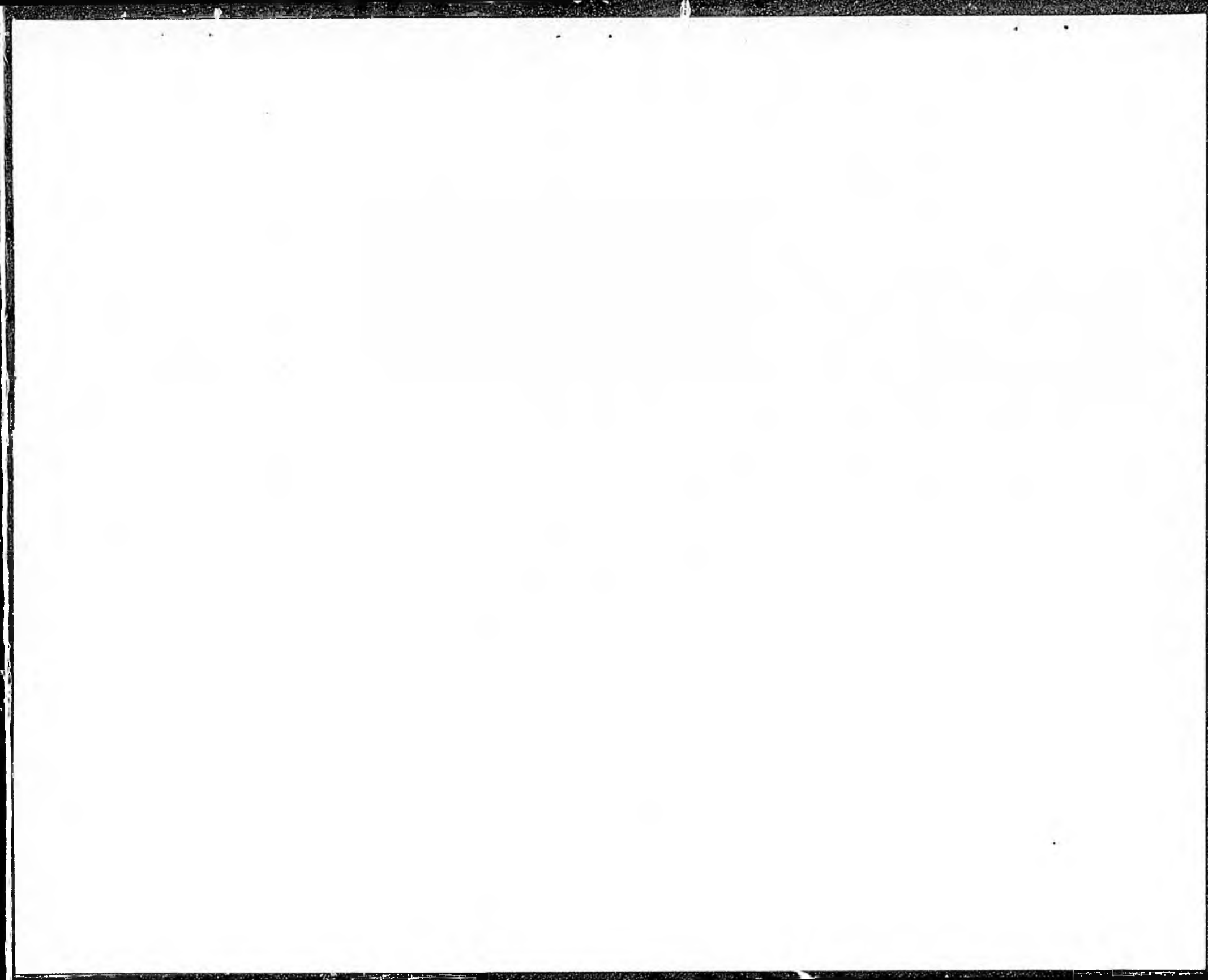


LEG. FINANCE - BILLS 1975 - 1976 424

HB 549 cont., thru HB 551 424



Fire Fighters Training Facilities
Project Cost Breakdown

Division of Buildings
March 9, 1976

	Budgeted Percent Construction Cost	Anchorage	Fairbanks	Juneau	Kotzebue	Bethel
Land Procurement		- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
Site Data - Surveys & Subsurface Data	1%	24,000	24,000	15,000	5,000	5,000
A. & E - Fees, Services & Reimbursables	7%	167,000	167,000	107,000	33,000	33,000
Div. of Bldgs. - Planning, Design & Construction Admin- istration plus Administrative Contingency	7%	167,000	167,000	107,000	33,000	33,000
Construction Cost - all Construction Contracts	100%	2,385,000	2,385,000	1,527,000	477,000	477,000
Construction Contingency	6%	143,000	143,000	91,000	29,000	29,000
Equipment	10%	239,000	239,000	153,000	48,000	48,000
Total Project Cost	131%	3,125,000	3,125,000	2,000,000	625,000	625,000

A STATEMENT IN SUPPORT OF HOUSE BILL NO. 549

Americans take pride in being a sophisticated and technological race of people. Probably the most advanced ever. They take pride in their humanity. They constantly press forward with social programs and wildlife protection programs. The United States is truly becoming increasingly sophisticated, developing capabilities that may well propel us beyond the stars.

Yet, even on the launch pad at Cape Canaveral, in the most technological atmosphere, in 1967 fire snuffed out the lives of three astronauts. This is reported in history books as simply "the space program's only major tragedy".

Unfortunately we Alaskans also have this blind side of our sophistication. For lack of placing fire control in its proper priority in the scheme of things, we are frequently suffering loss of property and lives to fire. But, just like the tragedy of the astronauts, the news of each tragedy shocks us a little and is then forgotten.

But, just how much can we ignore? Can we ignore the fact that the highest life and property loss rate per capita in the world occurs in the United States? Can we further ignore the fact that, of all the 50 States, Alaska has the highest life and property loss rate per capita? It is about double its nearest competitor, South Dakota, and about 3 times the national average.

Some will argue that the dollar loss is explained somewhat by the unusually inflated economy in Alaska. This is certainly true, at least to the extent of the inflation factor. But this form of rationalization still leaves us with virtually the highest fire loss rate in the world!! And the life loss! There certainly is no inflation factor to cushion that record!

Now in the case of the tragedy of the astronauts, NASA immediately took steps to prevent any recurrence in the future. But in Alaska we have been slow to move against a grim record that has been with us for many years. In fact the property loss factor has been in a state of acceleration these past months.

In the short span of a few months I have experienced the proudest and most despairing moments of my 24-year career in fire protection. I was able to inform the Anchorage City Council that we had, for the first time, repressed our fire losses down to the level of the national average. This was accomplished even in the face of emergency responses steadily increasing at the rate of 15% per year.

Within four months of that moment, the lid blew off with the beginning of an acceleration of major losses in Anchorage that in 1975 totaled four times the losses of 1974.

We experienced our blackest moment just last month when firefighter Charles Whitethorn lost his life in an explosion in a major fire in the Muldoon district of Anchorage.

There are many factors that influence this trend. Arson certainly is a key ingredient. This is a growing national problem that Alaska is not immune from. I am convinced that at this time we are not even knowledgeable enough about the techniques of this crime that we can even prove that arson has ever occurred in many cases.

Ambitious growth is a factor. There are many developers striving to capitalize

on the boom cycle who are only intent on achieving economic goals.

Inadequate codes is a factor that allows ambitious growth to circumvent sound fire engineering practices. Our life safety standards are adaptations of national standards that are already failing in the other states, let alone being further stressed by the climate factor of Alaska. We are badly in need of developing codes that will serve our people.

And, getting more to the point, the level of training of our firefighters is a very major factor in the fire control problem. Not one community in Alaska has a comprehensive facility for the training of firefighters. The expense of such facilities usually rules them out in most communities. I know of very few cities, even in other States, that have good training facilities for firefighters.

But, in my opinion, this lack of training facilities actually presents an opportunity for the best solution to Alaska's fire control problem. Our fire and life losses are truly statewide and not just a big city problem. Statistically rural losses parallel urban losses. Urban losses catch our attention frequently simply because the numbers are there. But the odds are the same, based on the number of people in a given area.

Therefore, it follows that fire education is needed throughout the State. We need capable fire investigation, fire inspection, and fire fighting capabilities equally throughout Alaska.

The solution we advocate is a statewide regional training center system. Such a system, if affiliated with an existing educational system such as the Community Colleges can at one stroke tie together all the existing fire control expertise in the state into a single discipline.

The timing for accomplishing this could not be better. Federal legislation has authorized the National Fire Prevention and Control Administration to develop a National Fire Academy system to serve the entire country. Alaska, through developing a system of regional fire training facilities, can readily deliver the educational benefits of the national academy system and, in fact, will be an extension of that system. The federal legislation may provide funds for programs but we must provide our own training facilities.

Development of regional fire training is advocated by the Alaska Municipal League, the Alaska Firechiefs Association, and the Alaska State Firefighters Association. As the chairman of the Alaska Firefighter Training Center Commission, I wish to report that the Commission supports this concept, and further, that we support the passage of HB 549 for the funding of training center facilities for all of Alaska.

FOR THE RECORD

29 March 1976



Eugene Bennett, Chairman
Alaska Firefighter Training Center
Commission

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FOR THE RECORD

29 March 1976


Eugene Bennett, Chairman
Alaska Firefighter Training Center
Commission

PL 13-478
(1975-1976) (1976)

ALASKA FIREFIGHTER TRAINING CENTER COMMISSION

FINAL REPORT

JANUARY, 1976

On May 19, 1975 Governor Hammond signed SCS CSHB 25, an Act which established the Alaska Firefighter Training Center Commission in the Office of the Governor.

The Commission consists of a representative of each, the Commissioner of Education and the Commissioner of Community and Regional Affairs, and five additional appointees, one from each judicial district. The Act required that one of the five be an architect and one an engineer. No engineer was appointed. Terms of all members end and the commission is dissolved February 1, 1976.

The AFTCC was provided with a budget of \$25,000. Three thousand dollars were appropriated for FY'75 activities and the balance from FY'76 funds. Commission members were not appointed until August (FY'76) and the FY'75 appropriation lapsed as of June 30th.

SCS CSHB 25 specifies that the Commission will submit to the Governor a comprehensive report incorporating its specific recommendations regarding the establishment of regional firefighter training centers no later than January 1, 1976. This, because of the delay in appointing the membership, gave the group only 4 months to complete the tasks and responsibilities detailed in Section 3 of the Act. Specifically, Section 3 requires the Commission to recommend a State Plan which:

1. recommends sites for location of five training centers;
2. determines whether centers can be constructed in conjunction with other training facilities;
3. recommends a common physical design for the centers;
4. formulates cost estimates for implementing its recommendations.

Of the \$22,000 budgeted for the AFTCC in FY'76, approximately \$5,000 was earmarked for printing and advertising for community proposals (\$1,500), secretarial services, (\$1,500), and technical assistance in site evaluation (\$2,000). The short life of the Commission made it advisable to expedite its work as much as possible. Toward this end the resources of the Department of Education were utilized to provide secretarial service and to produce letters and questionnaires soliciting proposals from all of the major cities in the State. Copies of the mailing list and letters are attached to this report. Returns from the mail-out indicated an average of two proposals from each of the five regions except one. The exception was S.E. Alaska (Area I) from which 5 proposals were received and evaluated.

The first evaluation procedure was a general mail survey listing the proposals from each region and inviting comments and indications of preference from communities within the various regions. Next, an evaluation instrument was developed which enabled Commission members to conduct impartial on-site evaluations in each area. Finally, field trips were scheduled to each proposed location for on-site evaluations. Because of other commitments it was impossible for every member to make every trip. In most instances two or three members visited a location and followed with a report to the body at the next scheduled meeting. Each location was then discussed and the selections made.

