

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

Date \_\_\_\_\_

Mr. President

The Committee on EDUCATION considered SB 162

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 162 (Fin)
- new title
- same title and recommends do pass
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

*Joe Fin AB*  
*JB 162*

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_ Page 1 of 1

REQUEST  
Bill/Resolution No.: \_\_\_\_\_  
Title: An Act Relating to Public Records  
and certification of State Vouchers; and  
providing for an effective date  
Sponsor: \_\_\_\_\_  
Requestor: \_\_\_\_\_  
Date of Request: \_\_\_\_\_

FISCAL DETAIL  
Agency Affected: A11  
Program Category Affected: A11  
BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:	0	0	0	0	0	0
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact will be incurred

Prepared By: Kenneth E. Bischoff *KEB* *A* Phone: 465-2240  
Division: Finance Date: February 7, 1985

Approved by Commissioner: Lisa Rudd *LJR* Date: 2/8/85  
Agency: Department of Administration

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

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 162 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public records and certification  
7 of government vouchers; and providing for an effective  
8 date."

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

10 \* Section 1. AS 11.56 is amended by adding a new section to read:

11 Sec. 11.56.815. TAMPERING WITH PUBLIC RECORDS IN THE FIRST DE-  
12 GREE. (a) A person commits the crime of tampering with public rec-  
13 ords in the first degree if the person violates AS 11.56.820(a)(3)  
14 with intent to obtain a benefit for that person or any person or to  
15 injure or deprive another person of a benefit.

16 (b) Tampering with public records in the first degree is a class  
17 C felony.

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25 removes, or otherwise impairs the verity, legibility, or availability  
26 of a public record, knowing that the person lacks the authority to do  
27 so; or

28 (3) certifies a public record setting out a claim against a  
29 government agency, or the property of a government agency, with

1 reckless disregard of whether the claim is lawful, or that payment of  
2 the claim is not authorized in the budget of the government agency.

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4 (1) "certifies" means attesting to the existence, truth, or  
5 accuracy of facts, or that one holds an opinion, stated in a public  
6 record; the term includes the responsibilities for state officials set  
7 out in AS 37.10.030;

8 (2) "falsely alters" has the meaning ascribed to it in  
9 AS 11.46.580; and

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19 (b) In (a) of this section, an approval or certification of a  
20 voucher is effective when an authorized person uses a password as-  
21 signed by the department if the certification or the voucher itself is  
22 prepared and recorded by using an electronic accounting device that is  
23 a part of the computerized state accounting systems.

24 \* Sec. 4. AS 44.21.050 is repealed.

25 \* Sec. 5. This Act takes effect July 1, 1985.

## SECTIONAL ANALYSIS FOR SENATE BILL 162 (State Affairs)

An Act relating to public records and certification of government vouchers

This bill amends current law relating to Offenses Against Public Administration. Under current law it is a crime to tamper with public records. This bill specifies two levels of criminal activity, namely a crime in the first degree or second degree.

### Section 1

It is a crime in the first degree to tamper with public records if your intent is to obtain a benefit or to injure or deprive another person of a benefit. This crime is considered a class C felony which is punishable by imprisonment of not more than 5 years or a fine of up to \$50,000.

### Section 2

This section amends current law by amending the definition of tampering with public records. It defines this crime in the as follow:

- 1) knowingly make a false entry in or falsely alter a public record
- 2) knowingly destroy, mutilate, suppress, conceal, remove or otherwise impair the legibility or availability of a public record
- 3) authorize the payment of a claim owed by a state agency when you know that it is a false claim or that it is not authorized in that agencies budget.

This section also adds definitions for "certifies", "falsely alters" and "makes a false entry".

Tampering with public records in the second degree is a class A misdemeanor which is punishable by imprisonment of not more than 1 year or a fine of \$5,000.

### Section 3

This section amend a different chapter of the statutes relating to Disbursement of Public Funds. Because the state will be switching to a new computerized accounting system, this technical section is necessary to allow the use of passwords for the authorization of payments.

