

LEG. FINANCE - BILLS 1975 - 1976 529

SB 198 thru SSSB 212



# 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

2/8/90  
Date

COMMITTEE REPORT

2/27/75

SENATE

Mr. President:

Date March 10, 1975

The Committee on FINANCE has had SB 198  
refund of excise tax paid to the state by liquor wholesalers  
under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT  
CS FOR \_\_\_\_\_ DO PASS
- "and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

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

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

COMMITTEE REPORT

2/27/75

SENATE

Mr. President:

Date March 19, 1975

The Committee on FINANCE has had SB 198  
refund of excise tax paid to the state by liquor wholesalers  
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
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Members signing the Majority report:

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

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

A M E N D M E N T

Offered in the SENATE

By Finance Committee

To: \_\_\_\_\_ SENATE BILL NO. 108

\_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

AMENDMENT: Page \_\_\_\_\_ Line 17

Introduced: 2/24/75  
Referred: State Affairs and  
Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 198

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a refund to retailers of a portion  
7 of the purchase price paid by them for intoxicating  
8 liquors which represents excise tax paid to the state  
9 by the wholesaler; and providing for an effective date."

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

11 \* Section 1. A retailer of intoxicating liquors having a state license to  
12 do business on November 14, 1974, is entitled to a refund of the part of the  
13 purchase price paid by him to a wholesaler for intoxicating liquors which were  
14 condemned and destroyed by the proper authorities by reason of the natural  
15 disaster declared by President Ford on November 14, 1974, and which repre-  
16 sents the excise tax on those liquors paid by the wholesaler to the state  
17 unless otherwise indemnified by the tax.

18 \* Sec. 2. To obtain the excise tax refund provided for in this Act, the  
19 claimant shall file with the Department of Revenue a claim verified by depart-  
20 ment receipts given for the condemned liquors. When money becomes available  
21 the department shall refund to the claimant the full amount of the excise tax  
22 paid by the retailer to the wholesaler as a part of the purchase price of the  
23 intoxicating liquor designated in sec. 1 of this Act.

24 \* Sec. 3. A person who, in making and subscribing a claim for tax refund  
25 authorized by this Act, wilfully falsifies any material matter set out in  
26 the claim or receipt is guilty of a felony, and upon conviction is subject to  
27 the penalties prescribed for perjury under the laws of this state. In this  
28 section, "person" includes an officer, agent, or employee of a corporation.

29 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-

Introduced: 2/24/75  
Referred: State Affairs and  
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# MEMORANDUM

SB-198

TO: P. A. Wall, Acting Director  
ABC Board  
Anchorage

DATE: December 5, 1974

FROM: Bruce A. LaRose, ABC Investigator  
Fairbanks

SUBJECT: Bering Sea Disaster  
(Nome flood)

The following listing reflects the brand and case-lot amounts of alcoholic beverages destroyed after removal from the premises indicated during the period November 16-19, 1974:

Container Btl/can) size	Nugget III (hotel)	cans or Btls/case	No. Cases	Wine Gallons	*Estimated Cost	Extended Cost
12 oz.	Budweiser Beer	24	30	67.5	\$ 8.00	\$ 240.00
12 oz.	Schlitz Beer	24	20	45.0	8.00	160.00
12 oz.	Michelob Beer	24	40	90.0	8.00	320.00
12 oz.	Olympia Beer	24	50	112.5	8.00	400.00
	Total		140	315.0		\$ 1,120.00

\*Includes cost of product, freight, and tax at Nome.

### Breakers Bar

Quart.	B & L Scotch	12	6	18.0	\$ 69.45	\$ 416.70
Quart	Tangeray Gin	12	1	3.0	91.25	91.25
23/32 Qt	Rhine Wine	12	8	17.25	41.75	334.00
12 oz.	Schlitz Beer	24	250	562.5	8.00	2,000.00
12 oz.	Olympia Beer	24	1,485	3341.25	8.00	11,880.00
12 oz.	Hamm's Beer	24	120	270.0	8.00	960.00
	Total		(Beer) 1,855 (Other) 15			\$15,681.90

### Board of Trade Bar

Quart	Cutty Sark Scotch	12	4	12.0	\$109.75	\$ 439.00
	House of Stuart Scotch	6	6 2/3	30.0	64.50	560.70
	(40 ea. 1/2 gal btls)		(6 1/2 gal. bottles per case)			
Quart	Kirov Vodka	12	1	3.0	63.65	\$ 63.65
Quart	Christ. Bro. Brandy	12	5	15.0	66.35	331.75
Quart	Gilbey's Gin	12	1	3.0	63.80	63.80
Quart	Seagram's 7 Crown	12	10	30.0	86.50	865.00
Quart	Popov' Vodka	12	3	9.0	54.45	163.35



container (btl/can size)	Brand of Trade (Cont'd)	cans or btls per case	No. Cases	Wine Gallons	Estimated Cost	Extended Cost
Quart	Bacardi Rum, Dk.	12	6	18.0	\$ 70.25	\$ 421.50
Quart	Canadian Club	12	8	24.0	110.35	892.80
Quart	Seagram's VO	12	7	21.0	110.35	772.45
Quart	Canadian Mist	12	3	9.0	85.10	255.30
Quart	Jim Beam	12	5	15.0	74.75	373.75
Quart	Teachers	12	5	15.0	116.65	583.25
Fifth	Southern Comfort	12	6	18.0	72.75	436.50
Quart	Kirov Gin	12	1	3.0	63.65	63.65
Quart	Bacardi Rum, Lt.	12	2	6.0	70.75	140.50
Quart	Jacques Bonet Champ.	12	1	3.0	34.15	34.15
Quart	Old Grandad	12	3	9.0	87.50	262.50
Quart	Kiska Vodka	12	3	9.0	50.65	151.95
Quart	Beefeaters Gin	12	5	15.0	91.25	455.25
Quart	Montezuma Teq.	12	4	12.0	64.50	258.00
Quart	Empire Gin	12	2	6.0	62.50	125.00
Quart	Wolfschmidt Vodka	12	2	6.0	67.95	135.90
Quart	Bartons "QT"	12	2	6.0	61.60	123.20
Quart	Hennessy Cognac	12	4	12.0	157.30	629.20
23 oz.	Drambuie	12	3	6.48	122.45	367.35
30 oz.	Martini Rossi Verm.	12	2	5.62	42.75	85.50
Quart	Jack Daniels, Blk.	12	11	33.0	112.50	1,237.50
Quart	Jack Daniels, Grn.	12	11	33.0	100.20	1,102.20
Quart	Old Taylor	12	1	3.0	81.05	81.05
Quart	LeRoux Creme DeMenthe	12	5	13.0	60.85	304.25
Fifth	Jim Beam Choice	12	7	15.1	74.75	523.25
Quart	LeRoux Sloe Gin	12	7	21.0	61.75	432.25
Quart	Wild Cherry Brandy	12	2	6.0	69.60	139.20
Fifth	Galliano Liquore	1	1	bottle 1/5 (gal)	9.81	9.81
Quart	Peach Brandy	12	1	3.0	69.60	69.60
Quart	Matador Tequila	12	2	6.0	73.15	146.30
Quart	Arrow Creme De Banana	12	1	3.0	57.00	57.00
Quart	Chateau Creme De Coca	12	2	6.0	49.95	91.90
Quart	Arrow Apricot Brandy	12	1	3.0	65.80	65.80
Quart	I. W. Harper	12	3	9.0	73.75	221.25
Fifth	Old Bushmill <i>5-111</i>	12	2	4.32	94.14	188.28
Quart	Cabin Still	12	2	6.0	73.39	146.78
Fifth	Kahlua	12	4	8.64	96.04	384.16
Quart	LeRoux Creme De Menthe, Wt. 12	12	5	15.0	60.85	304.25
Quart	Hiram Walker Creme De Menthe 12	12	1	3.0	70.64	70.64
Quart	Peppermint Schnapps	12	2	6.0	58.45	116.90
Quart	Tribuno Vermouth	12	4	12.0	44.43	177.72
Quart	Old Forester	12	3	9.0	79.30	237.90
Quart	LeRoux Apricot Brandy	12	1	3.0	69.10	69.10
Quart	Kentucky Gentleman	12	7	21.0	62.50	437.50
12 oz.	Hamm's Beer	24	13		8.00	104.00
12 oz.	Budweiser Beer	24	1,306	4536	8.00	10,448.00
12 oz.	Schlitz Beer	24	135		8.00	1,080.00
12 oz.	Olympia Beer	24	562		8.00	4,496.00
Total (Beer) 2,016 (Other) 189 2/3						\$31,257.64

Plus one case of Harvey Wallbanger - price unknown

Computation: one case of fifths @ 12 per case = 2.16 Wine gallons  
 one case of quarts @ 12 per case = 3.0 Wine gallons  
 one wine gallon = 128.0 oz

P. A. Wall

-3-

December 5, 1974

Overall totals for the foregoing licensees are:

Cases of beer	4,011
Cases of assorted whiskey, gin, vodka, cordials, etc.	204
Estimated dollar value - all beverages	\$48,059.54

BAL:vk

cc: Steffen Andersen  
Wade Baker

(Report prepared by LaRose November 26, 1974)

BERING SEA DISASTER  
 (NOME FLOOD)  
 BEVERAGES DESTROYED

ESTABLISHMENT	TOTAL		TOTAL		TOTAL \$ CLAIM
	HARD LIQ. GALLONS	WINE GALLONS	BOTTLES	BEER GALLONS	
1 <u>HUGGETT III</u>	-0-	-0-		315.00	
2 TAX @ PER GALLON	* 4.00		0.60	0.25	
3 \$ CLAIM	-0-	-0-	* 78.75		78.75
6 <u>FRENCH'S BAR</u>	2100	1725		4173.75	
7 TAX @ PER GALLON	* 5.00		0.60	0.25	
8 \$ CLAIM	* 2400		* 1035		1139.75
9 <u>Thomas Rendon 443-2170</u>					
11 <u>BOARD OF TRADE BARN</u>	54274	862		4536.00	
12 TAX @ PER GALLON	* 4.00		0.60	0.25	
13 \$ CLAIM	* 217096		517		3312.13
14 <u>Summit 443-2325</u>					
15 <u>443-2101</u>					
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# MEMORANDUM

# State of Alaska

TO: Frederick P. Boetsch  
Deputy Commissioner, Taxation  
Department of Revenue

DATE: March 6, 1975

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: Senate Bill 198

We have analyzed Senate Bill 198 and feel that the potential impact of the Bill would only be in the area of a reduction in revenue because of the re-funding of alcoholic beverage tax which may have been paid on the alcoholic beverages destroyed. To date, it has been established, positively, that some \$48,000.00 worth of alcoholic beverages were destroyed in the flood in Nome on which the taxes would amount to \$4,530.00.

It is our understanding, however, that there was an additional sizeable quantity of alcoholic beverages belonging primarily to one wholesale firm that was also destroyed. We have been unable to specifically identify the exact value of that inventory, however, it has been estimated to have been worth approximately \$260,000.00. Further, our information is that most likely the inventory was fully covered by insurance.

In the event, however, the alcoholic beverages were not insured and the total loss is estimated to be no greater, at the absolute maximum, than \$450,000.00. then the potential refund of alcoholic beverage excise tax would be \$42,400.00.

It is very important, also, that a technical correction be made to Section 1 of Senate Bill 198. The last three words of Section 1 of the Bill read, "by the tax" when it should read "for the tax." I believe there has been other correspondence directed to the legislature regarding this correction.

GLJ/bjm

Attachment

The Legislature of the State of Alaska  
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill No. 198

Title: \_\_\_\_\_

Requested by: \_\_\_\_\_

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

Return Date Requested: \_\_\_\_\_

Agency: Revenue

Program: Audit

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Audit Division

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

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

C. POSITIONS:

None required

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

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

See memo attached.

IV. ATTACHMENTS

V. DATE: \_\_\_\_\_

PREPARED BY: \_\_\_\_\_

Gary L. Jenkins  
Director  
Audit Division

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



## MEMORANDUM

State of Alaska

TO: Frederick P. Boetsch  
Deputy Commissioner, Taxation  
Department of Revenue

DATE: March 6, 1975

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TELEPHONE NO:

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: Senate Bill 198

We have analyzed Senate Bill 198 and feel that the potential impact of the Bill would only be in the area of a reduction in revenue because of the re-funding of alcoholic beverage tax which may have been paid on the alcoholic beverages destroyed. To date, it has been established, positively, that some \$48,000.00 worth of alcoholic beverages were destroyed in the flood in Nome on which the taxes would amount to \$4,530.00.

It is our understanding, however, that there was an additional sizeable quantity of alcoholic beverages belonging primarily to one wholesale firm that was also destroyed. We have been unable to specifically identify the exact value of that inventory, however, it has been estimated to have been worth approximately \$260,000.00. Further, our information is that most likely the inventory was fully covered by insurance.

In the event, however, the alcoholic beverages were not insured and the total loss is estimated to be no greater, at the absolute maximum, than \$450,000.00. then the potential refund of alcoholic beverage excise tax would be \$42,400.00.

It is very important, also, that a technical correction be made to Section 1 of Senate Bill 198. The last three words of Section 1 of the Bill read, "by the tax" when it should read "for the tax." I believe there has been other correspondence directed to the legislature regarding this correction.

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James O. Smith  
Signature of Camera Operator

2/8/90  
Date



"An Act relating to a refund to retailers of a portion of the purchase price paid by them for intoxicating liquors which represents excise tax paid to the state by the wholesaler; and providing for an effective date."

# COMMITTEE REPORT

3/24/75

HOUSE

Mr. Speaker:

Date 3/24/75

The Committee on FINANCE has had 9:10 am

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

First Session - Ninth Legislature

I. REQUEST

Bill No. SB 198 am  
 Title: Refunds to retailers of liquor excise tax due to Nome Flood  
 Requested by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Return Date Requested: \_\_\_\_\_  
 Agency: Department of Revenue Program: \_\_\_\_\_

II. FISCAL DETAIL

Budget Request Unit(s) Affected: \_\_\_\_\_

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		\$2500 (82.5)				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

\$2500 represents an estimate of refunds to certain retailers for the portion of purchase price equal to the excise tax paid by the wholesaler to the state for liquor contaminated during the Nome Disaster.

IV. ATTACHMENTS

V. DATE: June 2, 1975 PREPARED BY: Jim Rhode

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

The Legislature of the State of Alaska  
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill No. 198 am

Title: Refund of excise tax on alcoholic beverages to certain retailers

Requested by: House State Affairs Committee Date: March 21, 1975

Return Date Requested: March 21, 1975

Agency: Department of Revenue Program: \_\_\_\_\_

II. FISCAL DETAIL

Budget Request Unit(s) Affected: \_\_\_\_\_

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

See memorandum dated March 6, 1975 from Gary L. Jenkins, Director, Audit Division of the Department of Revenue to Frederick P. Boetsch, Deputy Commissioner, Department of Revenue regarding possible tax refunds involved in Nome Flood disaster. Similar legislation was passed in 1964 and 1967 in special sessions due to disaster losses.

IV. ATTACHMENTS

Copy of memorandua as described above.

V. DATE: March 21, 1975

PREPARED BY: \_\_\_\_\_

*R. D. Stevenson*  
R. D. Stevenson  
Special Assistant

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

# MEMORANDUM

# State of Alaska

TO: Frederick P. Boetsch  
Deputy Commissioner, Taxation  
Department of Revenue

DATE: March 6, 1975

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: Senate Bill 198

We have analyzed Senate Bill 198 and feel that the potential impact of the Bill would only be in the area of a reduction in revenue because of the refunding of alcoholic beverage tax which may have been paid on the alcoholic beverages destroyed. To date, it has been established, positively, that some \$48,000.00 worth of alcoholic beverages were destroyed in the flood in Nome on which the taxes would amount to \$4,530.00.

It is our understanding, however, that there was an additional sizeable quantity of alcoholic beverages belonging primarily to one wholesale firm that was also destroyed. We have been unable to specifically identify the exact value of that inventory, however, it has been estimated to have been worth approximately \$260,000.00. Further, our information is that most likely the inventory was fully covered by insurance.

In the event, however, the alcoholic beverages were not insured and the total loss is estimated to be no greater, at the absolute maximum, than \$450,000.00. then the potential refund of alcoholic beverage excise tax would be \$42,400.00.

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Referred: State Affairs and  
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BY FERGUSON

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4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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8 intoxicating liquors which represents excise tax  
9 paid to the state by the wholesaler; and providing  
10 for an effective date."

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

12 \* Section 1. A retailer of intoxicating liquors having a state license  
13 to do business on November 14, 1974, is entitled to a refund of the part of  
14 the purchase price paid by him to a wholesaler for intoxicating liquors  
15 which were condemned and destroyed by the proper authorities by reason of  
16 the natural disaster declared by President Ford on November 14, 1974, and  
17 which represents the excise tax on those liquors paid by the wholesaler to  
18 the state unless otherwise indemnified for the tax.

19 \* Sec. 2. To obtain the excise tax refund provided for in this Act, the  
20 claimant shall file with the Department of Revenue a claim verified by  
21 department receipts given for the condemned liquors. When money becomes  
22 available the department shall refund to the claimant the full amount of  
23 the excise tax paid by the retailer to the wholesaler as a part of the  
24 purchase price of the intoxicating liquor designated in sec. 1 of this Act.

25 \* Sec. 3. A person who, in making and subscribing a claim for tax  
26 refund authorized by this Act, wilfully falsifies any material matter set  
27 out in the claim or receipt is guilty of a felony, and upon conviction is  
28 subject to the penalties prescribed for perjury under the laws of this  
29 state. In this section, "person" includes an officer, agent, or employee

1 of a corporation.