Adverse weather conditions in Skagway (Area I) and the powerhouse fire in Bethel (Area III) interrupted scheduled visits to those cities.

The following is a list of selected locations by area, the proposed land, facilities, and services available, and other criteria influencing the selections.

AREA I, S.E. ALASKA

Selected Site:

1. Juneau - Proposed site is city and borough owned land, approximately 35 acres in size, located in the Mendenhall Industrial Area, 11 miles from downtown Juneau. Commission members consider 10 acres of this land to be adequate for a regional training center.

The site is level open grass land with good natural drainage and water available by wells and holding ponds. Two adjacent roads give ready access to the area.

The Juneau area is served by five fire departments, predominantly volunteer, which would tend to give a high utilization factor to the training center.

Primary and secondary facilities and supportive services in the Juneau area are more than adequate.

2. Additional proposals were received from Sitka, Petersburg, Wrangell, and Skagway. All were evaluated and proved to be unacceptable for various reasons.

AREA II, SOUTH CENTRAL ALASKA

Selected Site:

1. Anchorage - City has proposed 14 acres of reclaimed land on the west side of Airport Heights Road, North of the Teamsters Mall, and immediately adjacent to the existing Airport Heights Fire Station.

Considerable planning and development effort has already been devoted to this site as a potential training center. The location is zoned industrial and has adequate water and sewer systems. Site preparation consists of filling in the low portions and bringing it up to grade. This is being done on a long term basis by the implementation of a sanitary land-fill program.

The Greater Anchorage Area is served by four major fire departments with several smaller organizations in close proximity. A Fire Science Degree Program has been in operation at Anchorage Community College for several years.

The Anchorage site was selected for the following reasons:

1. Land is already available and designated for the desired purpose.
 2. Site preparation has been started and is a continuing process.
 3. Studies have been made and approvals granted by environmental protection agencies and Federal Aviation Agency.
 4. Large area population of firefighters would insure maximum utilization of facility.
 5. Fire Science Program already established in Anchorage Community College.
 6. Large number of qualified potential instructors in the area.
 7. Anchorage Community College indicates willingness to provide support services.
 8. More than adequate transportation and housing facilities available in the Anchorage area.
2. A second proposal was received from Matanuska-Susitna Borough. After evaluation this proposal was rejected in favor of the Anchorage site.

AREA III, WESTERN ALASKA

Selected Site:

1. Bethel - Selection of Bethel as the location of one of two future rural regional training centers was based on several factors:
 1. Apparent availability of State land.
 2. Well equipped progressive fire department.

3. Local community college and regional high school.
 4. Transportation and service center for much of western Alaska.
 5. Community is of sufficient size to provide most required support services.
2. A second proposal was received from Dillingham. On evaluation it was rejected as not providing the advantages cited above for Bethel.

AREA IV, CENTRAL ALASKA

Selected Site:

1. Fairbanks - A 10 acre tract located on the Fairbanks International Airport reserve was proposed for that city. This site has long been proposed for development as a training facility for firefighters in the Fairbanks area. Evaluation of the site indicated:
 1. There are seven fire departments in the immediate area.
 2. The Tanana Valley Community College and the University of Alaska are available for support services.
 3. The proposed site has been partially surfaced and provided with a security fence.
 4. Considerable local support for a center has been indicated.
 5. Transportation and housing facilities, while tight at the present, are expected to be more than adequate in a year or so.
 6. An adequate water supply is available on the site. An extension of the existing sewage system is scheduled.
2. A tract of land at 30th and Lathrop was also proposed. For several reasons this site was rejected when compared with the airport site.

AREA V, NORTHWESTERN ALASKA

Selected Site:

1. Kotzebue - The city of Kotzebue has proposed a tract of several acres adjacent to land presently on lease to the University of Alaska. The selection of the Kotzebue site was based on the following considerations:
 1. Proposed site is within a half mile of other educational facilities and the city center.
 2. There are four fire departments in the Kotzebue area.
 3. Close proximity to community college site -- will provide good administrative support.

4. Overwhelming local and area support for project.
 5. Adequate local support facilities available.
2. A proposal was received from Nome and was evaluated in comparison to Kotzebue. Because the proposed site was located several miles from the city and local support was less pronounced the Kotzebue site was selected.

SUMMARY & RECOMMENDATIONS

With reference to the second provision of SCS CSHB 25 in every case the location was selected to place the firefighter training center in close proximity to an existing community college. Commission members were given assurances by community college representatives that the centers could be operated in conjunction with regular community college programs, utilizing administrative services already in existence.

In a number of cases community colleges are available for support in several of the communities proposed. In those instances selections were based on other criteria, i.e. land availability, site preparation costs, accessibility, water supply, and etc.

The third responsibility of the Commission was to recommend a common physical design for the centers. With reference to this it was determined that the regional training centers should be of three distinct types; Full-Service, Limited-Service, and rural centers. All three types should conform to the recommendations contained in Special Interest Bulletin No. 234, as published by the American Insurance Association.

Full-Service Centers should be constructed in Areas II (Anchorage) and IV (Fairbanks). Such centers should contain a drill tower, approximately 20 x 30 feet and six stories in height. A fire building consisting of at least two stories with varying roof styles, and interior configurations representing both residential and commercial occupancies, should be built either in conjunction with the drill tower or as a separate structure. Architectural design of the fire building should incorporate a variety of window and door types, chop-out roof panels, and stand-pipe sprinkler systems covering at least one floor. At least one room should be designed and constructed so as to accommodate training fires to provide realism. Interior partitions made up of sheet metal in steel frames may be provided instead of fixed partitions so that a variety of interior configurations might be set up. Such a procedure would also result in a reduced overall cost for the building.

In addition to the tower and burn building the two full-service training centers should include training props for the various types of transportation fires and flammable liquids and gas fires. A paved or

black-topped area of suitable size should be provided for driver training and hose and ladder handling operations. A drafting pit and hydrants should also be a feature of these centers. The drafting pit should be designed to contain sufficient water to allow for testing pumpers up to 2000 GPM. It is recommended that the draft pit be constructed beneath the floor of the drill tower or burn building to enable pumping operations to be carried on during inclement weather. If constructed elsewhere on the site provision should be made to allow for all-weather operations.

In addition to the above the Commission recommends that a modular classroom building should be installed on the center grounds. These partitionable classroom facilities should have a minimum seating capacity of 100 persons and be provided with restrooms, offices, library, and equipment storage facilities. Additional desirable structures which should be built include a control tower with flood lights, public address system, and rest rooms, and a small storage building for props and training aids. Full electrical and sanitation facilities should be included in planning for these centers.

A limited service center, that is, one which would be utilized on an intermittent basis, should be built in Juneau (Area I). This center would consist of a drill tower twenty foot square and four stories high constructed in conjunction with and as part of a fire building similar in design to that proposed for the full-service training centers. This combined structure would represent initial construction requirements for training in structural fire control. Additional requirements include; a drafting pit located within the fire building with at least 9000 gallons capacity, a modular classroom building with seating capacity for 100 students and including provision for an instructors office, library and restrooms.

The training ground should include a surfaced area for driver training and hose and ladder evolutions and appropriate props for flammable liquids and transportation fire training. Perhaps the unique aspect of this center should be the installation of a marine firefighting facility. The need for this type of training in S.E. Alaska is urgent and the facility would also accommodate students from other areas of the state. Full electrical and sanitation capability should be provided and designed so as to allow for future expansion as the need arises. Security fencing and perimeter lighting should also be included in initial construction.

Rural centers which would eventually be constructed in Bethel and Kotzebue will consist of a two story concrete fire building designed so as to simulate both commercial and residential type structures. Interior partitions will be of the portable type constructed of sheet metal on steel frames. Additional facilities would include props for flammable liquids fire training, drafting ponds for training with portable fire pumps, and security fencing. A modular classroom with seating capacity for 40 students, restrooms, library, and office should also be included

in construction.

With reference to the two proposed rural centers, it should be pointed out that if classroom facilities are available within a reasonable distance of the training center it will not be necessary to build such facilities. In this event the burn building should be built with locking doors at ground level to provide security and prevent vandalism without the necessity of expensive perimeter fencing.

Design Criteria: Variations in design between the three types of training centers should be limited to size and degree of sophistication. Careful planning will, for example, permit construction of towers and burn buildings of common design differing only in height (as in the case of the drill towers) and floor area. Consideration should also be given to future expansion. For example, the design of towers should permit the construction of additional stories as the need arises.

Administration and Operation: The administration of Regional Training Centers should be contracted to local community colleges. Support services can be provided by community colleges on a reimbursable services contract and day to day operations would be supervised by the Fire Science Program Coordinator or the Staff Vocational-Technical Program Director.

Each center should be served by a local advisory committee composed of fire service personnel, educational representatives, and a member of the State Fire Service Training Program staff. Coordination between center programs should be controlled by a State Advisory Committee made of representatives of the various local committees.

Curriculum approval, monitoring and evaluation would be under the jurisdiction of the State Supervisor of Fire Service Training. Approval of courses of instruction would be subject to compliance with National Standards as they are adopted by the fire service.

Project Funding Recommendations: It is the feeling among members of the Commission that the most feasible method of funding construction of Regional Training Centers is through a State General Obligation Bond program. Preliminary estimates place the cost of the project between nine and ten million dollars. In general the distribution of funds would be as follows:

Anchorage	-----	\$3,125,000
Fairbanks	-----	\$3,125,000
Juneau	-----	\$2,000,000
Bethel	-----	\$ 625,000
Kotzebue	-----	\$ 625,000

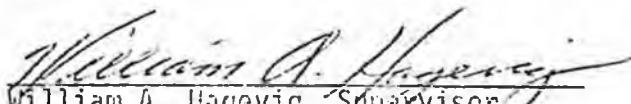
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Further, it has been suggested that, because the host communities stand to gain the most from construction of the proposed centers, they be urged to participate in the program by providing supplemental funding up to 10 per cent of actual construction cost. The Commission feels that such a proposal has merit and feasibility should be explored by those who will be concerned with developing funding for the program.


In closing the Commission takes note that it will officially expire on February 1, 1976 and recommends that this be extended to June 30, 1976 to enable it to perform the great number of tasks still to be accomplished in relation to the training center program. Since adequate funds for this are already appropriated to the Commission extension would not require any additional outlay of state funds.

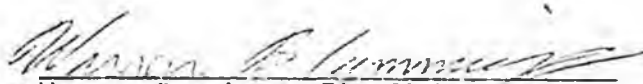
Respectfully Submitted:

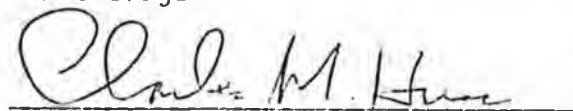

William A. Hagevig, Supervisor
Fire Service Training
Department of Education (Chairman)


Mike Harper, Deputy Commissioner
Dept. of Community & Regional Affairs


Richard Keithahn, Chief
Auke Bay Volunteer Fire Department


Eugene Bennett, Chief
Fire Department, Municipality of
Anchorage


Warren Cummings, Firefighter
Fairbanks Fire Department


Charles M. Huss, Chief
Kotzebue Volunteer Fire Department

MINUTES OF COMMISSION MEETINGS

ALASKA FIREFIGHTER REGIONAL TRAINING CENTER COMMISSION
MINUTES, JUNEAU MEETING
August 19, 1975

The first meeting of the Alaska Firefighter Training Center Commission was held in Juneau, August 19, 1975. Everyone assembled at the Juneau Fire Department and the meeting began approximately 9:15 A.M.

Representatives of the five areas in which future training centers will be constructed are listed below:

Representing the Commissioner of Education - William A. Hagevig
Supervisor
Fire Service Training

Representing the Commissioner of Community
and Regional Affairs - Mike Harper
Deputy Commissioner

Area I - Richard Keithahn

Area II - Eugene Bennett

Area III - No representation at this time (Engineer needed to
comply with legislative
intent)

Area IV - Warren Cummings

Area V - Charles Huss

Guests present at this meeting were Commissioner Marshall Lind, Department of Education and Alan Judson representing the Alaska State Firefighter Association.

