

**HB**

**103**

**HFIN**

**FILE**

# ALASKA STATE HOSPITAL & NURSING HOME ASSOCIATION

## Facsimile Transmission

February 11, 1997—9:50 am

**To:** Mike Tibbles

**Office:** Representative Gene Therriault

**Fax #:** (907) 465-3884

**Subject:** HB 102 Repealing Ak. Medical Facility Authority

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**Sender:** Garrey Peska

**Sender Telephone #:** (907) 364-2244

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**Sender E-Mail#:** gpeska@ptialaska.net

You should receive 2 pages. *including this cover sheet.* If you do not receive all the pages, please call the number above.

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**COMMENTS:** Hi Mike: I have a meeting at 10:00 AM today. Will come to your office afterward to talk about the following.

Follow up comments on House Bill 102 - Abolishing the Alaska Medical Facility Authority:

We have researched the Alaska Statutes further to answer a question asked during the House Finance Committee meeting yesterday. The question was whether a municipality in Alaska can issue tax exempt revenue bonds on behalf of a private non profit medical facility.

The short answer is yes but the process is not as uncomplicated as with the Alaska Medical Facility Authority.

The municipality must pass an ordinance to allow the financing project which could be complicated by local politics. Also, if a municipality sells a bond issue in excess of \$10,000,000, some of the tax exempt benefit is lost on the excess.

Home rule cities and second class boroughs with health powers are allowed to sell such bonds. A city within a borough may not sell such bonds unless the borough has delegated health powers to the city.

In a letter dated January 16, 1992, State Comptroller, Brian Andrews wrote:

"The underlying philosophy of AMFA is sound. As such, the AMFA authority should not be removed from statute. With general revenues for political entities decreasing over the next decade, AMFA may provide an acceptable financing opportunity. In its present status, AMFA isn't creating any undue hardships on Treasury's operation."

While we understand there are other alternative tax exempt financing sources available for medical facility projects, ASHNHA members still request that the Authority not be abolished. It is a viable vehicle that could be used in the future. Why preclude that possibility?

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 3, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/11/97

The FINANCE Committee considered:

HB 103

HOUSE BILL NO. 103

REPEALING FUNDS AND ACCOUNTS

"An Act repealing certain state funds and accounts and boards, limitations, and programs related to those funds and accounts; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB103 (F.O.)

the same title  
 a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) Gov

zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Therriault</i> Therriault	X			
<i>Mark Hanley</i> Hanley	X			
<i>Tom Mulder</i> Mulder	X			
<i>Larry Martin</i> Martin	X			
<i>Keith Kohring</i> Kohring	X			
<i>Al W. Davies</i> DAVIES	X			
<i>Gene Grossendorf</i> Grossendorf			X	
<i>Larry Davis</i> Davis	X			
<i>Richard Foster</i> Foster	X			

CHAIR'S SIGNATURE

*Gene Therriault* *Mark Hanley*

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. HB 103

Revision Date \_\_\_\_\_ Dept. Affected Various Departments  
 Title Repealing Funds and Accounts BRU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Sponsor House Finance Committee  
 Requester House Finance Committee Component Serial No. \_\_\_\_\_

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES [ ]</b>						
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill eliminates several inactive accounts and funds, which are no longer needed. There is no fiscal impact on the departments.

Prepared by Joan Brown Phone 465-4690  
 Division OMB Date 2/7/97  
 Approved by Annalee McConnell Date 2/7/97  
 Agency OMB

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

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*Adopted  
2/11/97*

0-LS0095F-  
Utermohle  
2/11/97

**CS FOR HOUSE BILL NO. 103(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTIETH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): HOUSE FINANCE COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act repealing certain state funds and accounts and boards, limitations, and  
2 programs related to those funds and accounts; and providing for an effective  
3 date."

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

5 \* Section 1. AS 14.36.020 is amended to read:

6           **Sec. 14.36.020. Community school grants [SCHOOLS GRANT FUND**  
7           **CREATED; LIMITATIONS ON USE]. [THERE IS CREATED A COMMUNITY**  
8           **SCHOOLS GRANT FUND AS AN ACCOUNT IN THE GENERAL FUND. THE**  
9           **FUND SHALL BE USED TO MAKE COMMUNITY SCHOOL GRANTS TO**  
10           **LOCAL ATTENDANCE AREAS OR SCHOOL DISTRICTS UNDER THIS**  
11           **CHAPTER. LEGISLATIVE APPROPRIATIONS FOR COMMUNITY SCHOOL**  
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13           **be used for planning, training, and operations.**

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10 Olympics commemorative plates. . . \$60 [; THE ANNUAL ESTIMATED BALANCE  
11 IN THE ACCOUNT MAINTAINED BY THE COMMISSIONER OF  
12 ADMINISTRATION UNDER AS 37.05.142 MAY BE APPROPRIATED BY THE  
13 LEGISLATURE TO THE ALASKA AMATEUR SPORTS FUND ESTABLISHED  
14 UNDER AS 05.35.150].