2 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
3 070(c).

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Introduced: 2/24/75  
Referred: State Affairs and  
Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 198

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a refund to retailers of a portion  
7 of the purchase price paid by them for intoxicating  
8 liquors which represents excise tax paid to the state  
9 by the wholesaler; and providing for an effective date."

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

11 \* Section 1. A retailer of intoxicating liquors having a state license to  
12 do business on November 14, 1974, is entitled to a refund of the part of the  
13 purchase price paid by him to a wholesaler for intoxicating liquors which were  
14 condemned and destroyed by the proper authorities by reason of the natural  
15 disaster declared by President Ford on November 14, 1974, and which repre-  
16 sents the excise tax on those liquors paid by the wholesaler to the state  
17 unless otherwise indemnified by the tax.

18 \* Sec. 2. To obtain the excise tax refund provided for in this Act, the  
19 claimant shall file with the Department of Revenue a claim verified by depart-  
20 ment receipt; given for the condemned liquors. When money becomes available  
21 the department shall refund to the claimant the full amount of the excise tax  
22 paid by the retailer to the wholesaler as a part of the purchase price of the  
23 intoxicating liquor designated in sec. 1 of this Act.

24 \* Sec. 3. A person who, in making and subscribing a claim for tax refund  
25 authorized by this Act, wilfully falsifies any material matter set out in  
26 the claim or receipt is guilty of a felony, and upon conviction is subject to  
27 the penalties prescribed for perjury under the laws of this state. In this  
28 section, "person" includes an officer, agent, or employee of a corporation.

29 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-



1 070(c).

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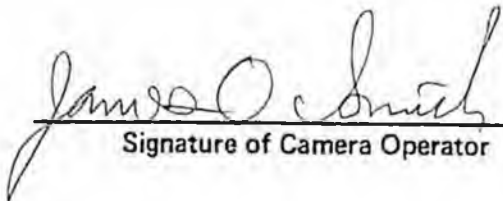
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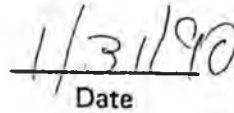


# RECORDS CERTIFICATION



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

  
Signature of Camera Operator

  
Date

"An Act relating to the elimination of architectural barriers in public buildings and facilities for physically handicapped, aged or infirm persons; effective date."

# COMMITTEE REPORT

5/19/78

HOUSE

Mr. Speaker:

Date 5/22/78

The Committee on FINANCE has had SS SB 201

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

Introduced: 2/25/75  
Referred: Health, Education  
and Social Services and  
Finance

1 IN THE SENATE

BY BRADLEY, CROFT AND CHANCE

2 SENATE BILL NO. 201

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural  
7 barriers in public buildings and facilities for physi-  
8 cally handicapped, aged or infirm persons; and provi-  
9 ding for an effective date."

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

11 \* Section 1. AS 35.10.015 is amended to read:

12 Sec. 35.10.015. ARCHITECTURAL BARRIER REGULATIONS; ENFORCEMENT.

13 The Department of Public Works shall prepare, promulgate and enforce  
14 [IS RESPONSIBLE FOR PREPARING AND PROMULGATING] regulations governing  
15 the construction of public buildings and facilities by or for the state,  
16 including the University of Alaska, and its political subdivisions,  
17 whether financed in whole or in part by federal funds, to insure that  
18 the public buildings and facilities are accessible to, and usable by,  
19 the physically handicapped, aged or infirm. The regulations of the  
20 department shall conform to applicable provisions of federal law or  
21 regulation and [AS FAR AS IT IS FEASIBLE] to the publication entitled  
22 "American Standard Specifications for Making Buildings and Facilities  
23 Accessible to and Usable by the Physically Handicapped" or any amend-  
24 ments to this publication as approved by the American Standards Associa-  
25 tion, Incorporated, under the sponsorship of the National Society for  
26 Crippled Children and Adults and the President's Committee on Employment  
27 of the Physically Handicapped.

28 \* Sec. 2. After the effective date of this Act, no public building or  
29 facility in the state may be planned, designed, financed, constructed, opened

1 to public use, or otherwise placed in operation unless it meets the standards  
2 established under AS 35.10.015, as amended by sec. 1 of this Act. A public  
3 building or facility in existence on the effective date of this Act that does  
4 not conform to the standards prescribed in AS 35.10.015, as amended by sec. 1  
5 of this Act, shall be brought into conformity with those standards not later  
6 than 10 years after the effective date of this Act.

7 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
8 070(c).

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Introduced: 4/19/76  
Referred: Health, Education  
and Social Services and  
Finance

1 IN THE SENATE BY BRADLEY, CROFT AND CHANCE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 201

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural  
7 barriers in public buildings and facilities for physi-  
8 cally handicapped, aged or infirm persons; and provid-  
9 ing for an effective date."

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

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17 whether financed in whole or in part by federal funds, to insure that  
18 the public buildings and facilities are accessible to, and usable by,  
19 the physically handicapped, aged or infirm. The regulations of the  
20 department shall conform to applicable provisions of federal law or  
21 regulation and [AS FAR AS IT IS FEASIBLE] to the publication entitled  
22 "American Standard Specifications for Making Buildings and Facilities  
23 Accessible to and Usable by the Physically Handicapped" or any amend-  
24 ments to this publication as approved by the American Standards Associa-  
25 tion, Incorporated, under the sponsorship of the National Society for  
26 Crippled Children and Adults and the President's Committee on Employment  
27 of the Physically Handicapped.

28 \* Sec. 2. AS 35.10.015 is amended by adding a new subsection to read:

29 (b) The department shall develop and maintain an inventory of all

1 public buildings and facilities with respect to their compliance with  
2 the regulations adopted under (a) of this section. The department shall  
3 make an annual report to the governor and the legislature describing  
4 work performed in the preceding calendar year to upgrade public building  
5 and facilities to conform with the regulations. In addition, the  
6 department shall develop cost estimates and recommended priorities for  
7 the upgrading of public buildings and facilities that do not conform  
8 with the regulations adopted under (a) of this section and shall include  
9 these estimates and the recommended priorities in the annual report to  
10 the governor and the legislature.

11 \* Sec. 3. After the effective date of this Act, no public building or  
12 facility in the state may be planned, designed, financed, constructed, opened  
13 to public use, or otherwise placed in operation unless it meets the standards  
14 established under AS 35.10.015, as amended by sec. 1 of this Act.

15 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
16 070(c).



Introduced: 4/19/76  
Referred: Health, Education &  
Social Services and Finance

1 IN THE SENATE

BY BRADLEY, CROFT AND CHANCE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 201 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural  
7 barriers in public buildings and facilities for physi-  
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16 including the University of Alaska, and its political subdivisions,  
17 whether financed in whole or in part by federal funds, to insure that  
18 the public buildings and facilities are accessible to, and usable by,  
19 the physically handicapped, aged or infirm. The regulations of the  
20 department shall conform as far as it is feasible to applicable provi-  
21 sions of federal law or regulation and to the publication entitled  
22 "American Standard Specifications for Making Buildings and Facilities  
23 Accessible to and Usable by the Physically Handicapped" or any amend-  
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6 department shall develop cost estimates and recommended priorities for  
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8 with the regulations adopted under (a) of this section and shall include  
9 these estimates and the recommended priorities in the annual report to  
10 the governor and the legislature.

11 \* Sec. 3. After the effective date of this Act, no public building or  
12 facility in the state may be planned, designed, financed, constructed, opened  
13 to public use, or otherwise placed in operation unless it meets the standards  
14 established under AS 35.10.015, as amended by sec. 1 of this Act.

15 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
16 070(c).

Original sponsors: Bradley, Croft  
and Chance

Offered: 5/19/76  
Referred: Finance

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 201  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural  
7 barriers in public buildings and facilities for physi-  
8 cally handicapped, aged or infirm persons; and pro-  
9 viding for an effective date."

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

11 \* Section 1. AS 35.10.015 is amended to read:

12 Sec. 35.10.015. ARCHITECTURAL BARRIER REGULATIONS; ENFORCEMENT.

13 The Department of Public Works shall prepare, promulgate and enforce  
14 [IS RESPONSIBLE FOR PREPARING AND PROMULGATING] regulations governing  
15 the construction of public buildings and facilities by or for the state,  
16 including the University of Alaska, and its political subdivisions,  
17 whether financed in whole or in part by federal, state or other public  
18 funds, to insure that the public buildings and facilities are accessible  
19 to, and usable by, the physically handicapped, aged or infirm. The  
20 regulations of the department shall conform to applicable provisions of  
21 federal law or regulation and [AS FAR AS IT IS FEASIBLE] to the publi-  
22 cation entitled "American Standard Specifications for Making Buildings  
23 and Facilities Accessible to and Usable by the Physically Handicapped"  
24 or any amendments to this publication as approved by the American  
25 Standards Association, Incorporated, under the sponsorship of the  
26 National Society for Crippled Children and Adults and the President's  
27 Committee on Employment of the Physically Handicapped.

