

Leg. Finance - House & Senate Finance Comte Files (1973-74) 222

HB 192 cont., 193, 196, 213, 216, 217, 218, 219, 221, 227am, 227

1 enrollment of an exceptional child in another school district or mili-
2 tary educational service area or approved rural state-operated school,
3 and the child is enrolled in the institution, the child's education
4 expenses shall be paid for as follows:

5 (1) the school district or military educational service
6 area or board of directors for rural state-operated schools shall pay
7 the receiving district an amount of money equal to the receiving dis-
8 trict, military educational service area's or rural state-operated
9 schools' local cost per pupil rate;

10 (2) the Department of Education, the military educational
11 service area board or the board of directors for rural state-operated
12 schools, respectively, shall pay the remainder of the annual cost of
13 the child's education, at a school within its jurisdiction, above that
14 provided for in (b)(1) of this section.

15 * Sec. 23. AS 14.30.295(b) is repealed and re-enacted to read:

16 (b) If a school district, military educational service area, or
17 the state director, if a rural state-operated school, approves the
18 enrollment of an exceptional child in an out-of-state institution
19 approved by the commissioner, and the child is enrolled in the insti-
20 tution, the child's education expenses shall be paid as follows:

21 (1) the school district, military educational service area
22 or the board of the rural state-operated schools, if a rural state-
23 operated school, shall pay an amount equal to the local contribution
24 toward the cost of education per pupil;

25 (2) the Department of Education or board of the state-
26 operated schools shall pay whichever of the following amounts is less,
27 but not more than \$6,000;

28 (A) 75 per cent of the annual cost of the child's
29 education; or

1 (B) an amount which, when added to the contribution
2 in (b)(1) of this section, equals the total cost of the child's
3 education;

4 (3) the parent or guardian shall pay the remainder of the
5 cost unless the school board or military educational service area board,
6 or the state director, if a state-operated school, determines upon the
7 basis of standards set by the commissioner of education in cooperation
8 with the Department of Health and Social Services, that the parent or
9 guardian is unable to pay all or part of the remainder of the cost; the
10 Department of Education or board of the rural state-operated schools
11 shall pay the remainder of the cost which the parent or guardian is
12 unable to pay.

13 * Sec. 24. AS 14.33.010 is amended to read:

14 Sec. 14.33.010. REQUIREMENTS FOR SCHOOL SAFETY PATROLS. The
15 board of the rural state-operated schools, for the benefit of schools
16 in the state-operated school district, or the school board of a borough
17 or city school district or of a military educational service area, or
18 a private or denominational school may require that school safety patrols
19 be established to assist pupils to cross streets and highways adjacent
20 to schools in safety.

21 * Sec. 25. AS 14.33.020(a) is amended to read:

22 (a) If the state, director, a school board, or military educa-
23 tional service area board or a private or denominational school deter-
24 mines that a safety patrol should be established for a school, the
25 principal of the school shall appoint pupils in the school to serve as
26 members of the patrol.

27 * Sec. 26. AS 14.52.020(b) is repealed and re-enacted to read:

28 (b) It is the intent of the legislature that insofar as the food
29 service and nutrition education programs of city or borough school

1 districts, a military educational service area or the rural state-
2 operated schools are affected by this chapter, the directives of this
3 legislation are guidelines; the policies of this chapter are permissive
4 and not mandatory.

5 * Sec. 27. AS 14.60.010(5) is amended to read:

6 (5) "governing body" means the school board of a borough
7 or city school district or the board of a military educational service
8 area or the directors for the rural state-operated school district;

9 * Sec. 28. AS 14.60.010(6) is amended to read:

10 (6) "school board" means the school board of a borough or
11 city school district or the board of a military educational service area
12 or the directors of the rural state-operated school district;

13 * Sec. 29. Appropriations, records, equipment, and other assets of the
14 state-operated school system are transferred to the department for redistri-
15 bution to the military educational service areas in which they are located.
16 Appropriations and other money available and to become available to a school
17 or area in the state-operated school district shall be available for the
18 objects and purposes for which appropriated or otherwise made available,
19 subject to terms, restrictions, limitations or other requirements imposed by
20 this section or state or federal law. The financial liabilities of the
21 state-operated school system not assumed by the department or a military
22 educational service area shall be assumed by the general fund of the state.
23 All litigation, hearings, investigations, and other proceedings (except
24 teacher negotiations) which may be transferred by this Act, remain in effect
25 and may be continued and completed notwithstanding a transfer or amendment
26 provided for in this Act. Certificates, orders, rules or regulations issued
27 or filed under authority of a law amended or repealed by this Act or functions
28 which may be transferred by this Act, remain in effect for the term issued,
29 until revoked, modified, or vacated under the provisions of this Act. All

1 contracts or other vested obligations created by a law amended or repealed
2 by this Act or by virtue of functions which may be transferred by this Act,
3 and in effect on the effective date of this Act, remain in effect unless
4 revoked, modified, or vacated under the provisions of this Act.

5 * Sec. 30. AS 14.07.050 - 14.07.055, AS 14.08, AS 14.14.170 - 14.14.200,
6 14.14.310, AS 14.60.010(7) and (8) and AS 39.05.060(8) are repealed.

7 * Sec. 31. Section 1 of this Act takes effect on the day after its passage
8 and approval or on the day it becomes law without approval.

9 * Sec. 32. Sections 2 - 30 of this Act take effect on July 1, 1973.
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JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Use DATE: March 30, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 192

TITLE: "An Act relating to public education in the unorganized boroughs
and providing for an effective date."

COMMENTS: This bill has been referred to you for your review
and research and eventual presentation to the
committee for their consideration.

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Eighth Legislature

I. REQUEST

Bill Identification: CS HB 192
 Title: Public Education on Military Bases
 Requested by: Legislative Finance Date: 3/20/73
 Return Date Requested: ASAP
 Agency: State-Operated Schools Program: Pre-Elem.-Secondary

II. FISCAL DETAIL

Budget Request Unit(s) Affected: On-Base State-Operated Schools
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

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

C. POSITIONS:

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

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

CS HB 192 deals with the governance of the On-Base schools and does not appear to have a direct fiscal implication.

IV. ATTACHMENTS

V. DATE: 3/22/73 PREPARED BY: Dathiel Cole

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/7/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 193

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act appropriating for the payment of debt services
7 on general obligation bonds of the state; and pro-
8 viding for an effective date."

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

10 * Section 1. AS 37.15 is amended by adding a new section to read:

11 Sec. 37.15.215. ANNUAL APPROPRIATION. There is appropriated each
12 fiscal year from the general fund the sum of money necessary for the
13 payment of the principal of and interest on all general obligation
14 bonds of the state authorized before or after the effective date of
15 this section pursuant to art. IX, sec. 8 of the Constitution of the
16 State of Alaska, as the principal and interest become due and payable.

17 * Sec. 2. This Act takes effect on the day after its passage and
18 approval or on the day it becomes law without approval.

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JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Rep. Saylor DATE: February 20, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HB 193

TITLE: An Act appropriating for the payment of debt services on
g. o. bonds of the state; and providing for an effective date.

COMMENTS: This bill has been referred to you for your review
and research and eventual presentation to the
committee for their consideration.

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

POUCH 5 — JUNEAU 99801

February 19, 1974

The Honorable Oral Freeman, Chairman
House Finance Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801

Re: House Bill No. 193

Dear Representative Freeman:

House Bill No. 193, an Act appropriating for the payment of debt services on general obligation bonds of the State, was introduced by the Rules Committee at the request of Governor William A. Egan.