15 \* Sec. 4. AS 29.65.040(a) is amended to read:

16           (a) After July 1, 1978, general grant land entitlements provided in former  
17 AS 29.18.201 and 29.18.202 are vested property rights that must be fulfilled as  
18 provided in AS 29.65.050 [OR 29.65.080]. After January 1, 1988, general grant land  
19 entitlements provided in AS 29.65.010 are vested property rights that must be fulfilled  
20 as provided in AS 29.65.050 [OR 29.65.080].

21 \* Sec. 5. AS 29.65.040(e) is amended to read:

22           (e) The time limitations imposed by (c) and (d) of this section for exercising  
23 a vested general grant land entitlement do not apply to

24                   (1) the portion of an entitlement that cannot be satisfied by that date  
25 because of a shortage of land suitable for residential, commercial, and industrial  
26 purposes that is vacant, unappropriated, unreserved land;

27                   (2) [PAYMENTS FOR LAND DEFICIENCY UNDER AS 29.65.080;

28                   (3)] the portion of an entitlement that cannot be satisfied because the  
29 land selected by a municipality has been selected by a party entitled to select land  
30 owned by the United States or the state; or

31                   (3) [(4)] the portion of an entitlement that cannot be satisfied because

1 the land nominated for selection by the municipality is not tentatively approved for  
2 patent to the state.

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4 Sec. 37.20.030. **Jurisdiction of accepted property.** (a) All chattels accepted  
5 under the provisions of AS 37.20.010 [AND 37.20.020] are subject to the jurisdiction  
6 of the Department of Administration for distribution to the appropriate department.

7 (b) All land accepted under the provisions of AS 37.20.010 [AND 37.20.020]  
8 is subject to the jurisdiction of the Department of Natural Resources.

9 (c) All public buildings accepted under the provisions of AS 37.20.010 [AND  
10 37.20.020] are subject to the jurisdiction of the Department of Transportation and  
11 Public Facilities.

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13 Sec. 47.45.110. **Custody of funds.** The commissioner of revenue is the  
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17 SECURITIES BELONGING TO THE FUND;

18 (2) TO RECEIVE ALL ITEMS OF CASH BELONGING TO THE  
19 FUND].

20 \* Sec. 8. AS 47.55.060 is amended to read:

21 Sec. 47.55.060. **Trust fund.** Unless otherwise provided by the donor, money  
22 bequeathed to the Alaska Pioneers' Home constitutes a special trust fund. [AND  
23 SHALL BE DEPOSITED IN A SPECIAL FUND DESIGNATED THE "ALASKA  
24 PIONEERS' HOME TRUST FUND."] Unless otherwise provided by the donor,  
25 interest from the special trust [THIS] fund is under the control and at the disposal of  
26 the Department of Administration, and expenditure from it is limited to the benefit and  
27 comfort of the residents of the home.

28 \* Sec. 9. AS 47.65.010 is amended to read:

29 Sec. 47.65.010. **Older Alaskans service programs [ACCOUNT].** [THE  
30 OLDER ALASKANS SERVICE PROGRAMS ACCOUNT IS ESTABLISHED IN  
31 THE DEPARTMENT OF ADMINISTRATION.] An amount to carry out the

1 provisions of AS 47.65.010 - 47.65.050 may be appropriated annually by the  
2 legislature [TO THE ACCOUNT]. The amount appropriated [TO THE ACCOUNT]  
3 shall be fully distributed by the Alaska Commission on Aging to sponsors of older  
4 Alaskans service programs in accordance with the provisions of AS 47.65.010 -  
5 47.65.050.

6 \* **Sec. 10.** AS 47.65.020 is amended to read:

7 **Sec. 47.65.020. Grants for community service programs.** Not less than 60  
8 percent of the amount appropriated by the legislature for older Alaskans service  
9 programs under AS 47.65.010 - 47.65.050 [TO THE ACCOUNT ESTABLISHED  
10 IN AS 47.65.010] shall be allocated annually by the commission as community  
11 program grants to sponsors of older Alaskans service programs. Payments shall be  
12 made on the basis of applications submitted to the commission by sponsors of  
13 community programs.

14 \* **Sec. 11.** AS 47.65.030(a) is amended to read:

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18 commission as grants to support pilot projects for the benefit of older Alaskans under  
19 this section.

20 \* **Sec. 12.** (a) AS 05.35.150 is repealed.