28 \* Sec. 2. AS 35.10.015 is amended by adding a new subsection to read:

29 (b) In (a) of this section, "public facilities" includes vessels

1 owned by the state and operated by the division of marine transportation  
2 of the Department of Public Works as a part of the Alaska marine highway  
3 system. All ferries owned or operated by the state shall be equipped  
4 with elevators or other passenger lifting equipment, ramps, or other  
5 facilities and devices to ensure that these vessels are accessible to  
6 and usable by physically handicapped, aged or infirm passengers. In  
7 this subsection, "accessible to and usable by" means that a physically  
8 handicapped, aged or infirm passenger can board, disembark and move  
9 between decks and about the public areas aboard a state ferry with  
10 personal comfort and with safety to himself, other passengers and mem-  
11 bers of the crew.

12 \* Sec. 3. After the effective date of this Act, no ferry may be con-  
13 structed, lengthened, completely renovated, or purchased for use or entered  
14 into service by the division of marine transportation of the Department of  
15 Public Works as a part of the Alaska marine highway system that does not  
16 include adequate facilities and devices to ensure that the vessel is acces-  
17 sible to and usable by physically handicapped, aged or infirm passengers.  
18 Some staterooms and all restrooms, indoor passageways, outdoor weather decks,  
19 and other public areas aboard the vessel shall be so designed and constructed  
20 as to permit access and use by physically handicapped, aged or infirm pas-  
21 sengers, including but not limited to those persons occupying a wheelchair.

22 \* Sec. 4. After the effective date of this Act, no public building or  
23 facility in the state may be designed, financed, or constructed unless it  
24 meets the standards established under AS 35.10.015, as amended by this Act.  
25 A public building or facility in existence on the effective date of this Act  
26 that does not conform to the standards prescribed in AS 35.10.015 shall be  
27 brought into conformity with those standards not later than 10 years after  
28 the effective date of this Act. If the commissioner of public works con-  
29 siders it impractical to meet the standards prescribed by AS 35.10.015 within

1 the 10-year period, he may modify or waive the prescribed standards on a  
2 case-by-case basis upon application made by the head of the state department,  
3 agency or other instrumentality concerned. The commissioner shall make a  
4 finding and a determination that a modification or waiver is clearly neces-  
5 sary under this Act and shall set out his reasons for the same and the  
6 projected timetable for compliance where a modification or a temporary waiver  
7 has been granted.

8 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
9 070(c).

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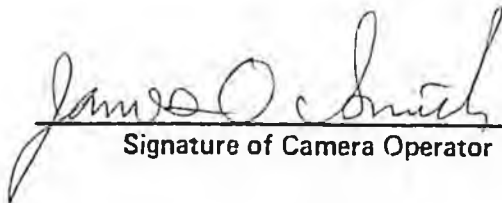
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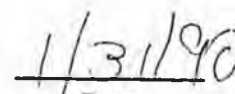


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\_\_\_\_\_  
Signature of Camera Operator

  
\_\_\_\_\_  
Date



COMMITTEE REPORT

SENATE

4/20/76

Mr. President:

Date 4/20/76

The Committee on Finance has had one (1) bill  
Elimination of architectural barriers for handicapped, aged or infirm persons  
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:

Bill Ray \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:

Bill Ray Chairman



# STATE OF ALASKA

## DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH Z—JUNEAU 99811  
(TELEX 45-328)

April 27, 1976

The Honorable Bill Ray  
Alaska Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Ray:

My staff has made a cursory review of Sponsor Substitute for Senate Bill No. 201, as you requested of Mr. Saylor. The bill would require the Department of Public Works to hire at least four inspectors and three clerks to prepare, promulgate and enforce regulations governing the construction of public facilities. This is estimated to cost \$150,000 per year.

The bill further states that no public building or facility shall be planned, designed, financed, etc. unless it meets these standards. This would require the Department of Public Works to establish a state wide plan review service, which we estimate could require an engineering staff of seven for an additional cost of \$250,000.

We had budgeted for FY 74-75 a cost of approximately \$30 million to comply with Architectural Barrier and OSHA requirements. Of this total, we estimate that the Architectural Barrier conformance would cost \$22.5 million.

We recommend that the Department of Public Works accomplish a review of all public buildings by contract and present the results of this review and a cost estimate to the next session of the legislature. It is estimated that this detailed review would cost \$200,000 as there are at least 2,000 facilities involved.

Enclosed is a letter from the American Institute of Architects stating that any changes to the code be postponed until the American National Standard Institute's specifications are updated.

Sincerely,

  
Donald Harris  
Commissioner

Enclosure



ALASKA CHAPTER THE AMERICAN INSTITUTE OF ARCHITECTS

20 April 1976

CODES AND STANDARDS COMMITTEE

Donald Harris, Commissioner  
Department of Public Works  
State of Alaska  
Pouch Z  
Juneau, Alaska 99811

BUILDING CODE PROVISIONS FOR THE PHYSICALLY HANDICAPPED

Dear Mr. Harris:

The American Institute of Architects and its Alaska Chapter for many years have been concerned with the removal and prevention of barriers to the handicapped in our built environment. Members of the Alaska Chapter supported the original state legislation which requires access for the handicapped to all public building of the state and its political subdivisions.

Enclosed is a photocopy of a 4 March 1976 memorandum from James R. Dowling, Director, Codes and Standards Center, The American Institute of Architects concerning revisions underway to the American National Standard Institute's "Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped" (A117.1-1961.) This document is the one referred to in AS 35.10.015 "Architectural Barrier Regulations".

We respectfully suggest that any proposed revisions to Alaska statutes and the Alaska Administrative Code concerning barriers to the handicapped be postponed, if possible, until the revised ANSI standard has been published. This will allow all national, state and local building codes to use one document as the basis

By separate letter I am advising the sponsors of HB 225 and SB 201 of the correct title of A 117.1.

Cordially

EARL FULLINGIM aia  
Chairman  
Codes and Standards Committee  
841 I Street  
Anchorage, AK 99501

PLEASE REPLY TO.

cc Francis S.L. Williamson, Commissioner HSS  
Edmund N. Orbeck, Commissioner of Labor  
Richard L. Burton, Commissioner of  
Public Safety  
William H. Race, Director  
Division of Buildings  
Ronald A. Hendrie, Fire Marshal  
Everett Simpson, State Architect  
Michael Plunkett AIA, President  
Alaska Chapter AIA



THE AMERICAN INSTITUTE OF ARCHITECTS

MEMORANDUM

Date: March 4, 1976

To: Chairpersons, AIA Component Codes and Standards Committees

From: James R. Dowling, Director, Codes and Regulations Center


Subject: Building Code Provisions For The Physically Handicapped

Copies: Members, Commission on Professional Practice, AIA National Codes and Standards Committee, AIA Task Force on Barrier Free Policy, Messrs. de Moll, McGinty, Slayton, Scheeler, Petrazio, Barker, Payne and Glover

The attached information is provided for your guidance with local building code authorities who may be contemplating revising their code to include new or up-dated requirements for the physically handicapped. Numerous jurisdictions throughout the United States are, and have been, referencing the old 1961 ANSI Standard A117.1 which has become obsolete and does not satisfactorily answer the needs of the handicapped. The standard is currently being revised by Syracuse University which is explained in the attached article that appeared in the February 1976 issue of the AIA Journal.

Twenty nine code changes were introduced to amend the BOCA Basic Building Code in 1976 and all have been deferred pending publication of the revised ANSI standard. A copy of the testimony provided the BOCA Code Changes Committee is also attached. Therefore, we are requesting you to use your influence to delay any local action in your area until the new standard becomes available. It is the only way total uniform code provisions can be achieved for the handicapped.

This position has been endorsed by the AIA Task Force on Barrier Free Policy, the National Center for a Barrier Free Environment and the National Barrier Free Design Committee of the President's Committee for the Employment of the Physically Handicapped.

JRD/fa 

Enclosures

RECEIVED MAR 18 1976

# REPORT



National Center  
for a  
Barrier Free  
Environment

Volume 2 Number 1

Washington, D.C.  
January, 1976

## 200 ATTEND ANNUAL MEETING

The National Center for a Barrier Free Environment held its first annual meeting on November 7 in Louisville, Kentucky, as the morning session of an all-day "Forums of Exchange on Developing a Barrier-Free Environment," with about 200 persons attending.

The conference was held in connection with the annual convention of one of the Center's founding members, the National Easter Seal Society for Crippled Children and Adults. Co-sponsors also included another founding member, the American Institute of Architects, the American and Transportation Barriers Compliance Board, and Rehabilitation Services Administration.

