

LEG. FINANCE - BILLS 1975 - 1976 565

SB 474am cont., thru SB 476

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVICES FACTOR	INCREASED FUNDING FOR HEALTH
Akolmiut	Nunapitchuk Clinic Kasigluk	-- --	2 facilities	8,000	1.30 =	\$ 10,400
Anderson	Anderson Medical Clinic	--	1 facility	4,000	1.3375 =	5,350
Bethel	Prematernal Home Bethel Alcohol Tr. Ctr.	14 16	14 beds 16 beds	14,000 16,000	1.30 = =	18,200 20,800
Cordova	Cordova Community Hos. Public Health Center	22	Per Hospital 1 facility	50,000 4,000	1.15 = =	57,500 4,600
Delta Junction	Delta Medical Surgical Clinic	--	1 facility	4,000	1.15 =	4,600
Eagle	Eagle Medical Center Clinic	--	1 facility	4,000	1.15 =	4,600
Kiana	Kiana Hospital	--	1 facility	4,000	1.3375 =	5,350
King Cove	King Cove Health Center	--	1 facility	4,000	1.2625 =	5,050
Nome	Maynard McDougal Hos.	24	Per Hospital	50,000	1.2625 =	63,125
Pelican	Pelican Health Facility	--	1 facility	4,000	1.075 =	4,300
Petersburg	Petersburg General Hos. Public Health Center	25 --	Per Hospital 1 facility	50,000 4,000	1.0375 = =	51,875 4,150
Port Lions	Port Lions Clinic	--	1 facility	4,000	1.075 =	4,300
Sand Point	Sand Pt. Baptist Med. Mission	--	1 facility	4,000	1.2625 =	5,050
Skagway	Dahl Memorial Health Ctr.	--	1 facility	4,000	1.075 =	4,300
Unalaska	Tlivliuk Fam. & Health Serv.	--	1 facility	4,000	1.3375 =	5,350
Valdez	Valdez Community Hos.	15	Per Hospital	50,000	1.1875 =	59,375

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVICES FACTOR	INCREASED FUNDING FOR HEALTH
Whittier	Whittier Health Clinic	--	1 facility	4,000	1.15 =	\$ 4,600
Wrangell	Wrangell General Hos.	13	Per Hospital	50,000	1.0375 =	51,875
	Gateway Comm. Mental Health	--	1 facility	4,000	=	4,150
Yakutat	Yakutat Comm. Health Clinic	--	1 facility	4,000	1.075 =	<u>4,300</u>
		127 beds				\$ 403,200
		<u>934</u>				<u>1,420,125</u>
		1,061 total beds			Total Health	\$ 1,823,325
		16 facilities				
		<u>14</u>				
		30 total facilities				

Fiscal Analysis of HCSSB 474Cost of Basic Grants - AS 43.17.030

FY '77 entitlements under existing law	sub-total	+ new transportation	+ new solid waste	+ new air/water pollution (civilian)	+ new air/water pollution (military)	+ new ambulance	+ rounding up to 100	= total
boroughs	\$10,809,494 (10)*	\$2,124,727 (4)	\$205,787 (5)	\$366,696 (1)	\$53,766 (2)	\$625,784 (7)	\$12,094 (10)	\$14,198,348
cities	4,329,836 (41)	45,376 (1)	135,717 (15)		7,927 (1)	70,147 (12)	78,930 (41)	4,667,933
vol. fire depts.	72,576 (40)							72,576
" " " (new)	12,653 (10-est)							12,653
TOTAL	\$15,224,559	\$2,170,103	\$341,504	\$366,696	\$61,693	\$695,931	\$91,024	\$18,951,510
						Plus Added Health and Hospital		1,823,325
								\$20,774,835

Cost of Minimum Grants - AS 43.17.020

FY '77 entitlements under existing law	sub-total	+ additional cost of minimum grants	= total
cities	\$1,122,260 (95)	\$1,895,336 (95)	\$ 3,017,596
new " "	112,668 (11-est)	218,707 (11-est)	331,375
TOTAL	\$1,234,928	\$2,114,043	\$ 3,348,971

Total FY '77 entitlements under existing law	\$16,459,487
Additional Cost of Basic Grants and Minimum Grants (HCSSB 474)	<u>7,664,319</u>
TOTAL	\$24,123,806
	<u>- 23,092</u>
	\$24,100,714

*Numbers in parentheses indicate the number of municipalities or volunteer fire departments eligible in the category

1st proposed CS
not adopted

Original sponsor: Community and Regional
Affairs Committee by request of the
Legislative Council Interim Committee on
Shared Revenue with Municipalities

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 474

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 municipalities and municipal re-
7 venue sharing; and providing for an effective date."