The State of Alaska has employed the services of Orrick, Herrington, Rowley & Sutcliffe since 1968 to act as State Bond Counsel to the State Bond Committee for all sales of general obligation bonds. Mr. C. Richard Walker of such above described firm requested that House Bill No. 193 be introduced in order that bondholders would be more secure and the State in a better situation if the necessary appropriation has thus been made, once and for all, before the bonds are issued.

Mr. C. Richard Walker of such above described firm has in correspondence with the State Bond Committee indicated that:

1. He has determined that a continuing appropriation for payment of debt service is legally possible.

a. The annual financial report of the State now indicates many continuing appropriations in effect.

b. There is nothing in the Alaska Constitution which would forbid a continuing appropriation of the kind suggested in House Bill No. 193.

The Honorable Oral Freeman, Chairman
House Finance Committee

February 19, 1974
-2-

c. The State of Hawaii has adopted a continuing appropriation for the payment of debt service on bonds of the State, which is a single provision applying to all bonds, present and future similar to that suggested in House Bill No. 193. See Hawaii Rev. Stat. (1968) § 39-11.

2. Bondholders would be more secure and the State in a better situation if the necessary appropriation had thus been made, once and for all, before the bonds are issued.

a. The procedure should reduce or eliminate possible problems arising from incorrect estimates of the debt service to become due in a particular year.

b. Usage of the proposed legislation upon its passage could be directed to that section of each Official Statement that concerns "Security of Bonds".

As of December 31, 1973 the State of Alaska had total authorized general obligation bonds in the amount of \$448,927,000 of which \$348,842,000 had been issued and \$100,085,000 remain unissued.

The State of Alaska, through its State Bond Committee, is proposing a sale of general obligation bonds in a total amount of approximately \$28,500,000 to partially fund nine propositions authorized by the voters in 1970 and 1972. The sale will likely be held in mid June of 1974.

Mr. C. Richard Walker telephoned the writer today to inquire of the status of House Bill No. 193. Mr. Walker advised that passage of the bill would eliminate questions being raised by certain bond rating agencies and felt that it was imperative that the bill pass this session so that the effective date would be before our proposed bond sale in mid June of 1974.

Passage of the bill, in the opinion of the State Bond Counsel, would enhance future sales of authorized but still unissued State general obligation bonds by giving more credulity to the security of the bonds.

Very truly yours,



R. D. Stevenson
Commissioner

RDS: agm



Alaska State Legislature
House

JUNEAU ALASKA

February 23, 1973

TO: Earl D. Hillstrand, Chairman
House Finance Committee

FROM: Jay Hogan, Director *JH*
Division of Legislative Finance

SUBJ: Fiscal Note, HB 193

The fiscal impact of this bill is -0-. Amounts required for debt service would be unchanged; the bill would make a continuing appropriation for debt service -- whatever amount was required to pay principal and interest on general obligation bonds would be authorized automatically each year for expenditure.

Enclosed is the first page of a memorandum from the state bond counsel calling for legislation establishing a continuing appropriation for the payment of debt service on general obligation bonds. In this letter, as in other correspondence on the matter, no reason is given as to why this should be done. It is my feeling that the committee should carefully consider the effects of this recommendation.

The Alaska statutes already contain language pledging the repayment of any and all general obligation bonds.

"37.15.010. Full faith and credit for general obligation bonds. The full faith, credit and resources of the state are hereby pledged to the payment of the principal of and interest and redemption premium, if any, on all general obligation bonds of the state authorized pursuant to art. IX, P. 8 of the constitution.

37.15.090. Terms and conditions. Each issue or series of bonds shall be issued under and subject to the terms, conditions, and covenants providing for the payment of the principal and the interest and other terms, conditions, covenants, and protective provisions safeguarding the payment as found reasonably necessary by the state bond committee. . . "

My concern with this measure is that it will remove an existing legislative control over executive spending. For instance, if a finance committee wished to sharply reduce the budget in any given year, one part of its approach might be the passage of a moratorium on the issuance of new general obligation bonds. The easiest and quickest way to enforce such a moratorium would be to simply appropriate the debt service requirements for outstanding issues and fail to appropriate the debt service requirements for proposed new issues during the fiscal year in question. With a continuing appropriation on the books, no future finance committee would have this degree of flexibility.

GREGORY HERRINGTON
ERIC SUTCLIFFE
WILLIAM D. ROWLEY
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W. H. ORRICK
OF COUNSEL

CABLE "ORRICK"

November 24, 1971

Mr. Eric E. Wohlforth
Commissioner of Revenue
State of Alaska
Pouch S, Alaska Office Building
Juneau, Alaska 99801

Dear Eric:

With respect to the matters mentioned in your letter of November 15, and in the same order of numbered paragraphs as your letter:

1. I understand that a separate, safeguarded construction fund is considerably more important in revenue bond financing than in the case of general obligation bonds. I also agree that it is very important to the holder of revenue bonds and of little importance to the holder of general obligation bonds. However, the remarks in my letter of November 9 were not based on the interests or security of bondholders. From the standpoint of the issuing government and its taxpayers and voters, I still believe it would be desirable to continue to establish a separate construction fund for each bond authorization, with the exception of authorizations for substantially identical purposes. The apparent authority in this field, the National Committee on Governmental Accounting, seems to have a stricter view of this subject than I. National Committee on Governmental Accounting, Governmental Accounting, Auditing, and Financial Reporting 7-8, 42 et seq. (1968). For example, this statement of principles and standards includes the following paragraph, at page 42:

In determining whether a series of related capital projects should be accounted for in one or several separate funds, a controlling criterion is the debt authorization and type of financing involved. If a single bond issue is utilized to finance a series of related projects, such as the street paving projects mentioned above, then only one Capital Projects Fund need be used to account for the resources appropriated to such projects. On the other hand, if these same projects were financed by three separate bond issues (perhaps alike in all respects except for dates of issuance), three distinctively captioned Capital Projects Funds would be required. The requirement of one Capital Projects Fund for each bond

Mr. Eric E. Wohlforth
November 24, 1971
Page 2

issue is necessitated by the fact that the accounting for a particular bond issue must show that the proceeds of the issue were spent only on the specific projects and purposes authorized therefor, that the expenditures were in the amounts authorized, and that any unused bond proceeds or project deficits are properly handled and accounted for in accordance with applicable legal, budgetary, and policy provisions.

Your letter seems to suggest that future bond authorization acts entirely omit the establishment of a construction fund. It seems to me that this would result in putting the bond proceeds into the general fund, which, I would think, would not be desirable.

As to legal necessity, the establishment of construction funds is not, of course, legally required unless the statutes so provide, so long as there is no constitutional requirement that such funds be established. And I know of no such constitutional requirement in Alaska.

2. I did not intend to indicate that it is legally permissible to combine construction funds under existing statutes, i.e., the bond authorization acts heretofore passed by the legislature and ratified by the voters. The provisions of those acts specifically requiring the creation of a special construction fund were implicitly incorporated in the election propositions approved by the voters and in the bonds. It seems to me that it would not be proper to eliminate the funds thus created in the past or to consolidate them, even though objections by voters or bondholders might be rejected on the ground that this is not a substantial impairment of the obligations to either class.

