

Leg. Finance - House & Senate Finance Comte Files (1973-74) 8879
HB 267, 268, 271, 276, 279, 283, 289, 295, 302, 229



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: 2/23/73
Referred: State Affairs and
Finance

BY FISCHER, BANFIELD, BOWMAN, CHANCE,
FINK, FRITZ, HACKNEY, HUBER, MCVEIGH,
MEEKINS, J. MILLER AND M. MILLER

1 IN THE HOUSE

2 HOUSE BILL NO. 267

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 Alaska
7 American Revolution Bicentennial Commission; 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 Alaska American Revolution Bicentennial Commission.

12 * Sec. 2. The balance of the appropriation made by this Act lapses into
13 the general fund on December 31, 1976.

14 * Sec. 3. This Act takes effect on the day after its passage and approval
15 or on the day it becomes law without approval.

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JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Freeman DATE: February 26, 1973
House Finance Committee

FROM: Earl D. Hillstrand
Chairman.
House Finance Committee

BILL NO.: HOUSE BILL 267

TITLE: "An Act making a special appropriation to the Alaska American
Revolution Bicentennial Commission; 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.

WILLIAM A. EGAN
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 27, 1973

Mr. J. H. Hogan, Director
Legislative Finance
Room 407
Capitol Building
Juneau, Alaska 99801

Dear Mr. Hogan:

I have received your request for a Fiscal Note in connection with House Bill 267.

Before completing a Fiscal Note, I think it is appropriate that I outline for you funding already available to the Alaska Bicentennial Commission. In Fiscal Year 1973 the Commission received a General Fund appropriation of \$5,000. During the course of Fiscal Year 1973 the Commission will receive from the Federal Government \$45,000 in direct grant assistance. It is my understanding that there will be available to the states substantial Federal funding provided a \$50 million appropriation proposed by the President passes Congress.

While it certainly is not my place to question the intent of House Bill 267 in appropriating General Fund money, I do wonder whether the foregoing information was available at the time this legislation was introduced.

A Fiscal Note would have to indicate that at least half of this appropriation would go to personal services, the remainder would be for equipment, travel, and commodities.

I would be happy to provide further information.

Sincerely

A handwritten signature in cursive script, appearing to read "Warren W. Wiley".

Warren W. Wiley
Administrative Assistant
to the Governor



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Saylor DATE: March 1, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 268

TITLE: "An Act relating to tax bonds for nonresident taxpayers; 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.

Introduced: 2/26/73
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 268

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 tax bonds for nonresident
7 taxpayers; and providing for an effective date."

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

9 * Section 1. AS 43.10.160(b) is amended to read:

10 (b) If the value of the taxpayer's interest in the real estate
11 is not equal to twice the amount of the estimated tax and license fees
12 for which the taxpayer will be liable to the state, the taxpayer shall
13 file with the Department of Revenue either a tax liability bond as a
14 surety bond or other security approved by the department [ATTORNEY
15 GENERAL] in a sum equal to twice the estimated amount of the taxes and
16 license fees, but in no event less than \$1,000. The tax liability
17 bond shall be filed annually with the affidavit statement required in
18 (a) of this section [HOWEVER, THE BOND REQUIREMENT MAY BE WAIVED, IN
19 WHOLE OR IN PART, IF THE TAXPAYER SHOWS IN WRITING TO THE SATISFACTION
20 OF THE ATTORNEY GENERAL THAT THE AMOUNT OF THE BOND WOULD BE AN UNDUE
21 HARDSHIP].

22 * Sec. 2. This Act takes effect on the day after its passage and
23 approval or on the day it becomes law without approval.
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The Legislature of the State of Alaska
 FISCAL NOTE
 First Session - Eighth Legislature

I. REQUEST

Bill Identification: HOUSE BILL 268
 Title: Tax Bonds for Non-residents
 Requested by: Legislative Finance Date: 3-1-73
 Return Date Requested: 3-8-73
 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-					
FEDERAL FUNDS	-0-					
OTHER	-0-					

C. POSITIONS:

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

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

See memo dated March 2, 1973 from Fred Boetsch, Director, Audit Division of the Department of Revenue.

IV. ATTACHMENTS

V. DATE: March 5, 1973

PREPARED BY: _____

R. D. Stevenson

R. D. Stevenson
 Acting Commissioner

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

MEMORANDUM

TO: R. D. Stevenson
Acting Commissioner

DATE: March 2, 1973

FILE NO:

FROM: Fred Boetsch, Director
Audit Division

SUBJECT: House Bill No. 268

FAB

This bill would simplify and clarify our current statutes relating to the requirement that nonresident taxpayers file a bond and affidavit with the State before engaging in business in the State so that the State's liabilities are protected. The bill provides that the taxpayer may file either a tax liability bond as a surety bond, or other security approved by the Department of Revenue. The approval of the Attorney General has been eliminated since, as a practical matter, the Attorney General has usually followed our advice in regard to the security provided. This would eliminate an unnecessary work load for the Attorney General's Office. Furthermore, the language specifies that the bond must be a tax liability bond, and must be a surety bond, whereas the present law simply requires a bond. We believe that this language is more specific.

The bill also provides that the tax liability bond shall be filed annually with the affidavit statement required. Currently, an affidavit is filed with the Department indicating the amount of the taxes that the taxpayer expects to be liable for during the current year. Under the present provisions a bond is often filed and then not updated as the taxpayer's business changes and as his tax liability changes. Furthermore, many insurance companies do not like the idea of simply placing a bond and then having the period run indefinitely. This provision would require the taxpayer to update the bond annually at the time he presents the affidavit. Then we could ascertain that the bond is sufficient to cover the amount of estimated tax as shown on the affidavit. This will tend to greater ensure that the State is covered by the bond.

The current provision which provides for waiver of the bond if the taxpayer convinces the Attorney General that the bond would be an undue hardship is eliminated. Generally, we find that many large corporations have been requesting these waivers even though it is apparent that the requirement is not an undue hardship on them. Secondly, providing for such a nebulous loophole as "undue hardship" makes the present law far more difficult administratively for the Department and the Attorney General's Office. It is simpler, cleaner, and more effective to merely require either a bond in payment of taxes or the holding of real estate in twice the amount of the estimated taxes. Elimination of the waiver requirement will simplify the administration of this law.

R. D. Stevenson

-2-

March 2, 1973

We do not see any administrative problems involved in this bill. However, if it passes we will change our procedures in the bond and affidavit section in order to provide for an annual reconciliation between the affidavit statement and the updated bond filing. This additional work will undoubtedly be offset by the lesser requirement to evaluate undue hardship requests. Therefore, I do not see any increase in administrative costs as a result of this bill.

There should be no effect on revenue. While we have never had to proceed against a bond in order to collect taxes, we have often used the bond as a lever through the insurance company to enforce payment of taxes. The elimination of the waiver strengthens the law but this will not necessarily result in an increase in revenue. What it does, actually, is increase the protection that the State has against possible nonpayment of taxes by non-resident taxpayers.

FPB:mbc



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James O. Smith
Signature of Camera Operator

4/26/89
Date

COMMITTEE REPORT

HOUSE

3-15-73

Mr. Speaker:

Date _____

The Committee on FINANCE has had 13 271

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:

_____ Chairman



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Saylor DATE: March 15, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 271

TITLE: "An Act concerning alcoholic beverage licenses; 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.



J'NEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Saylor DATE: March 15, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 271

TITLE: "An Act concerning alcoholic beverage licenses; 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.

Introduced: 2/26/73
Referred: State Affairs and
Finance

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 271
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 EIGHTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act concerning alcoholic beverage licenses; and
7 providing for an effective date."

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

9 * Section 1. AS 04.10.020 is amended by adding a new subsection to
10 read:

11 (n) manufacturing license.