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

9 * Section 1. AS 43 is amended by adding a new chapter to read:

10 CHAPTER 17. MUNICIPAL REVENUE SHARING

11 Sec. 43.17.010. CONSTRUCTION AND IMPLEMENTATION OF CHAPTER. (a)

12 This chapter may not be construed so as to create a debt of the state.

13 (b) The special municipal services account is established. Funds
14 to carry out the provisions of this chapter may be appropriated annually
15 by the legislature to the account. If amounts in the account are
16 insufficient for the purpose of each local government's share authorized
17 under this chapter, such funds as are available shall be distributed pro
18 rata among eligible local governments.

19 (c) Money in the special municipal services account which, at the
20 end of the fiscal year for which the money is appropriated, exceeds the
21 amount required for the allocations authorized in this chapter reverts
22 to the general fund.

23 Sec. 43.17.020. MINIMUM GRANTS TO MUNICIPALITIES. (a) A munici-
24 pality proposing to provide administrative services or a service pro-
25 vided for in sec. 30(a)(1) of this chapter may, in lieu of obtaining
26 revenue sharing money as provided in this chapter, obtain instead a
27 minimum grant of \$25,000.

28 (b) The department shall issue regulations regarding procedures
29 and time limits for making an election under this section.

1 Sec. 43.17.030. BASIC GRANTS TO MUNICIPALITIES. (a) If a munici-
2 pality elects not to receive the grant provided for under sec. 20 of
3 this chapter, the amount of revenue sharing for which it is eligible
4 shall be calculated: as a result of B X P where

5 (1) B is the base revenue sharing amount of \$1 times the
6 service units for each service performed by the municipality established
7 as follows:

8 (A) police protection	12 units
9 (B) fire protection	7.5 units
10 (C) water pollution control	2 units
11 (D) land use planning	2 units
12 (E) parks and recreation	5 units
13 (F) small boat harbor or port	5 units
14 (G) mass transit	5 units
15 (H) airport	5 units
16 (I) solid waste disposal	2 units
17 (J) ambulance	2 units
18 (K) air pollution	2 units

19 (2) P is the population of the municipality rounded up to the
20 nearest 100, and for any services provided another defined area under con-
21 tract, the population of the area receiving the service rounded up to
22 the nearest 100.

23 (b) If a municipality contains areas having differential rates of
24 taxation, the entitlement shall be calculated for areawide services and
25 for each area separately and totaled to reach the entitlement of the
26 municipality. Revenue sharing money for which the entitlement is based
27 upon areawide services may be used for areawide purposes only, and
28 revenue sharing money for which the entitlement is based upon service
29 area services may be used for that service area only.

1 Sec. 43.17.040. HEALTH FACILITIES AND HOSPITALS. (a) During each
2 fiscal year the state shall make payments as follows:

3 (1) \$1,000 per hospital bed to municipalities having health
4 powers for each hospital bed actually used for patient care, limited to
5 the number of beds provided for in the construction design of the
6 hospital, or \$50,000 per hospital for those hospitals with 10 or more
7 beds or \$20,000 per hospital for those hospitals with less than 10 beds
8 as the local government may determine;

9 (2) \$1,000 per hospital bed to each hospital located outside
10 a municipality having health powers for each hospital bed actually used
11 for patient care, limited to the number of beds provided for in the
12 construction design of the hospital, or \$50,000 for those hospitals with
13 10 or more beds or \$20,000 per hospital for those hospitals with less
14 than 10 beds, as the hospital may determine;

15 (3) \$1,000 per bed to a municipality in which a health
16 facility is operated for each bed actually used for patient care,
17 limited to the number of beds provided for in the construction design of
18 the health facility, or \$4,000 per health facility as the local govern-
19 ment may determine;

20 (4) funds received under this section shall be used for ex-
21 pense of operation or maintenance of health services or health facilities
22 or hospitals as the municipality or hospital outside a municipality de-
23 termines;

24 (5) before funds may be distributed under this subsection,
25 the commissioner of health and social services shall certify to the
26 distributing agency that any accumulation of assets by nonprofit cor-
27 porations or other recipients under this subsection is dedicated irre-
28 vocably to a public health purpose.

29 (b) If construction of a hospital or health facility began before

1 January 1, 1976, and state matching aid for construction approved under
2 AS 18 for payment to a municipality or other facility sponsor
3 constitutes less than 25 per cent of the total project cost, the state
4 shall pay to the municipality or other facility sponsor each fiscal year
5 a sum equal to \$2,500 a bed for the maximum number of beds provided for
6 in the construction design of the facility. State aid provided for in
7 this subsection shall continue until the municipality or other facility
8 sponsor has received an amount which, combined with state matching money
9 for construction of the facility approved under AS 18, equals 25 per
10 cent of the total project cost. No funds received for construction
11 shall be used for any other purpose.