### Section 4

Repeals current penalties for tampering with public records.

### Section 5

Effective date of this act is July 1, 1985.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

SB 162

February 18, 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 relating to the certification of claims against the state treasury.

Section 1 of the bill creates the new crime of tampering with public records in the first degree. This crime would replace the present felony offense set out in AS 44.21.050. Section 4 contains the repeal of that statute. Enforcement of the false-certification provision proposed for repeal is often difficult because a false certification of a voucher does not result in personal gain to the certifying officer. Rather, this activity usually results in unauthorized reallocations within agency appropriations without the oversight and approvals required by the Executive Budget Act (AS 37.07). The chief prosecutor believes that it will be difficult to prosecute for a felony under these circumstances because a jury is not likely to convict a person of a felony unless there is personal gain from the proscribed activity. The attorney general has urged the Department of Administration to seek the creation of a lesser offense. It is prudent to retain the ability to effectively punish activity that is undertaken for the enrichment of the offender. The offense created in sec. 1 would be punishable as a class C felony.

Section 2 of the bill creates the recommended lesser offense by amending AS 11.56.820 to include false certification of payment vouchers. This conduct is included in the crime of tampering with public records in the second degree and constitutes a class A misdemeanor.

Section 3 of the bill simply updates a somewhat archaic statute to allow the state to take advantage of current technology that is available through the state's data

processing systems. Under the proposed amendment, the certification function does not change. The bill proposes to amend AS 37.10.030 to include the ability to certify accounting transactions by using electronic passwords. The existing accounting system requires manual certification of accounting transactions before they can be released for processing. The requirement for manual certification and central routing of documents to the Department of Administration unreasonably lengthens the time for processing vendor payments and other accounting transactions. The new accounting system will enable the department to release transactions electronically from remote locations. Processing will occur overnight. Significant amounts of processing time will be saved through the electronic certification feature.

Your prompt and favorable action on this bill will improve the state's ability to process financial transactions and will help ensure that certifying officers perform up to standards which comport with the intent of the legislature set out in the various appropriations bills enacted by the legislature and the public trust bestowed on them by the people.

Sincerely,



Bill Sheffield  
Governor

Bill Sheffield, Governor

**DEPARTMENT OF ADMINISTRATION**

DIVISION OF FINANCE

POUCH C (MS 0204)  
JUNEAU, ALASKA 99811

PHONE:

(907) 465-2240

March 20, 1985

Honorable Jan Faiks  
Chairman  
Senate Finance Committee  
Pouch V (MS 3100)  
Juneau, AK 99811

Dear Madam Chairman:

This letter is intended to provide you and the Senate Finance Committee a brief background on the need for CSSB 162 (SA) entitled: "An Act relating to public records and certification of government vouchers; and providing for an effective date," and to request that this bill be scheduled for review by the Senate Finance Committee.

The passage of this bill is necessary to help establish an adequate system of internal controls in the processing and certification of state accounting and vendor payment transactions.

Introduction of this bill is being prompted by two events:

1. In order to improve vendor payment times and provide accurate, up-to-date accounting information, the new State accounting system (AKSAS) provides for data to be submitted electronically through computer terminals in remote locations throughout the state. State certifying officers are responsible for the propriety of all accounting transactions as defined by AS 37.10.030. Historically, the certification function was evidenced by an individual's handwritten signature on a public document. In order to provide improved service to the public and to State agencies, accounting transactions will be certified on-line through computer terminals via electronic passwords which will uniquely identify the individual who authorized and released the transaction for processing. Section Three of this bill amends AS 37.10.030 to provide for the electronic certification feature.
2. Over the past several years there have been instances where State certifying officers and others have deliberately falsified public records. When these instances were referred to the Department of Law for review it was determined that falsification of public records needed to be better defined as a crime in order to be able to successfully prosecute such cases. Section One of this bill defines tampering with public records as a class C felony if the

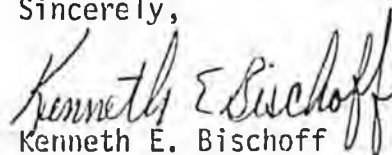
March 20, 1985

person who violates the law does so to obtain personal benefit or to injure or deprive another person of a benefit. Section Two of this bill defines tampering with public records as a class A misdemeanor if the offense is committed without the intent to obtain personal benefit.