12 * Sec. 2. AS 04.10.030 is amended to read:

13 Sec. 04.10.030. ISSUANCE OF LICENSES. The licenses described in
14 secs. 40-~~145~~ [140] of this chapter shall be issued by the director
15 upon direction of the board.

16 * Sec. 3. AS 04.10.080 is amended to read:

17 Sec. 04.10.080. BOTTLING WORKS LICENSE. The holder of a bottling
18 works license may operate a bottling works where intoxicating liquor
19 [BEER AND WINE] may be bottled and sold. The holder of a bottling
20 works license may not sell intoxicating liquor in quantities of less
21 than five wine gallons, and, unless he also obtains a wholesale
22 license, he may not sell intoxicating liquor to a person in the state
23 other than a holder of a wholesale license. [NO SALE OF BEER OR WINE
24 MAY BE MADE TO A CONSUMER OR IN QUANTITIES LESS THAN FIVE WINE
25 GALLONS.]The bottling works license fee is \$100.

26 * Sec. 4. AS 04.10. is amended by adding a new section to read:

27 Sec. 04.10.125. MANUFACTURING LICENSE. (a) The holder of a
28 manufacturing license may operate a brewery, winery, distillery,
29 rectifying plant, or other manufacturing plant where beer, wine,

1 distilled liquor, or other intoxicating liquor is brewed, fermented,
2 distilled, refined, or otherwise manufactured, and where the manu-
3 factured product is bottled, barreled, canned, or otherwise prepared
4 for sale. The holder of a manufacturing license may not sell intoxi-
5 cating liquor in quantities of less than five wine gallons, and, unless
6 he also obtains a wholesale license, he may not sell intoxicating
7 liquor to a person in the state other than a holder of a bottling
8 works license or a holder of a wholesale license.

9 (b) The manufacturing license shall specify what kinds of
10 intoxicating liquor may be manufactured by the holder, and the holder
11 may not manufacture any kinds of intoxicating liquor other than those
12 specified in his license, unless he first obtains the consent of the
13 board and the board amends the license accordingly.

14 (c) The manufacturing license fee is \$100.

15 * Sec. 5. AS 04.10.170 is amended to read:

16 Sec. 04.10.170. NONRESIDENT MANUFACTURER, BOTTLER, [DISTILLER,
17 BREWER] OR WHOLESALER. A manufacturer, bottler, [DISTILLER, BREWER]
18 or wholesaler, whose plant or principal place of business is outside
19 the state, but who himself sells his products [WHOSE PRODUCTS ARE
20 SOLD] directly [BY ANY ONE OF THE FOREGOING] in the state shall
21 obtain a separate wholesale license for the sale of his products in
22 the state and shall obtain a separate license for each wholesale
23 distributing point inside the state. A manufacturer, bottler, [DISTIL-
24 LER, BREWER,] or wholesaler, not resident in the state, selling intoxi-
25 cating liquors in the state, shall designate a principal place of
26 business, or headquarters, in the state, where all records shall be
27 located, and shall appoint an agent upon whom process can be had, and
28 shall also obtain any other appropriate [A LICENSE OR] licenses under
29 the provisions of this title.

1 * Sec. 6. AS 04.10.200 is repealed and re-enacted to read:

2 Sec. 04.10.200. POSTING OF APPLICATIONS. (a) Before a new
3 license is issued the applicant shall post a true copy of the appli-
4 cation:

5 (1) at the location of the premises;

6 (2) at the nearest post office, unless the postmaster or
7 his authorized representative does not permit posting, in which case
8 the copy shall be posted:

9 (A) at the municipal office building, if the location
10 of the premises is within an incorporated city; or

11 (B) at the borough office building, if the location of
12 the premises is within an organized borough but not within an
13 incorporated city; or

14 (C) at the nearest state courthouse or magistrate's
15 office, if the location of the premises is in the unorganized
16 borough but not within an incorporated city;

17 and

18 (3) at one other conspicuous location in the area.

19 (b) The applicant shall post the copies required by this section
20 for a period of 10 days before the filing of the application and shall
21 submit with the application proof of posting on a form provided by
22 the board.

23 * Sec. 7. AS 04.10.350(a) is amended to read:

24 (a) A license issued under this chapter is renewable automatically
25 if the fee is paid in accordance with secs. 40-~~145~~ [140] of this
26 chapter, except in the case of conviction of licensee under AS 04.15.-
27 100, pending the outcome of a board hearing or judicial determination
28 as to the legality of issuing the license, or in the case of a lawful
29 revocation in which event the license is renewable only as provided

1 by law and regulation.

2 * Sec. 8. AS 04.10.350(c) is amended to read:

3 (c) Licenses shall be renewed as follows:

4 (1) On or before November 1, the director shall mail to
5 each licensee at his licensed premises or at a mailing address
6 designated by the licensee, an application to renew the license.

7 (2) The application to renew the license may be filed on
8 or before December 31 on payment of the applicable annual fee under
9 secs. 40-~~145~~ [140] of this chapter.

10 (3) After December 31, and on or before the last day of
11 February [28], a license may be renewed on payment of the applicable
12 annual renewal fee under secs. 40-~~145~~ [140] of this chapter plus a
13 penalty which shall be equal to the annual fee or \$50, whichever is
14 less.

15 (4) Unless otherwise terminated, a license which is in
16 effect on December 31 continues in effect through the next March 1
17 at 12:01 a.m. (local time at the location of the licensee's premises)
18 [FEBRUARY 28]. However, if, on or before the last day of February
19 [28], the renewal application has not been filed and the fees provided
20 for in (2) or (3) of this subsection have not been paid, the license
21 is automatically revoked at 12:01 [2:00] a.m. March 1 (local time at
22 the location of the licensee's premises) [FEBRUARY 28], and may only
23 be reinstated

24 (A) upon application filed during the six-month period
25 beginning with the last day of February [28];

26 (B) upon proof satisfactory to the board of good cause
27 for the failure to file and pay; and

28 (C) in accordance with rules or regulations promulgated
29 by the board; the fee for filing an application for reinstatement

1 shall, in addition to the annual fee, include the penalty fee
2 provided in (3) of this subsection, no part of which is return-
3 able to the applicant.

4 (5) On or before February 15, the director shall mail a
5 notice of forfeiture to each licensee who has not either filed an
6 application to renew his license or notified the director of his
7 intent not to do so; failure to mail this notice or the renewal
8 application in accordance with (c)(1) of this section does not con-
9 tinue the right to a license.

10 * Sec. 9. AS 04.15.040 is amended to read:

11 Sec. 04.15.040. LICENSE REQUIREMENTS. Licensees selling to the
12 general public are charged with the knowledge that the wholesaler,
13 manufacturer [DISTILLER], importer, [BREWER] or bottler from whom
14 they purchased intoxicating liquor is properly licensed.

15 * Sec. 10. AS 04.10.020(f), 04.10.020(i), 04.10.090. and 04.10.120
16 are repealed.

17 * Sec. 11. Within 60 days after the effective date of this Act, the
18 director shall, without charge, issue a manufacturing license to a person
19 who is a holder of a brewery or distillery license on the effective date of
20 this Act and whose existing license has not been revoked after the effective
21 date of this Act. Upon receipt of a manufacturing license, the holder
22 shall return his existing brewery or distillery license to the director.
23 The manufacturing license issued under this section expires on the same date
24 as the brewery or distillery license which it replaces.

25 * Sec. 12. This Act takes effect on the day after its passage and
26 approval or on the day it becomes law without approval.
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The Legislature of the State of Alaska
 FISCAL NOTE
 First Session - Eighth Legislature

I. REQUEST

Bill Identification: HR 271
 Title: Alcoholic Beverage Licenses
 Requested by: Legislative Finance Date: 3/15/73
 Return Date Requested: 3/22/73
 Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: 0

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)

	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
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 memos of March 5, 1973 and March 21, 1973 to R. D. Stevenson, Commissioner.