12 (c) In this section

13 (1) "hospital" means a licensed hospital determined by the
14 Department of Health and Social Services to be a general hospital; the
15 term excludes facilities operated or wholly supported by the state or
16 the federal government;

17 (2) "health facility" means public health centers, maternity
18 homes and community mental health centers, facilities for the mentally
19 or physically handicapped, nursing homes and convalescent centers which
20 are licensed, when required, by the state under AS 18.20.010 - 18.20.130
21 and are owned or operated or both by a local government or by a non-
22 profit corporation or other nonprofit sponsor; the term excludes facili-
23 ties operated or wholly supported by the state or the federal government;

24 (3) "other facility sponsor" means a public or nonprofit
25 corporation located outside a municipality which owns or operates, or
26 both, a hospital or health facility.

27 Sec. 43.17.050. VOLUNTEER FIRE DEPARTMENTS OUTSIDE MUNICIPALITIES.
28 The state shall pay to a volunteer fire department registered with the
29 state fire marshal and serving an area not in an organized borough or a

1 city a sum for protection purposes equal to \$7.50 per capita for the
2 population served by the department, as determined by the state fire
3 marshal using the latest figures of the United States Bureau of the
4 Census or other reliable data. Grants shall be made on the same basis
5 to facilitate the organization of volunteer fire departments in an area
6 not in an organized borough or a city, upon application of the proposed
7 fire protection group to the department and approval of applications
8 according to standards of organization and service prescribed by regu-
9 lations promulgated by the department.

10 Sec. 43.17.060. AREA COST-OF-LIVING DIFFERENTIAL. (a) State
11 payments to a municipality or to a hospital or volunteer fire department
12 located outside a municipality under this chapter shall reflect area
13 cost-of-living differential. Amounts distributed shall be based upon
14 the sum of the grants due each municipality or each hospital or volun-
15 teer fire department located outside a municipality multiplied by the
16 appropriate area cost-of-living differential. The area cost-of-living
17 differential for each municipality or each hospital or volunteer fire
18 department located outside a municipality shall be determined annually
19 by election district under the provisions of AS 39.27.030; however, the
20 area cost-of-living differential to be applied shall not result in an
21 amount to be distributed less than the base allocation.

22 (b) The election districts used in (a) of this section are those
23 designated by the proclamation of reapportionment and redistricting of
24 December 7, 1961, and retained for the house of representatives by
25 proclamation of the governor September 3, 1965.

26 Sec. 43.17.070. FINANCIAL REPORTS. No money may be distributed to
27 a municipality under this chapter unless the municipality has first
28 submitted a financial report to the department for each of the two fis-
29 cal years immediately preceding the fiscal year in which funds are to be

1 distributed and a budget for the municipality's fiscal year in which
2 funds are to be distributed. The department may, by regulation, pre-
3 scribe procedures and filing dates for submitting financial reports and
4 for obtaining all information required to determine the municipality's
5 tax effort.

6 Sec. 43.17.080. POPULATION DETERMINATION. For purposes of this
7 chapter, population shall be determined by the latest figures of the
8 United States Bureau of the Census, Department of Labor estimates or
9 other population data which, in the judgment of the department, is
10 reliable. However, a municipality may not receive state shared revenue
11 based on the population residing on that portion of a military reser-
12 vation annexed to a city or borough after January 1, 1973, except as
13 provided in this section. If a military reservation is located within a
14 city or borough, the city or borough is limited in its entitlement to
15 state shared revenue, based on the population residing on the reserva-
16 tion, as follows: 50 per cent of the amount paid per capita for police
17 protection under this chapter; 25 per cent of the amount paid per capita
18 for parks and recreation under this chapter; 50 per cent of the amount
19 paid per capita for mass transit under this chapter; 50 per cent of the
20 amount paid per capita for water pollution under this chapter; and 50
21 per cent of the amount paid per capita for air pollution under this
22 chapter.

23 Sec. 43.17.090. ADDITIONAL LIMIT. In addition to the limitations
24 on expenditure of funds contained in sec. 40 of this chapter:

25 (1) if a borough exercises the powers in sec. 30(a)(1) of
26 this chapter in the borough area outside cities only, or in a service
27 area only, the grants authorized under this section shall be based on
28 the population of the borough area outside cities or the service area
29 respectively;

1 (2) if a city within an organized borough provides police
2 protection services, the borough may not qualify for aid under sec.
3 30(a)(1)(A) of this chapter unless

4 (A) police protection services are provided in the
5 borough area outside cities, or if limited to a service area, in
6 the service area, through borough contract with a city or with the
7 state or

8 (B) the borough assumes and exercises power to provide
9 police protection services on an areawide basis in the manner
10 provided by law.