**Building Codes**  
"Codes and standards can be an effective tool in bringing about mandatory barrier-free provisions," stated James R. Dowling, director, Code and Regulations Center, American Institute of Architects. "But despite the extensive adoption of uniform model building codes, major cities, with a few notable exceptions, seem determined to go their own way."  
The five model building codes are: three "general interest" — BOCA (Building Officials and Code Administrators International), ICBO (International Conference of Building Officials), and SBCC (Southern Building Code Congress), and two "special limited interest" — American Insurance Association and National Fire Protection Association.  
Participation in writing or updating model codes is open to the public, and anyone can submit a code change so long as he can substantiate or document the need for the change. Mr. Dowling stressed the need to lessen the fragmentation among groups representing the physically disabled when presenting proposals for code changes, and for such groups to agree on proposed code changes before submission, mustering their forces to support the change.  
Some provisions for the physically handicapped were approved for incorporation in the 1975 BOCA basic code. Comparable changes proposed to the ICBO and Southern codes were reviewed at final hearings in the fall of 1975 and are expected to be published in their 1976 editions.

Chairman of the conference was Edward H. Matthei, AIA, secretary of the National Easter Seal Society and a member of the Board of Directors of the National Center in 1975.

## Editorial

### A SINGLE STANDARD

*Because the movement to eliminate architectural barriers brings together a broad spectrum of individuals and organizations, the joint progress achieved will depend in large measure on our speaking the same language in terms of a single standard of accessibility.*

A long-standing problem has been the needless confusion caused by conflicting codes. With the development of the new ANSI (American National Standards Institute) standard, providing clear prescriptive data based upon thorough research using handicapped subjects, the opportunity will exist for a uniform approach to all codes and regulations, whether local, state or national.

Existing legislation that is founded on the original ANSI standard should automatically incorporate the revised standard. Other agencies that may have adopted differing codes in the interim must be encouraged to bring their standards into conformity with the new ANSI standard.

The virtue of the ANSI standard will be twofold. First is its detailed content, which is essential to the practicing architect and builder who must deal with the subtle complexities of accessible design. Equally important is the broad base of support which ANSI develops through its traditional process of review and approval by advisory panels before it is adopted.

To fulfill the national function for which it is planned, the ANSI standard must be clear, complete and comprehensive. It must deal with the actual needs both of today's handicapped population and of those, perhaps more severely disabled, who may be seeking access to the community resources of the future. This is a large demand to make, but we feel the ANSI project now underway at Syracuse University School of Architecture is on the way to achieving it.

James R. Dowling, Director, Architectural and Transportation Barriers Compliance Board, reported to the Board on the Board's activities.

Excerpts from these presentations and those made at the afternoon Open Forum are on pages 3-6.

### Founding Members

American Institute of Architects  
Disabled American Veterans  
Gallaudet College  
Goodwill Industries of America, Inc.  
National Congress of Organizations  
of the Physically Handicapped

National Easter Seal Society for  
Crippled Children and Adults  
National Paraplegia Foundation  
National Rehabilitation Association  
Paralyzed Veterans of America, Inc.  
President's Committee on Employment  
of the Handicapped

### Editor

Edmond J. Leonard  
President's Committee on Employment  
of the Handicapped



*Special Article*  
**From Problem to Solution:  
 The New Focus in Fighting Environmental Barriers  
 For the Handicapped**  
 RITA MCGAUGHEY  
 A DISTINCT CHA...

SPECIAL ARTICLE

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In Building Codes as well as Standards, changes are being proposed to insure accessibility of persons with handicaps in buildings across the country. Some of the provisions for the physically handicapped approved for incorporation in the 1975 basic code of BOCA (Building Officials and Code Administrators) included such requirements as:

- 1) One-bedroom unit for every 25 units in (residential, hotel) buildings be made accessible to the physically handicapped.
- 2) Reserved parking space of not less than 12 feet in width be available and identified by signs as reserved for physically handicapped persons.
- 3) Curbs be cut with a gradient of not more than one foot in 16 feet and a width of not less than 4 feet for wheelchair access.
- 4) Where a public or pay phone is installed, 5 percent or not less than one telephone have dial, coin slot, and handset not more than 54 inches above the ground.

Representing the American Institute of Architects Codes and Regulations Center at the November, 1975, Easter Seal conference, James R. Dowling, director of the Center, chided representatives of organizations serving the handicapped for the fragmentation of their efforts to strengthen accessibility provisions in Building Codes. He urged the group to develop proposed changes in concert with all affected parties prior to submission to a particular code. "Building officials," says Mr. Dowling, "have been sympathetic to establishing requirements for the handicapped over the years and the best way to achieve that 'approved vote' is through teamwork and a unified approach."

Fragmentation, a force tending to negate the marked progress being made in the movement to eliminate barriers, is the chief concern of the National Center for a Barrier Free Environment, established in 1974 to coordinate and advance the myriad of barrier-elimination programs carried out by an increasing number of organizations each year. Founded by the American Institute of Architects, the National Easter Seal Society for Crippled Children and Adults, and the President's Committee on Employment of the Handicapped, the National Center is open to all concerned with environmental barriers. Greeting some 200 registrants at the Center's first annual meeting held in connection with the 1975 Easter Seal Confer-

ence in Louisville, Edward H. Nozler, a Washington architect who serves as President, advised the broad spectrum of individuals and organizations represented in the Center's membership that any progress achieved "in our interdependent efforts will depend in large measure upon our speaking the same language."

Still another school of thought holds to the notion that, given heterogeneous approaches to a multitude of tasks, the best product will surface. Clearly, an interesting philosophical issue to debate.

The case for uniformity is strongly supported by a special Task Force on Barrier-Free Design established in 1974 by the American Institute of Architects (AIA). In the interest of maintaining uniformity of barrier-free design standards and achieving their widest acceptance, this AIA Task Force is keeping a close eye on the Standards Revision Project being conducted at Syracuse and hopes to recommend approval by the Institute and the adoption of the new Standards when they become available. Still to be faced is the challenge of preserving the uniformity in legislation that was achieved in the 1960's when the first ANSI Standards for Accessibility were adopted as base lines for architectural barriers laws throughout the nation.

Given the relentless efforts which abound at this time to accelerate the movement for a barrier-free environment, it is understandable that the standard for accessibility of the physically disabled is the focus for making codes and laws reflect the new climate of support. Fortunately, unlike the stone tablets of Biblical fame, the process for standardizing the standard is flexible to the changing climate—a requisite for any tool emerging for solving the barrier problem. A widespread resolve to create better solutions in future years can be predicted with confidence as changing social attitudes. Perhaps, then, the biggest boon to the movement is the coming together of designers and users to deal openly with the problem, thus insuring solutions that are in harmony with the times.

List of References

1. Rueslorn, Herbert. An Alternative to the Therapeutic Model in Therapeutic Recreation. *Therapeutic Recreation J.* First quarter, 1973. 7:1:8-15. p. 12.
2. Syracuse University. School of Architecture. *Access: The State of the Art*, Vol. 1. Edward Steinfeld, project director. March, 1975. Unpublished.
3. U.S. Department of Housing and Urban Development. Office of Policy Development and Research. *Interim Report: Barrier-Free Access to the Man-Made Environment—A Review of Current Literature*, by Edward Steinfeld, project director, School of Architecture, Syracuse University, Syracuse, N.Y. Washington, D.C.: The Dept., Oct., 1975. HUD-PDR-122.

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REHABILITATION LITERATURE

## Delay Asked in Change On Barrier-Free Code

AIA's task force on barrier-free policy has recommended to the Building Officials and Code Administrators International that BOCA wait a year before incorporating into its building code proposed revisions aimed at making structures more accessible to the physically handicapped. Despite BOCA's "intense effort" and the fact that structures built in the meantime will be less than fully satisfactory to the handicapped, the task force urges delay in BOCA changes in order to achieve a single, universal set of standards, thus "ending an era of proliferation of different standards."

Over the years, BOCA has included in its code provisions that were intended to make buildings more accessible, but, says James R. Dowling, director of AIA's codes and regulations center, "The requirements were based on an obsolete national standard, and the provisions were less than satisfactory. Recognizing the need for updated and improved provisions, a BOCA committee has held preliminary hearings to review and evaluate 29 suggested changes that pertain to the accessibility of buildings." BOCA membership will consider these changes at its annual meeting in June and will come to a decision about their inclusion in the BOCA 1976 code.

The suggestion by AIA's task force on barrier-free policy that BOCA wait a year before making changes is due to the fact that work on the revision of the American National Standard Institute's "Specification for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped" (A117.1-1961) is in progress and should be completed in 1976.

The work on the ANSI revised standard has been conducted at Syracuse University under a \$256,000 contract awarded by HUD.

The purpose is to replace the old A117.1 with a standard that will cover residential as well as public buildings. HUD, says ANSI, "plans to apply the resulting standard to single and multifamily dwellings financed under Federal Housing Administration-insured loans." The 1961 A117.1 is termed by ANSI as "one of the most widely used" of its standards, and it is incorporated, in whole or in part, "in the codes of all 50 states and referenced by many federal agencies." Research at Syracuse on a new standard has included exhaustive tests conducted under the leadership of Edward Steinfeld, professor of architecture.