IV. ATTACHMENTS

Copy of H.B. 271.
 Memo to Commissioner Stevenson dated March 5, 1973, which analyzes the effect of the legislation on present statutes.

V. DATE: March 21, 1973

PREPARED BY: James F. Rogan
 Director
 Alcoholic Beverage Control Board

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

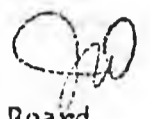
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MEMORANDUM

TO: R. D. Stevenson, Commissioner
Department of Revenue
Juneau

DATE: March 5, 1973

FROM: James P. Doogan, Director
Alcoholic Beverage Control Board
Anchorage



SUBJECT: House Bill No. 271

The subject bill was prepared by the Attorney General's office at our request, but apparently didn't get to the Governor's office in time to meet the deadline for presentation of bills to the Legislature promised by the Governor. All items, including those concerning license fees, are as we recommended.

This is purely a housekeeping bill in that it provides for the manufacturer of any type of alcoholic beverage to be licensed under a manufacturer's license, and will stipulate at the time of issue what type of alcoholic beverages are to be manufactured. It will no longer be necessary to ask the Legislature to establish a new type of manufacturing license, i.e. winery, rectifier, etc., as has been the case in the past. (We had to issue a distiller's license to Father Engel's winery in Palmer because a winery license had not been provided for.) The fee of \$100.00 for a manufacturer's license is the same as the fee stipulated in the present law for a Distillery, Brewery, etc. We also provide that any one who manufactures alcoholic beverages could sell only to a Bottling Works or to a Wholesaler. If a manufacturer wished to sell to retail licensees, they must secure a Wholesale license to do so. The purpose of this, of course, is to insure that license fees would be paid on the same scale as presently done by Wholesale licensees, rather than allowing a manufacturer to sell for the \$100.00 license fee required for the manufacturing license.

Section 04.10.030 Bottling Works license is amended to provide for the same license requirements as the Manufacturer's and Wholesale licenses.

Section 04.10.170 Nonresident Distiller, Brewer, Wholesaler is being amended to replace Distiller and Brewer with Manufacturer and Bottler.

Section 04.10.200 has been amended because present law states that the one copy of application for a new license or transfer shall be posted at the nearest U. S. Post Office. However, the Postmaster in Anchorage and some of the other post offices refuse to allow us to post liquor license applications on their bulletin boards, stating they have more than enough posting to take up what space is available.

Section 04.10.350(a) is being amended to include the recreational site license which has not been included heretofore. These same amendments are needed in part (c) in the statute A.S. 04.10.350(c), listed under Section 3. It further includes that the time of revocation for non-renewal of licenses has been changed from 2:00 a.m., February 28, which has always been confusing, to 12:01 a.m., March 1. This change is needed because too many of the licensees interpreted the statute incorrectly, thinking it meant 2:00, March 1. This was compounded last year in that there was an extra day, being leap year, of February 29.

R. D. Stevenson, Commissioner
SUBJECT: House Bill No. 271

-2-

March 1, 1973

The amendments in the proposed bill should show some slight increase in the license fees over a period of time without any increase in the cost of administration.

I have been requested by Representative Helen Fischer, Chairman of the House State Affairs Committee to appear sometime next week in Juneau to testify on this bill.

I heartily endorse the enactment of House Bill No. 271.

JPD/cjh

MEMORANDUM

TO: R. D. Stevenson, Commissioner
Department of Revenue
Juneau

DATE: March 21, 1973

FROM: James P. Doogan, Director
Alcoholic Beverage Control Board
Anchorage

SUBJECT: Fiscal Note Information
H.B. 271

Enactment of H.B. 271 will not alter our involvement in implementing the terms of this bill or will our workload be increased or decreased since we are currently performing all functions under present statutes. This bill only clarifies those functions. Refer to memo of March 5, 1973 to your office for section by section dissertation on H. B. 271.

There will also be no additional funding required to implement the dictates of this bill, since there will be no increase in administration or enforcement requirement.

Increases in revenue will be nil for the present. However, there is a possibility that licensing fees may be increased by \$1,200 per year and excise tax fees by \$1,500 per year FY 76, FY 77, and FY 78 if plans for the construction of a brewery and a rectifying plant, in the Anchorage area, are completed.

JPD/cjh



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: 2/27/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MCGILL

2 HOUSE BILL NO. 276

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 bush translators and related
8 equipment; and providing for an effective date."

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

10 * Section 1. The sum of \$125,000 is appropriated from the general fund
11 to the Department of Public Works for the completion of the bush translators
12 and related equipment program.

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

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RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

4/26/89
Date



JUNEAU ALASKA

Alaska State Legislature House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Specking DATE: March 9, 1973
House Finance Committee

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 279

TITLE: "An Act relating to the utilization of state campsites."

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

Introduced: 2/28/73
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY FISCHER AND M. MILLER

2 HOUSE BILL NO. 279

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 utilization of state campsites."

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

8 * Section 1. AS 41.20.020 is amended by adding a new paragraph to read:

9 (12) provide by regulation for the issuance of campsite
10 utilization permits and vehicle stickers and the administration, ac-
11 counting, and collection of utilization fees for state campsites desig-
12 nated under this chapter.

13 * Sec. 2. AS 41.20 is amended by adding new sections to read:

14 Sec. 41.20.023. SELECTION OF CAMPSITES. The division of parks and
15 recreation shall designate state campsites or shelter facilities re-
16 quiring utilization permits issued under sec. 25 of this chapter.

17 Sec. 41.20.025. CAMPSITE UTILIZATION PERMIT. (a) A person or
18 a member of his immediate family may utilize a campsite or shelter
19 facility designated under sec. 23 of this chapter only if he possesses
20 a campsite utilization permit issued under this section; however, a
21 vehicle displaying a vehicle sticker issued under (b) of this section,
22 entitles its occupants to the use of the campsite or shelter facility.

23 (b) The permit shall be issued by the division of parks and
24 recreation at a cost of \$10 and shall expire annually.

25 (c) Upon payment of the fee required under this section, the
26 campsite utilization permit with a corresponding vehicle sticker shall
27 be issued to the applicant.

28 (d) In this section "campsite or shelter facility" means any
29 permanent facility accessible to vehicular traffic in a park, rest area

1 or recreation area, constructed and maintained by the state to accom-
2 modate recreational users.

3 Sec. 41.20.026. ACCOUNTING AND REPORT TO THE LEGISLATURE. The
4 department shall provide for an accounting of all permit fees received
5 under sec. 25 of this chapter and submit an accounting report to the
6 legislature no later than 30 days after the convening of each regular
7 session of the state legislature.

8 Sec. 41.20.028. APPROPRIATION FOR CAMPSITE OR SHELTER FACILITIES.
9 The legislature may appropriate at least an amount equal to the funds
10 received for campsite utilization fees under sec. 25 of this chapter
11 for the construct.on, restoration and maintenance of campsite and
12 shelter facilities.

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

I. REQUEST

Bill Identification: HR 279
 Title: State composite
 Requested by: Legislative Finance Date: 3/9/73
 Return Date Requested: 2/16/73
 Agency: Natural Resources Program: Parks & Recreation

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Parks & Recreation, M. & O.: 04-46-02

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 73	FY 74	FY 75	FY 76	FY 77	FY 78
100 PERSONAL SERVICES		4,400	9,200	9,600	10,100	10,600
200 TRAVEL						
300 CONTRACTUAL		10,000	15,000	20,000	21,000	22,000
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	14,400	24,200	29,600	31,100	32,600

B. FUNDING: (Thousands of dollars)

GENERAL FUND		14,400	24,200	29,600	31,100	32,600
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 /	2 /	2 /	2 /	2 /
MAN MONTHS (P./T.)	/	6 /	12 /	12 /	12 /	12 /

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

Two seasonal Clerk Typist III required (Juneau & Nancy Lake) to handle Sales & Accounts. Other districts can handle with existing personnel (assuming approval of Clerk Typist III in Fairbanks for FY 1974). Cost of decals, receipts, etc. estimated at 50 cents each. Sales estimated at 20,000 in 1974, 30,000 in 1975, 40,000 in 1976 and thereafter.