The suggestions in my letter of November 9 related only to future bond authorization acts and were summarized by saying "I think that the number of separate construction funds could reasonably be reduced by providing, in section 4 of some bond authorization acts, for the deposit of bond proceeds in a construction fund already established by a prior act, provided that the purposes are substantially identical." In a quick look through the bills carried over from the First Session of the Seventh Legislature, I see no bond authorization bills which would be appropriate for this kind of treatment.

Mr. Eric E. Wohlforth
November 24, 1971
Page 3

3. As to proposed AS §37.10.055, providing authority for borrowing money from the general fund, I see three differences between my first draft and Mr. Mullin's. (1) My draft would allow the transfer on the decision of the Commissioner of Administration alone, while Mr. Mullin's version would require authorization by a majority of the State Bond Committee. The decision between these two variations will have to be made by someone in Juneau. (2) Mr. Mullin's draft allows borrowing in anticipation of "program receipts," which I take to be expected federal grant money and the like, while my draft limits the borrowing to the amount of authorized but unsold bonds. I think it may be dangerous to anticipate "program receipts" and that, if such anticipation is allowed, it should be more narrowly limited. However, it may be that some of the problems of deficits in construction funds arise after all of the authorized bonds have been issued and their proceeds expended, so that borrowing in anticipation of "program receipts" would be useful. Again, the matter will have to be decided by someone in Juneau. (3) There are several minor differences in language, as to which I (naturally) prefer my language.

I assume that Miss Spragg will prepare a bill based upon Mr. Mullin's draft and my own. If so, I will be happy to give her my comments and suggestions as to her draft. If you want me to prepare the bill, please let me know and give me the answers to the two policy questions, and I will then proceed.

4. A proposed bill to implement the continuing appropriation idea is enclosed. I assume that the copy of this letter to Miss Spragg will satisfy your request to submit language to the Attorney General's office.

In determining whether a continuing appropriation for payment of debt service is legally possible, I suggest that the Attorney General's office take the following points into consideration:

(a) As I understand the annual financial report of the State, Alaska now has many continuing appropriations in effect.

(b) I see nothing in the Alaska Constitution which would forbid a continuing appropriation of the kind suggested.

Mr. Eric E. Wohlforth
November 24, 1971
Page 4

(c) The procedure suggested is substantially like that followed by the State of California, except that in California a continuing appropriation is made as to each bond authorization at the time of authorization. E.g., Calif. Water Code §11922.5. Continuing appropriations of this kind have been upheld by the courts of this state. Cf. Riley v. Johnson, 219 Cal. 513 (1933); Riley v. Johnson, 6 Cal. 2d 529 (1936).

(d) A continuing appropriation for other purposes was upheld in Shapley v. Frohmiller, 165 P. 2d 306 (Ariz., 1946).

(e) The State of Hawaii also has adopted a continuing appropriation for the payment of debt service on bonds of the State, which is a single provision applying to all bonds, present and future, like that enclosed for Alaska. Hawaii Rev. Stat. (1968) §39-11.

5. If the enclosed bill providing a continuing appropriation is adopted, section 5 (providing for a special redemption fund) should be deleted from House Bill No. 389, from Senate Bill No. 120, and from any other bond authorization bills now pending in the legislature, and no such provision should be included in any future bond authorization act. Hopefully, the bill providing for the continuing appropriation can be passed before any bond authorization bills, so that the latter bills can be amended accordingly and be consistent with the continuing appropriation.

I would appreciate hearing of any further questions, comments or developments with respect to any of the foregoing matters or those discussed in previous parts of this correspondence.

Sincerely yours,

cc: Mr. Kenneth W. Kadow
Mr. Joseph R. Henri
Mr. William C. Mullin
Miss Donna D. Spragg

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December 22, 1971

W. H. ORRICK
OF COUNSEL

CABLE "ORRICK"

Miss Donna D. Spragg
Assistant Attorney General of Alaska
Pouch K, State Capitol
Juneau, Alaska 99801

Dear Miss Spragg:

Thank you for your letter of December 17 and the enclosed draft of a model general obligation bond authorization act, together with Mr. Peterson's memorandum.

I think that many of the proposed changes are improvements and I have no objection to most of the changes. However, I do have the following comments, which are listed in the order of the sections of Ch. 147, SLA 1970, which Mr. Peterson used as the basis for his draft and memorandum:

Section 1. (1) I agree that the statement as to the maximum term of the bonds should be deleted from most authorization acts. However, it should be remembered that a statement as to the maximum term of the bonds should be included in any act authorizing bonds as to which it may be desirable that the last maturity be more than 30 years from their date. AS §37.15.030 provides a maximum term of 30 years for all general obligation bonds "unless a longer period is specifically authorized by statute." In the case of any issue where such special authorization "by statute" is desirable, the bond authorization act would be the best place for the special authorization.

(2) Both in section 1 and in the proposition (section 7), I suggest that the word "sum" be changed to "amount," the latter being a more appropriate and customary word for the phrase in question.

(3) The deletion of the words "part or all of" in section 1 and in section 7 (the proposition) is appropriate in the case of the act Mr. Peterson happened to choose as a starting point and would be appropriate in most cases, where the improvements to be financed (e.g., "water supply and sewerage systems") are a general group of improvements not specifically defined. However, if the bonds are to be issued to provide for the construction of a particular building or the like, and if it is expected that a substantial part of the cost of that project may be provided from moneys

Miss Donna D. Spragg
December 22, 1971
Page 2

other than bond proceeds, the words "part or all of" or similar words should be used in order to avoid the possible implication of Mr. Peterson's language that the bond proceeds will provide the entire cost of the proposed improvements.

(4) The deletion of the words "acquiring, constructing and equipping and making other" in sections 1 and 7 is also harmless and possibly desirable in the case of most bond authorization acts. However, again, there may be some bond authorization acts in which language of this kind is necessary or desirable in order to indicate the kind of improvements to be financed. For example, a bond issue may be intended to provide solely for equipping certain facilities and not for acquiring or constructing those facilities (assuming that the equipment will constitute a capital improvement).

(5) I suggest that the phrase "the principal of and interest on such [these] bonds" be changed to "the principal of and interest and redemption premium, if any, on such [these] bonds" in order to make this language conform with that contained in AS §37.15.010.

(6) As Mr. Peterson's memorandum indicates, the last sentence of section 1 of Chapter 147 was deleted by Chapter 220, and has been omitted from subsequent bond authorization acts. However, Mr. Peterson failed to note the correlative change (from Chapter 147 to Chapter 220), namely, the addition of the words "as amended at the time of issuance" at the end of the second sentence of section 1. Both of these changes were part of a program to make certain that the State would not again be caught with bonds authorized and needing to be sold, but authorized only at a maximum interest rate which is no longer realistic at the time the bonds must be sold.

It is very important that the words "as amended at the time of issuance," or "as those provisions now exist or as they may hereafter be amended" (language I had previously suggested) or similar language be retained at the end of the second sentence of section 1. Otherwise, it may be contended, perhaps successfully, that the maximum permissible interest rate on bonds authorized pursuant to an

Miss Donna D. Spragg
December 22, 1971
Page 3

act based upon the model is limited to the rate set forth in AS §37.15.030 at the time of authorization (presently 7%). To the contrary, it was the intention of the 1970 changes, including the language inserted (and which must be restored), to avoid the inclusion, directly or indirectly, of any interest rate limitation in bond propositions submitted to the voters and to leave the Legislature free, in the event of changing market conditions, to raise or lower the maximum interest rate by amending §37.15.030 and to make that amendment effective with respect to bonds theretofore authorized but not yet sold.