The first order of business was to select a chairman. William Hagevig was voted unanimously to assume this position.

The Chairman began the meeting by explaining exactly what the requirements of the commission are. The Commission shall recommend a state plan to facilitate regional training of firefighters. In carrying out these responsibilities the commission may:

- 1) recommendsites for location of 5 training centers;
- 2) determine if the centers can be constructed in conjunction with other training facilities;
- 3) recommend a common physical design for the centers;
- 4) formulate cost estimates for implementing its recommendations.

The appointed commission is required to have 5 members which includes one from each judicial district. Among the five members there should be one engineer; one architect; and three persons with firefighting experience. The Commission will be dissolved as of February 1, 1976 following submission of it's final report, January 1, 1976.

The meeting went on to discuss the five regions which are:

- 1) South East
- 2) South Central
- 3) Central
- 4) Bering Sea
- 5) Northwest Coast

Everyone agreed unanimously to discuss each area, individually.

The South East area (Area I) was the first topic of discussion. Possible geographical locations for centers were evaluated. The communities considered at this time are Ketchikan, Skagway, Sitka and Wrangell. Wrangell and Sitka have already submitted tentative proposals.

Sitka has the Public Safety Academy and a community college which would be unique because many of the facilities that would be needed are available. Equipment would be required but just the basic fire training structures would need to be constructed.

Wrangell has an appropriate site which is a Government Boarding School known as Wrangell Institute. Some advantages of Wrangell are; out of town location; ferry system; and there will be jet service in the future.

The South Central Area which is Area II was then discussed. To date, the Anchorage area is the only proposed site. The Airport Heights area was considered. Tentative layout work for this site was planned in 1969. Originally ten acres was planned for this site but relocation developed the site into fourteen acres. Some advantages are; located near fire station III; hospital; teamsters mall; and community college system available. Indications are that both the City and GAAB have funding earmarked for development of the site. The only other area considered to date has been Wildwood Station in Kenai. This site is presently being used as an educational facility by a Native Corporation.

The Bering Sea Area was the next site to be discussed (Area III). The Commission considered Bethel and Dillingham as possible sites. Bethel would get good support from the community college, BIA Center, hospital and the Bethel Volunteer Fire Department. Bethel has great potential also, considering it has jet service and the population is expected to grow up to 15,000 in the future.

Dillingham was discussed but there is a problem of housing, somewhat improved, but still difficult. Air service is not presently as reliable as Bethel. Dillingham won't require too much construction as rural needs are less sophisticated than urban center requirements.

The Central Area (Area IV) has only one tentative proposal to date. The State has a ten acre site in the Fairbanks area which could be available on lease or a permit. Major support from the Tanana Valley Community College and the A.C.D.C. Center is probable.

The last area, which is the Northwest Coast (Area V) was then discussed. Principal cities in this area are Nome and Kotzebue. Kotzebue is considered to be the Native Activity Center. Both sites have jet service but no proposal has been submitted to date. Indications are, that suitable land for a center is available in Kotzebue.

Evaluation of locations was followed by a discussion of physical characteristics for urban and rural training centers. It was decided that classroom and service facilities that are already available should be used whenever possible.

The requirement for a training center should be; burn building; hydrant system; tower; shop facility; library; fireground props; drafting pits; and a driver training area. It was decided that minimum suitable area should be five acres.

Everyone agreed that local participation is needed (not just State and Federal support) and that areas other than just regional training centers for firefighters must be considered. Also discussed were other portions of Public Safety be included in these centers such as Police and E.M.S. training. It was felt that support of the center system would be better assured if a broad spectrum approach to utilization were used.

The Commission went into a discussion of administering the training centers through the community college system. Some felt that the community colleges cannot accomplish this, because fire training should be half academic and half practical. No decision was reached because more information will be required to determine the feasibility of this approach.

When the administration of regional training centers by the Department of Education was brought up, the Commissioner of Education stated that "The Department should not operate the Regional Center Program directly". The State is not presently capable of running it at this time. If the department was to get involved, it would have to contract to other agencies. One possibility would be possible future federal funding to support a position of Regional Coordinator for each area. Again, no decision was made pending the development of additional information.

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

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At the time of this meeting, no engineer had been appointed to the commission. Several names were suggested by commission members and it was agreed that these would be forwarded to the Governor's Office for consideration.

As the final order of business, the Chairman was requested to prepare a questionnaire outlining potential locations under consideration and inviting comment on these locations and proposals for additional sites. This mailing with a cover letter and self-addressed envelope was to be sent to fire chiefs, city managers, mayors, and borough officials wherever appropriate. A meeting was set for Anchorage, September 23rd. Responses to the mail out will be considered at that time. A motion for adjournment was heard and the meeting adjourned at 3:15 P.M.

ALASKA REGIONAL FIRE TRAINING COMMISSION
SECOND MEETING

Anchorage, September 23, 1975

The meeting was held at Headquarters Station, Anchorage Municipal Fire Department. Meeting was convened at 9:00 A.M. Members present included Eugene Bennett, Charles Huss, Dick Keithahn, Warren Cummings, Clark Boston (Community & Regional Affairs) and William Hagevig. The guest present at the meeting was Gerald Hiley, Alaska Department of Education.

The meeting began with an evaluation of 52 responses to questionnaires mailed to communities within the five training regions.

AREA I: Proposals were received from Wrangell and Petersburg. Additional proposals are being developed by the cities of Juneau and Sitka. After considerable discussion it was decided that modification of existing facilities in addition to construction of fire training structures would be costly and unsatisfactory. For this reason the proposals for Wrangell Institute and the Petersburg Experimental Fur Farm properties were not considered to be feasible. Site visitations for both of these areas will be made before a final decision is made.

Formal proposals for Juneau and Sitka will be evaluated when received and site visitations will be scheduled. There was a total of 10 responses received from Area I.

AREA II: Fifteen responses were evaluated. One supported Valdez as a possible center location. One proposal was received from Mat-Su Borough recommending the campus of Mat-Su Community College. Remaining responses supported the site proposed from the City and Borough of Anchorage (which is the Airport Heights Area).

Valdez was eliminated from consideration for the present because of housing, transportation, and other difficulties inherent to that area. The Mat-Su Borough proposal was discussed in detail and it was decided that no final decision will be made until after a site visitation. It is possible that several commission members will visit the Mat-Su site during the Alaska Fire Chiefs Association Conference in late October.

The site proposed for Anchorage because of its current stage of development and the specific advantages of its central location would seem to be the most logical choice for this area. Commission members did, however, discuss the disadvantages of the site which includes the inability to conduct large scale burning operations associated with Petro-Chemical Training. The site was visited by commission members and its various features were pointed out by Chief Bennett.

AREA III: Twelve responses were received from communities in Area III. Proposals were submitted by the cities of Dillingham and Bethel. The Dillingham proposal offering 6.29 acres of land was discussed and while it was felt that transportation and housing problems would probably rule out this area it was felt that a site visitation would still be necessary before a final decision is made.

No well defined proposal has been received from the Bethel area to date. It was felt, however, that because of the advantages of easy transportation and its central location among a large concentration of rural villages further inquiries should be made as to what might be specifically offered and site visitation would be scheduled in November.

AREA IV: Twelve responses were received from communities in this area. One response suggested a site be selected in Ft. Yukon because of the high cost of living in Fairbanks. A second suggestion concerning a government surplus facility (Midas site) in the Ft. Greely area was also received. Ft. Yukon area was ruled out for a number of reasons, for example, housing and transportation problems. It was more or less decided that the Midas site (Area IV) would be unacceptable for the same reasons sited for similar facilities in Area I. More information on this site will be obtained by Member Cummings before a final decision is made.

A well defined proposal was received for the Fairbanks International Airport Training Site. Considerable research has been done on every aspect of this site and almost unanimous favorable support was documented. In this instance the overwhelming advantages to the airport site caused the commission to adopt this location unanimously. The International Airport site was discussed in contrast to a 20 acre site at 30th and Lathrop Street. Evaluation of the latter location indicated that potential growth of adjacent residential areas and other facilities would make this site definitely undesirable.

Specific advantages influencing the selection of the airport site include the following:

- 1) Minimal ground preparation necessary.
- 2) Environmental considerations acceptable.
- 3) Site location within fenced airport reserve.
- 4) No adjacent growth anticipated in the future.
- 5) Characteristics of the site suggest its value as a multiple use training area.

AREA V: Seven responses were received. Three responses indicated a preference for the Nome Beltz Regional School Campus in Nome. A well defined proposal was received from interested individuals and agencies in the Kotzebue area. It was pointed out that Kotzebue's initial location as a service area for surrounding villages and native activities would make this site valuable for developing projects and programs relating to rural and Cold Lands Firefighting techniques.

Mr. Hiley and Mr. Boston described the Nome Beltz facility for commission members. It was decided that in view of the fact that no information had been received from Nome, no final site selection would be made until it was determined whether or not the city of Nome wishes to submit a proposal for that area. Site visitations will be scheduled to both areas in November.

It was decided that public hearings would be conducted in conjunction with the October conferences of the Alaska State Firefighter Association in Ketchikan and the Alaska Fire Chiefs Association in Anchorage. Commission members Hagevig, Cummings, and Keithahn will conduct the hearing in Ketchikan and Members Huss, Cummings, and Bennett in Anchorage. Members Huss and Bennett agreed to request the opportunity to make a presentation at the Municipal League Convention shortly after the Chiefs Conference.

As a final order of business it was decided to send out a follow-up letter to communities in each area appraising them of proposals received to date and requesting their comments and preferences.

Commission members and other concerned parties will receive copies of specific proposals and information sheets summarizing community responses in each of the five areas.

The meeting was adjourned at 12:00 (noon) with commission members slated to visit the Anchorage site after lunch break.

A1 KA REGIONAL FIRE TRAINING COMMISSION
SUMMARY OF TENTITIVE PROPOSALS

To the present date the Alaska Regional Fire Training Commission has received proposals for the location of future regional training centers. Herein will be listed these proposals and commission considerations on each:

<u>SITE SUGGESTED</u>	<u>PROPOSAL SUBMITTED BY</u>	<u>COMMISSION RESPONSE</u>
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AREA I:

Experimental Fur Farm	Petersburg	Modification of existing facilities would be costly, however, site visitations will be made before a final decision.
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Wrangell Institute	Wrangell Pelican (supported Wrangell or Sitka)	Modification of existing facilities would be costly, however, site visitations will be made before a final decision.
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Sitka	Unidentified (Ketchikan) Pelican (supported Wrangell or Sitka) Unidentified (Sitka) Borough Manager, Ketchikan Fire Chief, Ketchikan Fire Chief, Yakutat	Site visitation will be made. Commission is awaiting detailed documentation of proposal.
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Juneau	Fire Chief, Douglas V.F.D. Fire Chief, Glacier V.F.D.	Site visitation will be made. Commission is awaiting detailed documentation of proposal.
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AREA II:

Airport Heights (Anchorage)	Fire Chief, Kenai F.D. Fire Chief, St. Paul V.F.D. Fire Chief, North Kenai Fire Chief, Kodiak City Manager, Anchorage Fire Chief, Chugiak	Commission action pending on visitation to alternate sites for comparison.
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ALASKA REGIONAL FIRE TRAINING COMMISSION
 SUMMARY OF TENTITIVE PROPOSALS
 PAGE 2

SITE SUGGESTED

PROPOSAL SUBMITTED BY

COMMISSION RESPONSE

A II:
 continued

Unidentified (Anchorage)
 Unidentified (Anchorage)
 Fire Chief, Anchorage
 Borough Mayor, Anchorage
 Fire Chief, Homer V.F.D.
 Fire Chief, G.A.A.B. Fire
 Dept.
 City Manager, Kodiak

Mat-Su Area

Planning Director, Matanuska-
 Susitna Borough
 City Clerk, Wasilla

No final decision until
 after site visitation.