Edward Noakes, AIA, chairman of the AIA task force on barrier-free policy, says that nearly every element of BOCA's proposed revisions "is currently the subject of investigation and testing" at Syracuse. "We see no logical course of action than to recommend that the BOCA proposed revisions be remanded for further study."

"AIA is deeply committed to the development of both better and broader based design criteria related to the accessible and usable environment for the handicapped people," Noakes says. Members of the task force "place primary emphasis on the updating of the present AIA standard, based on the process of research and experimentation carried through the consensus method, or, alternatively, by the consensus method, to become a truly nationally accepted set of requirements."

By waiting a year to make revisions in the BOCA code, Noakes says, "The confusion and frustration that would be generated by one more set of criteria will be avoided and the ground laid for widespread acceptance of the new revised ANSI standard."

More than 100 of AIA components have codes and standards committees, and Dowling reports that such committees will be informed of AIA's position on the BOCA revisions to insure total uniformity throughout the U.S.

Testimony by James R. Dowling before

The Code Changes Committee of BOCA, International

December 3, 1975

The American Institute of Architects is deeply committed to the development of both better and broader based design criteria related to an accessible and usable environment for handicapped people. The members of national AIA task force on barrier free policy place primary emphasis on the updating of the present ANSI standard, based on the process of research and experimentation carried through the consensus method (or ratified by the consensus method) to become a truly national accepted set of requirements. This process is now well underway at Syracuse University School of Architecture under a grant from the Department of Housing and Urban Development. It is our hope that these new standards will be available in time to become the basis for proposed revisions to BOCA next year.

It is believed that by so doing, the universal desire for a single set of standards will at last be within our reach and that the era of proliferation of different standards will come to an end, BOCA is clearly a major force towards that end.

The proposed revisions to BOCA, now being considered, have been carefully reviewed. Because nearly every element contained in those revisions is currently the subject of investigation and testing at Syracuse, we see no other logical course of action that to recommend that they be remanded for further study.

We do this with deep regret, knowing the intense effort that has gone into their development and particularly knowing that buildings designed on the basis of the present standard will be less than fully satisfactory for handicapped individuals, our hope is that by waiting one year, the confusion and frustration that would be generated by one more set of criteria will be avoided and the ground work laid for widespread acceptance of the new revised ANSI standard.



Introduced: 4/19/76  
Referred: Health, Education  
and Social Services and  
Finance

1 IN THE SENATE

BY BRADLEY, CROFT AND CHANCE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 201

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural  
7 barriers in public buildings and facilities for physi-  
8 cally handicapped, aged or infirm persons; and provid-  
9 ing for an effective date."

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

11 \* Section 1. AS 35.10.015 is amended to read:

12 Sec. 35.10.015. ARCHITECTURAL BARRIER REGULATIONS; ENFORCEMENT.

13 The Department of Public Works shall prepare, promulgate and enforce  
14 [IS RESPONSIBLE FOR PREPARING AND PROMULGATING] regulations governing  
15 the construction of public buildings and facilities by or for the state,  
16 including the University of Alaska, and its political subdivisions,  
17 whether financed in whole or in part by federal funds, to insure that  
18 the public buildings and facilities are accessible to, and usable by,  
19 the physically handicapped, aged or infirm. The regulations of the  
20 department shall conform to applicable provisions of federal law or  
21 regulation and [AS FAR AS IT IS FEASIBLE] to the publication entitled  
22 "American Standard Specifications for Making Buildings and Facilities  
23 Accessible to and Usable by the Physically Handicapped" or any amend-  
24 ments to this publication as approved by the American Standards Associa-  
25 tion, Incorporated, under the sponsorship of the National Society for  
26 Crippled Children and Adults and the President's Committee on Employment  
27 of the Physically Handicapped.

28 \* Sec. 2. AS 35.10.015 is amended by adding a new subsection to read:

29 (b) The department shall develop and maintain an inventory of all

1 public buildings and facilities with respect to their compliance with  
2 the regulations adopted under (a) of this section. The department shall  
3 make an annual report to the governor and the legislature describing  
4 work performed in the preceding calendar year to upgrade public buildings  
5 and facilities to conform with the regulations. In addition, the  
6 department shall develop cost estimates and recommended priorities for  
7 the upgrading of public buildings and facilities that do not conform  
8 with the regulations adopted under (a) of this section and shall include  
9 these estimates and the recommended priorities in the annual report to  
10 the governor and the legislature.

11 \* Sec. 3. After the effective date of this Act, no public building or  
12 facility in the state may be planned, designed, financed, constructed, opened  
13 to public use, or otherwise placed in operation unless it meets the standards  
14 established under AS 35.10.015, as amended by sec. 1 of this Act.

15 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
16 070(c).

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ALASKA CHAPTER THE AMERICAN INSTITUTE OF ARCHITECTS

20 April 1976

CODES AND STANDARDS COMMITTEE

Donald Harris, Commissioner  
Department of Public Works  
State of Alaska  
Pouch Z  
Juneau, Alaska 99811

BUILDING CODE PROVISIONS FOR THE PHYSICALLY HANDICAPPED

Dear Mr. Harris:

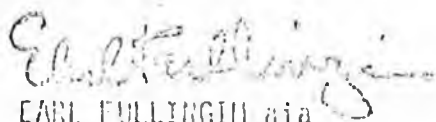
The American Institute of Architects and its Alaska Chapter for many years have been concerned with the removal and prevention of barriers to the handicapped in our built environment. Members of the Alaska Chapter supported the original state legislation which requires access for the handicapped to all public buildings of the state and its political subdivisions.

Enclosed is a photocopy of a 4 March 1976 memorandum from James R. Bowling, Director, Codes and Standards Center, The American Institute of Architects, concerning revisions underway to the American National Standard Institute's "Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped" (A117.1-1961.) This document is the one referred to in AS 35.10.015 "Architectural Barrier Regulations".

We respectfully suggest that any proposed revisions to Alaska statutes and the Alaska Administrative Code concerning barriers to the handicapped be postponed, if possible, until the revised ANSI standard has been published. This will allow all national, state and local building codes to use one document as the basis.

By separate letter I am advising the sponsors of HB 225 and SB 201 of the correct title of A 117.1.

Cordially



EARL FULLINGIM via  
Chairman  
Codes and Standards Committee  
841 J Street  
Anchorage, AK 99501

PLEASE REPLY TO:

cc Francis S.L. Williamson, Commissioner HSS  
Edmund R. Orbeck, Commissioner of Labor  
Richard L. Burton, Commissioner of  
Public Safety  
William H. Race, Director  
Division of Buildings  
Ronald A. Hendrie, Fire Marshal  
Everett Simpson, State Architect  
Michael Plunkett AIA, President  
Alaska Chapter AIA



THE AMERICAN INSTITUTE OF ARCHITECTS

MEMORANDUM

Date: March 4, 1976

To: Chairpersons, AIA Component Codes and Standards Committees

From: James R. Dowling, Director, Codes and Regulations Center

Subject: Building Code Provisions For The Physically Handicapped

Copies: Members, Commission on Professional Practice, AIA National Codes and Standards Committee, AIA Task Force on Barrier Free Policy, Messrs. de Moll, McGinty, Slayton, Schoeler, Penasio, Barker, Payne and Glover

The attached information is provided for your guidance with local building code authorities who may be contemplating revising their code to include new or up-dated requirements for the physically handicapped. Numerous jurisdictions throughout the United States are, and have been, referencing the old 1961 ANSI Standard A117.1 which has become obsolete and does not satisfactorily answer the needs of the handicapped. The standard is currently being revised by Syracuse University which is explained in the attached article that appeared in the February 1976 issue of the AIA Journal.

Twenty nine code changes were introduced to amend the BOCA Basic Building Code in 1976 and all have been deferred pending publication of the revised ANSI standard. A copy of the testimony provided the BOCA Code Changes Committee is also attached. Therefore, we are requesting you to use your influence to delay any local action in your area until the new standard becomes available. It is the only way total uniform code provisions can be achieved for the handicapped.

This position has been endorsed by the AIA Task Force on Barrier Free Policy, the National Center for a Barrier Free Environment and the National Barrier Free Design Committee of the President's Committee for the Employment of the Physically Handicapped.

JRD/la

Enclosures

RECEIVED MAR 18 1976



# REPORT



National Center  
for a  
Barrier Free  
Environment

Volume 2/Number 1

Washington, D.C.  
January, 1976

## 200 ATTEND ANNUAL MEETING

The National Center for a Barrier Free Environment held its first annual meeting on November 7 in Louisville, Kentucky, as the morning session of an all-day "Forum of Exchange on Developing a Barrier-Free Environment," with about 200 persons attending.

The conference was held in connection with the annual convention of one of the Center's founding members, the National Easter Seal Society for Crippled Children and Adults. Co-sponsors also included another founding member, the American Institute of Architects, the National Transportation Builders Association, and the American Rehabilitation Society.