Section 3. I think that all of this section, or a close approximation thereof, should be retained or restored in the model act. I do not think the second sentence of the section is "merely an unnecessary bookkeeping entry."

Section 4. The construction fund should be a fund and not an account. The word "account" should be changed back to "fund" at each place where the term is used in this section. There is a considerable difference between a fund and an account, the funds in question are not a part of the general fund and I do not believe that the term "account" accurately reflects the handling of these funds in the State's accounting system.

Section 5. I certainly agree that section 5 should be deleted, but only if a bill like that I sent you on November 24 is first adopted.

Section 6. The second sentence of this section may be covered by AS §15.15.030(11), but I do not believe that the first sentence is. The first sentence should be retained. The fact that the Constitution in most cases requires that such questions be submitted to the voters does not, to me, mean that the Legislature should not, as to the question of particular bonds, provide that the question shall be so submitted. Article IX, Section 8, is not self-executing to the extent of placing the question on the ballot. Moreover, the Legislature could authorize general obligation bonds for certain purposes without submitting the question to the voters.

Section 7. See paragraphs (2), (3) and (4) under Section 1 above.

Miss Donna D. Spragg
December 22, 1971
Page 4

I would very much appreciate seeing the next draft of this model act and hearing of its future history, and I will be glad to try to provide any further comments, explanations or information that you may wish.

Sincerely yours,

cc: Mr. Kenneth W. Kadow
Mr. Eric E. Wohlforth
Mr. Joseph R. Henri
Mr. William C. Mullin

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JAMES A. HAYNES

RICHARD C. SALLADIN
RICHARD J. LUCAS
CARLOS S. FODLER
DOYALD A. SVENTER
PAUL A. WEAHER
JAMES H. MADISON
WILLIAM C. RINGELL, JR.
WILLIAM L. HODGKINSON
THOMAS D. SHEARER, JR.
CARLTON W. ADLER, JR.
JOSEPH J. HUGHES
WILLOUGHBY C. JOHNSON
RALPH C. WALKER

ORRICK, HERRINGTON, ROWLEY & SUTCLIFFE

COUNSELORS AND ATTORNEYS AT LAW

405 MONTGOMERY STREET

SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE (415) 392-1120

March 2, 1972

W. H. ORRICK, SR.
ORVILLE A. ROWLEY
OF COUNSEL

CABLE OFFICE

Miss Donna D. Spragg
Assistant Attorney General of Alaska
Pouch K, State Capitol
Juneau, Alaska 99801

Dear Miss Spragg:

I am somewhat alarmed by the fact that no bill has yet been introduced to provide for a continuing appropriation for the payment of debt service on general obligation bonds of the State. You will remember the correspondence late last year with respect to eliminating the provisions for special redemption funds in bond authorization acts. Those provisions have been omitted from the bond authorization bills this session. However, as indicated in my letter of November 24 to Mr. Wohlforth and in my letter of December 22 to you, those redemption fund provisions should not be eliminated unless they are replaced by some other provision for payment of debt service, and I believe that the single continuing appropriation enactment would be by far the best kind of replacement.

A proposed bill so providing was enclosed with my letter of November 24. Another copy is enclosed herewith. I hope that this bill or one like it can be introduced and adopted before this legislative session adjourns.

I also wish to call your attention to minor changes which I think are needed in two bond authorization bills now pending in the Legislature.

As I mentioned in my letter of January 21, in Senate Bill No. 279 (which has now passed the Senate) the statement of the purpose of the bonds in the proposition, in section 4, is quite different from the statement of purpose in section 1 and in the title of the bill. I suggest that this inconsistency be eliminated or alleviated, perhaps by inserting the following after the words "purpose of" in section 1 at line 12:

paying the cost of capital improvements
for health and medical facilities by

Committee Substitute for Senate Bill No. 351 also seems to be moving in the Legislature. The last sentence of section 2 of this bill, beginning at the bottom of the

Miss Donna D. Spragg
March 8, 1972
Page 2

first page, is incomplete. It contains no verb and does not make literal sense as it stands. I believe this should be corrected before final passage, perhaps by inserting the underlined language in the following:

The proceeds of these bonds shall be used,
in the amount of \$1,500,000 for each secondary
school and \$500,000 for each multipurpose
educational facility, for the following faci-
lities at the following locations:

Sincerely yours,

cc: Mr. Kenneth W. Kadow
Mr. Eric E. Wohlforth
Mr. Joseph R. Henri
Mr. William C. Mullin



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/8/73
Referred: Health, Welfare &
Education and Finance

1 IN THE HOUSE

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

2 HOUSE BILL NO. 196

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to tobacco tax."

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

8 * Section 1. AS 43.50 is amended by adding new sections to read:

9 ARTICLE 2. ADDITIONAL TOBACCO [CIGARETTE] TAX.

10 Sec. 43.50.200. TAX ON SMALL CIGARS. (a) There is levied an
11 excise tax of four mills on each small cigar imported or acquired in
12 this state.

13 (b) The tax levied by this section shall be administered and col-
14 lected in the same manner as the tax levied by secs. 10 - 180 of this
15 chapter, except that receipts from the tax shall be deposited in the
16 general fund. The penalties established in secs. 10 - 180 of this
17 chapter apply to the tax levied in this section.

18 (c) As used in this section, "small cigar" means a roll for
19 smoking which does not exceed 12 centimeters in length and 9 millimeters
20 in diameter, made wholly or partly of tobacco, whether the tobacco is
21 flavored, adulterated, or mixed with another ingredient, if the wrapper
22 or cover of the roll is made of tobacco.

23 Sec. 43.50.210. TAX ON CIGARS. (a) There is levied an excise
24 tax of 22 mills on each cigar imported or acquired in this state.

25 (b) The tax levied by this section shall be administered and
26 collected in the same manner as the tax levied by secs. 10 - 180 of
27 this chapter, except that receipts from the tax shall be deposited in
28 the general fund. The penalties established in secs. 10 - 180 of this
29 chapter apply to the tax levied in this section.

1 (c) As used in this section, "cigar" means a roll for smoking
2 which exceeds 12 centimeters in length and 9 millimeters in diameter,
3 made wholly or partly of tobacco, whether the tobacco is flavored,
4 adulterated, or mixed with another ingredient, if the wrapper or cover
5 of the roll is made of tobacco.
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JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Saylor DATE: February 17, 1973
House Finance Committee

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 196

TITLE: "An Act relating to tobacco tax."

COMMENTS: This bill has been referred to you for your review
and research and eventual presentation to the
committee for their consideration.

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Eighth Legislature

I. REQUEST

Bill Identification: House Bill 196
 Title: Tobacco Tax
 Requested by: Legislative Finance Date: 2/16/73
 Return Date Requested: 2/22/73
 Agency: Revenue Program: Fiscal Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

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

C. POSITIONS:

PERMANENT/TEMPORARY	0 /	/	/	/	/	/
MAN MONTHS (P./T.)	0 /	/	/	/	/	/

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

See copy of letter dated February 15, 1973 to Representative Helen Beirne, Chairman, House Health, Education and Social Services Committee and schedule of States which tax both cigarettes and other tobacco products. Tobacco taxes are collected on a monthly basis and effective date should be added to the bill such as June 1 or July 1, 1973.