11 Sec. 43.17.100. ROAD MAINTENANCE. During each fiscal year the
12 state shall pay to a city or organized borough of any class which has
13 power to provide for road maintenance and exercises the power a sum
14 equal to \$1,500 a mile for each mile of road, street or highway main-
15 tained by the local government, excluding the official state highway
16 system, roads, streets, or highways not dedicated to public use, any
17 roads, streets or highways maintained under the local service road pro-
18 gram (AS 19.30.111 - 19.30.251), and alleyways, in accordance with regu-
19 lations adopted by the Department of Highways. No payments may be made
20 for maintenance of roads not used by automotive equipment. Frozen
21 waterways and connections from inhabited areas to the waterways which
22 may be safely used for public transportation by automotive equipment and
23 are so used during a portion of a year are eligible for payments of \$900
24 per mile if the waterways and connections are maintained during the
25 period of use by a municipality or combination of municipalities. The
26 Department of Community and Regional Affairs, after consultation with
27 the Department of Highways, shall determine which waterways and connec-
28 tions qualify and, where the waterways or connections lie outside the
29 corporate limits of a municipality, which municipality is eligible for

1 the shared revenue unless the municipalities involved have agreed in
2 writing to a particular distribution.

3 Sec. 43.17.110. REGULATIONS. The department shall adopt regula-
4 tions necessary to carry out the purposes of this chapter. The regula-
5 tions shall include minimum standards of service required to qualify a
6 municipality for service unit credit for each service and provisions for
7 a performance report adequate to demonstrate to the department that each
8 service for which credit was allowed was actually performed by the
9 municipality at least at the prescribed minimum level.

10 Sec. 43.17.120. EXPENDITURE OF FUNDS. Funds received by a munici-
11 pality under this chapter may be expended for any public purpose for
12 which the municipality has power to expend funds except as provided in
13 sec. 40 of this chapter.

14 Sec. 43.17.130. DEFINITIONS. In this chapter

15 (1) "department" means the Department of Community and
16 Regional Affairs;

17 (2) "municipality" for revenue sharing purposes means a city,
18 borough or unified municipality incorporated under the laws of the State
19 of Alaska except a second class city incorporated after the effective
20 date of this Act and lying within an organized borough.

21 * Sec. 2. AS 43.18.010 - 43.18.050 are repealed.

22 * Sec. 3. Other provisions of this Act notwithstanding, a municipality
23 which would receive less money under the provisions of this Act than it was
24 entitled to receive in 1975 under the provisions of AS 43.18 repealed by this
25 Act shall continue to receive an amount equal to that authorized for 1975
26 under the former provisions of AS 43.18, in accordance with those provisions.
27

28 * Sec. 4. AS 29.18.020 is amended to read:

29 Sec. 29.18.020. SECOND CLASS CITIES. A community outside an
organized borough having 25 or more permanent residents may incorporate

1 as a second class city. A community located within an organized borough
2 having 125 or more permanent residents may incorporate as a second class
3 city.

4 * Sec. 5. This Act takes effect July 1, 1976.
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CSHB 539

PER CAPITA FISCAL ANALYSIS OF ~~HB 539/SB 473~~

Basic Grants AS43.17.030	#	Population	FY '77 entitlements under existing law	Per Capita	FY '77 entitlements under new law	Per Capita
Boroughs*	10	349,213	^{12,239,494} \$11,533,457	\$33	14,922,311 \$14,433,233	\$43 \$41
Cities*	41	99,483	^{11,339,726} 4,236,130	43	574,227 4,883,119	\$46 \$49
Volunteer Fire Dpts.	40	8,061	72,576	9	72,576	9
New Volunteer Fire Dpts. (estimate)	10	1,400	12,653	9	12,653	9
Military	3	36,705	358,053	10	911,524 419,746	25 11
 <u>Minimum Grants</u> AS43.17.020						
Cities	95	22,916	1,122,260	49	3,017,596	132
New Cities (estimate)	11	2,200	112,668	51	331,375	151
 TOTAL			\$17,447,797		^{23,350,424} \$23,865,331	
less military			<u>358,053</u>		<u>419,746</u> 911,524	
			\$17,089,744	20	\$22,753,967 <u>22,930,738</u>	

*includes military

Basic Grants AS 43.17.030 (Boroughs)	Population	FY '77 entitlements under existing law	Per Capita	FY '77 entitlements under new law	Per Capita
Bristol Bay	1,147	\$ 31,134	\$27	\$ 44,053 35,603	38 31
City & Borough of Juneau	19,518	682,952	35	894,515 919,915	46 47
City & Borough of Sitka	7,398	316,429	43	352,669 354,922	48 48
Fairbanks North Star military	53,781 6,892	1,838,083 29,721	34 4	1,965,803 2,025,264	37 39
Kenai Peninsula	16,844	328,951	20	368,188 402,265	22 24
Ketchikan Gateway	11,538	206,719	18	273,500 222,900	24 20
Kodiak Island	6,915	107,183	16	107,769 112,519	15 17
Matanuska-Susitna	12,682	131,997	10	160,294 125,402	13 10
Municipality of Anchorage military	183,348 22,920	7,446,664 280,770	41 12	9,266,506 10,016,150	51 55
North Slope	6,230	132,854	21	133,491 150,549	21 24
TOTAL	349,213	\$11,533,457		\$14,433,228 14,922,311	43 43
AVERAGE			\$33		\$41

