero.

Governor's transmittal letter dated January 23:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill establishing the Alaska Life and Disability Insurance Guaranty Association. This bill is based on the Life and Health Insurance Guarantee Association Model Act proposed by the National Association of Insurance Commissioners in 1971, as amended in 1976.

The bill would provide a mechanism for paying claims on direct life insurance policies, disability insurance policies, and annuity contracts, which are outstanding against insolvent or impaired insurers. The bill would require that all insurers licensed to do business in Alaska be members of the association, and would provide for periodic assessments of the members of the association.

The Alaska Life and Disability Insurance Guaranty Association will provide protection for life and disability insurance similar to the protection provided under existing law for other kinds of direct insurance by the Alaska Insurance Guaranty Association Act (AS 21.80).

Sincerely,

Bill Sheffield  
Governor

SB 89

SENATE BILL NO. 89 by the Rules Committee by request of the Governor, entitled:

"An Act relating to the Alaska State Housing Authority; and providing for an effective date."

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

Fiscal note is zero.

Governor's transmittal letter dated January 23:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that relates to the Alaska State Housing Authority (ASHA). (See AS 18.55.)

Section 1 of the bill provides that if the state leases a public building financed by ASHA, the state's rental obligation is subject to annual appropriation. This provision makes explicit the assurance that public leases do not impair the appropriation prerogatives of the legislature.

Current law provides that ASHA must sell interests in land through public auction or by sealed bids at a fair market price. Section 2 of the bill enables ASHA to sell land or a public building, in appropriate instances, to the state, a federal agency, or a political subdivision for less than the appraised value and without competitive bidding. A comparable provision governs the sale of state land or resources under AS 38. See AS 38.05.315.

This bill will promote the efficient operation of ASHA, and I urge your consideration of and support for the bill.

Sincerely,

Bill Sheffield  
Governor

SB 90

SENATE BILL NO. 90 by the Rules Committee by request of the Governor, entitled:

"An Act relating to the power of the Department of Commerce and Economic Development to administer appropriations for grants; and providing for an effective date."

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

SB 90 cont'd

Fiscal note is zero.

Governor's transmittal letter dated January 23:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that confers on the Department of Commerce and Economic Development the power to make grants of state money for purposes authorized by law. The department has been advised by the attorney general that its authority over, and administration of, grants could be improved if specific statutory authority for those purposes is enacted. This authorization would confer the power to implement the grants by administrative regulation. Too often grants are awarded without specific standards in place to assure performance of the grant agreement or fairness to persons seeking to obtain state financial assistance.

I hope that the legislature will view this bill favorably. It is time that a concerted effort is made to account for each dollar that is given out to achieve public purposes. Unless we provide for more formality in these transactions, it will be difficult to assure that the intent of the legislature is met.

Sincerely,

Bill Sheffield  
Governor

SB 91

SENATE BILL NO. 91 by the Rules Committee by request of the Governor, entitled:

"An Act relating to recovery of medical assistance expenses; and providing for an effective date."

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

Fiscal note from Division of Medical Assistance appears in Supplement No. 7.

Governor's transmittal letter dated January 23:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to subrogation. The bill establishes, for the Department of Health and Social Services, a statutory right to subrogation in cases in which the department provides medical assistance for which a third party is liable.

SB 91 cont'd

Current Alaska statutes are silent on the department's right to recover medical assistance expenses when it is determined that a third party is liable for those expenses. Almost every claim by the department for reimbursement has been challenged, and, absent a statutory basis for such claims, time-consuming and expensive legal proceedings have been required to obtain reimbursement. Consequently, the department has had to expend excessive amounts of money or forego reimbursement in many cases. The department estimates that at least several hundred thousand dollars every year would be saved if this bill were enacted.

Additionally, the bill provides that the department will reimburse a recipient of medical assistance, in accordance with the rules of court, for the attorney fees incurred in establishing third-party liability for the medical assistance provided.

In the interest of fairness and efficiency, I urge your prompt and favorable consideration of this bill.

Sincerely,

Bill Sheffield  
Governor

SB 92

SENATE BILL NO. 92 by the Rules Committee by request of the Governor, entitled:

"An Act relating to benefits under the supplemental benefits system; and providing for an effective date."

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

Fiscal note from Division of Retirement and Benefits appears in Supplement No. 7.