IV. ATTACHMENTS

V. DATE: February 20, 1973

PREPARED BY: _____


 R. D. Stevenson
 Acting Commissioner

Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

February 15, 1973

The Honorable Helen Beirne
Chairman
House Health, Welfare and Education Committee
Alaska State Legislature
State Capitol
Juneau, Alaska

House Bill 196

Dear Representative Beirne:

House Bill 196 provides in part for an excise tax of 4 mills on each small cigar imported or acquired in the State. It further provides for an excise tax of 22 mills on each cigar imported or acquired in the State. The bill further provides that the receipts from both taxes shall be deposited in the general fund.

For your information Chapter 42, SLA 1949 provided in part for a tax on cigars as follows: 1¢ each for cigars retailing at 10¢ or under; 2¢ each for cigars retailing for 11¢ to 15¢; 3¢ each on cigars retailing for 16¢ to 25¢; 4¢ each for cigars retailing for 26¢ to 35¢ and 5¢ each on cigars retailing for above 35¢. The tax imposed by such Chapter was in effect from April 1, 1949 through July 1, 1955. Chapter 187, SLA 1955 entitled the Cigarette Tax Act repealed the tax on cigars. Accordingly, the former Department of Taxation and the present Department of Revenue has no records on cigar importation since 1955.

I am enclosing for your information a table indicating cigarette taxes and other tobacco tax collections for 20 states. The schedule will indicate the percentage of total tobacco taxes from cigarettes as well as other tobacco products. You will note from such chart that the more common version of tobacco products taxation includes cigars, smoking tobacco, chewing tobacco, and snuff. With only one state, that of Georgia, taxing strictly on cigars in their other tobacco products tax, in general, other tobacco products to include cigars, smoking tobacco, chewing tobacco and snuff, are taxed at a percentage of the wholesale value.

February 15, 1973

Our research indicates that the tax on other tobacco products in the 20 states study would show a range of from 20 to 40% of wholesale value. The attached chart showing an average for the 20 states that levy an other tobacco products tax would indicate that other tobacco products account for 3.8% of total tobacco tax while cigarettes account for 96.2%. There is, of course, a wide variance in the cigarette tax ranging from 2¢ to 21¢. Hawaii, as shown on the chart, collects 10% of its total tobacco tax from other tobacco products taxes. This state imposes a 40% of wholesale value on cigars, smoking tobacco, chewing tobacco and snuff.

The Department of Revenue has estimated for the fiscal year 1973-74 that cigarette tax revenue at 8¢ per package would bring a total of \$3,693,400. If a national average of 3.8% (percentage of total tobacco tax from other tobacco products) were applied to the \$3,693,400 the result would be revenues of \$140,349 from other tobacco products. The tax on cigars in House Bill 196 of 22 mills on each cigar would equate to 22% on a 10¢ retail cigar. The percentage of wholesale value on a 22 mill tax on a 10¢ cigar would be higher. Without statistics on cigar importation available to this office, it is difficult to predict estimated revenues on the cigar tax. From Department of Revenue records of 1954 to obtain a ratio basis, cigarette consumption amounted to 301,785,600 cigarettes while tax paid cigars amounted to 2,241,578. At that date cigar consumption was less than 1% of cigarette consumption. For fiscal year 1971-72 cigarette consumption amounted to 813,746,490. If a 1% figure were used for cigars for such year the number of cigars accordingly would be 8,137,464.

With respect the 4 mill tax on the small cigars, an Anchorage wholesaler advised the Department of Revenue indicating that his small cigar sales were about 1% of his cigarette sales, but were climbing. If the 1% figure were used on the small cigars the consumption again would be 8,137,464 which taxed at 4 mills would bring in an additional revenue of \$32,550. Generally, all states that impose a tobacco products tax do so by imposing a tax of a percentage of a wholesale price with ranges of 20% to 40%.

If you have any questions on the enclosed material, kindly advise.

Very truly yours,

R. D. Stevenson
Acting Commissioner

RDS:eh

Enclosures

Table 12 - 1972
STATES WHICH TAX BOTH CIGARETS AND OTHER TOBACCO PRODUCTS
 (Fiscal year ending June 30, 1972)

State	Total cigaret and other tobacco taxes		Cigaret taxes		Other products taxed*	Other tobacco taxes		Percentage of total tobacco taxes from:		
	Gross amount	Net collections	Gross amount	Net collections		Gross amount	Net collections	Cig- a-	Other tobacco	State
Ala.	\$ 44,022,671	\$ 40,720,971	\$ 42,198,422	\$ 39,033,540	CSCChSn	\$ 1,824,249	\$ 1,687,431	95.9	4.1	Ala.
Ariz.	23,468,235	23,121,989	23,116,211	22,775,159	CSCChSn	352,024	346,830	98.5	1.5	Ariz.
Ark.	37,148,083	35,668,047	35,848,433	34,368,397	CSCCh	1,299,650	1,299,650	96.5	3.5	Ark.
Ga.	66,326,554	64,363,925	65,455,470	63,492,841	C	871,084	871,084	98.7	1.3	Ga.
Hawaii	6,522,930	6,522,930	5,870,637	5,870,637	CSCChSn	652,293	652,293	90.0	10.0	Hawaii
Iowa	41,300,264	40,084,200	40,547,730	39,331,666	CSCChSn	752,534	752,534	98.2	1.8	Iowa
La.	52,342,115	47,638,773	50,729,579	46,171,136	CS	1,612,536	1,467,637	96.9	3.1	La.
Minn.	63,595,427	60,019,848	61,451,715	57,929,730	CSCChSn	2,143,712	2,090,118	96.6	3.4	Minn.
Miss.	24,175,425	22,241,391	22,467,168	20,669,795	CSCChSn	1,708,257	1,571,596	92.9	7.1	Miss.
Mont.	10,620,760	10,297,437	10,379,102	10,067,861	CSCChSn	241,658	229,576	97.7	2.3	Mont.
N.H.	25,488,417	24,463,870	24,229,304	23,255,757	CSCChSn	1,259,113	1,208,113	95.1	4.9	N.H.
N.D.	7,308,006	7,091,881	7,139,673	6,924,129	CSCChSn	168,333	167,752	97.7	2.3	N.D.
Okla.	44,724,591	42,935,787	41,295,131	39,643,390	CSCCh	3,429,460	3,292,397	92.3	7.7	Okla.
R.I.	17,330,298	16,995,303	16,769,392	16,434,397	CSCChSn	560,906	560,906	96.8	3.2	R.I.
S.C.	20,573,228	19,531,265	18,928,116	17,919,056	CSCChSn	1,645,112	1,612,209	92.0	8.0	S.C.
Tenn.	59,006,269	57,078,758	57,838,793	55,929,285	CSCChSn	1,167,476	1,149,473	98.0	2.0	Tenn.
Texas	235,233,188	229,378,733	226,503,540	220,649,085	CSCCh	8,729,648	8,729,648	96.3	3.7	Texas
Utah	6,495,681	6,243,365	6,272,275	6,019,959	CSCChSn	223,406	223,406	96.6	3.4	Utah
Vt.	7,900,740	7,651,690	7,586,268	7,343,507	CSCChSn	314,472	308,183	96.0	4.0	Vt.
Wash.	52,283,229	51,718,961	48,833,040	48,268,772	CSCChSn	3,450,189	3,450,189	93.4	6.6	Wash.
Total	\$845,866,111	\$813,769,124	\$813,459,999	\$782,098,099		\$32,406,112	\$31,671,025	96.2	3.8	Total

*C-Cigars
 S-Smoking tobacco
 Ch-Chewing tobacco
 Sn-Snuff



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/13/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 213

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art works for public buildings; and
7 providing for an effective date."