**Building Codes**  
"Codes and standards can be an effective tool in bringing about mandatory barrier-free provisions," stated James B. Dowling, director, Code and Regulations Center, American Institute of Architects. "But despite the extensive adoption of uniform model building codes, major cities, with a few notable exceptions, seem determined to go their own way."  
The five model building codes are: three "general interest" — BOCA (Building Officials and Code Administrators International), ICBO (International Conference of Building Officials), and SBCC (Southern Building Code Congress); and two "special limited interest" — American Insurance Association and National Fire Protection Association.  
Participation in writing or updating model codes is open to the public, and anyone can submit a code change as long as he can substantiate or document the need for the change. Mr. Dowling stressed the need to lessen the fragmentation among groups submitting proposals for code changes, and for such groups to coordinate their forces to support the change.  
Some provisions for incorporation in the 1975 BOCA basic code. Comparable changes proposed to the ICBO and Southern codes were reviewed at final hearings in the fall of 1975 and are expected to be published in their 1976 editions.

Chairman of the conference was Edward H. [Name obscured]

## Editorial

### A SINGLE STANDARD

Because the movement to eliminate architectural barriers brings together a broad spectrum of individuals and organizations, the joint progress achieved will depend in large measure on our speaking the same language in terms of a single standard of accessibility.

A long-standing problem has been the needless confusion caused by conflicting codes. With the development of the new ANSI (American National Standards Institute) standard, providing clear prescriptive data based upon thorough research using handicapped subjects, the opportunity will exist for a uniform approach to all codes and regulations, whether local, state or national.

Existing legislation that is founded on the original ANSI standard should automatically incorporate the revised standard. Other agencies that may have adopted differing codes in the interim must be encouraged to bring their standards into conformity with the new ANSI standard.

The virtue of the ANSI standard will be twofold. First is its detailed content, which is essential to the practicing architect and builder who must deal with the subtle complexities of accessible design. Equally important is the broad base of support which ANSI develops through its traditional process of review and approval by advisory panels before it is adopted.

To fulfill the national function for which it is planned, the ANSI standard must be clear, complete and comprehensive. It must deal with the actual needs, both of today's handicapped population and of those, perhaps more severely disabled, who may be seeking access to the community resources of the future. This is a large demand to make, but we feel the ANSI project now underway at Syracuse University School of Architecture is on the way to achieving it.

Matthei, AIA, secretary of the National Easter Seal Society and a member of the Board of Directors of the National Center in 1975.

Excerpts from these presentations and those made at the afternoon Open Forum are on pages 3-6.

## Founding Members

American Institute of Architects  
Disabled American Veterans  
Epilepsy League  
Confidential Federal Agency for the  
National Congress of Organizations  
of the Physically Handicapped

National Easter Seal Society for  
Crippled Children and Adults  
National Professional Foundation  
National Rehabilitation Association  
Paralyzed Veterans of America, Inc.  
President's Committee on Employment  
of the Handicapped

## Editor

Edward J. Leonard  
President's Committee on Employment  
of the Handicapped



Special Article  
 From Problem to Solution:  
 The New Focus in Fighting Environmental Barriers  
 RITA MCGAUGHEY  
 A DISTINCT CHANGING

SPECIAL ARTICLE

recent conference in Louisville. Unfortunately, a clear distinction of lines for drawing data from the two HUD programs and the HUD departmental program being conducted at Syracuse was not made as hoped for at the Conference.

To Building Codes as well as Standards, changes are being proposed to insure accessibility of persons with handicaps in buildings across the country. Some of the provisions for the physically handicapped proposed for incorporation in the 1975 Uniform Code of Building Officials and Code Administrators included such requirements:

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Representing the American Institute of Architects and Republican Center at the November, 1975, Joint HUD Conference, James R. Downing, director of the Center, called upon members of organizations serving the handicapped for the implementation of their efforts to strengthen accessibility provisions in Building Codes. He directed the group to develop proposed changes in concert with all affected parties prior to submitting a particular code "building officials" says Mr. Downing, "have been responsible in establishing requirements for the handicapped over the years and the best way to reduce that responsibility and to bring together a unified approach."

Implementation, a face leading to negate the marked progress being made in the movement to eliminate barriers is the chief concern of the National Center for a Barrier-Free Environment, established in 1974 to coordinate and advance the physical of handicapped persons and to provide the physical of handicapped persons and to provide the physical of handicapped persons and to provide the physical of handicapped persons.

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Still another school of thought holds to the notion that, given heterogeneous approaches to a multitude of needs, the best product will emerge. Clearly, an interesting philosophical issue is debated.

The case for uniformity is strongly supported by a special Task Force on Barriers to Progress established in 1974 by the American Institute of Architects (AIA). In the interest of uniformity in the field of handicapped design standards and related code without exception, the AIA Task Force is applying its efforts to the Standards Revision Project being conducted at Syracuse and hopes to recommend regulations by the Institute and the adoption of the new standards when they become available. Said to be final is the change of preserving the uniformity in legislation that was achieved in the 1950's when the first AIA standards for accessibility were adopted as local laws for additional barriers have sprung from the nation.

Given the relative efforts which abound at this time to create the movement for a barrier-free environment, it is not surprising that the standard for accessibility of the physically disabled has become for making codes and laws reduce the true climate of support. In reality, within the same walls of HUD's office, the process for creating the standard is flexible to the changing climate—a requisite for any such changing for solving the barrier problem. A widespread narrative to create better solutions in future years can be justified with reasonable change, and it is not surprising that the biggest head to the movement is the existing together of designers and users to deal directly with the problem, thus insuring solutions that are in harmony with the times.

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The suggestion by AIA's task force on barrier-free policy that BOCA wait a year before making changes is due to the fact that work on the revision of the American National Standard Institute's "Specification for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped" (A117.1-1961) is progressing and should be completed in 1976.

The work on the AIAI revised standard has been conducted at Syracuse University under a \$256,000 contract awarded by HUD.

The purpose is to replace the old A117.1 with a standard that will cover residential as well as public buildings. HUD, says AIAI, "plans to apply the resulting standard to single and multifamily dwellings financed under Federal Housing Administration-insured loans." The 1961 A117.1 is termed by AIAI as "one of the most widely used" of its standards, and it is incorporated, in whole or in part, "in the codes of all 50 states and referenced by many federal agencies." Research at Syracuse on a new standard has included exhaustive tests conducted under the leadership of Edward L. Cook, professor of architecture.

Edward Norman, AIAI chairman of the AIA task force on barrier-free policy, says that nearly every copy of BOCA's proposed revisions "is currently the subject of investigation and study" at Syracuse. "We see no logical course or action that we recommend that the BOCA proposed revisions be recommended for further study."

"AIAI is deeply committed to the development of both building codes and code criteria which will meet the needs of all people," Norman says. "The AIAI task force 'please patient' process of the updating of the present code is based on the principle of technical competence and the consensus method. Our goal is the consensus method, but we will accept a nationally accepted set of revisions if necessary."

By waiting a year to make changes in the BOCA code, Norman says, "The confusion and frustration that would be generated by one set of standards will be avoided and the process will spread acceptance of the new revised AIAI standard."

More than 100 of AIA components have codes and standards committees, and Dowling reports that such committees will be informed of AIAI position on the BOCA revisions to insure total uniformity throughout the U.S.

Testimony by James R. Dowling before

The Code Changes Committee of BOCA, International

December 3, 1975

The American Institute of Architects is deeply committed to the development of both better and broader based design criteria related to an accessible and usable environment for handicapped people. The members of national AIA task force on barrier free policy place primary emphasis on the updating of the present ANSI standard, based on the process of research and experimentation carried through the consensus method (or ratified by the consensus method) to become a truly national accepted set of requirements. This process is now well underway at Syracuse University School of Architecture under a grant from the Department of Housing and Urban Development. It is our hope that these new standards will be available in time to become the basis for proposed revisions to BOCA next year.

It is believed that by so doing, the universal desire for a single set of standards will at last be within our reach and that the era of proliferation of different standards will come to an end, BOCA is clearly a major force towards that end.

The proposed revisions to BOCA, now being considered, have been carefully reviewed. Because nearly every element contained in those revisions is currently the subject of investigation and testing at Syracuse, we see no other logical course of action that to recommend that they be remanded for further study.

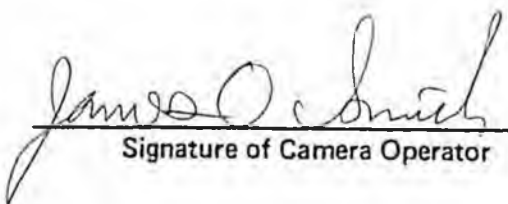
We do this with deep regret, knowing the intense effort that has gone into their development and particularly knowing that buildings designed on the basis of the present standard will be less than fully satisfactory for handicapped individuals, our hope is that by waiting one year, the confusion and frustration that would be generated by one more set of criteria will be avoided and the ground work laid for widespread acceptance of the new revised ANSI standard.