Governor's transmittal letter dated January 23:

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to benefits under the supplemental benefits system (SBS) established by AS 39.30. The bill would allow the vast majority of employees voluntarily to defer and "tax shelter" additional compensation by raising the maximum limit on SBS contributions to approximately 18 percent of all compensation, rather than the 12.26 percent of the Social Security wage base that is currently allowed. This would be accomplished by converting the State of Alaska Supplemental Annuity Plan to a plan under sec. 401(k) of the Internal Revenue Code.

SB 90

The Labor and Commerce Committee considered SENATE BILL NO. 90 (power of the Department of Commerce and Economic Development to administer appropriations for grants; efd) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Eliason and Ray.

SENATE BILL NO. 90 was referred to the Finance Committee.

## INTRODUCTION AND REFERENCE OF SENATE RESOLUTIONS

SR 3

SENATE RESOLUTION NO. 3 by Senators Ziegler and Abood,

Relating to establishment of a sister state relationship with Taiwan,

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

## INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 236

SENATE BILL NO. 236 by Senator Paul Fiscner, entitled:

"An Act making a special appropriation to the Department of Education for payment as a grant to the Kenai Peninsula Borough school district for school construction; and providing for an effective date."

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

SB 237

SENATE BILL NO. 237 by the Resources Committee, entitled:

"An Act relating to extralateral right of federal lode mining claims."

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

SB 238

SENATE BILL NO. 238 by the Labor and Commerce Committee, entitled:

"An Act relating to the plumbing code."

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

SB 239

SENATE BILL NO. 239 by Senator Fahrenkamp by request, entitled:

"An Act relating to the practice of midwifery."

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

## CONSIDERATION OF THE CALENDAR

## SECOND READING OF SENATE BILLS

SB 30

SENATE BILL NO. 30 (establishing the Yakataga State Forest; efd) was read the second time.

Senator Faiks moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 546. Without objection, CS FOR SENATE BILL NO. 30 (FIN) was adopted.

CS FOR SENATE BILL NO. 30 (FIN) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 30 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 30 (FIN) was read the third time.

Senator Halford moved and asked unanimous consent for the adoption of the Resources Letter of Intent offered on page 262. Without objection, the Senate Letter of Intent was adopted.

## STANDING COMMITTEE REPORTS

SB 44

The Finance Committee considered SENATE BILL NO. 44 (Uniform Common Interest Ownership Act; efd) and recommended the Judiciary Committee Substitute be adopted with a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford and Eliason.

SENATE BILL NO. 44 was referred to the Rules Committee.

SB 90

The Finance Committee considered SENATE BILL NO. 90 (power of the Department of Commerce and Economic Development to administer appropriations for grants; efd) and a majority of the committee recommended do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Eliason, Ferguson and Halford.

SENATE BILL NO. 90 was referred to the Rules Committee.

SB 120

The Finance Committee considered SENATE BILL NO. 120 (agriculture; efd) and recommended it be replaced with

## CS FOR SENATE BILL NO. 120 (FIN)

with a majority do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford and Eliason. Senator Ferguson signed "no recommendation".

Finance Committee fiscal note on Department of Natural Resources is zero.

SENATE BILL NO. 120 was referred to the Rules Committee.

SB 147

The Health, Education and Social Services Committee considered SENATE BILL NO. 147 (state support for education; efd) and recommended it be replaced with

## CS FOR SENATE BILL NO. 147 (HESS)

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

SB 147 cont'd"Letter of Intent  
CSSB 147 (HESS)

Since suspension of the school foundation formula in 1983, state aid to school districts has been calculated based on the number of students in average daily membership. Pending development of a revised foundation formula, CSSB 147 (HESS) provides for continuation of state aid on a per-student basis.

The Legislature recognizes that the existing funding rates have created hardships for some districts, and that current state budget restraints limit the increase in assistance that can be provided this fiscal year. To address these hardship cases, Section 5 of CSSB 147 (HESS) establishes an interim assistance account as a source of funds for school districts that experience unique or emergency circumstances that cannot be remedied using other funds available to the school district for FY 86.

It is the intent of the Legislature that the interim assistance account consist of monies appropriated by the Legislature and monies that become available from the student enrollment increase account established in Section 2 of the bill.

Under existing law, state aid for increased enrollment is provided based on estimated enrollments submitted to the Department by each school district during the preceding fiscal year. To validate enrollments and ensure that an accurate amount of funds is provided to school districts, Section 2 would require a monthly recomputation and reporting to the Department of new student populations. It is the intent of the Legislature that any excess funds available through an overestimate of new student population be distributed through the interim assistance account to eligible districts."

SENATE BILL NO. 147 was referred to the Finance Committee.