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

9 * Section 1. AS 35.25 is amended by adding a new section to read:

10 Sec. 35.25.015. ART REQUIREMENTS FOR PUBLIC BUILDINGS. (a) The
11 state recognizes its responsibility to foster culture and the arts and
12 the necessity for the viable development of its artists and craftsmen.
13 The legislature declares it to be a state policy that a portion of
14 appropriations for capital expenditures be set aside for the acquisition
15 of works of art to be used for state buildings.

16 (b) A public building constructed after the effective date of
17 this section shall contain provisions for the inclusion of works of art
18 including but not limited to sculptures, paintings, murals, or objects
19 relating to Native art in an amount equal to one per cent of the over-
20 all construction cost of the building.

21 (c) The department shall take appropriate action necessary to
22 implement this section and shall determine jointly with the Alaska
23 State Council on the Arts the appropriate art works to be included
24 in a public building.

25 (d) Utilitarian buildings such as warehouses, repair shops,
26 maintenance buildings and other structures of a similar nature are
27 exempt from the provisions of this Act.

28 * Sec. 2. This Act takes effect on July 1, 1973.
29



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Ferguson
House Finance Committee

DATE: February 26, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HB 213

TITLE: An Act relating to art works for public buildings;
and providing for an effective date.

COMMENTS: This bill has been referred to you for your review
and research and eventual presentation to the
committee for their consideration.



RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

1/20

Introduced: 2/13/73
Referred: Health, Welfare
and Education

1 IN THE HOUSE

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

2 HOUSE BILL NO.

216

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the University of Alaska; and
7 providing for an effective date."

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

9 * Section 1. AS 14.40 is amended by adding a new section to read:

10 Sec. 14.40.215. SEPARATE STATEWIDE ADMINISTRATION. Neither the
11 president nor any other officer of the university may hold a dual or
12 simultaneous appointment as a statewide administrative officer and as
13 an officer of a region, campus, college, school, institute, center, or
14 any other administrative unit of the university.

15 * Sec. 2. This Act takes effect July 1, 1973.

29 COMMITTEE COPY

POOR COPY

ALASKA STATE LEGISLATURE

EIGHTH Legislature FIRST Session

HOUSE BILL NO. 216 ..

By THE HEALTH, WELFARE AND
EDUCATION COMMITTEE

"An Act relating to the University of Alaska; and providing for an effective date."

University of Alaska

Introduced in the House 2/13/, 19 73

HISTORY IN THE HOUSE

19 73

Feb 13 Read first time and referred to Committee on HW&E

Feb 28 Reported back with recommendation that HESS do pass. To Rules

Mar 2 Read second time and *adv*

Mar 2 Read third time and

Mar 2 **PASS**ed : Yeas 30
Nays 4
Absent 1
Excused 3

Effective Date

Mar 2 **PASS**ed : Yeas *same*
Nays
Absent
Excused

Mar 2 Reported correctly engrossed
Signed by Speaker
Sent to Senate

Constance Haddock
CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 73

35 Read first time and referred to Committee on *State Affairs; HESS; Fin*

326 Reported back with recommendation that *S.A. do pass*
3-nays TO HESS

331 *HESS; do pass TO Finance*

Read second time and

Read third time and

PASS : Yeas
Nays
Absent
Excused

Effective Date

PASS : Yeas
Nays
Absent
Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

Introduced: 2/13/73
Referred: Health, Welfare
and Education

1 IN THE HOUSE

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

2 HOUSE BILL NO. 216

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the University of Alaska; and
7 providing for an effective date."

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

9 * Section 1. AS 14.40 is amended by adding a new section to read:

10 Sec. 14.40.215. SEPARATE STATEWIDE ADMINISTRATION. Neither the
11 president nor any other officer of the university may hold a dual or
12 simultaneous appointment as a statewide administrative officer and as
13 an officer of a region, campus, college, school, institute, center, or
14 any other administrative unit of the university.

15 * Sec. 2. This Act takes effect July 1, 1973.

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HOUSE BILL 216

The only position affected by HOUSE BILL 216 is on the Fairbanks campus where the Provost also serves as Executive Officer, a statewide position. If HOUSE BILL 216 is enacted, we do not contemplate creating a new position but the Executive Officer function would be assigned to one of the present Vice Presidents, all of whom are statewide officers. Therefore, no fiscal obligation need be required.


DON DAFOE

HOUSE BILL 216

The only position affected by HOUSE BILL 216 is on the Fairbanks campus where the Provost also serves as Executive Officer, a statewide position. If HOUSE BILL 216 is enacted, we do not contemplate creating a new position but the Executive Officer function would be assigned to one of the present Vice Presidents, all of whom are statewide officers. Therefore, no fiscal obligation need be required.

DOIT DAFOE

COMMITTEE REPORT

3/31/73

SENATE

Mr. President:

Date _____

The Committee on FINANCE has had HB 216
under consideration. A Majority of the members of the Committee
dual offices University of Alaska

- () 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:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

COMMITTEE REPORT

3/26/73

SENATE

Mr. President:

Date 3/30/73

The Committee on H.E.S.S. has had HB 216

under consideration. dual offices University of Alaska A Majority of the members of the Committee

- 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:

Chancy BH _____

Mr. Houston _____

John Schubert _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Keith Chairman

Committee Report

3/5

SENATE

Health, Educ & SS
Finance

March 26, 1973
Date

Mr. President:

The Committee on State Affairs has had HB 216
(dual offices University of Alaska)
under consideration. A majority of the members of the Committee

- 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) report out with individual recommendations

MEMBERS SIGNING THE MAJORITY REPORT:

as follows

<u>Keith H. Miller</u>	<u>Do Pass</u>	_____
<u>Gill Kay</u>	<u>NO REC</u>	_____
<u>J. Kutz</u>	<u>ll ll</u>	_____
_____	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

Keith H. Miller
CHAIRMAN



RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/13/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 217

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Public Works for a Yukon ferry study; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$50,000 is appropriated from the general fund to
11 the Department of Public Works to conduct a feasibility study of the
12 acquisition and operation of a Yukon River ferry to operate from Dawson to
13 Circle.

14 * Sec. 2. This Act takes effect July 1, 1973.
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The Legislature of the State of Alaska
 FISCAL NOTE
 First Session - Eighth Legislature

I. REQUEST

Bill Identification: HB 217
 Title: Yukon Ferry study approp
 Requested by: Legislative Finance Date: 3/2/73
 Return Date Requested: 3/9/73
 Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		50.0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
TOTAL		50.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		50.0				
FEDERAL FUNDS		0				
OTHER		0				

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 / 0	/	/	/	/
MAN MONTHS (P./T.)	/	0 / 0	/	/	/	/

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

Funds would be utilized to engage the services of an engineering firm or consultant knowledgeable in river transportation to determine vessel requirements, shore facilities needed, personnel requirements and conduct traffic surveys, revenue projections and investigate all other aspects of the feasibility and desirability of such service. The Department of Public Works does not have an adequate staff to conduct this study in conjunction with its regularly assigned duties.