This is basically a housekeeping bill with no fiscal impact. This bill is necessary to provide for proper internal accounting control in our State financial systems and to provide for proper disciplinary action when these controls are violated.

It should be noted that Sections One and Two of the bill apply to all public records and not just to accounting transactions.

Sincerely,

  
Kenneth E. Bischoff  
Director

KEB/sg

8/3D1/0225-05

cc: Commissioner Lisa Rudd  
Department of Administration

Honorable John Sackett  
Co-Chairman  
Senate Finance Committee  
Pouch V (MS 3100)  
Juneau, AK 99811

Honorable Jalmar Kerttula  
Vice Chairman  
Senate Finance Committee  
Pouch V (MS 3100)  
Juneau, AK 99811

Honorable Richard Eliason  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK 99811

Honorable Frank Ferguson  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK 99811

Honorable Paul Fischer  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK 99811

Honorable Jan Faiks

-3-

March 20, 1985

Honorable Rick Halford  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK 99811

Gerald L. Wilkerson, C.P.A.  
Legislative Auditor  
Legislative Affairs Agency  
Legislative Finance Division  
Pouch V (MS 3200)  
Juneau, AK 99811

Offered: 3/14/85  
Referred: Judiciary and Finance  
Original sponsor: Rules/Governor

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR SENATE BILL NO. 162 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - FIRST SESSION  
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23 a part of the computerized state accounting systems.

24 \* Sec. 4. AS 44.21.050 is repealed.

25 \* Sec. 5. This Act takes effect July 1, 1985.

Introduced: 2/18/85  
Referred: State Affairs, Judiciary  
and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 162

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

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COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

3/14/85

Date 3-19-85

Mr. President

The Committee on JUDICIARY considered SB 162  
public records and certification of state vouchers; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s) state affairs(es)
- replace with/or adopt CS for SB 162 (SA)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
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MEMBERS SIGNING  
DO PASS

Carbach  
W. T. Kelly  
Ziegler

MEMBERS HAVING  
OTHER RECOMMENDATIONS

Rich Halford NO REC

W. T. Kelly  
 Chairman

DO PASS  
 Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER:

JUDICIARY  
FINANCE

2/18/85

Date

3/13/85

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reports it back without recommendation

recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Ed De Vries  
Bill Ray  
V. V. V. V.  
T. Kelly

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]

Chairman

[Signature]

Chairman recommendation

Original sponsor: Rules/Governor

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14 ated states or implies a fact that the maker knows is not true, or  
15 states or implies an opinion that the maker does not hold.

16 (c) Tampering with public records in the second degree is a  
17 class A misdemeanor.

18 \* Sec. 3. AS 37.10.030 is amended by adding a new subsection to read:

19 (b) In (a) of this section, an approval or certification of a  
20 voucher is effective when an authorized person uses a password as-  
21 signed by the department if the certification or the voucher itself is  
22 prepared and recorded by using an electronic accounting device that is  
23 a part of the computerized state accounting systems.

24 \* Sec. 4. AS 44.21.050 is repealed.

25 \* Sec. 5. This Act takes effect July 1, 1985.

4/12/35

This bill was prepared  
by the Dept. of Law.  
A duplicate original  
was drafted by Legis.  
Legal for transmittal  
to the Sen. Secretary's  
Office.