Basic Grants AS 43.17.030	Population	FY '77 entitlements under existing law	Per Capita	FY '77 entitlements under new law	Per Capita
(cities > 1,000 pop.)					40
Barrow	2,307	\$ 81,768	\$35	\$ -88,609	91,425 \$38
Bethel	3,314	214,525	65	221,416	226,551 63
Cordova	3,609	214,591	59	229,655	226,408 63
Dillingham	1,025	49,411	48	69,500	52,523 68
Fairbanks	32,740	998,287	30	1,145,745	1,027,410 31
military	6,893	47,562	7	96,600	55,545 35
Haines	1,366	63,173	46	67,999	62,698 50
Homer	1,468	62,207	42	63,291	63,291 43
Kenai	5,241	235,442	45	244,213	237,440 45
Ketchikan	7,953	259,514	33	276,900	274,900 35
Kodiak	4,221	156,450	37	213,672	205,120 49
Kotzebue	2,528	96,364	38	114,356	106,664 42
Nome	2,685	177,745	66	197,847	191,977 71
Palmer	1,651	79,840	48	96,120	75,070 52
Petersburg	2,266	139,665	62	152,500	150,321 67
Seward	2,005	87,844	44	103,541	90,256 45
Soldotna	1,821	94,998	52	101,039	97,653 54
Valdez	2,221	140,649	63	155,366	154,660 55
Wrangell	3,059	166,595	54	186,270	120,300 61
TOTAL	88,373	\$3,366,630		\$3,826,639	3,522,722

MEMORANDUM


State of Alaska

TO: R. D. Stevenson
Assistant to the Commissioner
Department of Revenue

DATE: May 21, 1976

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins 
Director
Audit Division

SUBJECT: House Bill 932

This bill would delete the gross receipts tax portion of the Alaska Business License Act with the exception of the tax on financial institutions.

If action is taken on this bill, I would suggest in section 4 that the second sentence of paragraph (d) be deleted, and that the following language be submitted in place of it.

"The business license return filed in accordance with section 30(b) of this chapter shall be for the same tax year as reported to the Internal Revenue Service. The return shall be filed at the same time the taxpayer's federal income tax return is filed. Any federally approved extensions which the taxpayer has obtained must be attached to the return when filed."

I would further recommend that section 43.70.110(3) of the law be repealed. This language will no longer be necessary since the gross receipts tax provision would be repealed and the prior recommended language changes to section 30(d) of the act would require a financial institution to report to us on the same basis as they report to the Internal Revenue Service. The requirement that the license not be issued for any time period other than the calendar year is provided by section 43.70.020(c) of the act.

The major impact of this legislation will be the loss of revenue to the State of Alaska as well as that portion to the various municipalities required by the revenue sharing program. During fiscal year 76 it is anticipated that the State will receive gross receipts tax in the amount of \$16,000,000. Of this total we share approximately 55.5% of that total back to the individual municipalities in which the gross receipts were generated. For fiscal year 76 the total sharing would be approximately \$8,560,000. In subsequent years, as the pipeline construction tapers off, it is anticipated that total receipts would decline annually at the amount shared. This is expected to be at the least, \$7,500,000 per year.

It would appear that some provision would be made in other revenue sharing processes to ensure that the municipalities would continue to receive that amount of money in those years as the same total dollars that it now receives.

GLJ:lam

Introduced. 5/18/76
Referred: Commerce and
Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 932

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 Alaska Business License Act;
7 and providing for an effective date."

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

9 * Section 1. AS 43.70.010 is repealed.

10 * Sec. 2. AS 43.70.030(a) is amended to read:

11 .(a) The license fee for each business is \$50 [\$25 PLUS A SUM EQUAL
12 TO ONE-HALF OF ONE PER CENT OF THE GROSS RECEIPTS IN EXCESS OF \$20,000
13 FROM THE BUSINESS DURING THE YEAR FOR WHICH THE LICENSE IS ISSUED,
14 EXCEPT THAT ALL GROSS VOLUME IN EXCESS OF \$100,000 A YEAR IS TAXED AT
15 THE RATE OF ONE-QUARTER OF ONE PER CENT. THE ANNUAL LICENSE FEE PAID BY
16 A PROFESSIONAL PERSON TO HIS PROFESSIONAL BOARD SHALL BE CREDITED
17 AGAINST THE INITIAL FEE REQUIRED UNDER THIS CHAPTER].

18 * Sec. 3. AS 43.70.030(c) is amended to read:

19 (c) The license for the privilege of taking orders through use of
20 catalogs and by mail order offices in the state is the same as set out
21 in this chapter for business generally [AND GROSS VOLUME OF BUSINESS OF
22 THOSE OFFICES INCLUDES ALL ORDERS TAKEN AT THEM WHETHER DELIVERY OF THE
23 MERCHANDISE IS MADE THROUGH THE OFFICES OR NOT].