IV. ATTACHMENTS

V. DATE: March 6, 1973 PREPARED BY: Bert A. Esmond

Bert A. Esmond
 Deputy Director

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Saylor DATE: March 2, 1973
House Finance Committee

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 217

TITLE: "An Act making a special appropriation to the Department of Public Works for a Yukon ferry study; and providing for an effective date."

COMMENTS: This bill has been referred to you for your review and research and eventual presentation to the committee for their consideration.



RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

An Act repealing the 'forgiveness' provision of the scholarship loan program and providing for an effective date.

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date April 7, 1977

The Committee on EDUCATION has had HR 335

under consideration. A Majority of the members of the Committee

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:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairma

Introduced: 2/13/73
Referred: Health, Welfare &
Education and Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

HOUSE BILL NO. 218

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

EIGHTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act repealing the 'forgiveness' provision of the
7 scholarship loan program; and providing for an effective
8 date."

9

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

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* Section 1. AS 14.40.763(j) is repealed.

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* Sec. 2. This Act takes effect on July 1, 1973.

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Alaska State Legislature

House

JUNEAU ALASKA

MEMORANDUM

TO: Representative Beirne, Chairman,
Health, Education and Social Services

FROM: Andy Warwick, State Representative *AW*

SUBJECT: HOUSE BILL 218

DATE: March 2, 1973

AS 14.40.763 CONDITIONS OF LOANS (j) provides that a portion of a scholarship loan shall be considered a grant if the person who received the loan lives and works within the state for a required number of years.

REQUIRED YEARS OF RESIDENCY	PERCENTAGE OF TOTAL LOAN FORGIVEN
2 to 3 years	10%
3 to 4 years	20%
4 to 5 years	30%
over 5 years	40%

This law was enacted in the 1971 session of the legislature.

In introducing HB 218 it was the intent of the House Finance Committee that the scholarship loan program should be what it says, a loan program. Thus the committee chose to strike the forgiveness feature thereby requiring repayment of all loans plus interest. By so doing, the revolving loan fund will at some point in the future reach a stage where loan repayments plus interest will be sufficient to meet the need for new loans. At such time, the scholarship revolving loan program will be self-supporting.

If this Act were passed, it would not change those scholarship loan contracts already in effect under the existing law. Thus any students who had obtained loans with the understanding that portions of these loans would be forgiven would not be affected by the passage of this act.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/14/73
Referred: State Affairs and
Finance

BY CHANCE, BOWMAN, BRADNER, FISCHER,
HARTIG, HUBER, J. MILLER, M. MILLER,
URION AND WILSON

1 IN THE HOUSE

2 HOUSE BILL NO. 219

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for accrued sick
7 leave; and providing for an effective date."

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

9 * Section 1. AS 39.20.260(e) is repealed and re-enacted to read:

10 (e) Upon his separation, retirement or death a state employee or
11 his heirs is entitled to receive compensation for accrued sick leave
12 under the following formula:

13 (1) The Department of Administration shall maintain two
14 separate sick leave accounts for each state employee. Sick leave will
15 accrue to each account in equal amounts. One account shall be treated
16 as a sharing account and sick leave actually taken by the employee
17 shall be charged to that account first, and only after it has been
18 exhausted may sick leave be charged to the remaining account. Upon
19 the separation, retirement or death of the state employee the employee
20 or his heirs is entitled to compensation for the accrued sick leave
21 remaining in the sharing account at the rate of his highest base pay
22 during the calendar year in which the sick leave accrued. However,
23 sick leave actually taken by the employee shall be charged to the shar-
24 ing account in the order that it accrued.

25 (2) Upon separation from state service, and unless he re-
26 enters employment of the state within six months of his termination,
27 the unused sick leave of the nonsharing account of an officer or
28 employee is automatically cancelled without pay for it. If an officer
29 or employee when terminated by the state reenters the state service

1 within six months after his termination, he is entitled to credit for
2 one-half of the sick leave he had accrued at the time of his termination
3 in this nonsharing account and this sick leave shall be applied only
4 to his nonsharing account.

5 * Sec. 2. Nothing in this Act may be construed so that compensation is
6 allowed for sick leave which accrued before the effective date of this Act.

7 * Sec. 3. This Act takes effect on July 1, 1973.

A M E N D M E N T

Offered in the HOUSE

By STATE AFFAIRS
COMMITTEE

To: _____ HOUSE BILL NO. 219

_____ SENATE BILL NO. _____

AMENDMENT: Page 2 Line 5 & 6

Line 5,

After the word compensation add upon separation,
retirement or death

Line 6,

After the word Act add, sick leave accrued prior to
the effective date of this Act shall be credited to the
non-sharing account.



JUNEAU ALASKA

Alaska State Legislature House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Haugen DATE: February 27, 1973
House Finance Committee

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 219

TITLE: "An Act relating to compensation for accrued sick leave: and
providing for an effective date."

COMMENTS: This bill has been referred to you for your review
and research and eventual presentation to the
committee for their consideration.

The Legislature of the State of Alaska
 FISCAL NOTE
 First Session - Eighth Legislature

I. REQUEST

Bill Identification: HB 219
 Title: Sick Leave Compensation
 Requested by: Legislative Finance Date: 2-26-73
 Return Date Requested: 3-7-73
 Agency: Budget & Management Program: All

II. FISCAL DETAIL

Budget Request Unit(s) Affected: All

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
100 PERSONAL SERVICES		26.6	39.9	59.9	89.8	134.8
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		26.6	39.9	59.9	89.8	134.8

B. FUNDING: (Thousands of dollars)

GENERAL FUND	93%	24.7	37.1	55.7	83.5	125.4
FEDERAL FUNDS	0	-0-	-0-	-0-	-0-	-0-
OTHER	7%	1.9	2.8	4.2	6.3	9.4

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

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

See Attachment I

IV. ATTACHMENTS

V. DATE: 3/8/73

PREPARED BY: [Signature]

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

ATTACHMENT I

State Personnel included:

7,829	Budget and Management 1-27-73 IBM Run of authorized positions (includes seasonal and Marine Transportation Administration employees)
496	Exempt employees
177	Court System employees
511	New employees established in FY 73
<u>9,013</u>	Total employees

Teachers (1,292) and ferry system employees (approximately 500) not covered under state employee salary structure are excluded from this cost analysis.

Assumptions:

1. 12% vacancy factor
2. 20% of eligible employees would accumulate 7.5 days per year
3. 30% of eligible employees would accumulate 3.75 days per year
4. 50% of eligible employees would take maximum sharing account accumulation as sick leave

Computations:

9,013 employees	x 12% vacancy factor	-	7,931
7,931	x 50% with no sharing account accumulation	-	3,965

7,931	x 20% full (7.5 days per year) accumulation	-	1,586 emp. x 7.5 = 11,895 days
7,931	x 30% one-half (3.75 days per year) accum.	-	2,379 emp. x 3.75 = 8,921 days

Based on 20% turnover per year and average salary cost at Range 14, Step C (\$6.25 per hour):

1,586	x 20%	x 7.5	=	2,379	hours
2,379	x 20%	x 3.75	=	1,784	hours
Retirees 25	@ 1/2 accum.			94	hours
				<u>4,257</u>	or \$26.6 FY 74

Fiscal Years 1975 thru 1978 are based on an estimated 50% increase per year in accrued sick leave hours. Also, this estimate does not take into consideration the possible decrease in sick leave taken due to the ability to receive reimbursement.