AM

COMMITTEE REPORT  
SENATE

FURTHER:

2/6/86

Date 4/17/86

Mr. President

The Committee on FINANCE considered SB 164

surety for collection of wages and payment.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 164 (Res)
- new title
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation O.DOL 1/24/86
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

*[Signature]*  
*Kirk Halford*  
*Paul Frick*  
*[Signature]*  
*[Signature]*  
*John Sackett*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*[Signature]*  
 Chairman  
*I do pass*  
 Chairman recommendation

418

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST

Bill Resolution No.: CS for SB 164  
 Title: "An Act relating to surety  
 for collection of wages..."  
 Sponsor: Cochill and Sackett  
 Requestor: Senate Resources  
 Date of Request: 1/24/86

FISCAL DETAIL

Agency Affected: Labor  
 BRU: Labor Standards & Safety  
 Wage & Hour Administration  
 Components: \_\_\_\_\_

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS :

Prepared by: Robert J. Racolas *by RJR* Phone: 465-4970  
 Division: Labor Standards & Safety Date: 1/24/86  
 Approved by Commissioner: Jim Robison Date: 1/24/86  
 Agency: Labor

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Offered: 2/6/86  
Referred: Finance

Original sponsors: Coghill and Sackett

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 164 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to surety for collection of wages  
7 and payment; and providing for an effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 16.10.290(a) is amended to read:  
10 (a) A person applying for a license as a fish processor or  
11 primary fish buyer shall file with the commissioner of labor a surety  
12 bond running to the State of Alaska conditioned upon the promise to  
13 pay (1) all persons furnishing labor to a fish processor or primary  
14 fish buyer, including contractual employee benefits; and (2) indepen-  
15 dent registered commercial fishermen for the price of the raw fishery  
16 resource purchased from them. The surety or sureties shall be satis-  
17 factory, in the determination of the commissioner.  
18 \* Sec. 2. AS 16.10.290(b) is amended to read:  
19 (b) The amount of the bond shall be \$10,000 unless, during the  
20 preceding five years, that amount was insufficient to satisfy a final  
21 judgment resulting from a claim asserted against the bond, cash depos-  
22 its, or other security filed under this section. If \$10,000 was  
23 insufficient, the bond shall be \$50,000; if \$50,000 was insufficient,  
24 the bond shall be \$100,000. If the commissioner determines that  
25 during the preceding five years, a fish processor or primary fish  
26 buyer (1) has engaged in the business of fish processor or primary  
27 fish buyer in the state while not in compliance with this section and  
28 (2) has not yet satisfied a final judgment entered against the pro-  
29 cessor or fish buyer for payment for labor furnished to, or raw

1 fishery resources purchased by, the processor or fish buyer, then the  
2 amount of the bond for the processor or fish buyer shall be \$100,000.

3 In lieu of the surety bond the fish processor or primary fish buyer  
4 may file with the commissioner a cash deposit or other negotiable  
5 security acceptable to the commissioner in the amount specified for  
6 the bond. If no claim is asserted under this section within two years  
7 from the date the bond, cash deposit or other security is filed, the  
8 term of the bond, cash deposit or other security shall be two years;  
9 if a claim has been asserted within two years, the term of the bond,  
10 cash deposit or other security shall be for five years.

11 \* Sec. 3. AS 16.10.290(c) is repealed and reenacted to read:

12 (c) A bond is not required if the fish processor or primary fish  
13 buyer has more than the amount of the bond in lienable property in the  
14 state and provides proof of the property satisfactory to the commis-  
15 sioner.

16 \* Sec. 4. AS 16.10.291 is repealed and reenacted to read:

17 Sec. 16.10.291. EXEMPTION FROM BONDING REQUIREMENTS. A fish  
18 processor or primary fish buyer that does not purchase fish or hire  
19 employees is exempt from the bonding requirements of AS 16.10.290 -  
20 16.10.296.