Valdez

Unidentified (Valdez)

Eliminated from consider-
 ation for the present
 because of housing,
 transportation, etc.

AREA III:

Bethel

Fire Chief, Toksook Bay
 V.F.D.
 Six (6) unidentified
 villages
 Unidentified (Emmoak)
 City Manager, Bethel
 Fire Chief, Kwetluk
 Unidentified (Alakanuk)

Site visitation will
 be made. Commission
 is awaiting detailed
 documentation of
 proposals.

Dillingham

Fire Chief, Dillingham
 City Manager, Dillingham

Site visitation will be
 made, however, the commission
 feels that there would be
 a housing and transportation
 problem.

ALASKA REGIONAL FIRE TRAINING COMMISSION
 SUMMARY OF TENTATIVE PROPOSALS
 PAGE 3

<u>SITE SUGGESTED</u>	<u>PROPOSAL SUBMITTED BY</u>	<u>COMMISSION RESPONSE</u>
AREA IV:		
Ft. Yukon	Unidentified (Ft. Yukon)	Not acceptable at this time.
Midas Site (Ft. Greely)	Unidentified (Delta Junction)	Site visitation will be made before a final decision.
Fairbanks Airport Site	Fire Chief, Fbks. Fire Dept. Unidentified (Fbks.) Chief Airport Security (Fbks) Environmental Engineer (Fbks.) Fire Chief, U. of AK. Fire Dept. Fire Protection Planner, Fbks. Fire Chief, Ft. Wainwright Borough Mayor, Fbks. Battalion Chief, Fbks. Fire Department	Commission adopted this site unanimously, however, will remain open to consider other sites which may be proposed.
30th & Lathrop St.	Same as Airport site	Evaluation indicated potential growth of adjacent residential areas and other facilities would make this site undesirable.

AREA V:		
Nome Beltz School	Unidentified (Koyak) Unidentified (Savoonga)	No final site selection will be made until it is determined.
Barrow	North Slope Borough	Not acceptable at this time.
Kotzebue	City Manager, Kotzebue City Clerk, Kotzebue Police Chief, Kotzebue Chamber of Commerce, Kotzebue President, Mauneluk Association	Commission's action pending on visitations to alternate sites for comparison.

This briefly summarizes the site location activities of the Commission. The Commission, being a referral body, reserves the right to alter or further confirm these actions pending additional information provided to its members.

MINUTES OF THE MEETING
2 OCTOBER 1975
KETCHIKAN

Meeting convened at 11 A.M.

Three Commission members present - Keithahn

- Cummings

- Hagevig

Nineteen persons from various fire departments attended the meeting.

Chairman Hagevig described the work of the commission and the progress made to date. He also indicated that the forth-coming conferences of the Alaska Municipal League and the Alaska Fire Chief's Association would be attended by Commission Members Cummings, Huss, and Bennett.

A proposal for an Area I training center was submitted by Mr. Ben Eisendrup of the Sitka delegation. Mr. Hagevig accepted the proposal and indicated that copies would be forwarded to the other commission members.

Site proposals from Wrangell, Petersburg, and Juneau were also discussed.

Commission members asked considerable questions of representatives of the various communities involved. It was stated that no final decision for Area I would be made until all potential sites had been visited.

The meeting adjourned at 12:00 noon.

ALASKA FIREFIGHTER REGIONAL TRAINING CENTER COMMISSION
5 NOVEMBER 1975
MINUTES, ANCHORAGE MEETING

Meeting was attended by Commission Members Bennett, Keithahn, Cummings, Huss, Hagevig, and James Sanders representing Community & Regional Affairs. Guests included Chief James Evans and Chief John Franklin of the Anchorage Metropolitan Fire Department and Mr. William O'Mahoney of Anchorage Community College.

Chairman Hagevig reviewed the minutes of the two previous meetings and asked Chief Bennett to give a report on the meeting held in conjunction with the Alaska Fire Chiefs Association Conference. Chief Bennett indicated that interest in the Commissions' work was expressed by many fire chiefs, some of whom felt that the commission should be extended beyond its expiration date of February 1, 1976. A resolution to this effect was introduced at the conference. Commission members Cummings, Huss, and Bennett explained the inadvisability of such a recommendation and the resolution was defeated.

A discussion of possible administration of regional training centers through the community college system followed. Mr. O'Mahoney was questioned as to the feasibility of this type of administration and was asked what steps should be taken to implement it. Mr. O'Mahoney stated that such a program was entirely feasible and that the community college system, on a contractual basis could provide administrative and academic services but a local fire department in conjunction with the State Fire Service Training Program should be responsible for day to day operations as they relate to purely physical skills training. Mr. O'Mahoney further indicated his willingness to work closely with the commission in the development of this aspect of the Regional Training Program.

The Chairman indicated that commission member Mike Harper who is on a field trip in the Dillingham area agreed to discuss the Dillingham site proposal with municipal and fire service authorities in that region. It is hoped from this that Mr. Harper will be able to offer a recommendation at the next meeting as to the feasibility of Dillingham as a site location.

Chief Bennett gave a report on the site visitation that he and members Cummings and Huss made to Mat-Su Community College to evaluate that site in accordance with the proposal submitted to the commission.

Each expressed the fact that they were impressed with the Mat-Su facility. They pointed out, however, that the following deficiencies in their opinion would tend to rule out the Mat-Su site from further consideration:

- 1) The area has no major transportation facilities and because of its' location is not readily assessable to incoming trainees.

- 2) No developed water supply suitable for a training facility presently exists.
- 3) The population of firefighters who would be potential users of the facility is only a fraction of those in the Anchorage area.
- 4) The fact that the nearest fire station is eleven miles away would make logistical support extremely difficult if not impossible.
- 5) It was further pointed out that the amount of instructional expertise in the Mat-Su area can in no way compare with that which is available in the greater Anchorage area.

In view of these deficiencies a motion was made by Mr. Huss and seconded by Mr. Keithahn that the Mat-Su proposal be dropped from further consideration and the Anchorage proposal be accepted as a training center site for Area II.

Mr. Cummings interjected the comment that in accepting the Anchorage proposal consideration should be given to where "hot drills" might be conducted since this might not be feasible at the airport heights location. Chief Bennett assured the group that the existing arrangement with the Anchorage International Airport for conducting this type of training would continue to be in effect indefinitely in so far as he knew. Thus assured, commission members cast a unanimous vote in favor of the Anchorage location.

Visitations to the remaining locations proposed for centers was then discussed. It was felt that all visitations should be completed by the first week of December if at all possible.

First on the schedule will be Nome and Kotzebue tentively scheduled for the week of November 15th. The team to visit these two sites will consist of Bennett, Huss, Cummings, and Hagevig.

A visit to Bethel and Dillingham if required, will be scheduled prior to the end of November. This visitation is tentively assigned to members Cummings, Huss, and Harper and will likely coincide with the latter's prearranged visit to that community.

Visits to five south eastern Alaskan communities are scheduled for the first week in December. The team for this area consist of Cummings, Huss, Keithahn and Hagevig.

Mr. Keithahn stated that it would be in the best interests of the commission to develop and implement an impartial site evaluation code to be used in rating proposed locations in the remaining three areas, some of which may be controversial in regard to the selection process. Eleven items for consideration were then decided upon by the members. These will be given numerical values and utilized in a selection process. Mr. Keithahn and Mr. Hagevig will prioritize the categories and assign numerical values prior to the Nome and Kotzebue trip.

It was decided that a meeting will be held in Juneau immediately following the site visitations in Area I. At this time team reports will be given and final locations will be voted on. It was further recommended that at this time the commission should meet with a representative of the Department of Public Works to appraise them of what has been accomplished thus far and request their input into the final design of the centers.

Two other items of business for the meeting will be to receive legislative recommendations for the next phase of this program and the submission by the Chairman of an outline for the final report for consideration by the commission.

After considerable discussion it was decided that the final report should recommend to the Governor that the commission be kept intact on a non-funded basis so as to retain a broad spectrum committee in its present form to serve in a consultative capacity in future phases of the program and as a readily available source of information regarding the program to the fire service and other interested agencies. It was further recommended that the Governor be requested to appoint one or two additional members to the committee to widen its' range of expertise. These should include a community college representative, an engineer, and an environmentalist.

Meeting adjourned at 4:00.

ALASKA FIREFIGHTER REGIONAL TRAINING CENTER COMMISSION
(MINUTES, JUNEAU MEETING
December 12, 1975

Meeting convened 9:00 A.M. at Juneau Volunteer Fire Department. Commission Members present included William Hagevig, Warren Cummings, Dick Keithahn, Eugene Bennett and Charles Huss. Alan Judson representing the Alaska State Firefighters Association was a guest at the meeting.

Reports of the site selection visitation committee for Nome, Kotzebue, and Southeastern communities were received and discussed. On the recommendation of the commission members visiting Nome and Kotzebue the selection of Nome for a regional training site was made with the provision that the two sites be reviewed again prior to actual construction. Commission member Eugene Bennett recommended this and Warren Cummings seconded it.

Chairman Hagevig reported that he and Chief Huss were unable to reach Bethel on schedule because of the destruction of the local Powerhouse by fire. He stated, however, that based on Mr. Harper's evaluation of the Dillingham area and the fact that Bethel has a community college, he recommended the selection of Bethel as the site for Area III. This was approved by vote.

The site visitation committee for Southeastern Alaska made a report on their site visitations in that area. Visits to Petersburg and Skagway were canceled due to inclement weather. Reports were offered on the visits to Wrangell and Sitka. At this point the commission recessed to hear a report on the Juneau proposal from Mr. Art Hartenberger, Planning Director for the City and Borough of Juneau. The group then visited the proposed site in the Mendenhall Valley. On return to the city the commission members recessed for lunch.

The meeting was reconvened at 1:00 P.M. and the five proposed sites in Southeastern Alaska were discussed. On the basis of firefighter population, site preparation cost, and size of land tract available, a motion by Charles Huss and seconded by Eugene Bennett was made to accept the Juneau proposal and this subsequently received a unanimous vote.

Discussion then centered on design of structures for the regional training centers. It was decided that the full-service centers in Anchorage and Fairbanks should consist of drill towers and a separate fire building, the design and construction of which should follow the recommendations outlined in "Special Interest Bulletin" No. 234 published by the American Insurance Association. It was further recommended that the construction figures should also be based on designs which have been proven to be successful in other areas. Planning should also include facilities for driver training, flammable liquids firefighting, and transportation fires although these could probably be added at a later date. The need for surveillance fencing and perimeter lighting should have a high priority.

Limited-service centers designed for Juneau, Bethel and Nome would consist primarily of a single structure combining the drill tower and fire building. Additional facilities would be similar to those planned for the Anchorage and Fairbanks centers and constructed on an as needed basis. A special requirement for the Juneau center would be the construction of a shipboard fire training facility.

Copies of a first draft outline of the final report were distributed to the members with the request that they study them at home and send in their suggestions and comments as soon as possible so that the final report be completed in time to meet its target date of January 1, 1976. Considerable discussion of several aspects of the report followed.

The meeting was recessed at 3:00 P.M. to permit commission members to meet with Senator Bill Ray, and representatives Jim Duncan, and Mike Miller who had attended at the request of Mr. Alan Judson of the Alaska State Firefighters Association. The legislators were given a brief report of the activities of the commission to date and appraised of the fact that the five center locations had been selected and the final report to the Governor was in the draft stages. Commission members were asked whether a funding bill was to be submitted to the Legislature in the 1976 session. They were advised that because the commission had only been in existence for a little over three months there was no possibility of drafting cost figures for the proposed centers in time to request legislation.