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/14/73
Referred: State Affairs
and Finance

BY BRADNER, BOWMAN, CARROL,
CHANCE, DEGNAN, M. MILLER AND
HUBER

1 IN THE HOUSE

2 HOUSE BILL NO. 221

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the coverage of correctional
7 officers under the Public Employees' Retirement
8 System."

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

10 * Section 1. AS 39.35.680(14) is amended to read:

11 (14) "peace officer and fireman" means an employee who is
12 employed full time in the state as a peace officer, chief of police,
13 correctional officer, correctional superintendent, fireman or fire
14 chief;

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FISCAL NOTE

First Session - Eighth Legislature

I. REQUEST

Bill Identification: SB 89 and HB 221Title: Correctional Officer PERS coverageRequested by: Legislative Finance Date: 2/22/73Return Date Requested: 3/1/73Agency: Retirement Section Program: Peace Officers & Firemen's Retirement

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Health & Social Services

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
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 COMMODITIES	-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, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
100 BENEFITS	422.5	443.7	465.8	489.1	513.6	539.1
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND	85.8%	362.5	380.7	399.7	419.7	440.7	462.7
FEDERAL FUNDS	14.2%	60.0	63.0	66.1	69.4	72.9	76.6
OTHER	-0-	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	/	0/	0/	0/	0/	0/
MAN MONTHS (P./T.)	/	0/	0/	0/	0/	0/

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

The inclusion of this group would have impact in the benefits office. However, it would involve payroll and data processing changes for which costs are not included.

The projection of the Benefits Cost was prepared based upon a rate increase of .5134% times a \$82,855,400 total payroll figure. It is estimated that this would apply to 213 positions.

IV. ATTACHMENTS

A yearly 5% cost increase was applied.

Letter from Marsh & McLennan dated March 7, 1973

V. DATE:

3/15/73

PREPARED BY:

Robert M. Gates

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO:

DATE:

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 221

TITLE: "An Act relating to the coverage of correctional officers under the Public Employees' Retirement System."

COMMENTS: This bill has been referred to you for your review and research and eventual presentation to the committee for their consideration.

MARSH & MULLIN

March 7, 1973

SB89 + HB 221

Mr. Robert S. Gates
Retirement Administrator
State of Alaska
Touch C
Juneau, Alaska 99801

Alaska Public Employees' Retirement System
Police and Fire Provisions

Dear Bob:

Apparently, as was the case in the 1972 legislative session, legislation has either been proposed or introduced regarding the inclusion of certain additional employee groups under the Police and Fire provisions of the Alaska Public Employees' Retirement System. In order to comment on such legislation, the basic intent and the philosophy underlying those provisions should be discussed.

It is my understanding that these provisions were enacted, during the 1970 legislative session, in order to provide for earlier retirement and larger death and disability benefits for policemen and firemen. The improved benefit provisions are made available under the System to such employees, whose day to day work involves the maintenance of the public peace and safety and involves substantial exposure to physical risk. Police officers and fire fighters risk their lives as a matter of occupational course.

The large death and disability benefits provided under this portion of the System are intended to ensure that the family of each such employee will be financially secure in case he is struck down by the physical hazards which he faces on a routine day to day basis.

The earlier retirement age and larger retirement benefits per year of service provided in this portion of the System reflect the fact that, in order to perform such hazardous work, the employee must be in top flight physical and mental condition. The physical requirements of this type of work forces employees into retirement at an earlier age than do those of most other occupations.

Mr. Robert S. Gates

- 2 -

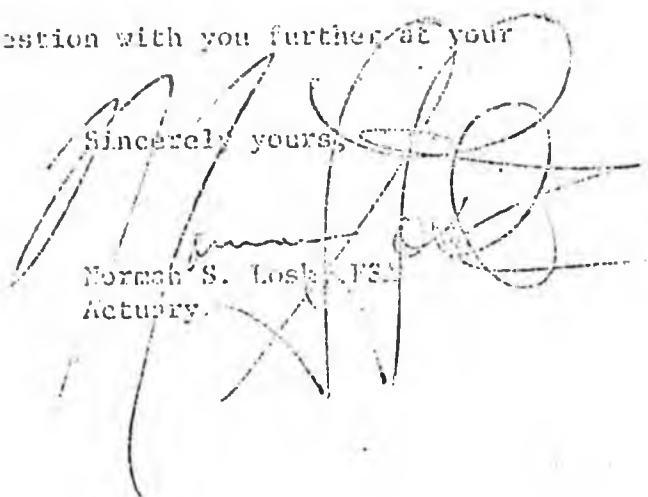
March 7, 1973

In summary, then, it should be noted that more liberal benefits are provided under the Alaska Public Employees' Retirement System to those employees who risk their lives on a routine, day to day basis in order to preserve the public peace and safety.

Based upon our latest actuarial valuation of the Public Employees' Retirement System, we find that the contribution level which would be required were the Police and Fire portion of the System a separate retirement program, standing on its own, would be 25% of covered pay. This can be used as a basis of estimation of the effect on the total State rate of providing Police and Fire coverage to other groups.

I'd be happy to discuss this question with you further at your pleasure.

Sincerely yours,


Norman S. Lusk, FSA
Actuary.

NSL:dk



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

COMMITTEE REPORT

3/16/73

SENATE

Mr. President:

Date 3/21/73

The Committee on FINANCE has had HR 227 amended supplemental appropriation for elections under consideration. A Majority of the members of the Committee

- 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" recommendation

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

Introduced: 2/14/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 227

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation for
7 elections; and providing for an effective date."

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

9 * Section 1. The sum of \$95,000 is appropriated from the general fund to
10 the Office of the Governor for the fiscal year ending June 30, 1973 to
11 cover unfunded costs of elections.

12 * Sec. 2. This Act takes effect on the day after its passage and
13 approval or on the day it becomes law without approval.

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Introduced: 2/14/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 227

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation for
7 elections; and providing for an effective date."

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

9 * Section 1. The sum of \$83,400 is appropriated from the general fund to
10 the Office of the Governor for the fiscal year ending June 30, 1973 to
11 cover unfunded costs of elections.

12 * Sec. 2. This Act takes effect on the day after its passage and
13 approval or on the day it becomes law without approval.

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46 227

February 13, 1973

The Honorable Tom Fink
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99801

Dear Mr. Speaker:

Pursuant to the Uniform Rules of the Legislature I am transmitting a bill providing for a supplemental appropriation for the division of elections in the amount of \$95,000. This supplemental is necessitated because of unanticipated expenses which had not been defined at the time the FY 1973 budget was prepared and approved.

Personal and contractual services are the two categories where overexpenditures occurred. The deficiency results from needed expenditures attendant to reapportionment, additional temporary employees and overtime compensation for permanent staff members, processing nearly twice the number of absentee ballots that had been expected, contractual employment of technical advisers to redefine precinct boundaries, reprinting of supplies due to a Supreme Court ruling on 30 day residency requirements, increase in registrar's payments to include a fifty cent payment per change of address, and additional rental space for storage of supplies and ballots in our Anchorage and Fairbanks offices.

Sincerely,

William A. Egan
Governor



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

"An Act making a supplemental appropriation for elections and providing for an effective date."

COMMITTEE REPORT

HOUSE

2-23-73

Mr. Speaker:

Date 2/23/73

The Committee on FINANCE has had HB 227

under consideration. A Majority of the members of the Committee

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:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