21 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.-  
22 10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date

**REQUEST**

Bill/Resolution No: SB164  
 Title: An Act relating to surety for collection of wages and payments  
 Sponsor: Coghill and Sackett  
 Requestor: Resources  
 Date of Request: February 21, 1985

**FISCAL DETAIL**

Agency Affected: Department of Revenue  
 Program Category Affected: Revenue Collections and Management  
 BRU, Program or Subprogram(s) Affected: Public Services - Operating

**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 LANDS & 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>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

**SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:**

**ANALYSIS:** Attach a separate page for analysis.

Prepared By: Sally Smith, Director  
 Division: Public Services

Phone: 465-2292  
 Date: February 25, 1985

Approved by Commissioner: [Signature]  
 Agency: Department of Revenue

Date: 2/26/85

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

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

**REQUEST**

Bill/Resolution No. : CS for SB 164 (Resources)  
 Title : "An Act relating to surety for collection of wages!.."  
 Sponsor : Coqhill and Sackett  
 Requestor : Senate Finance  
 Date of Request : 02/07/86

**FISCAL DETAIL**

Agency Affected : Labor  
 BRU : Labor Standards and Safety Wage and Hour Administration  
 Components : \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by : <sup>113</sup> Robert J. Bacolas, Director Phone : 465-4870  
 Division : Labor Standards and Safety Date : 02/07/86  
 Approved by Commissioner : <sup>113</sup> Jim Robison Date : 02/07/86  
 Agency : Labor

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



POUCH V  
JUNEAU, ALASKA. 99811  
(907) 465-4907

## Senate Committee on Resources

February 5, 1986

### COMMITTEE ON RESOURCES LETTER OF INTENT FOR CSSB 164

This legislation is designed to increase protections for Alaskan fisherman who are left unpaid by fish processors or primary fish buyers. To help ensure that fishermen throughout the state receive the maximum benefit from this program, it is important that fishermen are made aware of how the program works.

The Resources Committee requests the Department of Labor to work closely with the Office of Commercial Fisheries Development in the development of an educational program for the surety bond program. These agencies should work with the Commercial Fisheries Entry Commission, Alaska Marine Advisory Program, commercial fishermen's organizations, Native groups, fish and game advisory committees, and the news media to educate as many fishermen as possible.

Introduced: 2/19/85  
Referred: Resources and  
Finance

1 IN THE SENATE

BY COGHILL AND SACKETT

2

SENATE BILL NO. 164

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to surety for collection of wages  
and payment."

7

8

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

9

\* Section 1. AS 16.10.290(b) is amended to read:

10

(b) The amount of the bond shall be \$100,000 [\$10,000]. In lieu

11

of the surety bond the fish processor or primary fish buyer may file

12

with the commissioner a cash deposit or other negotiable security

13

acceptable to the commissioner in the amount specified for the bond.

14

If no claim is asserted under this section within two years from the

15

date the bond, cash deposit or other security is filed, the term of

16

the bond, cash deposit or other security shall be two years; if a

17

claim has been asserted within two years, the term of the bond, cash

18

deposit or other security shall be for five years.

19

\* Sec. 2. AS 16.10.290(c) is amended to read:

20

(c) A person applying for a license as a fish processor or

21

primary fish buyer who has less than \$100,000 [\$10,000] in lienable

22

property in the state, with proof of the property satisfactorily made

23

to the commissioner, shall file with the application a bond or other

24

security as specified in this section. A [NO] bond is not required if

25

the fish processor or primary fish buyer has more than \$100,000

26

[\$10,000] in lienable property as specified in this subsection.

COMMITTEE REPORT  
SENATE

FINANCE

FURTHER:

2/19/85

Date 2/5/86

Mr. President

The Committee on RESOURCES considered SB 164  
surety for collection of wages and payment.

and (a majority of the committee) ~~(the committee)~~ reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 164 (Res)  
new title
- same title and recommends
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE  
zero
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

2 [Signature] No Rec.

[Signature] No Rec.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1 [Signature]  
Chairman  
Do Pass  
Chairman recommendation