24 * Sec. 4. AS 43.70.030(d) is amended to read:

25 (d) The initial fee of \$50 [\$25] applies to all of the provisions
26 of this section, and shall accompany the application. The balance under
27 sec. 30(b) of this chapter is due and payable on December 31st of each
28 year and shall be paid before the first day of March following, except
29 that the department may extend the time until the 30th of the following

1 April upon application showing that the extension is necessary to enable
2 the applicant to ascertain the amount of license money due. To enable
3 accurate determination of the balance of the tax due at the end of each
4 year, each person to whom this chapter applies shall keep records, give
5 statements under oath, and make returns which the department requires.
6 Returns are made under penalty of perjury.

7 * Sec. 5. AS 43.70.040(a) is amended to read:

8 (a) As soon as practicable after the final payment of the tax
9 under sec. 30(b) of this chapter, the department shall examine the
10 return and determine the correct amount of the tax and, if an error is
11 found, shall notify the taxpayer of the error and examine the taxpayer's
12 records as authorized in AS 43.05.040, and take other proper steps to
13 determine the amount due.

14 * Sec. 6. AS 43.70.040(b) is amended to read:

15 (b) If an agreement cannot be reached with the taxpayer as to the
16 amount of a license tax due under sec. 30(b) of this chapter, the
17 department may set a time and place of hearing on the question, upon at
18 least 60 days' notice of the hearing by mail to the taxpayer. At the
19 hearing a person may be required to appear and testify and produce
20 records and other papers as provided in AS 43.05.040.

21 * Sec. 7. AS 43.70.110(2) is repealed.

22 * Sec. 8. This Act takes effect January 1, 1978.
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THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HCSSB 474
 Title: ... municipal Revenue Sharing and the Alaska Business License Act...
 Requested by: House Finance Date: 5-20-76
 Return Date Requested: 5-21-76
 Agency: Community & Regional Affairs Program: Development

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Municipal Services Revenue Sharing

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		4.2				
200 TRAVEL		1.1				
300 CONTRACTUAL		3.0				
400 COMMODITIES		-0-				
500 EQUIPMENT		.9				
600 LAND & STRUCTURES		-0-				
700 GRANTS, CLAIMS, ETC.		* 8,690.1				
TOTAL		8,699.3				

*additional amount required over Governor's budget of

B. FUNDING: (Thousands of dollars)

15,410.6

GENERAL FUND		8,699.3				
FEDERAL FUNDS		-0-				
OTHER		-0-				

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 / 1	/	/	/	/
MAN MONTHS (P./T.)	/	0 / 3	/	/	/	/

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

Based on the following assumptions, the total cost required to fund the grant portion of HCSSB 474 is estimated to be \$24,100,714.

1. All eligible volunteer fire departments and municipalities will properly apply for funds.
2. No funds are budgeted for assumption of power to exercise additional services provided for under the basic grants section (Sec. 43.17.030).
3. No fiscal analysis of secs. 4 through 12, relating Alaska Business License Act since effective date is January 1, 1979 - Fiscal Note for these sections should be provided by the Department of Revenue.
4. Basis for change in administrative costs are the marginal increases in cost over FY '77 budget submission as shown on the following page.

IV. ATTACHMENTS

1. Per capita fiscal analysis (worksheet)
2. Health facility & hospital (worksheet)
3. Fiscal analysis of HCSSB 474 (worksheet)

V. DATE: 5-21-76 PREPARED BY: _____

Palmer McCarter

Palmer McCarter
Director
Local Government Assistance

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

The bill provides minimum levels of State support (\$25,000 to smaller municipalities. The transportation category has been separated into three categories (small boat harbor or port, airport, and mass transit). The air/water pollution control category has been separated into two categories (air and water pollution), with military populations eligible. Ambulance services and solid waste disposal are new categories. *All populations are rounded upwards to the next 100 (except military populations, which are to be the actual number).**

Additional administration with the program is outlined as follows:

Personal Services

Salary

Upgrade Clerk IV and added
part-time clerical

\$3,400

Benefits @ 23%

800

4,200

Travel

Additional travel required to
monitor program (5 cities)

\$1,100

1,100

Contractual

Mag-card typewriter

\$3,000

3,000

Equipment

Desk & chair

\$ 450

Calculator

450

900

Total Administrative

\$9,200

*Hospital and health facilities are funded at double the present level with one half of the funding restricted for specific expenditure on the facilities. Construction aid payments under municipal revenue sharing programs for new hospitals or health facility applicants is terminated as of January 1, 1976.

**Under the proposed bill (Sec. 3) no municipality shall receive a smaller amount than it did in FY 1976. Total approved entitlements for FY 76 for municipalities (including fire protection groups in the unorganized borough) is \$14,952,963.