Mr. Cummings offered the comment that legislators in the Fairbanks area felt that funding should be requested this year. Those legislators present agreed with this and after considerable discussion, recommended to the commission that a bill be drafted providing for a General Obligation Bond Proposal in the amount of 9.5 million dollars for construction of the five regional training centers. Representative Miller agreed to ask the Legislative Affairs Office to prepare such a bill.

Chairman Hagevig pointed out that the commission was due to expire on February 1, 1976 and as a group would not be available to assist with the project after that date. Upon being asked whether the commission funding had been expended, Mr. Hagevig replied that he believed that there were several thousand dollars unexpended. Representative Miller indicated that he thought that the life of the commission could probably be extended at least until June 30, 1976. At this point the visitors departed and the meeting was briefly reconvened.

Chairman Hagevig indicated that his tenure as commission chairman was slated to expire on February 1, 1976. If the commission were extended beyond that date, he felt that the time consuming scope of the activities would be such that he would be unable to coordinate the work of the commission and maintain his other commitments as well. He proposed that, contingent upon extension, a new chairman be selected to assume the position on February 1. A vote was cast and Mr. Bennett was elected to the position.

The meeting was adjourned at 4:00 P.M. to enable departing members to make travel connections.

EXHIBITS

ALASKA FIREFIGHTER TRAINING CENTER COMMISSION

Eugene Bennett, Chief
Anchorage Fire Department
211 West 7th Avenue
Anchorage, Alaska 99501

Warren Cummings, Firefighter
Fairbanks Fire Department
Box 790
Fairbanks, Alaska 99701

Charles M. Huss, Chief
Kotzebue Fire Department
Box 46
Kotzebue, Alaska 99752

Richard E. Keithahn, Chief
Auke Bay Volunteer Fire
Department
P.O. Box 1173
Auke Bay, Alaska 99821

Mike Harper, Deputy Commissioner
Department of Community & Regional
Affairs
Room 217, Community Building
Pouch B
Juneau, Alaska 99801

William A. Hagevig, Supervisor
Fire Service Training
Department of Education
Pouch F
Juneau, Alaska 99811



LAWS OF ALASKA

1978

Source

ASG CHR 25

Chapter No.

75

AN ACT

Establishing the Alaska Fire Fighter Training Center Commission, and amending AS 01.12.075.

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

* Section 1. The Alaska Fire Fighter Training Center Commission is established in the Office of the Governor.

* Sec. 2. The commission consists of the commissioner of education or his designee, the commissioner of community and regional affairs or his designee, and five additional members appointed by the governor, to include at least one member from each judicial district. The governor shall appoint one engineer, one architect, and three persons with Alaska fire fighting experience to the commission. The commission shall select a chairman from its members. Terms of all members and all new commissions shall expire February 1, 1978.

* Sec. 3. The commission shall recommend a strategy for facilities, personnel training of fire fighters. In carrying out these responsibilities the commission may:

- (1) recommend sites for location of fire training centers;
- (2) determine if the centers can be constructed in conjunction with other training facilities;
- (3) recommend a common regulatory policy for the centers;
- (4) formulate such guidelines for licensing, fire recommendations.

* Sec. 4. On or after March 1, 1978 the commission shall submit to the attorney general a comprehensive report incorporating the

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to civil engineering, to verify the establishment of regional fire fighter training centers in the state. The commission is not limited to recommendations authorized by Sec. 3 of this act.

* Sec. 5. Members of the commission shall receive compensation at the rate of one percent per year but not exceed a total actual net up to ten percent of their salaries and benefits.

* Sec. 6. This act takes effect immediately in accordance with AS 01.12.075(f).

Alaska Firefighter Training
Center Commission
Alaska Department of Education
Pouch F, State Office Bldg.
Juneau, Alaska 99811

DESCRIPTION OF FACILITY

Regional centers for the training of firefighters will include such facilities as drill towers, fire buildings, drafting pits, driver training areas, petro-chemical firefighting props, transportation fire props, etc. Classrooms, dormitories, food service facilities, etc., would either be a part of the center or would be provided through joint use of existing facilities administered by other agencies.

A minimum of five acres of usable land is desirable. Ten acres is considered to be best so as to prevent close-up construction from jeopardizing the center location. Existing or potential developed water supply is also a vital consideration in selecting center sites.

LOCATION(S) UNDER CONSIDERATION

The following location(s) in your area are being considered as possible sites for future construction of Regional Firefighter Training Centers:

Location	Land Available	Potential Support Facilities
1. _____		
2. _____		
3. _____		

Please indicate below your preference and any comments you would care to make regarding the desirability of any of the above locations as sites for a Regional Firefighter Training Center.

ADDITIONAL LOCATION PROPOSAL

Location _____

Is land available? _____ How much? _____

How far from community? _____

Is a water supply available? _____ What type? _____

What potential support services are in the area (community college, schools, fire department, hotels, etc.)? _____

ARABIAN FIREFIGHTER REGIONAL TRAINING CENTER COMPLETION

STATION: _____

ITEM	FACTOR	RECOMMENDATION	REMARKS
Site Acquisition Potential	3		
Area Characteristics/Uses	3		
Accessibility Within The Area	4		
Fire Service Population Potential Consideration	3		
Water Supply; existing/available	3		
Environmental Considerations	2		
Land Acquisitions	2		
Administration and Security	2		
Maintain Use Feasibility	2		
Public Support	1		

TOTAL: _____

PERFORMANCE RATINGS

Outstanding-----5
 Good-----4
 Satisfactory-----3

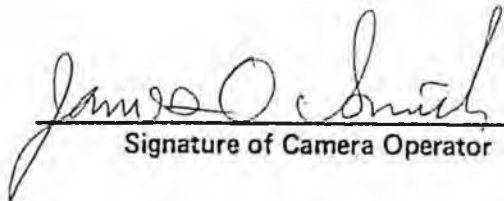
Signature of Rater _____
 Title of Rater _____
 Date _____

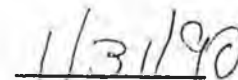


RECORDS CERTIFICATION



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.


Signature of Camera Operator


Date

COMMITTEE REPORT
SENATE

5/12/75

_____ Date

Mr. President:

The Committee on Finance has had CS 8888 99 (Finance)
S.B. - \$7,1000,000, cost of regional fire fighter training centers
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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

Original sponsors: Duncan and Miller

Offered: 5/5/76
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 549 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$7,100,000 for the purpose
8 of paying the cost of regional fire fighter training
9 centers; and providing for an effective date."

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

11 * Section 1. For the purpose of paying the cost of regional fire fighter
12 training centers, general obligation bonds of the state in the principal
13 amount of not more than \$7,100,000 shall be issued and sold. The full faith,
14 credit and resources of the state are pledged to the payment of the principal
15 of and interest and redemption premium, if any, on these bonds. These bonds
16 shall be issued under the provisions of AS 37.15 as those provisions read at
17 the time of issuance.

18 * Sec. 2. If the issuance of these bonds is authorized by the qualified
19 voters of the state, a special fund of the state to be known as the "Regional
20 Fire Fighter Training Centers Bond Fund" shall be established, to which shall
21 be credited the proceeds of the sale of the bonds described in sec. 1 of this
22 Act except for the accrued interest and premiums. There is appropriated from
23 the "Regional Fire Fighter Training Centers Bond Fund" to the Department of
24 Education the amount of \$7,100,000. The proceeds of these bonds shall be
25 allocated as follows:

26	(1) full service centers:	Anchorage	\$2,300,000
27		Fairbanks	2,300,000
28	(2) limited service centers:	Juneau	1,500,000
29		Kotzebue	500,000

Bethel 500,000

* Sec. 3. If the issuance of these bonds is authorized by the qualified voters of the state, the amount of \$24,850 or as much of that amount as is found necessary is appropriated from the general fund of the state to the state bond committee to carry out the provisions of this Act and to pay expenses incident to the sale and issuance of the bonds authorized in this Act. The amounts expended from the appropriation authorized by this section shall be reimbursed to the general fund from the proceeds of the sale of the bonds authorized by this Act.

* Sec. 4. The question whether the bonds authorized in this Act are to be issued shall be submitted to the qualified voters of the state at the next general election and shall read substantially as follows:

Proposition

State General Obligation Regional Fire Fighter
Training Centers Bonds \$7,100,000

Shall the State of Alaska issue its general obligation bonds in the principal amount of not more than \$7,100,000 for the purpose of paying the cost of regional fire fighter training centers?

Bonds Yes []

Bonds No []

* Sec. 5. This Act takes effect immediately in accordance with AS 01.10-070(c).

Original sponsors: Duncan and Miller

Offered: 5/5/76
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 549 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

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Proposition

State General Obligation Regional Fire Fighter

Training Centers Bonds \$7,100,000

Shall the State of Alaska issue its general obligation bonds in the principal amount of not more than \$7,100,000 for the purpose of paying the cost of regional fire fighter training centers?

Bonds Yes []

Bonds No []

* Sec. 5. This Act takes effect immediately in accordance with AS 01.10-070(c).

Introduced: 2/4/76
Referred: State Affairs
and Finance

1 IN THE HOUSE

BY DUNCAN AND MILLER

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 549

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$9,500,000 for the purpose
8 of paying the cost of regional fire fighting centers;
9 and providing for an effective date."

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

11 * Section 1. For the purpose of paying the cost of regional fire fighting
12 centers, general obligation bonds of the state in the principal amount of not
13 more than \$9,500,000 shall be issued and sold. The full faith, credit and
14 resources of the state are pledged to the payment of the principal of and
15 interest and redemption premium, if any, on these bonds. These bonds shall
16 be issued under the provisions of AS 37.15 as those provisions read at the
17 time of issuance.

18 * Sec. 2. If the issuance of these bonds is authorized by the qualified
19 voters of the state, a special fund of the state to be known as the "Regional
20 Fire Fighting Centers Bond Fund" shall be established, to which shall be
21 credited the proceeds of the sale of the bonds described in sec. 1 of this
22 Act except for the accrued interest and premiums. There is appropriated from
23 the "Regional Fire Fighting Centers Bond Fund" to the Department of Education
24 the amount of \$9,500,000. The proceeds of these bonds shall be allocated as
25 follows:

26	(1) full service centers:	Anchorage	\$3,125,000
27		Fairbanks	\$3,125,000
28	(2) limited service centers:	Juneau	\$2,000,000
29		Kotzebue	\$ 625,000

Bethel \$ 625,000

* Sec. 3. If the issuance of these bonds is authorized by the qualified voters of the state, the amount of \$33,250 or as much of that amount as is found necessary is appropriated from the general fund of the state to the state bond committee to carry out the provisions of this Act and to pay expenses incident to the sale and issuance of the bonds authorized in this Act. The amounts expended from the appropriation authorized by this section shall be reimbursed to the general fund from the proceeds of the sale of the bonds authorized by this Act.

* Sec. 4. The question whether the bonds authorized in this Act are to be issued shall be submitted to the qualified voters of the state at the next general election and shall read substantially as follows:

Proposition

State General Obligation Regional Fire Fighting
Centers Bonds \$9,500,000

Shall the State of Alaska issue its general obligation bonds in the principal amount of not more than \$9,500,000 for the purpose of paying the cost of regional fire fighting centers?

Bonds Yes []

Bonds No []

* Sec. 5. This Act takes effect immediately in accordance with AS 01.10-070(c).