SB 170

The Resources Committee considered SENATE BILL NO. 170 (special appropriation to the Department of Fish and Game for payment as a grant to the Fish and Game Advisory Committee on Hunting and Firearm Safety for a statewide construction of rifle ranges; efd) and a majority of the committee recommended do pass. The report was signed by Senator Sturgulewski, Chairman and concurred in by Senators Halford, Fahrenkamp and Zharoff. Senator Vic Fischer signed "do pass if enough money is available".

SENATE BILL NO. 170 was referred to the Finance Committee.

Message of April 15 was read, stating the House passed:

FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

JCR 9

HOUSE CONCURRENT RESOLUTION NO. 9 by Representatives Szymanski and Uehling,

Relating to the Whittier-Shotgun Cove Access,

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

FIRST READING AND REFERENCE OF HOUSE BILLS

HB 92

CS FOR HOUSE BILL NO. 92 (JUD) by the Judiciary Committee, entitled:

"An Act relating to child and spousal support; and providing for an effective date."

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

COMMUNICATIONS

The Secretary announced receipt of:

from Robert L. Grogan, Associate Director, Division of Governmental Coordination, Office of Management and Budget, dated April 12:

STATUTES AND REGULATIONS, ALASKA COASTAL MANAGEMENT PROGRAM, January 1985, in accordance with AS 44.19.161(4)

ALASKA COASTAL MANAGEMENT PROGRAM, October 1984,

ALASKA COASTAL MANAGEMENT PROGRAM 1984 REPORT ON DISTRICT COASTAL MANAGEMENT PROGRAMS, November 1984

from Robert Heath, Executive Director, Alaska Power Authority, dated April 9, in accordance with AS 44.83.185:

BRADLEY LAKE PROJECT DOCUMENTATION:

Bradley Lake Project Plan of Finance (letter outline responding to OMB's evaluation)

Power Sales Agreements between APA and Chugach Electric and Homer Electric

Alaska Power Authority Board of Directors minutes February 26 meeting approving power sales agreements

Report entitled "Analysis of Estimated Required State Contributions to the Bradley Lake Hydroelectric Project Assuming Sale of Project Capability to Chugach Electric Association"

The reports are on file in the Office of the Secretary of the Senate.

Received and posted April 16:

Notice of proposed changes in the regulations of the Alaska Department of Labor concerning protection of employees from discrimination to implement AS 18.60.010

STANDING COMMITTEE REPORTS

HCR 10

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 10 (recognition of International Youth Year) and recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Vic Fischer, Ray and Kelly.

HOUSE CONCURRENT RESOLUTION NO. 10 was referred to the Rules Committee.

SB 90

The Rules Committee considered SENATE BILL NO. 90 (powers of the Department of Commerce and Economic Development to administer appropriations for grants; efd) and a majority of the committee recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks and Josephson.

SENATE BILL NO. 90 appears on the calendar.

April 16, 1985

SB 190

The Rules Committee considered SENATE BILL NO. 190 (extending the residential property tax exemption and tax equivalency and reimbursement payments to certain widows and widowers; efd) and a majority of the committee recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks and Josephson.

SENATE BILL NO. 190 appears on the calendar.

SB 207

The Rules Committee considered SENATE BILL NO. 207 (public employees; efd) and a majority of the committee recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Faiks and Josephson.

SENATE BILL NO. 207 appears on the calendar.

HB 121

The Rules Committee considered HOUSE BILL NO. 121 (changing the name of the division of telecommunication systems in the Department of Administration; efd) and a majority of the committee recommended calendar April 16. The report was signed by Senator Kelly, Chairman and concurred in by Senators Bennett and Josephson.

HOUSE BILL NO. 121 appears on the calendar.

## INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 284

SENATE BILL NO. 284 by Senator Fahrenkamp, entitled:

"An Act authorizing certain municipalities to conduct limited historic gambling enterprises and to license certain persons to conduct limited historic gambling enterprises; and providing for an effective date."

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

April 16, 1985

Senator Halford moved and asked unanimous consent that the Senate recess to a call of the Chair and announced a majority caucus. Without objection, the Senate recessed at 11:20 a.m.

## AFTER RECESS

The Senate reconvened at 11:35 a.m.

Senator Sackett's presence was noted.

## CONSIDERATION OF THE CALENDAR

## SECOND READING OF SENATE BILLS

SB 90

SENATE BILL NO. 90 (power of the Department of Commerce and Economic Development to administer appropriations for grants; efd) was read the second time.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 90 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 90 was read the third time.