PER CAPITA FISCAL ANALYSIS OF HCSSB 474

Basic Grants AS 43.17.030	#	Population	FY '77 entitlements under existing law	Per Capita	FY '77 entitlements under new law	Per Capita
Boroughs*	10	349,213	\$10,809,494	\$33	\$14,035,517	\$43
Cities*	41	99,483	4,329,836	43	4,807,672	46
Volunteer Fire Depts.	40	8,061	869,550	9	985,505	9
New Volunteer Fire Depts. (estimate)	10	1,400	12,653	9	12,653	9
Military	3	36,705	358,053	10	411,910	11
Minimum Grants AS 43.17.020						
Cities	95	22,916	1,122,260	49	3,017,596	132
New Cities (estimate)	11	2,200	112,668	51	331,375	151
TOTAL			\$16,817,540		\$22,689,299	
less military			<u>358,053</u>		<u>411,910</u>	
			\$16,459,487		\$22,277,389	
			**Additional Health & Hospital		<u>1,823,325</u>	
					TOTAL \$24,100,714	

*includes military

**see attachment 2

Basic Grants AS 43.17.030 (Boroughs)	Population	FY '76 entitlement	FY '77 entitlement under existing law	Per Capita	FY '77 entitlement under new law	Per Capita
Bristol Bay	1,147	\$ 13,757	\$ 13,757	\$12	\$ 17,423	\$15
City & Borough of Juneau	19,518	646,147	682,952	35	919,915	47
City & Borough of Sitka	7,398	301,273	316,429	43	354,882	22
Fairbanks North Star military	53,781 6,892	747,145*	1,086,001 29,721	20 4	1,210,047 29,756	39 4
Kenai Peninsula	16,844	343,495	345,479	21	382,055	23
Ketchikan Gateway	11,538	203,152	206,719	18	288,900	25
Kodiak Island	6,915	106,089	107,183	16	118,519	17
Matanuska-Susitna	12,682	121,594	131,997	10	185,402	15
Municipality of Anchorage military	183,348 22,920	7,154,125*	7,446,664 280,770	41 12	10,016,150 326,609	55 14
North Slope	8,634	161,792	161,792	19	185,859	21
TOTAL	\$351,617		\$10,809,494		\$14,035,517	
AVERAGE				30		40

*includes military

Basic Grants AS 43.17.030	Population	FY '76 entitlement	FY '77 entitlement under existing law	Per Capita	FY '77 entitlement under new law	Per Capita
(cities >1,000 pop.)						
Barrow	2,307	\$ 75,598	\$ 81,768	\$35	\$ 91,485	\$40
Bethel	3,314	230,436	250,152	75	253,897	75
Cordova	3,609	171,179	214,591	59	226,608	63
Dillingham	1,025	49,052	49,411	48	52,583	51
Fairbanks	32,741	937,946*	998,287	30	1,027,640	31
military	6,893		47,562	7	55,545	8
Haines	1,366	67,165	67,165	49	68,429	49
Homer	1,538	64,577	64,577	42	66,777	42
Kenai	5,241	228,477	235,442	45	237,440	45
Ketchikan	7,953	249,631	259,514	33	276,900	35
Kodiak	4,221	146,413	156,450	37	205,180	49
Kotzebue	2,528	114,917	123,964	49	126,708	49
Nome	2,685	175,605	177,745	66	191,977	71
Palmer	1,651	73,080	79,840	48	85,070	52
Petersburg	2,266	143,517	148,093	65	153,976	67
Seward	2,005	82,081	87,844	44	90,856	45
Soldotna	1,821	93,815	94,998	52	97,653	54
Valdez	6,670	319,669	153,249	69	335,510	50
Wrangell	3,152	169,634	169,634	54	177,843	56
TOTAL	92,985		\$3,460,286		\$3,822,077	
AVERAGE				37		41