21 (b) AS 14.07.020(a)(15); AS 14.14.115(b); AS 14.30.410(a), 14.30.510, 14.30.750;  
22 AS 14.40.455, and 14.40.610(a) are repealed.

23 (c) AS 18.28.030 is repealed.

24 (d) AS 18.60.140 and 18.60.145 are repealed.

25 (e) AS 26.10.020 is repealed.

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- 1 (k) AS 44.47.200, 44.47.210, 44.47.220, and 44.47.230 are repealed.
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- 6 (n) AS 47.37.045(a) is repealed.
- 7 (o) AS 47.45.090, 47.45.100(2), and 47.45.100(3) are repealed.
- 8 (p) AS 47.80.200, 47.80.210, 47.80.220, 47.80.230, 47.80.240, and 47.80.290 are  
9 repealed.
- 10 \* Sec. 13. DISTRIBUTION OF UNANTICIPATED RECEIPTS. (a) Except as provided  
11 under (b) of this section, if money accruing to a fund or account repealed by this Act is  
12 received by the State of Alaska on or after the effective date of this Act, the money shall be  
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- 14 (b) If money accruing to a dedicated fund, trust fund, or account of a dedicated fund  
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16 effective date of this Act, the money shall be subject to disposition in accordance with the  
17 dedication of the money or the terms of the trust.
- 18 \* Sec. 14. This Act takes effect July 1, 1997.

0-LS0095\B  
Utermohle  
2/10/97

adopted N/O.

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15 effective date of this Act, the money shall be subject to disposition in accordance with the  
16 dedication of the money or the terms of the trust.

17 \* **Sec. 14.** This Act takes effect July 1, 1997.

# Alaska State Legislature

## House Finance Committee

REPRESENTATIVE  
**MARK HANLEY**

Co-Chair

(907) 465-4939  
Fax (907) 465-2418

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REPRESENTATIVE  
**GENE THERRIAULT**

Co-Chair

(907) 465-4797  
Fax (907) 465-3884

INTERIM ADDRESS

119 N. Cushman, Suite 101  
Fairbanks, Alaska 99701  
(907) 488-0667  
Fax (907) 488-4271

### HB 103

### Repealing Funds and Accounts

#### Bill Summary

#### Section 1

Section 1 amends AS 14.36.020, which establishes a separate **Community Schools Grant Fund** within the General Fund. The fund is currently empty and inactive. The Department of Education concurred that the account is unnecessary. As provided under Section 13 of the proposed legislation, any moneys received by the State intended for Community School Grants would be deposited into the General Fund.

#### Section 2

Eliminates from Statutes reference to the **Veterans Service Fund**, created as a separate account in the Treasury by AS 26.10.020. The Statute creating the account is repealed in Section 12 of the proposed legislation. As provided in Section 13, on or after the enactment of this legislation, any moneys received by the State for the dedicated purposes of Department of Military and Veterans Affairs will be deposited into the General Fund and "used in accordance with the donor's instructions" (AS 26.10.030). According to the Department, the account is inactive and can be deleted.

#### Section 3

Amends AS 28.10.421(f) to eliminate reference to the **Alaska Amateur Sports Fund**, as created by AS 05.35.150. The Statute which establishes the separate account within the Department of Commerce and Economic Development is repealed in Section 12. The account is inactive and empty and the Department recommends deletion.

#### Sections 4 & 5

Eliminates language which refers to the **Alaska Municipal Land Account**, established as a separate account in the General Fund under AS 29.65.080. The statute creating the account is repealed in Section 12 of the legislation. Again, the account not only is inactive and empty, but has never been activated since its creation (17 ch. 74 SLA 1985).

#### Section 6

Eliminates reference to the **Federal Transitional Grants Account**, established under AS 37.20.020. This special account in the General Fund is empty and inactive and according to the Department of Administration, can be eliminated. The Statute establishing the account is repealed in Section 12 of the proposed legislation.

#### Section 7

The amendments to AS 47.45.110 eliminate reference to the **Alaska Longevity Bonus Fund**, created under AS 47.45.090. The statute is repealed in Section 12, as well as other references to the Fund. The account is currently inactive and empty and can be deleted without any effect to the Program.

#### Section 8

Amends AS 47.55.060, which designates a special fund called **The Alaska Pioneers' Home Trust Fund**. It was established to be used by the Department of Administration as a repository for funds bequeathed to the Pioneers' Home. The Fund is empty and inactive and the Department suggests we clear the account from Statutes. Section 13 provides that any subsequent donations be deposited into the General Fund and then appropriated to the Department for the Pioneers' Home in accordance with the donors' instructions.