IV. ATTACHMENTS

Analysis of income potential
 Draft of regulations.

V. DATE: 3/12/73 PREPARED BY: T.G. Smith, Director, Division of Parks

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

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

Notice is hereby given that the Department of Natural Resources under authority vested by AS 41.20.020, proposes to amend regulations in Title II of the Alaska Administrative Code to implement AS 41.20.020, as follows:

(1) 11 AAC 11.190 is amended as follows:

11 AAC 11.190. EXPLOSIVES AND FIREWORKS. Discharge of explosives, mechanical or air operated guns, gas operated explosive devices, fireworks or similar devices in a state park is prohibited except that the director may authorize use of such items when required for construction or maintenance purposes or for the general public safety or welfare.

(2) 11 AAC 11.310 is amended by adding section (b) as follows:

(b) An annual entrance fee of \$10 for each motor vehicle using state park lands or waters is established effective January 1, 1974. A numbered decal showing the year for which it is valid will be issued upon payment of the fee and shall be attached and displayed as prescribed by the instructions accompanying the decal. The display of a currently valid decal is required on motor vehicles placed, driven or operated in the state park system including motor boats, snowmachines and powered aircraft. Nothing in this section requires the payment of the park entrance fee for motor vehicles, snowmachines, motor boats or powered aircraft driven or transported through the state park system on the state highway system, nor does it apply to vehicles which remain loaded on a transporter and are not operated within the state park system.

(3) 11 AAC 11.320 is repealed.

Notice is also given that any person interested may present oral or written statements or arguments relevant to the action proposed at a hearing to be held at Ryan Junior High School, Airport Way, Fairbanks, Alaska at 7:30 p.m. on April 5, 1973 and at the City of Anchorage Council Chambers, Loussac Library Building, 5th & F Streets, Anchorage, Alaska at 7:30 p.m. on April 9, 1973.



Theodore G. Smith
Director
Division of Parks

Dated: March 6, 1973
Publish: March 9, 1973

ANALYSIS OF INCOME POTENTIAL OF
PARK ENTRANCE ANNUAL FEE

Alaska Statistical Review reports:

44,000 tourists arrive by highway
20,000 tourists arrive by ferry

64,000 ÷ 4 persons per car = 16,000 out of state vehicles

Department of Revenue reports:

1971 total registration passenger vehicles 99,902
1971 total registration light trucks 37,126

* * * *

If we assume 1/2 of the light trucks are potential recreational vehicles =	18,563
If we assume 1/2 of the passenger cars are potential recreational vehicles =	<u>49,951</u>
Total potential recreational vehicles in Alaska	68,514

Assume 1/4 of these would use the state park system enough to either buy an annual sticker or pay over one half the cost in daily charges =	17,128
Assume 3/4 of tourists buy stickers/daily fee =	12,000
Assume snowmobile, trail bikes and motorcycle sales of	3,000
Assume military personnel owned vehicle sales of	<u>6,000</u>
Total permits	38,128
Permit Fee	<u>\$10</u>
Potential Annual Income	\$381,280

Assume 50% compliance in 1974 =	\$190,640
Assume 75% compliance in 1975 =	285,960
Assume 100% compliance in 1976 =	381,280



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



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Rep. Barber DATE: March 7, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HB 283

TITLE: An Act making a special appropriation to the Dept.
of Public Works; effective date.

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

Introduced: 2/28/73
Referred: State Affairs and
Finance

BY FISCHER, OSE, MCVEIGH, MEEKINS
AND BARBER

1 IN THE HOUSE

2 HOUSE BILL NO. 283

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; and providing for an effective
8 date."

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

10 * Section 1. The sum of \$300,000 is appropriated from the general fund to
11 the Department of Public Works for the purpose of studying and analyzing in
12 detail all alternate transportation methods of crossing Knik Arm.

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

"STATE AFFAIRS COMMITTEE REPORT

on ²⁸³
HOUSE BILL NO. ~~288~~

SCOPE OF WORK FOR A FEASIBILITY STUDY OF A
KNIK ARM CROSSING UTILIZING A FERRY SYSTEM

1. Project Description

The study will provide an in-depth analyses to determine the feasibility of a possible ferry system to provide vehicular and passenger service across Knik Arm which would connect the Greater Anchorage area and the Matanuska-Susitna area to the north. The study would be divided into two phases.

2. Phase 1 Report

The Phase 1 report would provide for a gathering of all pertinent data including preliminary engineering studies of the following aspects of the project:

- a. Traffic demand
- b. Ferry(s), size and physical description
- c. Highway access
- d. Ferry terminals
- e. State land value and potential uses in the Matanuska-Susitna area

Additional investigations will include the following:

Information related to wind and tides, currents, ice and preliminary subsurface investigations. Based on material gathered, alternative ferry route locations and preliminary designs will be presented and related to alternative State land use plans in the Matanuska-Susitna area.

The conclusion of the Phase 1 report will provide for a preliminary recommendation for a proposed route and will include preliminary designs and estimates for the project which will include a preliminary benefit-cost ratio for all routes and a recommendation for the most favorable location.

3. Phase II Report

The Phase II report will be commenced after a thorough review of the Phase 1 report and after the feasibility of the project has been established on a preliminary basis. The Phase II report will provide the results of topographical and hydrographic investigations, subsurface drilling and material testing, and sufficient preliminary engineering on the vessel(s), terminals and connecting road lengths to provide a detailed cost estimate for the construction of the system.

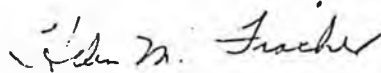
A final benefit-cost ratio determination will be made predicted on a recommended method of financing and will include tangible benefits to users as well as to the State through a recommended disposition of State-owned lands on the Matanuska-Susitna side of the crossing.

HOUSE JOURNAL

It is estimated that Phase 1 of the report will require six months to complete. The total cost of the study is estimated at \$300,000 as follows:

Phase 1 - - - - - \$100,000
Phase II - - - - - \$150,000
Offshore Drill
Soil Testing - - \$ 50,000

The conclusion of the study will provide for a firm recommendation regarding the cost and benefits which could be derived by the State through the construction of the facility.



Helen M. Fischer, Chairman
State Affairs Committee

State Affairs Committee Report

on

HOUSE BILL NO. 34

This is very necessary legislation because present statutes are incomplete and therefore confusing and inadequate to handle the problems involved in removing abandoned vehicles from the place of abandonment to a holding or storage place while the legal owner is sought.

The bill provides for step-by-step procedures to be followed, lays various segments of responsibilities where they belong and otherwise provides for prompt, orderly removal, storage and equitable and fair disposition of these abandoned vehicles including any excess of funds over the carriers charges for towing and storage.

However, there are a few corrections or additions needed as follows:

Line 17, Page 3, Change to read: "for the acquisition or use of areas appropriate for the disposal of abandoned". Note: This would permit existing privately owned facilities to be used.