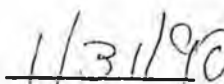


# RECORDS CERTIFICATION



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

3/7/75

Mr. President:

Date \_\_\_\_\_

The Committee on FINANCE has had SB 205 relating to payments for judicial services by political subdivisions 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



COMMITTEE REPORT

2/26/75

SENATE

Mr. President:

Date 3/7/75

The Committee on Comm. & Regional Affairs has had SB 205 relating to payments for judicial services by political subdivisions 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:

Thomas C. Willis Do pass

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Members NOT concurring in the Majority report:

Clem Tillion recommends: Do not Pass unless Amended

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

Introduced: 2/26/75  
Referred: Community and  
Regional Affairs and  
Finance

1 IN THE SENATE

BY ROBEY

2 SENATE BILL NO. 205

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to payments for judicial services by  
7 political subdivisions; and providing for an effective  
8 date."

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

10 \* Section 1. AS 22.15.270 is amended to read:

11 Sec. 22.15.270. RETENTION OF FINES, ETC., BY POLITICAL SUB-  
12 DIVISIONS. All fines, penalties and forfeitures resulting from viola-  
13 tions of ordinances of political subdivisions shall be returned to the  
14 political subdivision whose ordinance is involved in the manner provided  
15 by rule of the supreme court. [THE POLITICAL SUBDIVISION SHALL PAY TO  
16 THE STATE ADMINISTRATIVE DIRECTOR OF THE COURT FOR TRANSFER TO THE  
17 GENERAL FUND OF THE STATE SUCH SUMS AS WILL PAY FOR THE JUDICIAL SERVICES  
18 RENDERED TO THE POLITICAL SUBDIVISION BY THE DISTRICT JUDGE OR MAGI-  
19 STRATE RENDERING THE SERVICES.] Fines, penalties and forfeitures imposed  
20 after appeals accrue to the state, unless the appeal is prosecuted by  
21 the political subdivision.

22 \* Sec. 2. This Act takes effect July 1, 1975.  
23  
24  
25  
26  
27  
28  
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ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST... Session

SENATE BILL..... NO. 205....

By RODEY.....

"An Act relating to payments for judicial services by political subdivisions; and providing for an effective date."

payments for judicial services by political subdivisions

Introduced in the Senate ..... 2/26, 19... 75

HISTORY IN THE SENATE

19 75

2 26

3 7

Read first time and referred to Committee on

Community and Regional Affairs and Finance

Reported back with recommendation that *CRRA - 2 deposits & 1 do not pass a review amended to Finance*

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by President  
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No. ....



Alaska Court System

State of Alaska

RICHARD P. BARRIER  
Manager of Fiscal Operations

OFFICE OF ADMINISTRATIVE DIRECTOR

303 K Street  
Anchorage, Alaska 99501

December 17, 1975

Mr. James D. Fennel  
Staff Assistant  
Senate Finance Committee  
Pouch WF  
Juneau, Alaska 99801

Dear Jim:

I am enclosing the information you requested on  
HB 170 and SB 205. These are identical bills,  
so the same fiscal note applies to both.

Look forward to seeing you in January.

Sincerely,

Richard P. Barrier  
Manager of Fiscal Operations

RPB/sd

Encls.


FISCAL NOTE - HB 170/SB 205

House Bill 170/Senate Bill 205 repeals the requirement that political subdivisions pay the State for judicial services provided to them by the Alaska Court System. Under the provisions of these bills, therefore, the Alaska Court System would process municipal ordinance violations, local traffic tickets and other municipal criminal cases at no expense to the political subdivisions. Since the Court System is already processing these cases, no additional expenditures would be incurred. However, the State would lose the revenue that it presently is receiving as payment for services from the political subdivisions.

The estimated revenue loss for the next five years would be as follows:

	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>	<u>FY 81</u>
Revenue Loss:	\$421,000	\$463,000	\$510,000	\$560,000	\$615,000

Note Prepared By:

  
Richard P. Barrier  
Alaska Court System

December 15, 1976

Introduced: 2/26/75  
Referred: Community and  
Regional Affairs and  
Finance

1 IN THE SENATE

BY RODEY

2 SENATE BILL NO. 205

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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22 \* Sec. 2. This Act takes effect July 1, 1975.  
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29

Introduced: 2/26/75  
Referred: Community and  
Regional Affairs and  
Finance

1 IN THE SENATE

BY RODEY

2 SENATE BILL NO. 205

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

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#

Introduced: 2/26/75  
Referred: Community and  
Regional Affairs and  
Finance

1 IN THE SENATE

BY RODEY

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

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22 \* Sec. 2. This Act takes effect July 1, 1975.  
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85200  
FISCAL NOTE - HB-170

House Bill 170 repeals the requirement that political subdivisions pay the State for judicial services provided to them by the Alaska Court System. Under the provisions of HB 170, therefore, the Alaska Court System would process municipal ordinance violations, local traffic tickets and other municipal criminal cases at no expense to the political subdivisions. Since the Court System is already processing these cases, no additional expenditures would be incurred. However, the State would lose the revenue that it presently is receiving as payment for services from the political subdivisions.

The estimated revenue loss for the next five years would be as follows:

	<u>FY 76</u>	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>
Revenue Loss:	\$440,000	\$480,000	\$530,000	\$580,000	\$640,000

Note Prepared By:

  
Richard P. Barrier  
Alaska Court System

March 6, 1975

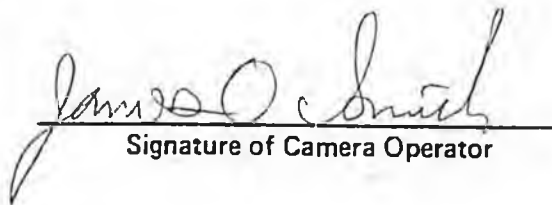


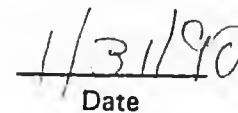


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Signature of Camera Operator

  
Date

COMMITTEE REPORT

3/25/75

SENATE

Mr. President:

Date \_\_\_\_\_

The Committee on FINANCE has had SSSB 212 appropriation for the purpose of funding the Alaska Plan Policy Board, Inc. 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

# COMMITTEE REPORT

2/26/75

SENATE

Mr. President:

Date 3-25-75

The Committee on Labor & Management has had SB 212 spec. approp. for the Alaska Plan Policy Board Commission 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)
- (X) recommends it BE REPLACED WITH <sup>S</sup> SB 212 AND THAT <sup>S</sup> SB 212 DO PASS
- ( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_ COMMITTEE
- ( ) reports it back WITHOUT RECOMMENDATION
- ( ) "other"

*new title*

Members signing the Majority report:

*Edmund Williams* \_\_\_\_\_

PATRICK RODEV \_\_\_\_\_

*Brad Bradley* \_\_\_\_\_

\_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

*Edmund Williams* Chairman

Offered: 3/25/75  
Referred: Finance

1 IN THE SENATE

BY FERGUSON BY REQUEST

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 212

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Office  
7 of the Governor for the purpose of funding the Alaska  
8 Plan Policy Board, Inc.; and providing for an effective  
9 date."

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

11 \* Section 1. The sum of \$300,000 is appropriated from the general fund  
12 to the Office of the Governor for the purpose of funding the operation of  
13 the Alaska Plan Policy Board, Inc.

14 \* Sec. 2. This Act takes effect July 1, 1975.  
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ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST... Session

SENATE BILL..... NO. 212....

By FERGUSON, BY REQUEST.....

"An Act making a special appropriation to the Alaska Plan Policy Board Commission, Office of the Governor; and providing for an effective date."

spec. approp. Alaska Plan Policy Board Commission

Introduced in the Senate ...2/26..., 19.75

HISTORY IN THE SENATE

19 75

Read first time and referred to Committee on

2 26

Labor & Management and Finance

3 25

Reported back with recommendation that *replace w/SS + do job to be done*

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by President  
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No. ....

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. SSSB 212

Title: "An Act funding the Alaska Plan Policy Board, Inc."

Requested by: Ferguson By Request Date: Offered 3/25/75

Return Date Requested: \_\_\_\_\_

Agency: Office of the Governor Program: Alaska Plan

II. FISCAL DETAIL

Budget Request Unit(s) Affected: 01-25-1-17-00-00

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	250.0	-0--	-0-	-0-	-0-	-0-
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	250.0	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND	250.0	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

Funding for the Alaska Plan will be sought through the State budget process.

IV. ATTACHMENTS

V. DATE: January 7, 1976 PREPARED BY: Marian L. Endicott

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



Offered: 3/25/75  
Referred: Finance

1 IN THE SENATE

BY FERGUSON BY REQUEST

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 212

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Office  
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*Sen. Ferguson*

#

Offered: 3/25/75  
Referred: Finance

1 IN THE SENATE

BY FERGUSON BY REQUEST

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 212

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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Offered: 3/25/75  
Referred: Finance

1 IN THE SENATE

BY FERGUSON BY REQUEST

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 212

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act making a special appropriation to the Office  
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