Introduced: 2/4/76
Referred: State Affairs
and Finance

1 IN THE HOUSE

BY DUNCAN AND MILLER

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 549

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
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20 Fire Fighting Centers Bond Fund" shall be established, to which shall be
21 credited the proceeds of the sale of the bonds described in sec. 1 of this
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23 the "Regional Fire Fighting Centers Bond Fund" to the Department of Education
24 the amount of \$9,500,000. The proceeds of these bonds shall be allocated as
25 follows:

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28	(2) limited service centers:	Juneau	\$2,000,000
29		Kotzebue	\$ 625,000

Bethel \$ 625,000

* Sec. 3. If the issuance of these bonds is authorized by the qualified voters of the state, the amount of \$33,250 or as much of that amount as is found necessary is appropriated from the general fund of the state to the state bond committee to carry out the provisions of this Act and to pay expenses incident to the sale and issuance of the bonds authorized in this Act. The amounts expended from the appropriation authorized by this section shall be reimbursed to the general fund from the proceeds of the sale of the bonds authorized by this Act.

* Sec. 4. The question whether the bonds authorized in this Act are to be issued shall be submitted to the qualified voters of the state at the next general election and shall read substantially as follows:

Proposition

State General Obligation Regional Fire Fighting
Centers Bonds \$9,500,000

Shall the State of Alaska issue its general obligation bonds in the principal amount of not more than \$9,500,000 for the purpose of paying the cost of regional fire fighting centers?

Bonds Yes []

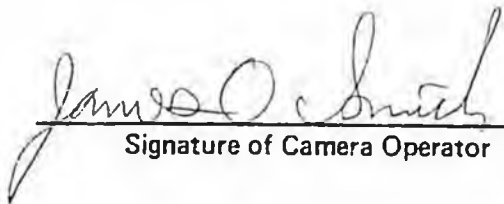
Bonds No []

* Sec. 5. This Act takes effect immediately in accordance with AS 01.10-070(c).

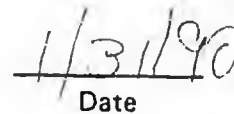


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Signature of Camera Operator



Date

COMMITTEE REPORT

1/13/70

HOUSE

FILED

Mr. Speaker:

Date 11-5-70

The Committee on FINANCE has had 11-5-70

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

Original sponsor: Rules Committee by
Request of the Legislative Council

IN THE HOUSE

BY THE FINANCE COMMITTEE

CS FOR HOUSE BILL NO. 550

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to legislative administration; and
providing for an effective date."

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

* Section 1. AS 24.05.150(a) is repealed and re-enacted to read:

(a) Space occupied in a state building by the Legislature or its agencies is under the control of and subject to assignment by the Legislative Affairs Agency as directed by the Legislature. The Legislative Affairs Agency is responsible for the control and assignment of space occupied by the Legislature and other agencies occupying capital offices.

* Sec. 2. AS 24.20.140 is amended to read:

Sec. 24.20.140. APPROPRIATIONS. Appropriations for the council shall be set forth in the general appropriation bill or such other bills as may be necessary. The council may direct the executive director to transfer amounts from one appropriation to another if the transfer is considered necessary to carry out the work of the council. The council may not exceed the total amount of the authorized appropriation. All expenditures of the council shall be subject to an independent audit which shall be made annually.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.05.070(c).

February 19, 1976

The Honorable Jay S. Hammond
Governor
State of Alaska
Pouch A
Juneau, Alaska 99811

Re: CSHB 550 am S (legislative
administration of capitol
space)

Dear Governor Hammond:

At your request, we have reviewed CSHB 550 am S, a bill "relating to legislative administration." Section 1 of the bill amends AS 24.05.190(a) by placing the capitol (except the space within the capitol "now occupied by the Office of the Governor") and the space occupied by the legislature or its agencies in other state buildings under the control of the Legislative Affairs Agency as directed by the legislature. The section also provides the agency with authority to allocate all parking spaces at the capitol. Section 2 of the bill amends AS 24.20.140 to require that the audit of Legislative Council expenditures be made annually by an independent auditor. The final section provides for an immediate effective date.

The Department of Law urges that you veto this bill. We do so for two basic reasons. First, Section 1 of the bill if enacted into law would shatter the tradition of comity between the legislative and executive branches of government, incidentally breaching an existing express agreement concerning the allocation of office space in the capitol worked out after extensive negotiation between the legislative and executive branches prior to the session. That contract, it appears, was only entered into by the legislature with the legislature's unstated premise that once in session it could do as it pleased.

Second, we urge a veto because the bill may well violate the Constitution in several respects. While the title of the bill is limited to "legislative administration",

The Honorable Jay S. Hammond
February 19, 1976
Page Two

it actually extends to administration of facilities occupied by executive agencies, thereby offending the constitutional requirement that the subject of a bill be expressed in its title. Alaska Constitution, Art. II, §13. More significantly, insofar as the bill attempts to grant a legislative agency administrative control over the activities of all branches of government, it raises serious questions concerning the doctrine of separation of powers.

We shall discuss these points in the order set out.

I. FACTUAL BACKGROUND

Until 1976, the allocation of existing office space as between competing needs of the executive, legislative and judicial branches has been done by the administration. AS 44.21.020(6). The governor, acting through the commissioner of administration, has given each branch the space it considered necessary to operate. Conflicts were settled by amicable resolution, and, until the second session of this legislature, all branches cooperated in solving what is admittedly a difficult problem. The legislature, of course, retained ultimate control of the total amount of office space available through its power of appropriation to determine what new buildings would be constructed or leased for government purposes. Once the space was obtained, the administration made the specific allocation.

During the last year there has been an unprecedented expansion of the legislature and its staff. In early 1975 the legislature occupied 47,907 square feet of office space in Juneau. Of that total, 29,600 square feet were in the capitol. By 1976 the total space allocated to the legislature by the commissioner of administration had increased to 67,900 square feet, of which 40,800 square feet were in the capitol. That increase was accomplished through negotiation and eventually was reflected in a contractual agreement signed by your Chief of Staff, Bob Palmer, and the head of the Legislative Affairs Agency. That contract, which is appended to this letter, was supposed to be a good faith effort to reach a resolution of this question, and the agreement was signed under the assumption that it resolved, at least temporarily, legislative requirements for space.

Until now the relationship between the executive and the legislature in the allocation of office space has been

The Honorable Jay S. Hammond
February 19, 1976
Page Three

one of amicability in which both sides sought to reach a reasonable solution. By attempting to go beyond that, the legislature is raising a basic issue of who in such a confrontation would have the ultimate authority to assign office space within the existing branches of government. 1/ This bill does not require us to reach the most fundamental issue, but we wish to note that there appears little doubt to us at this time who would prevail in an ultimate confrontation as to the basic power to assign existing office space.

As noted, it is not necessary to reach the most basic issue here because the bill is so clearly invalid on its face that we need not speculate as to what would occur were a different type of bill presented to you. Accordingly we shall limit our discussion to the obvious infirmities of this measure rather than attempting to make any broader generalizations about the scope of legislative and executive power, except as conclusions may be required in a discussion of this particular measure.

II. DISCUSSION

At the outset, the bill apparently violates the rule that the subject of a bill must be expressed in its title. Alaska Constitution, Art. II, §13. This provision, which is common to many constitutions, exists to insure that there is adequate public notice of legislative actions. United States v. Howell, 5 Alaska. 578 (1916). The protection is both for legislators and the public. It applies to instances in which the title of a bill does not fully convey what the act is meant to accomplish. 2/ For instance, a

1/ This bill appears to be the result of pique by a particular Legislator over his inability to obtain a particular office on the 4th floor. A demand was made by this legislator that a Department of Law office be turned over to legislative control. After the Department of Law refused, the same legislator then sought to obtain the office through simply changing the framework of government. He introduced an amendment on the floor to take away from the executive branch the power to allocate office space, not generally, but simply on the 4th floor of the capitol. If this bill is enacted and followed, we assume the legislator will eventually get his way, receiving an allocation from the Legislative Affairs Agency of the office he unsuccessfully sought from the executive.

2/ The rule is twofold: First, a bill may have only one subject, and second, the subject must be expressed in its title. Compare Gellert v. State, 532 P.2d 1120 (Alaska 1974) with United States v. Howell, supra.

bill which the title says deals with vacancies in "elective offices" cannot be extended to cover "appointive offices," Wiley v. Hillyer, 221 Mich. 537, 191 N.W. 827 (1923); nor can a bill purportedly dealing with "leasehold" estates be extended to "freehold estates." Dorsey's Appeal, 72 Pa. 192 (1872), cited in Sutherland, Statutory Construction, §18.06.

Examples of titles which fail to adequately apprise the legislature or the public of what is occurring are rife. A Washington statute which barred cemeteries from discrimination was recently struck down for not adequately apprising the legislature of the civil rights issue in the title. Price v. Evergreen Cemetery Co. of Seattle, 357 P.2d 702 (Wash. 1960). In Alaska, the Supreme Court has invalidated a legislative act changing court rules in part because the title of the bill did not spell out the fact of change. Leege v. Martin, 379 P.2d 447, 449-450 (Alaska 1963).

The title of CSHB 550 am S is "An Act relating to legislative administration; and providing for an effective date." The title reflects the fact that the bill initially applied to just what the title expresses--administration by the Legislative Affairs Agency of space assigned to the legislature. But when the bill was amended it applied to far more. Now the bill, contrary to the subject expressed in its title, applies not merely to administration of legislative offices, but administration of offices occupied by the executive branch as well. As a consequence, the title does not adequately describe the true subject of the bill. One need only read the bill in its original form and then compare it with the amended version of the bill to recognize that the same title obviously does not refer to both versions.

The defect in this bill insofar as the title is concerned can be remedied. We express no opinion as to what title would be adequate, but we are of the opinion that the present title is not constitutionally sufficient.

The second question is, assuming the title could be made adequate, whether the legislature may assign to itself or one of its agencies the duties of administering office space in the capitol or any other state building. Initially we note that precedent exists for legislative administration of space assigned to it. Legislative administration of legislative space is incidental to the legislative function of making laws. For instance, the architect

The Honorable Jay S. Hammond
February 19, 1976
Page Five

of the federal capitol administers legislative office and parking space at the direction of congressional committees. See, 40 U.S.C.A. §§174c, 174d, 175 and 177. That is far different, of course, from the legislature's assuming the over-all administrative function of assigning space for all branches of government--legislative, executive and judicial. Since, as we have noted, this bill violates the rule that the subject of each bill must be expressed in its title, there is no necessity to decide the secondary question here. But we do want to point out that only three weeks ago the United States Supreme Court again reiterated that congressional agencies may "properly perform duties only in aid of those functions that Congress may carry out itself." Buckley v. Valeo, ___ U.S. ___ (1976), 44 USLW 4169 (Jan. 27, 1976). Except for the administration of its own activities, the legislative power is one of law-making and not administration. Put succinctly, the legislature may make law but it may not enforce law or appoint agents to enforce law. Springer v. Philippine Islands, 277 U.S. 180, 202 (1927).

The legislative power of appropriation, of course, is at the heart of nearly all government power. In this context, that means that the legislature may control the amount of office space available. Moreover, there is no question but that the legislature, subject to certain basic limitations, may pass laws establishing the criteria under which office space may be assigned. The present statute under which office space is currently assigned could no doubt be made more specific as to how it is to be implemented by administrators. But the power to appropriate or to pass laws does not include the power to administer either the appropriation or the laws. Egan v. Pipeline Impact Committee, No. 74-236, Super. Ct., 1st Jud. Dist. (Alaska 1974), appeal dismissed, Sup. Ct. No. 2424. In other words, under our Constitution an agency of the legislative branch cannot administer the offices of an agency of another branch. It may set the standards for allocation of space, but it may not do the allocation itself. The case is even stronger when you recognize that here the legislature itself is not even doing the allocation--instead it has delegated that function to a legislative agency.