Add a Section 1 between Lines 2 and 7 as follows and renumber other sections:

Section 1: Amend Sec. 28.10.515 to read as follows:
Sec. 28.10.515 Towing and storage lien (a) A person engaged in the business of towing motor vehicles, who tows, transports or stores a motor vehicle has a lien on the motor vehicle. This lien attaches when the person acts under a contract with the owner or at the direction of a public officer acting lawfully or a person entitled to possession of the property upon which the motor vehicle is parked without consent. The lien remains in effect while the motor vehicle is in the possession of the person and may be sold, as provided in (b) of this section, to pay the charges for towing, transportation or storage. A lien is limited to towing charges assessed according to the tariff filed by the carrier with The Alaska Transportation Commission and storage charges of no more than \$1.50 per day, [but the total charges may not exceed \$100.00.] In the absence of a filed tariff, the towing charge shall be the same as the lowest towing charge in the other filed tariffs covering the same service and route. Storage charges shall cease to be part of the lien after 30[10] days unless the prior lien holder has been given actual notice of the possessory lien within that time or unless a certified letter has been mailed within that time to the owner and prior lien holder at their addresses of record with the office in which the title to the motor vehicle and the lien on it are recorded.

Note: In Sec. 28.10.515(b) it requires the carrier to hold the vehicle for 30 days before it can be advertised for sale but this would mean the carrier must give 20 of these 30 days' storage free. This is obviously unfair and inequitable.

The committee has unanimously approved the above two amendments and a committee substitute has been drafted for House Bill No. 34 for submission to the House.

Helen M. Fischer

Helen Fischer, Chairman
State Affairs Committee

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

I. REQUEST

Bill Identification: HR 283 - SB 181
 Title: Knick Arm Study appropriation
 Requested by: Legislative Finance Date: 3/8/73
 Return Date Requested: 3/15/73
 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		300.0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
		0				
TOTAL		300.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		300.0				
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 to be utilized to engage the services of a consulting engineering firm to conduct studies in accordance with the outlines as set forth in the attached letter and documents.

IV. ATTACHMENTS

V. DATE: March 9, 1973 PREPARED BY: Bert A. Esmond
 Bert A. Esmond
 Deputy Director

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

February 27, 1973

Representative Richard McVeigh
Chairman Pro Tem
Anchorage Legislative Delegation
State Capitol Building
Juneau, Alaska

Dear Representative McVeigh:

This is pursuant to your request for a scope of work and a cost estimate for a feasibility study of a ferry crossing of the Knik Arm connecting the Anchorage area to the Matanuska Susitna area.

The total cost of the study is estimated at \$300,000 and will require approximately one year to complete all phases of the work. Each phase, however, is dependent upon the preceding phase, so that if it is determined after Phase I, that the project is not feasible, there is no obligation to proceed to the next phase.

The attached data provides additional information regarding the nature of the study.

Sincerely,

George W. Easley
Commissioner

Attachment

GWE/lr

SCOPE OF WORK FOR A FEASIBILITY STUDY OF A
KNICK ARM CROSSING UTILIZING A FERRY SYSTEM

1. Project Description

The study will provide an in-depth analyses to determine the feasibility of a possible ferry system to provide vehicular and passenger service across Knick Arm which would connect the Greater Anchorage area and the Matanuska-Susitna area to the north. The study would be divided into two phases.

2. Phase I Report

The Phase I report would provide for a gathering of all pertinent data including preliminary engineering studies of the following aspects of the project:

- a. Traffic demand.
- b. Ferry(s), size and physical description.
- c. Highway access.
- d. Ferry terminals.
- e. State land value and potential uses in the Matanuska-Susitna area.

Additional investigations will include the following:

Information related to wind and tides, currents ice and preliminary subsurface investigations. Based on material gathered, alternative ferry route locations and preliminary designs will be presented and related to alternative State land use plans in the Matanuska-Susitna area.

The conclusion of the Phase I report will provide for a preliminary recommendation for a proposed route and will include preliminary designs and estimates for the project which will include

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

SCOPE OF WORK FOR A FEASIBILITY STUDY OF A
KNICK ARM CROSSING UTILIZING A FERRY SYSTEM

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Information related to wind and tides, currents, ice and preliminary subsurface investigations. Based on material gathered, alternative ferry route locations and preliminary designs will be presented and related to alternative State land use plans in the Matanuska-Susitna area.

The conclusion of the Phase I report will provide for a preliminary recommendation for a proposed route and will include preliminary designs and estimates for the project which will include

a preliminary benefit-cost ratio for all routes and a recommendation for the most favorable location.

3. Phase II Report

The Phase II report will be commenced after a thorough review of the Phase I report and after the feasibility of the project has been established on a preliminary basis. The Phase II report will provide the results of topographical and hydrographic investigations, subsurface drilling and material testing, and sufficient preliminary engineering on the vessel(s), terminals and connecting road lengths to provide a detailed cost estimate for the construction of the system.

A final benefit-cost ratio determination will be made predicted on a recommended method of financing and will include tangible benefits to users as well as to the State through a recommended disposition of State-owned lands on the Matanuska-Susitna side of the crossing.

It is estimated that Phase I of the report will require five months to complete and the Phase II report will require six months to complete. The total cost of the study is estimated at \$300,000 as follows:

Phase I-----	\$100,000
Phase II-----	\$150,000
Offshore Drill Soil Testing -	\$50,000

The conclusion of the study will provide for a firm recommendation regarding the cost and benefits which could be derived by the State through the construction of the facility.

INSTRUCTIONS TO A CONSULTING ENGINEERING FIRM FOR THE
CONDUCT OF A FEASIBILITY STUDY. REFERENCE: SCOPE
OF WORK FOR A FEASIBILITY STUDY OF A KNICK ARM
CROSSING UTILIZING A FERRY SYSTEM.

The following instructions are intended to be used as a guideline and a basis for a proposed contract:

1. Traffic Demand. Traffic demand is to be derived which will provide the following information:

- a. Vehicular and pedestrian requirements by size and type of vehicle on an annual basis commencing in 1975 through 1995.
- b. Traffic fluctuations by hour, day and month for the period 1975 through 1980.
- c. Traffic projections should be based upon existing origin and destination information provided in the FMATS and AMATS study conducted by Wilbur Smith and Associates in 1968, supplemented by appropriate data contained in permanent traffic counters maintained by the Alaska Department of Highways.
- d. Additional information to supplement existing traffic data shall be obtained through the use of standard origin and destination interviews conducted in a manner which would be approved by the Federal Highway Administration.
- e. Fees for ferry services shall be established during the analysis of the Phase I report.

2. The consultant shall retain the services of a marine architectural firm which will be approved by the State who will provide a

complete description of the vessel(s) required to satisfy the traffic demand. Preliminary sketches of the vessels including vessel descriptions shall be approved by the United States Coast Guard and the American Bureau of Shipping prior to inclusion in the report. Special attention shall be given to maintaining a minimum crew size. A special hull design and power plant requirement based on the nature of the Knick Arm during all seasons of the year. Cost estimates will be provided based on 1975 construction.

3. Highway access routes on both sides of the crossing shall be analyzed utilizing data previously derived by the feasibility study for a bridge crossing conducted by the Alaska Department of Highways. The area involved shall extend from the City of Anchorage arterial network to a potential connection to the Fairbanks-Anchorage Highway north of Palmer. Additional access routes will be reviewed as they relate to the development of State-owned lands as well as privately-owned lands on the Matanuska-Susitna side of the crossing. Cost estimates shall be comparable to those used by the Alaska Department of Highways.

4. Ferry terminal preliminary design shall be furnished with particular attention to the problem of severe icing conditions, poor foundation soils and extreme tides. Subsurface investigations previously provided by consultant services for the City of Anchorage by the United States Corps of Engineers and TAMS will be thoroughly reviewed prior to additional studies being conducted. Alternate locations of terminals will be provided with particular reference to the conditions previously described and in keeping with the AMATS arterial route corridor studies.

5. State lands on the Matanuska-Susitna side of the crossing will be evaluated and the highest and best use determined as they relate to the crossing. Particular attention will be given to the potential development of a future International airport which may be sited there. The State of Alaska, Division of Aviation has considerable material available regarding land requirements and runway orientation. The determination of compatible land uses in the vicinity of the proposed airport is important, particularly as they relate to corridors of approach and departure of aircraft. The total value of state lands shall be estimated on a preliminary basis including development cost for the highest and best use and the revenue which could be derived through the disposal of the land.