The question being: "Shall SENATE BILL NO. 90 (power of the Department of Commerce and Economic Development to administer appropriations for grants; efd) pass the Senate?" The roll was taken with the following result:

SB 90 3RD

Yeas: 17 Abood, Bennett, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rode, Sackett, Sturgulewski, Zharoff

Nays: 0

Excused: 2 Coghill, Fischer Paul

Absent: 1 Ziegler

and so, SENATE BILL NO. 90 passed the Senate.

**Sec. 44.33.010. Commissioner of commerce and economic development.** The principal executive officer of the Department of Commerce and Economic Development is the commissioner of commerce and economic development. (§ 14 ch 64 SLA 1959; am § 6 ch 186 SLA 1960; am § 95 ch 218 SLA 1976)

**Collateral references.** — 15A Am. Jur. 2d, Commerce, § 1 et seq.; 1 and 2 Am. Jur. 2d, Administrative Law, § 1 et seq.; 63 Am. Jur. 2d, Public Funds, § 1 et seq.; 63 Am. Jur. 2d, Public Officers and Employees, § 22. 15 C.J.S., Commerce, § 1 et seq.; 73 C.J.S. Public Administrative Law, § 1 et seq.

**Sec. 44.33.020. Duties of department.** The Department of Commerce and Economic Development shall

(1) administer the state programs relating to commerce, enforce the laws relating to these programs, and adopt regulations under these laws;

(2) register corporations;

(3) collect corporation franchise taxes;

(4) enforce state laws regulating public utilities and other public service enterprises, banking and securities, insurance, and other businesses and enterprises touched with a public interest;

(5) make veterans' loans;

(6) inspect weights and measures;

(7) promote and develop civil aviation;

(8) furnish the budgeting, clerical and administrative services for regulatory agencies and professional and occupational licensing boards not otherwise provided for;

(9) *[Repealed, E.O. No. 39 § 13 (1977).]*

(10) *[Repealed, E.O. No. 33 (1968).]*

(11) before the commencement of each calendar quarter, furnish lending institutions, title insurance companies, mortgage companies and clerks of the respective superior courts with the 12th Federal Reserve District discount rate that is to be used during that calendar quarter for computing the maximum rate of interest under AS 45.45.010(b);

(12) conduct studies, enter into contracts and agreements, and make surveys relating to the economic development of the state and, when appropriate, assemble, analyze, and disseminate the findings obtained;

(13) provide factual information and technical assistance for potential industrial and commercial investors;

(14) receive gifts, grants, and other aid that facilitate the powers and duties of the department from agencies and instrumentalities of the United States or other public or private sources;

(15) establish and activate programs to achieve balanced economic development in the state and advise the governor on economic development policy matters;

(16) formulate a continuing program for basic economic development and for the necessary promotion, planning and research that will advance the economic development of the state;

(17) cooperate with private, governmental and other public institutions and agencies in the execution of economic development programs;

(18) review the programs and annual reports of other departments and agencies as they are related to economic development and prepare an annual report on the economic growth of the state;

(19) administer the economic development programs of the state;

(20) perform all other duties and powers necessary or proper in relation to economic development and planning for the state;

(21) request tourism-related businesses in the state to provide data regarding occupancy levels, traffic flow and gross receipts and to participate in visitor surveys conducted by the department; data collected under this paragraph which discloses the particulars of an individual business is not a matter of public record and shall be kept confidential; however, this restriction does not prevent the department from using the data to formulate tourism economic impact information including expenditure patterns, tax receipts and fees, employment and income attributable to tourism, and other information considered relevant to the planning, evaluation and policy direction of tourism in the state.

(22) *[Repealed, E.O. No. 47, § 6 (1980).]*

(23) administer the program of state assistance for the construction and development of cultural facilities in accordance with AS 44.33.401 — 44.33.417;

(24) provide administrative and budgetary services to the Real Estate Commission (AS 08.88) as requested by the commission;

(25) operate motor vehicle weighing stations, issue special written permits authorizing the operation of overweight and oversize vehicles, establish fees for the overweight and oversize vehicle special permits, enforce the size, weight, and load limitations adopted by the Department of Transportation and Public Facilities under AS 19.10.060, and establish regulations relating to pilot car services and the enforcement of the size, weight, and load limitations adopted under AS 19.10.060;