The framers of the Alaska Constitution, we are sure, never dealt with the question of how to settle clashes between branches of government over office space. The

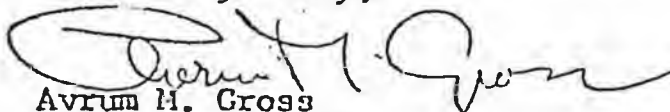
The Honorable Jay S. Hammond
February 19, 1976
Page Six

constitution's framers undoubtedly assumed that reasonable persons could resolve such questions without the necessity of litigation. I think the framers would have thought it incredible that differences over allocations of offices in the capitol would consume government time and energy, waste public money and create constitutional confrontations. Surely more important matters of state deserve the attention of the legislature and the executive, to say nothing of the judiciary if they are ultimately brought into this confrontation. If this bill were enacted, it would create the third constitutional confrontation between the executive and legislative branches in as many years. In 1974 the legislature sought to achieve authority over the administration of special impact funds even though advised that it possessed no such authority, and took the matter to court, eventually losing and withdrawing its appeal from the Supreme Court in Pipeline Impact Committee v. Egan, Sup. Ct. No. 2424, Order of Nov. 7, 1975. In 1975 the legislature forced a constitutional test over whether it had the power to confirm sub-cabinet officers such as deputy commissioners and division directors. The Superior Court recently struck down that bill and the case is now on appeal to the Supreme Court. Now the legislature is apparently prepared to pass a law which, again, may well be unconstitutional. Accordingly, this bill, if passed over your veto, could precipitate still more litigation.

In all honesty, we are somewhat at a loss to understand why the legislature is unable to deal with the executive branch in any way on this issue except through the passage of unconstitutional acts. After initial confused negotiation over whether or not the executive offices would move from the capitol, all parties spent a good deal of time trying to reach a reasonable solution to the space problem. We thought we had done that. The legislature, however, now appears to seek a confrontation rather than a resolution. If it does so, only the judicial branch, rather than the legislative and executive branches, will have the power to resolve the problem.

We recommend that you veto this bill. We believe you should suggest to the legislature that instead of a confrontation over a veto, they appoint a group to work with the administration in reaching long-range solutions to the space problem. If your veto stands, the matter will end here. With all due respect, I think it has received far too much time as it is.

Yours very truly,


Avrum H. Gross
Attorney General

AMG:as:RWP
Attachment

Mr. Miller moved and asked unanimous consent that the Journal for the 39th day be approved as certified. There being no objection, it was so ordered.

Mr. Specking announced a Republican caucus upon recess.

Mr. Miller announced a Democratic caucus upon recess.

Mr. Miller moved and asked unanimous consent that the House recess to a call of the Chair. There being no objection, the House recessed at 10:16 a.m.

UPON RECESS

The House was called to order at 10:50 a.m.

MESSAGES FROM THE GOVERNOR

CSHB
550
am S

"February 19, 1976

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

I have this day vetoed Committee Substitute for House Bill no. 550 amended Senate. The portion of the bill which required the veto is that which attempts to give to the Legislative Affairs Agency the power to allocate office space in the capitol building except for that occupied by the Governor's Office. Since all floors of the capitol building but the third and fourth are already occupied by the legislature, the reason for the bill appears to be to give the Legislative Affairs Agency control over the fourth floor.

Initially this bill would have given the Legislative Council administrative control over space assigned to the legislature. In the Senate the bill was amended to grant the Legislative Affairs Agency control over the physical space in the capitol building regardless of which branch of government occupied that space. In doing that, the legislature went beyond a specific contractual agreement reached with the executive branch for the allocation of office space prior to the beginning of the session. More significantly, the legislature has attempted to establish a scheme whereby it may now engage in the administrative function of allocating office space. I am advised by the Department of Law that insofar as the bill attempts to do that, it apparently violates the doctrine of separation of powers.

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

NINTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

Friday

February 20, 1976

Fortieth Day

Pursuant to adjournment, the House was called to order by Mr. Bradner at 10:12 a.m.

Roll call showed all members present except Representatives Brown, Buchholdt, Guy, Itta and Naughton. Representatives H. Beirne (from 10:30 a.m.), Buchholdt, Guy, Itta, Kelley (from plane time) and Naughton had been previously excused from a call of the House today. Mr. Miller moved and asked unanimous consent that Mr. Brown be excused on official state business. There being no objection, it was so ordered.

Mr. Miller moved and asked unanimous consent that Mr. Rhode be excused from a call of the House on February 24 through plane time on February 25, 1976. There being no objection, it was so ordered.

Mr. Urion moved and asked unanimous consent that he be excused from a call of the House on February 23, 1976. There being no objection, it was so ordered.

The prayer was offered by the Chaplain, Pastor Milton S. Hunt of the Resurrection Lutheran Church. Mr. Swanson moved and asked unanimous consent that today's prayer be spread on the Journal. There being no objection, the prayer appears as follows:

"Heavenly Father, we are thankful that today is Friday, signifying the end of another week of work. Help us to work diligently that we arrive at the end of each week with contentment as to the extent of our accomplishments. Thanks be to Thee for the gifts of energy and talents and the opportunities of time and service.

Direct us, O Lord, in all our doings, with Thy most gracious favor, and further us with Thy continual help; that in all our works begun, continued, and ended in Thee, we may glorify Thy holy Name; and finally, by Thy mercy, obtain everlasting life through Jesus Christ, Thy Son, our Lord. Amen."

Rather than engage in any extended legal discussion in this message, I am making available the opinion I received from the Department of Law on the subject. You will note that the Department finds two basic legal defects with the bill. First the Department feels that the amendment on the floor of the Senate changed the subject of the bill, which resulted in the original title of the bill not adequately expressing its subject matter. The Department also raises the strong possibility that the bill violates the separation-of-powers principle.

I sincerely hope that my veto does not result in another legal confrontation between the legislative and the executive branches of government. During the last three years, two suits have already been brought by the legislature against the administration in an effort to expand legislative powers. The legislature has lost both of those suits. In Egan v. Pipeline Impact Committee, C. A. No. 74-236, Super. Ct., 1st Jud. Dist. (Alaska 1974), appeal dismissed, Sup. Ct. No. 2424, Order of Nov. 7, 1975, the Superior Court held that while the legislature might impose conditions for allocation on impact funds, it could not administer the allocation of those funds. In Bradner v. Hammond, C. A. No. 75-383 (1st Jud. Dist. (Alaska 1976)), the Superior Court in Ketchikan recently held that the legislature could not expand its confirmation powers beyond that permitted in the Constitution. That latter decision, of course, has brought into question a whole host of confirmations which, until now, have been submitted to the legislature out of comity rather than necessarily legal obligation.

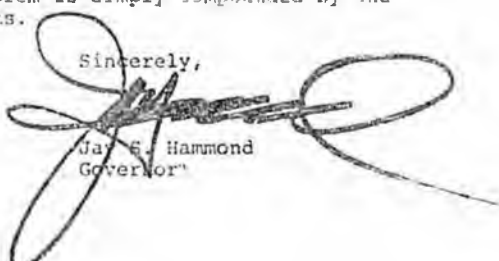
The administration has already tried hard to accommodate the legislature's need for space. During the period of one year the legislature has increased its total office space from 47,907 square feet to 67,900 square feet. Its space in the capitol building has been increased from 29,600 square feet to 40,800 square feet. After an initially confused situation over whether executive offices would move from the capitol, extensive good faith negotiations were held with the legislature to reach an amicable resolution. We thought we had achieved that resolution. We also thought that we had set the tone for additional negotiations in the future to provide adequate working space for the legislature. This bill remove the discussion from one of cooperation to a point of confrontation.

There are a great many problems facing this state. I know that legislators want to deal with those problems just as the administration wants to deal with them. I think it is disheartening for the general public to see public time and money being spent on this type of business. Surely the legislative branch and the executive branch have better things to do than to confront each other in court over whether or not particular legislators are entitled to a particular office on a particular floor of a state building.

CSHB
550
am S

I have advised individual legislators and I advise the legislature as a whole that the administration stands prepared to try to reach long-range solutions to the space problem and to continue our dealings in good faith with the legislature to do so. I have no intention, however, of accepting another effort by the legislature to extend its constitutional powers by usurping authority of the executive branch. I think this bill would be destructive even if it were constitutional, for it makes it more difficult to reason together. The problem is simply compounded by the bill's legal defects.

Sincerely,



James S. Hammond
Governor

MESSAGES FROM THE SENATE

CSHB
647

A message dated February 18, 1976 was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 647 (appropriating to the Office of the Governor, Athletic Commission; effective date) with the following amendment:

Page 1, line 10: Change the sum of "\$98,300" to "\$75,000"

and so, COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 647 amended by the Senate, is transmitted herewith for consideration.

HB
242
am

A message dated February 19, 1976 was read stating the Senate has passed HOUSE BILL NO. 242 amended (relating to the rights of state employees; effective date) with the following amendment:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 242 (relating to dress codes and appearance standards of state employees; effective date)

and so, SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 242 is transmitted herewith for consideration.

Mr. Miller stated that the above messages would be considered under Unfinished Business.

February 19, 1976

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

I have this day vetoed Committee Substitute for House Bill no. 550 amended Senate. The portion of the bill which required the veto is that which attempts to give to the Legislative Affairs Agency the power to allocate office space in the capitol building except for that occupied by the Governor's Office. Since all floors of the capitol building but the third and fourth are already occupied by the legislature, the reason for the bill appears to be to give the Legislative Affairs Agency control over the fourth floor.

Initially this bill would have given the Legislative Council administrative control over space assigned to the legislature. In the Senate the bill was amended to grant the Legislative Affairs Agency control over the physical space in the capitol building regardless of which branch of government occupied that space. In doing that, the legislature went beyond a specific contractual agreement reached with the executive branch for the allocation of office space prior to the beginning of the session. More significantly, the legislature has attempted to establish a scheme whereby it may now engage in the administrative function of allocating office space. I am advised by the Department of Law that insofar as the bill attempts to do that, it apparently violates the doctrine of separation of powers.

Rather than engage in any extended legal discussion in this message, I am making available the opinion I received from the Department of Law on the subject. You will note that the Department finds two basic legal defects with the bill. First the Department feels that the amendment on the floor of the Senate changed the subject of the bill, which resulted in the original title of the bill not adequately expressing its subject matter. The Department also raises the strong possibility that the bill violates the separation-of-powers principle.

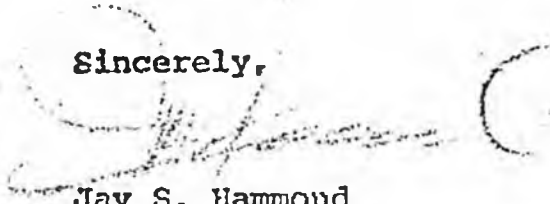
I sincerely hope that my veto does not result in another legal confrontation between the legislative and the executive branches of government. During the last three years, two suits have already been brought by the legislature against the administration in an effort to expand legislative powers. The legislature has lost both of those suits. In Egan v. Pipeline Impact Committee, C. A. No. 74-236, Super. Ct., 1st Jud. Dist. (Alaska 1974), appeal dismissed, Sup. Ct. No. 2424, Order of Nov. 7, 1975, the Superior Court held that while the legislature might impose conditions for allocation on impact funds, it could not administer the allocation of those funds. In Bradner v. Hammond, C. A. No. 75-383 (1st Jud. Dist. (Alaska 1976)), the Superior Court in Ketchikan recently held that the legislature could not expand its confirmation powers beyond that permitted in the Constitution. That latter decision, of course, has brought into question a whole host of confirmations which, until now, have been submitted to the legislature out of comity rather than necessarily legal obligation.

The administration has already tried hard to accommodate the legislature's need for space. During the period of one year the legislature has increased its total office space from 47,907 square feet to 67,900 square feet. Its space in the capitol building has been increased from 29,600 square feet to 40,800 square feet. After an initially confused situation over whether executive offices would move from the capitol, extensive good faith negotiations were held with the legislature to reach an amicable resolution. We thought we had achieved that resolution. We also thought that we had set the tone for additional negotiations in the future to provide adequate working space for the legislature. This bill removes the discussion from one of cooperation to a point of confrontation.