#### Section 9

Amends AS 47.65.010 to remove reference to the "account" reserved for the **Older Alaskans Program Service Programs**. Appropriations for the Program are currently made directly from the General Fund by the Legislature and distributed by the Alaska Commission on Aging.

#### Sections 10 & 11

Amends AS 47.65.020, and 47.65.030(a) to remove reference to the account established in 47.65.010 (Section 9).

## Section 12

Contains straight Repeals of Statutes which establish, or make reference to, the following inactive, empty accounts: Cooperative Arrangement Grant Fund (DOE); Bilingual-Bicultural Education Fund (DOE); Alaska Student Leadership Development Fund (DOE); Alaska School Counseling Program Grant Fund (DOE); Community College Fund of University of Alaska (UA); University of Alaska Risk Management Fund (UA); Community Health Aide Grant Account (DHSS); Mineral Resource Revolving Fund (DNR); Outdoor Recreation, Open Space and Historical Property Development Fund (DNR); Neighborhood Revitalization and Development Fund (DCED); Community Legal Assistance Grant Fund (DCRA); Fishery Production Revolving Loan Guarantee Fund (DOR); Forest Product Business Loan Guarantee Fund (DOR); Community Action Against Substance Abuse Grant Fund (DHSS); Self Sufficiency Trust Fund (DHSS); and Handicap & Mental Illness Charitable Account (DHSS).

## Section 13

The final section in the Bill pertains to **all of the accounts** eliminated through the proposed repeal of statutes. Section 13 directs any moneys accruing to a fund or account repealed by this act to be deposited into the General Fund.

If moneys accrue to a dedicated fund, trust fund, or account of a dedicated fund or trust fund that is repealed by this Act, they shall be subject to disposition in accordance with the dedication or the terms of the trust.

# Alaska State Legislature

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### BILL SUMMARIES

#### HB's 102, 103, 104, 105, 106, 107, 108

#### HB 102

**"An Act abolishing the Alaska Medical Facility Authority . . ."**

This legislation follows up with last year's SB136, which transferred the balance remaining in the Alaska Medical Facilities Authority Fund to the State General fund, thus closing out all accounts pertaining to the Authority. Since that time, neither the Fund nor the Authority have been used. By repealing AS 18.26, the obsolete Alaska Medical Facility Authority would be cleared from the Statutes.

#### HB 103

**"An Act repealing certain state funds and accounts and boards and programs related to those funds and accounts. . ."**

Simple repeals of the following inactive accounts: Alaska Amateur Sports Fund; Cooperative arrangement grant fund; Bilingual-Bicultural Education Fund; Alaska Student Leadership Development Fund; Alaska School Counseling Program Grant Fund; University Risk Management Fund; Community College Fund; Community Health Aide Grant Account; Veterans Service Fund; Alaska Municipal Land Account; Federal Transitional Grants Accounts; Mineral Resource Revolving Fund; Outdoor Recreational, Open Space, and Historic Properties Development Fund; Neighborhood Revitalization and Development Fund; Legal Assistance and Juvenile Justice Grant Fund; Fisheries Product Revolving Loan Guarantee Fund; Forest Products Business Loan Guarantee Fund; Community Action Against Substance Abuse Grant Fund; Alaska Longevity Bonus Fund; Self-Sufficiency Trust Fund; Alaska Pioneers' Home Trust Fund; Older Alaskans Service Programs Account; Community Schools Grant Fund; and Handicap & Mental Illness Charitable Account.

#### HB 104

**"An Act repealing the search and rescue fund, relating to expenditures for search and rescue activities . . ."**

Search and rescue activities are appropriated directly from the General Fund and not through the search and rescue fund, which has remained empty and

inactive. This legislation removes the fund from statutes, as well as reference to the fund.

**HB 105**

**"An Act relating to the unorganized borough national forest receipts program . . ."**

There is no present or anticipated use for the unorganized borough national forest receipts fund. Federal appropriations for the program go directly into the General Fund, leaving this special account inactive and empty. The legislation would clear the unused account from Statutes, by changing the reference from "fund" to "program".

**HB 106**

**"An Act relating to the municipal assistance program and organization grant program..."**

Although these programs remain operative, the municipal assistance and organization grant funds are inactive and empty. Legislation would clear the "fund"(s) from statutes, and refer only to the "program"(s).

**HB 107**

**"An Act relating to water quality enhancement and water supply, waste water, and solid waste systems grants . . ."**

This legislation removes from Statutes the Water Quality Enhancement and Water Supply, Wastewater, and Solid Waste Systems Fund. The fund is empty and is not used in making appropriations to the program.

**HB 108**

**"An Act relating to the crime victim compensation program. . ."**

The crime victim compensation program does not receive allocations from the fund established by statute. The inactive account is cleared by changing reference from "fund" to "program".