6. All related data collection relating to environmental conditions of the Knick Arm and effected tide lands will be made as required but will be reviewed and approved by the United States Corps of Engineers prior to submittal.

7. All details of subsurface investigations will be made by actual bore testing after the selection of the terminal sites.

8. The Phase I report shall be provided in 25 copies and 200 copies of the Phase II report will be provided.

9. The State will retain ownership of all data developed.

10. This contract will be conducted under all applicable State and Federal laws and local ordinances including applicable building and zoning requirements.



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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



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Warwick DATE: March 30, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 289

TITLE: "An Act relating to earlier service credit under the public employees' retirement system; 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: Senate Bill 185 and House Bill 289
 Title: Retirement for Territorial Court System Employees
 Requested by: Legislative Finance Date: 3/15/73
 Return Date Requested: 3/22/73
 Agency: Retirement Section Program: Public Employees Retirement System

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Court System

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 COST	-0-	5.0	5.3	5.6	5.9	6.2
TOTAL	-0-	5.0	5.3	5.6	5.9	6.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND 86%	-0-	4.5	4.5	4.7	4.9	5.2
FEDERAL FUNDS 14%	-0-	.7	.8	.9	1.0	1.0
OTHER	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

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

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

The cost of benefits in this Fiscal Note is based on the premise that only the ten people listed below are covered, and is based upon the limited service information provided to us on these people.

This group of people has previously been classified as ineligible in the same way as have some employees of the old Alaska Road Commission, and Bureau of Public roads plus employees of other pre-statehood agencies.

Inclusion of this Court System group would seem to open the way for the inclusion of the latter groups with the resultant high administrative and benefits costs.

IV. ATTACHMENTS Those covered by this note:

Olga T. Steger	Grace Herman
Doris Wilken	Arthur V. Simonsen
Mary Brennan	Joyce Haugan
Nettie Titus	Lois Bradley
Anna May Vokacek	Ona Rude

V. DATE: March 15, 1973

PREPARED BY: 

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

Introduced: 3/1/73
Referred: State Affairs and
Finance

BY CARROL, BANFIELD, BARBER,
BOWMAN, BRADNER, CHANCE, FISCHER,
FRITZ, GARDINER, HACKNEY, HUBER,
LAKTONEN, MCGILL, MCVEIGH, MALONE,
MEEKINS, M. MILLER, PARKER,
RANDOLPH, SPECKING, WARWICK,
WILSON AND NAUGHTON

1 IN THE HOUSE

2 HOUSE BILL NO. 289

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 earlier service credit under the
7 public employees' retirement system; and providing
8 for an effective date."

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

10 * Section 1. AS 39.35.360(a) is amended to read:

11 (a) An employee who completes three years of service with the
12 state after January 1, 1961, for which he makes contributions required
13 by this chapter is entitled to service credit for employment rendered
14 to the State [STATE] and former Territory [TERRITORY] of Alaska before
15 January 1, 1961, regardless of the office, department, division, or
16 agency of the state or territory in which he was employed including
17 the United States District Court, and the United States Commissioner's
18 Court serving the Territory and State of Alaska succeeded to by the
19 Alaska court system.

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

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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

Original sponsor: Huber by request

Offered: 3/7/73
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 295

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 basic salary schedule for
7 state employees; and providing for an effective date."

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

9 * Section 1. AS 39.27.010 is repealed and re-enacted to read:

10 Sec. 39.27.010. BASIC SALARY SCHEDULE. The following monthly
11 basic salary schedule is approved as the pay plan for classified and
12 partially exempt employees of the State of Alaska:

13 Range	Step	Step	Step	Step	Step	Step
14 No.	A	B	C	D	E	F
15 5	--	--	--	--	--	642
16 6	--	--	--	642	667	692
17 7	--	642	667	692	717	745
18 8	667	692	717	745	772	802
19 9	717	745	772	802	832	862
20 10	772	802	832	862	895	928
21 11	832	862	895	928	964	1,000
22 12	895	928	964	1,000	1,037	1,076
23 13	964	1,000	1,037	1,076	1,117	1,158
24 14	1,037	1,076	1,117	1,158	1,201	1,246
25 15	1,117	1,158	1,201	1,246	1,294	1,342
26 16	1,201	1,246	1,294	1,342	1,393	1,444
27 17	1,294	1,342	1,393	1,444	1,498	1,554
28 18	1,393	1,444	1,498	1,554	1,613	1,673
29 19	1,498	1,554	1,613	1,673	1,737	1,802

1	20	1,613	1,673	1,737	1,802	1,869	1,939
2	21	1,737	1,802	1,869	1,939	2,012	2,088
3	22	1,869	1,939	2,012	2,088	2,166	2,247
4	23	2,012	2,088	2,166	2,247	2,331	2,419
5	24	2,166	2,247	2,331	2,419	2,509	2,604
6	25	2,331	2,419	2,509	2,604	2,701	2,802
7	26	2,419	2,509	2,604	2,701	2,802	2,913
8	27	2,509	2,604	2,701	2,802	2,913	3,016
9	28	2,604	2,701	2,802	2,913	3,016	--

10 * Sec. 2. It is the intent of the legislature that all permanent employees
11 of the legislative branch of the government shall receive pay increments as
12 comparable as possible to those provided the classified employees in sec. 1
13 of this Act.

14 * Sec. 3. This Act takes effect July 16, 1973.

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4% GENERAL INCREASE

<u>RANGE NO.</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>	<u>STEP F</u>	<u>STEP G</u>	<u>STEP H</u>	<u>STEP I</u>	<u>STEP J</u>
05	505	524	544	564	585	607	630	654	678	704
06	544	564	585	607	630	654	678	704	730	757
07	585	607	630	654	678	704	730	757	786	815
08	630	654	678	704	730	757	786	815	846	878
09	678	704	730	757	786	815	846	878	911	945
10	730	757	786	815	846	878	911	945	980	1017
11	786	815	846	878	911	945	980	1017	1055	1095
12	846	878	911	945	980	1017	1055	1095	1136	1178
13	911	945	980	1017	1055	1095	1136	1178	1222	1268
14	980	1017	1055	1095	1136	1178	1222	1268	1316	1365
15	1055	1095	1136	1178	1222	1268	1316	1365	1416	1469
16	1136	1178	1222	1268	1316	1365	1416	1469	1525	1582
17	1222	1268	1316	1365	1416	1469	1525	1582	1641	1703
18	1316	1365	1416	1469	1525	1582	1641	1703	1766	1833
19	1416	1469	1525	1582	1641	1703	1766	1833	1901	1973
20	1525	1582	1641	1703	1766	1833	1901	1973	2047	2123
21	1641	1703	1766	1833	1901	1973	2047	2123	2203	2286
22	1766	1833	1901	1973	2047	2123	2203	2286	2371	2460

<u>RANGE NO.</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>	<u>STEP F</u>	<u>STEP G</u>	<u>STEP H</u>	<u>STEP I</u>	<u>STEP J</u>
23	1901	1973	2047	2123	2203	2286	2371	2460	2553	2648
24	2047	2123	2203	2286	2371	2460	2553	2648	2748	2851
25	2203	2286	2371	2460	2553	2648	2748	2851	2957	3068
26	2286	2371	2460	2553	2648	2748	2851	2957	3068	3183
27	2371	2460	2553	2648	2748	2851	2957	3068	3183	3303
28	2460	2553	2648	2748	2851	2957	3068	3183	3303	3427