There are a great many problems facing this state. I know that legislators want to deal with those problems just as the administration wants to deal with them. I think it is disheartening for the general public to see public time and money being spent on this type of business. Surely the legislative branch and the executive branch have better things to do than to confront each other in court over whether or not particular legislators are entitled to a particular office on a particular floor of a state building.

I have advised individual legislators and I advise the legislature as a whole that the administration stands prepared to try to reach long-range solutions to the space problem and to continue our dealings in good faith with the legislature to do so. I have no intention, however, of accepting another effort by the legislature to extend its constitutional powers by usurping authority of the executive branch. I think this bill would be destructive even if it were constitutional, for it makes it more difficult to reason together. The problem is simply compounded by the bill's legal defects.

Sincerely,



Jay S. Hammond
Governor



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

1/31/90
Date

COMMITTEE REPORT

1/28/76

SENATE

Mr. President:

Date 3/12/76

The Committee on FINANCE has had HB 551
~~Supplemental Appropriation to the Legislative Affairs Agency~~
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

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
Bill No. BB 551
Title: Suppl. approp. to Legislative Affairs Agency
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: _____ Program: _____

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Legislative Affairs/Council

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES	346,667					
200 TRAVEL	134,091					
300 CONTRACTUAL	329,854					
400 COMMODITIES	16,364					
500 EQUIPMENT	3,100					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
800 MISCELLANEOUS	70,000					
TOTAL	900,076					

B. FUNDING: (Thousands of dollars)

GENERAL FUND	900.0					
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

Attached CHART

IV. ATTACHMENTS

V. DATE: 2/5/76 PREPARED BY: [Signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First legislator named)

LEGISLATIVE AFFAIRS AGENCY

HB551

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

<u>Item and Explanation</u>	<u>Agency Appropriation</u>	<u>Other Appropriations</u>	<u>Estimated Actual</u>	<u>Supplemental Required (Surplus)</u>
Personal Services - 17 carryover positions. Increase due to general salary increases and were funded by salary increase appropriation to Department of Administration.	\$ 471,964	\$ 56,408	\$ 528,372	\$ -0-
Personal Services - 60 legislators. Increase due to salary increases and were partially funded by special appropriation to the Department of Administration.	638,380	367,400	1,061,035	55,255
Personal Services - Temporary session help/legislature. Personal Services - Temporary session help/agency. Temporary employees have been separated, as agency temporaries are eligible for salary increases which were funded by salary increase appropriation to Department of Administration.	544,756	-0- 7,432	526,673 61,932	(18,093) 54,500
Personal Services - Terminal leave for former employees. Terminal leave was authorized for former Executive Director and other members of his staff who were terminated.	-0-	-0-	33,938	33,938
Personal Services - 14 new positions authorized. Legislature authorized 11 full-time positions and 5 six-month seasonal positions.	342,922	43,860	390,051	3,269
Personal Services - Vacancy factor. Appropriation bill while authorizing new positions (#5 above) underfunded those positions by only appropriating \$275,000 indicating vacancy factor in filling new positions would save the difference. Because of late hires, the agency believes this savings will materialize.	(67,922)	-0-	(67,922)	-0-

LEGISLATIVE AFFAIRS AGENCY

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

Item and Explanation	Agency Appropriation	Other Appropriations	Estimated Actual	Supplemental Required (Surplus)
Personal Services - 7 additional positions. The Council during the year authorized 7 additional positions to strengthen the capabilities of the agency.	\$ -0-	\$ -0-	\$ 138,051	\$ 138,051
SUB-TOTAL Personal Services	\$1,930,100	\$ 475,100	\$2,672,140	\$ 265,940
Travel - Legislators' per diem in session. Legislative per diem was increased last session but the increase was unfunded for current fiscal year.	226,700	-0-	324,180	97,480
Travel - Council members and interim subcommittees. Legislators per diem was increased last session but the increase was unfunded for current fiscal year.	77,000	-0-	91,700	14,700
0. Travel - Interview trips. Council authorized travel expenses for top candidates to be interviewed by full Council prior to hiring new administrator and division directors.	-0-	-0-	1,200	1,200
1. Travel - All other. Travel associated with additional staff and increased attendance requirements by legal and research personnel at interim subcom- mittee meetings.	52,500	-0-	62,011	9,511
2. Travel - Error correction. Original budget contained addition error. All the component parts were approved but the total of the parts was erroneously understated.	(11,200)	-0-	-0-	11,200
SUB-TOTAL Travel	\$ 345,000	\$ -0-	\$ 479,091	\$ 134,091

LEGISLATIVE AFFAIRS AGENCY

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

<u>Item and Explanation</u>	<u>Agency Appropriation</u>	<u>Other Appropriations</u>	<u>Estimated Actual</u>	<u>Supplemental Required (Surplus)</u>																		
Contractual Services - Legal fees. Hiring of outside counsel on law suits regarding Warwick case, expenditure of oil pipeline impact funds, and confirmation of appointees cases were unfunded.	\$ -0-	\$ -0-	\$ 24,000	\$ 24,000																		
Contractual Services - Audit. Because of the problems in the agency, the Council ordered an audit by an outside firm to insure the previous problems were corrected.	-0-	-0-	16,000	16,000																		
Contractual Services - Interim studies. The Council adjusted all authorized funds to perform the needed studies except in the area of telecommunication where the \$150,000 study was unfunded and total funds were not adequate to cover this major item. The following are items contained in the appropriation bill and Council budget:	668,000	-0-	819,800	151,800																		
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5. Contractual Services - Temporary agency management. Cost of bringing in interim management personnel between permanent staffs.	-0-	-0-	51,550	51,550																		

LEGISLATIVE AFFAIRS AGENCY

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

<u>Item and Explanation</u>	<u>Agency Appropriation</u>	<u>Other Appropriations</u>	<u>Estimated Actual</u>	<u>Supplemental Required (Surplus)</u>
7. Contractual Services - CRT costs. The establishment of Anchorage and Fairbanks offices necessitated the use of CRT machines in those areas as well as Juneau for least expensive communication.	\$ -0-	\$ -0-	\$ 12,720	\$ 12,720
8. Contractual Services - Rent. Rent for Assembly was over-budgeted and, therefore, the excess helped offset the unfunded Anchorage office rent.	152,100	-0-	162,000	9,900
9. Contractual Services - Session Original budget was too low compared to previous actual expenses.	72,500	-0-	125,000	52,500
10. Contractual Services - Agency. Increased equipment rental for additional staff, telephone and postage increases contractual services associated with Anchorage and Fairbanks offices and Property Control Professional Services Contract were all unfunded.	43,700	-0-	87,084	43,384
21. Contractual Services - Other The following items are uncharged from original appropriation:	482,500	-0-	482,500	-0-
Legislative Reporting	\$26,000			
Statute Supplements	67,000			
Roll-Call Machines	11,300			
Session Car Rental	3,200			
Levy Contract	45,000			
McLean Contract	40,000			
Western Conference	50,000			
Legislators' Allowances	240,000			

LEGISLATIVE AFFAIRS AGENCY

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

<u>Item and Explanation</u>	<u>Agency Appropriation</u>	<u>Other Appropriations</u>	<u>Estimated Actual</u>	<u>Supplemental Required (Surplus)</u>
22. Contractual Services - Error correction. Original appropriation contained addition error. Per the minutes, the component parts approved totaled 50,000 more than indicated in final bill.	\$ (50,000)	\$ -0-	\$ -0-	\$ 50,000
SUB-TOTAL Contractual Services	\$1,368,800	\$ -0-	\$1,780,654	\$ 411,854
23. Commodities - All. Increase due to increased staff of agency and low original estimate for session costs.	70,600	-0-	101,364	30,764
24. Equipment - All. Increase due to increased staff.	54,900	-0-	58,000	3,100
25. Miscellaneous Appropriation for miscellaneous items no longer justified as all items are now budgeted under proper object code.	25,000	-0-	-0-	(25,000)
TOTAL	\$3,794,400	\$ 475,100	\$5,091,249	\$ 821,749
Anticipated Savings and Offsetting Items to Reduce Supplemental Requirements:				
26. Reduction in budgeted requirements for legis- lators' retirement. Ch. 205, SLA 1975, requires direct appropriation to Department of Administra- tion and reduces this agency's need to budget for same. Department advises they will implement this on January 1, 1976.			(35,368)	(35,368)

LEGISLATIVE AFFAIRS AGENCY

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

Item and Explanation	Agency Appropriation	Other Appropriations	Estimated Actual	Supplemental Required (Surplus)
Fuel for Assembly Building. Apparently this item was double budgeted in this agency and in Division of Buildings. Division of Buildings is currently paying for this expense and, therefore, there is no need for agency to provide funds in its budget.	\$ -0-	\$ -0-	\$ (14,400)	\$ (14,400)
Agency Income The agency will obtain income from the following sources during fiscal year 1976 and this income will be taken in as a refund of expenditures, therefore, lowering budgeted requirements.	-0-	-0-	(82,000)	(82,000)
Office Rent, Assembly 40,000 Apartment Rent 23,000 Garage Rent 3,500 Vending Machines 500 Print Shop 15,000				
Minor Adjustments in Salaries			(306)	(306)
Previous Understatement of Session Employee Needs			79,401	79,401
FINAL TOTAL	\$3,794,400	\$ 475,100	\$ 5,038,576	\$ 769,076

LEGISLATIVE AFFAIRS AGENCY

HB 551

SUPPLEMENTAL APPROPRIATION JUSTIFICATION

<u>Item and Explanation</u>	<u>Agency Appropriation</u>	<u>Other Appropriations</u>	<u>Estimated Actual</u>	<u>Supplemental Required (Surplus)</u>
1. Personal Services - 17 carryover positions. Increase due to general salary increases and were funded by salary increase appropriation to Department of Administration.	\$ 471,964	\$ 56,408	\$ 528,372	\$ -0-
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4. Personal Services - Terminal leave for former employees. Terminal leave was authorized for former Executive Director and other members of his staff who were terminated.	-0-	-0-	33,938	33,938
5. Personal Services - 14 new positions authorized. Legislature authorized 11 full-time positions and 6 six-month seasonal positions.	342,922	43,860	390,051	3,269
6. Personal Services - Vacancy factor. Appropriation bill while authorizing new positions (#5 above) underfunded those positions by only appropriating \$275,000 indicating vacancy factor in filling new positions would save the difference. Because of late hires, the agency believes this savings will materialize.	(67,922)	-0-	(67,922)	-0-

LEGISLATIVE AFFAIRS AGENCY

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7. Personal Services - 7 additional positions. The Council during the year authorized 7 additional positions to strengthen the capabilities of the agency.	\$ -0-	\$ -0-	\$ 138,061	\$ 138,061
SUB-TOTAL Personal Services	\$1,930,100	\$ 475,100	\$2,672,140	\$ 266,940
8. Travel - Legislators' per diem in session. Legislative per diem was increased last session but the increase was unfunded for current fiscal year.	226,700	-0-	324,180	97,480
9. Travel - Council members and interim subcommittees. Legislators per diem was increased last session but the increase was unfunded for current fiscal year.	77,000	-0-	91,700	14,700
10. Travel - Interview trips. Council authorized travel expenses for top candidates to be interviewed by full Council prior to hiring new administrator and division directors.	-0-	-0-	1,200	1,200
11. Travel - All other. Travel associated with additional staff and increased attendance requirements by legal and research personnel at interim subcom- mittee meetings.	52,500	-0-	62,011	9,511
12. Travel - Error correction. Original budget contained addition error. All the component parts were approved but the total of the parts was erroneously understated.	(11,200)	-0-	-0-	11,200
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LEGISLATIVE AFFAIRS AGENCY

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