(26) administer the Alaska Foreign Offices established by AS 44.33.530. (§ 14 ch 64 SLA 1959; am § 6 ch 186 SLA 1960; am § 2 ch 1 SLA 1961; am § 2 ch 55 SLA 1963; am § 2 ch 70 SLA 1965; am E.O. No. 33 (1968); am § 4 ch 94 SLA 1969; am § 6 ch 207 SLA 1975; am § 1 ch 116 SLA 1976; am § 96 ch 218 SLA 1976; am E.O. No. 39, § 13 (1977); am E.O. No. 40, § 2 (1979); am § 4 ch 62 SLA 1979; am E.O. No. 47, § 6 (1980); am § 33 ch 167 SLA 1980; am § 1 ch 77 SLA 1982; am E.O. No. 57, § 2 (1984); am § 1 ch 120 SLA 1984)

**Cross references.** — As to establishing limitations on weight and load of vehicles, see AS 19.10.060(1).

**Effect of amendments.** — Section 6, E.O. No. 47 (1980) repealed paragraph (22).

Section 33, ch. 167, SLA 1980, added paragraph (24).

The 1982 amendment added paragraph (25).

The first 1984 amendment added paragraph (26).

The second 1984 amendment substituted "Offices" for "Office" in paragraph (26).

**Editor's notes.** — The duties, powers, and responsibilities in respect to the accumulation, analysis, and reporting of commercial and industrial statistics, the

promotion of the economic and tourist development of the state, the granting of industrial tax incentives, the tourist attraction development program, and the tourism advisory board were transferred from the Department of Commerce to the Department of Economic Development and Planning by ch. 159 SLA 1962 (AS 44.45), that was repealed by § 1 ch. 207 SLA 1975.

**Legislative history reports.** — For report on ch. 116, SLA 1976 (SCSHB 730), see 1976 House Journal, p. 696.

*Sec. 44.33.025. Recording. [Repealed, E.O. No. 47, § 6 (1980).]*

*Sec. 44.33.110. Civil Air Patrol. [Repealed, E.O. No. 33 (1968). For current provisions, see AS 26.05.345.]*

**Article 2. Alaska Division of Tourism.**

Section	Section
120. Alaska division of tourism	150. Qualifying for matching money
130. Division contract	160. Limitations on matching money
140. Grants for tourist development	170. Use of matching money
145. Grants for promoting conventions and incentive travel	180. Administration of this chapter

**Sec. 44.33.120. Alaska division of tourism.** (a) There is created in the Department of Commerce and Economic Development the Alaska division of tourism.

(b) The Alaska division of tourism shall

(1) cooperate with organizations in the private sector for the promotion and development of tourism and conventions into and within Alaska;

(2) coordinate with municipal, state and federal agencies for the development and promotion of tourism resources and conventions in Alaska;

(3) promote and develop the Alaska tourist and convention industry by publicizing state attractions through such means as display advertising in magazines and newspapers, advertising on radio and television or other advertising media, publishing pamphlets, brochures and other graphic and pictorial materials, or by aiding and assisting representatives of the media to insure greater coverage of Alaska's visitor attractions;

(4) participate in travel shows;

(5) increase the awareness of the citizens of the state at the statewide, regional and community level of the economic importance of the tourist industry;

(6) assist potential investors in creating new tourist facilities;

STATE OF ALASKA

1985

January 23, 1985

The Honorable Don Bennett  
President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that confers on the Department of Commerce and Economic Development the power to make grants of state money for purposes authorized by law. The department has been advised by the attorney general that its authority over, and administration of, grants could be improved if specific statutory authority for those purposes is enacted. This authorization would confer the power to implement the grants by administrative regulation. Too often grants are awarded without specific standards in place to assure performance of the grant agreement or fairness to persons seeking to obtain state financial assistance.

I hope that the legislature will view this bill favorably. It is time that a concerted effort is made to account for each dollar that is given out to achieve public purposes. Unless we provide for more formality in these transactions, it will be difficult to assure that the intent of the legislature is met.

Sincerely,



Bill Sheffield  
Governor

REQUEST  
 Bill/Resolution No.: SB 90  
 Title: Relating to power of Dept. of Commerce & Econ. Dev. grants  
 Sponsor: Rules/Governor  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

FISCAL DETAIL  
 Agency Affected: Commerce & Econ. Dev.  
 Program Category Affected: Economic Development  
 BRU, Program or Subprogram(s) Affected: departmentwide

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This bill does not require an appropriation. It provides the authority for the department to administer grants when such funds are appropriated.

Prepared By: Catherine Wallen Phone: 465-2504  
 Division: Administrative Services Date: 12/14/84  
 Approved by Commissioner: Richard A. Lyon Date: 12/11/84  
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

7/1/84



# RECORDS CERTIFICATION

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Signature of Camera Operator

  
Date