<u>Range No.</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>	<u>Step G</u>	<u>Step H</u>	<u>Step I</u>	<u>Step J</u>
05	510	529	549	570	591	613	636	660	685	710
06	549	570	591	613	636	660	685	710	737	765
07	591	613	636	660	685	710	737	765	793	823
08	636	660	685	710	737	765	793	823	854	886
09	685	710	737	765	793	823	854	886	919	954
10	737	765	793	823	854	886	919	954	989	1026
11	793	823	854	886	919	954	989	1026	1065	1105
12	854	886	919	954	989	1026	1065	1105	1146	1189
13	919	954	989	1026	1065	1105	1146	1189	1234	1280
14	989	1026	1065	1105	1146	1189	1234	1280	1328	1378
15	1065	1105	1146	1189	1234	1280	1328	1378	1430	1483
16	1146	1189	1234	1280	1328	1378	1430	1483	1539	1597
17	1234	1280	1328	1378	1430	1483	1539	1597	1656	1719
18	1328	1378	1430	1483	1539	1597	1656	1719	1783	1850
19	1430	1483	1539	1597	1656	1719	1783	1850	1919	1991
20	1539	1597	1656	1719	1783	1850	1919	1991	2066	2143
21	1656	1719	1783	1850	1919	1991	2066	2143	2224	2307
22	1783	1850	1919	1991	2066	2143	2224	2307	2394	2483
23	1919	1991	2066	2143	2224	2307	2394	2483	2577	2673

<u>Range No.</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>	<u>Step G</u>	<u>Step H</u>	<u>Step I</u>	<u>Step J</u>
24	2066	2143	2224	2307	2394	2483	2577	2673	2773	2877
25	2224	2307	2394	2483	2577	2673	2773	2877	2985	3097
26	2307	2394	2483	2577	2673	2773	2877	2985	3097	3213
27	2394	2483	2577	2673	2773	2877	2985	3097	3213	3334
28	2483	2577	2673	2773	2877	2985	3097	3213	3334	3459

<u>Range No.</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>	<u>Step G</u>	<u>Step H</u>	<u>Step I</u>	<u>Step J</u>
05	515	534	554	575	597	619	642	666	691	717
06	554	575	597	619	642	666	691	717	744	772
07	597	616	642	666	691	717	744	772	801	831
08	642	666	691	717	744	772	801	831	862	895
09	691	717	744	772	801	831	862	895	928	963
10	744	772	801	831	862	895	928	963	999	1037
11	801	831	862	895	928	963	999	1037	1075	1116
12	862	895	928	963	999	1037	1075	1116	1158	1201
13	928	963	999	1037	1075	1116	1158	1201	1246	1293
14	999	1037	1075	1116	1158	1201	1246	1293	1341	1392
15	1075	1116	1158	1201	1246	1293	1341	1392	1444	1498
16	1158	1201	1246	1293	1341	1392	1444	1498	1554	1612
17	1246	1293	1341	1392	1444	1498	1554	1612	1673	1735
18	1341	1392	1444	1498	1554	1612	1673	1735	1801	1868
19	1444	1498	1554	1612	1673	1735	1801	1868	1938	2011
20	1554	1612	1673	1735	1801	1868	1938	2011	2086	2164
21	1673	1735	1801	1868	1938	2011	2086	2164	2246	2330

<u>Range No.</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>	<u>Step G</u>	<u>Step H</u>	<u>Step I</u>	<u>Step J</u>
22	1801	1868	1938	2011	2086	2164	2246	2330	2417	2508
23	1938	2011	2086	2164	2246	2330	2417	2508	2602	2699
24	2086	2164	2246	2330	2417	2508	2602	2699	2801	2906
25	2246	2330	2417	2508	2602	2699	2801	2906	3015	3128
26	2330	2417	2508	2602	2699	2801	2906	3015	3128	3245
27	2417	2508	2602	2699	2801	2906	3015	3128	3245	3367
28	2508	2602	2699	2801	2906	3015	3128	3245	3367	3493

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

I. REQUEST

Bill Identification: CSHB 295
 Title: State employee salary schedule
 Requested by: Legislative Finance Date: 3-8-73
 Return Date Requested: 3-15-73
 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	-0-	18,077.5	18,981.4	19,930.4	20,927.0	21,973.3
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, GIFTS, ETC.						
TOTAL	-0-	18,077.5	18,981.4	19,930.4	20,927.0	21,973.3

B. FUNDING: (Thousands of dollars)

GENERAL FUND	95%	-0-	17,173.6	18,032.3	18,932.0	19,890.6	20,674.6
FEDERAL FUNDS	2.5%		452.0	474.6	498.3	523.2	549.4
OTHER	2.5%		451.9	474.5	498.2	523.2	549.3

C. POSITIONS:

PERMANENT/TEMPORARY	0 /	0 /	0 /	0 /	0 /	0 /
TIME EMPLOYEES (P./T.)	0 /	0 /	0 /	0 /	0 /	0 /

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

This bill includes a 10% increase for all steps on the salary scale - a 5% growth factor has been included for each year after FY 74

IV. ATTACHMENTS

V. DATE: 3/15/73 PREPARED BY: M. R. Schumacher

Original: Legislative Finance
 Budget and Management
 cc: 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

"An Act entering into the Interstate Compact on the Mentally
Disordered Offender; providing for implementation of the compact;
and providing for an effective date."

COMMITTEE REPORT

HOUSE

3-23-75
Mr. Speaker:

Date _____

The Committee on FINANCE has had HB 302

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:

Chairman



JUNEAU ALASKA

Alaska State Legislature
House

FINANCE COMMITTEE BILL ASSIGNMENT

TO: Representative Freeman DATE: March 30, 1973

FROM: Earl D. Hillstrand
Chairman
House Finance Committee

BILL NO.: HOUSE BILL 302

TITLE: "An Act entering into the Interstate Compact on the Mentally Disordered Offender; providing for implementation of the compact; 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.

Introduced: 3/6/73
Referred: Health, Education &
Social Sciences and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 302

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act entering into the Interstate Compact on the
7 Mentally Disordered Offender; providing for
8 implementation of the compact; and providing for an
9 effective date."

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

11 * Section 1. AS 47 is amended by adding a new chapter to read:

12 CHAPTER 32. INTERSTATE COMPACT ON THE MENTALLY DISORDERED OFFENDER.

13 Sec. 47.32.010. ADOPTION OF COMPACT. The Interstate Compact on
14 the Mentally Disordered Offender is enacted into law and is entered
15 into with all other jurisdictions legally joining in it in the form
16 substantially as follows:

17 ARTICLE I. PURPOSE AND POLICY.

18 (a) The party states, desiring by common action to improve
19 their programs for the care and treatment of mentally disordered
20 offenders, declare that it is the policy of each of the party states to:

21 1. Strengthen their own programs and laws for the care and
22 treatment of the mentally disordered offender.

23 2. Encourage and provide for such care and treatment in the
24 most appropriate locations, giving due recognition to the need to
25 achieve adequacy of diagnosis, care, treatment, after-care and
26 auxiliary services and facilities and, to every extent practicable,
27 to do so in geographic locations convenient for providing a therapeutic
28 environment.

29 3. Authorize cooperation among the party states in pro-

1 viding services and facilities, when it is found that cooperative
2 programs can be more effective and efficient than programs separately
3 pursued.

4 4. Place each mentally disordered offender in a legal
5 status which will facilitate his care, treatment and rehabilitation.

6 5. Authorize research and training of personnel on a co-
7 operative basis, in order to improve the quality or quantity of
8 personnel available for the proper staffing of programs, services and
9 facilities for mentally disordered offenders.

10 6. Care for and treat mentally disordered offenders under
11 conditions which will improve the public safety.

12 (b) Within the policies set forth in this Article, it is the
13 purpose of this compact to:

14 1. Authorize negotiation, entry into, and operations under
15 contractual arrangements among any two or more of the party states for
16 the establishment and maintenance of cooperative programs in any one
17 or more of the fields for which specific provision is made in the
18 several articles of this compact.

19 2. Set the limits within which such contracts may operate,
20 so as to assure protection of the civil rights of mentally disordered
21 offenders and protection of the rights and obligations of the public
22 and of the party states.

23 3. Facilitate the proper disposition of criminal charges
24 pending against mentally disordered offenders, so that programs for
25 their care, treatment and rehabilitation may be carried on efficiently.

26 ARTICLE II. DEFINITIONS.

27 As used in this compact:

28 (a) "Mentally disordered offender" means a person who has
29 been determined, by adjudication or other method legally sufficient for

1 the purpose in the party state where the determination is made, to be
2 mentally ill and:

- 3 1. is under sentence for the commission of crime; or
- 4 2. who is confined or committed on account of the
5 commission of an offense for which, in the absence of mental illness,
6 said person would be subject to incarceration in a penal or correctional
7 facility.

8 (b) "Patient" means a mentally disordered offender who is cared
9 for, treated, or transferred pursuant to this compact.

10 (c) "Sending state" means a state party to this compact in
11 which the mentally disordered offender was convicted; or the state in
12 which he would be subject to trial on or conviction of an offense,
13 except for his mental condition; or, within the meaning of Article V
14 of this compact, the state whose authorities have filed a petition in
15 connection with an untried indictment, information or complaint.

16 (d) "Receiving state" means a state party to this compact to
17 which a mentally disordered offender is sent for care, after-care,
18 treatment or rehabilitation, or within the meaning of Article V of
19 this compact, the state in which a petition in connection with an
20 untried indictment, information or complaint has been filed.

21 ARTICLE III. CONTRACTS.

22 (a) Each party state may make one or more contracts with any one
23 or more of the other party states for the care and treatment of mentally
24 disordered offenders on behalf of a sending state in facilities situated
25 in receiving states, or for the participation of such mentally disordered
26 offenders in programs of after-care on conditional release administered
27 by the receiving state. Any such contract shall provide for:

- 28 1. Its duration.
- 29 2. Payments to be made to the receiving state by the send-

1 ing state for patient care, treatment, and extraordinary services, if
2 any.

3 3. Determination of responsibility for ordering or permit-
4 ting the furnishing of extraordinary services, if any.

5 4. Participation in compensated activities, if any, avail-
6 able to patients; the disposition or crediting of any payment received
7 by patients on account thereof; and the crediting of proceeds from or
8 disposal of any products resulting therefrom.

9 5. Delivery and retaking of mentally disordered offenders.

10 6. Such other matters as may be necessary and appropriate
11 to fix the obligations, responsibilities and rights of the sending and
12 receiving states.

13 (b) Prior to the construction or completion of construction of
14 any facility for mentally disordered offenders or addition to such
15 facility by a party state, any other party state or states may contract
16 therewith for the enlargement of the planned capacity of the facility
17 or addition thereto, or for the inclusion therein of particular equip-
18 ment or structures, and for the reservation of a specific percentum of
19 the capacity of the facility to be kept available for use by patients
20 of the sending state or states so contracting. Any sending state so
21 contracting may, to the extent that monies are legally available there-
22 for, pay to the receiving state, a reasonable sum as consideration for
23 such enlargement of capacity, or provision of equipment or structures,
24 and reservation of capacity. Such payment may be in a lump sum or in
25 instalments as provided in the contract.

26 (c) A party state may contract with any one or more other party
27 states for the training of professional or other personnel whose
28 services, by reason of such training, would become available for or
29 be improved in respect of ability to participate in the care and treat-

1 ment of mentally disordered offenders. Such contracts may provide for
2 such training to take place at a facility being operated or to be
3 operated for the care and treatment of mentally disordered offenders;
4 at any institution or facility having resources suitable for the offer-
5 ing of such training; or may provide for the separate establishment of
6 training facilities, provided that no such separate establishment shall
7 be undertaken, unless it is determined that an appropriate existing
8 facility or institution cannot be found at which to conduct the con-
9 templated program. Any contract entered into pursuant to this
10 paragraph shall provide for:

- 11 1. The administration, financing, and precise nature of
12 the program.
- 13 2. The status and employment or other rights of the trainees.
- 14 3. All other necessary matters.

15 (d) No contract entered into pursuant to this compact shall be
16 inconsistent with any provision thereof.

17 ARTICLE IV. PROCEDURES AND RIGHTS.

18 (a) Whenever the duly constituted judicial or administrative
19 authorities in a state party to this compact, and which has entered
20 into a contract pursuant to Article III of this compact, shall decide
21 that custody, care and treatment in, or transfer of a patient to, a
22 facility within the territory of another party state, or conditional
23 release for after-care in another party state is necessary in order to
24 provide adequate care and treatment or is desirable in order to provide
25 an appropriate program of therapy or other treatment, or is desirable
26 for clinical reasons, said officials may direct that the custody, care
27 and treatment be within a facility or in a program of after-care within
28 the territory of said other party state, the receiving state to act in
29

1 that regard solely as agent for the sending state.

2 (b) The appropriate officials of any state party to this compact
3 shall have access, at all reasonable times, to any facility in which
4 it has a contractual right to secure care or treatment of patients for
5 the purpose of inspection and visiting such of its patients as may be
6 in the facility or served by it.

7 (c) Except as otherwise provided in Article VI, of this compact,
8 patients in a facility pursuant to the terms of this compact shall at
9 all times be subject to the jurisdiction of the sending state and may
10 at any time be removed for transfer to a facility within the sending
11 state, for transfer to another facility in which the sending state may
12 have a contractual or other right to secure care and treatment of
13 patients, for release on after-care or other conditional status, for
14 discharge, or for any other purpose permitted by the laws of the send-
15 ing state: provided that the sending state shall continue to be
16 obligated to such payments as may be required pursuant to the terms
17 of any contract entered into under the terms of Article III.

18 (d) Each receiving state shall provide regular reports to each
19 sending state on the patients of that sending state in facilities
20 pursuant to this compact including a psychiatric and behavioral record
21 of each patient and certify said record to the official designated by
22 the sending state, in order that each patient may have the benefit of
23 his or her record in determining and altering the disposition of said
24 patient in accordance with the law which may obtain in the sending
25 state and in order that the same may be a source of information for the
26 sending state.

27 (e) All patients who may be in a facility or receiving after-care
28 from a facility pursuant to the provisions of this compact shall be
29 treated in a reasonable and humane manner and shall be cared for,

1 treated and supervised in accordance with the standards pertaining to
2 the program administered at the facility. The fact of presence in a
3 receiving state shall not deprive any patient of any legal rights which
4 said patient would have had if in custody or receiving care, treatment
5 or supervision as appropriate in the sending state.

6 (f) Any hearing or hearings to which a patient present in a
7 receiving state pursuant to this compact may be entitled by the laws
8 of the sending state shall be had before the appropriate authorities
9 of the sending state, or of the receiving state if authorized by the
10 sending state. The receiving state shall provide adequate facilities
11 for such hearings as may be conducted by the appropriate officials of
12 a sending state. In the event such hearing or hearings are had before
13 officials of the receiving state, the governing law shall be that of
14 the sending state and a record of the hearing or hearings as prescribed
15 by the sending state shall be made. Said record together with any
16 recommendations of the hearing officials shall be transmitted forthwith
17 to the official or officials before whom the hearing would have been
18 had if it had taken place in the sending state. In any and all
19 proceedings had pursuant to the provisions of this paragraph, the
20 officials of the receiving state shall act solely as agents of the
21 sending state and no final determination shall be made in any matter
22 except by the appropriate officials of the sending state. Costs of
23 records made pursuant to this paragraph shall be borne by the sending
24 state.

25 (g) Any patient confined pursuant to this compact shall be re-
26 lease within the territory of the sending state unless the patient,
27 and the sending and receiving states, shall agree upon release in some
28 other place. The sending state shall bear the cost of such return to
29 its territory.