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVICES FACTOR	INCREASED FUNDING FOR HEALTH
Fairbanks North Star Borough	Fairbanks Memorial Hos.	116	116 beds	116,000	1.15 =	\$ 133,400
	Hope Center	36	36 beds	36,000	=	41,400
	Fairbanks City Clinic	--	1 facility	4,000	=	46,000
Municipality of Anchorage	Providence Hospital	150				
	Anchorage Community Hos.	84	234 beds	234,000	1.00 =	150,000
	Booth Memorial	12				34,000
	Hope Chalet	10				
	Sunrise Hope Cottage	14				
	Hope Park	40				
	Bering Program	10				
	Alaska Family House	30	116 beds	116,000	=	116,000
			228 beds	228,000	=	228,000
			9 facilities	36,000	=	36,000
City & Borough of Juneau	Barlett Memorial Hos.	67	67 beds	67,000	1.00 =	67,000
	Alcoholism Rehabilitation	10				
	Gasteneau Manor Halfway House	9	19 beds	19,000	=	19,000
Kenai Peninsula Borough	Homer Hospital	10	Per Hospital	50,000	1.075 =	53,750
	Central Peninsula General Hos.	30	Per Hospital	50,000	=	53,750
	Seward General Hospital	33	Per Hospital	50,000	=	53,750
	Wesleyan Nursing Home	64	64 beds	64,000	=	68,800
	Seldovia Health Facility	--	1 facility	4,000	=	4,300
Ketchikan Gateway Borough	Ketchikan General Hos.	95	95 beds	95,000	1.00 =	95,000
	Ketchikan Health Dept.	--	1 facility	4,000	=	4,000
	Gateway Comm. Mental Health Ctr.	--	1 facility	4,000	=	4,000
	Ketchikan Alcohol Recov. Dept.	19	19 beds	19,000	=	19,000
Kodiak Island Borough	Kodiak Island Hospital	25	Per Hospital	50,000	1.075 =	53,750
	Hope House	12				
	DeTox Center	9	21 beds	21,000	=	22,575
	Kodiak Aleutian Center	--	1 facility	4,000	=	4,300

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVICES FACTOR	INCREASED FUNDING FOR HEALTH
Matanuska-Susitna Borough	Valley Hospital	25	Per Hospital	50,000	1.0375 =	\$ 51,875
City & Borough of Sitka	Sitka Community Hospital	<u>24</u>	Per Hospital	50,000	1.0375 =	<u>51,875</u>
		934 beds				\$1,420,125
		14 facilities				

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVIDES FACTOR	INCREASED FUNDING FOR HEALTH
Akolmiut	Nunapitchuk Clinic Kasigluk	-- --	2 facilities	8,000	1.30 =	\$ 10,400
Anderson	Anderson Medical Clinic	--	1 facility	4,000	1.3375 =	5,350
Bethel	Prematernal Home Bethel Alcohol Tr. Ctr.	14 16	14 beds 16 beds	14,000 16,000	1.30 = =	18,200 20,800
Cordova	Cordova Community Hos. Public Health Center	22	Per Hospital 1 facility	50,000 4,000	1.15 = =	57,500 4,600
Delta Junction	Delta Medical Surgical Clinic	--	1 facility	4,000	1.15 =	4,600
Eagle	Eagle Medical Center Clinic	--	1 facility	4,000	1.15 =	4,600
Kiana	Kiana Hospital	--	1 facility	4,000	1.3375 =	5,350
King Cove	King Cove Health Center	--	1 facility	4,000	1.2625 =	5,050
Nome	Maynard McDougal Hos.	24	Per Hospital	50,000	1.2625 =	63,125
Pelican	Pelican Health Facility	--	1 facility	4,000	1.075 =	4,300
Petersburg	Petersburg General Hos. Public Health Center	25 --	Per Hospital 1 facility	50,000 4,000	1.0375 = =	51,875 4,150
Port Lions	Port Lions Clinic	--	1 facility	4,000	1.075 =	4,300
Sand Point	Sand Pt. Baptist Med. Mission	--	1 facility	4,000	1.2625 =	5,050
Skagway	Dahl Memorial Health Ctr.	--	1 facility	4,000	1.075 =	4,300
Unalaska	Ulivliuk Fam. & Health Serv.	--	1 facility	4,000	1.3375 =	5,350
Valdez	Valdez Community Hos.	15	Per Hospital	50,000	1.1875 =	59,375

MUNICIPALITY	FACILITY	NUMBER OF BEDS	BASIS OF ENTITLEMENT	ENTITLEMENT	COST OF SERVICES FACTOR	INCREASED FUNDING FOR HEALTH
Whittier	Whittier Health Clinic	--	1 facility	4,000	1.15 =	\$ 4,600
Wrangell	Wrangell General Hos.	13	Per Hospital	50,000	1.0375 =	51,875
	Gateway Comm. Mental Health	--	1 facility	4,000	=	4,150
Yakutat	Yakutat Comm. Health Clinic	--	1 facility	4,000	1.075 =	<u>4,300</u>
		127 beds				\$ 403,200
		<u>934</u>				<u>1,420,125</u>
		1,061 total beds			Total Health	\$ 1,823,325
		16 facilities				
		<u>14</u>				
		30 total facilities				

Fiscal Analysis of HCSSB 474Cost of Basic Grants - AS 43.17.030

FY '77 entitlements under existing law	sub-total	new transportation	new solid waste	new air/water pollution (civilian)	new air/water pollution (military)	new ambulance	rounding up to 100	= total
boroughs	\$10,809,494 (10)*	\$2,124,727 (4)	\$205,787 (5)	\$366,696 (1)	\$53,766 (2)	\$625,784 (7)	\$12,094 (10)	\$14,198,348
cities	4,329,836 (41)	45,376 (1)	135,717 (15)		7,927 (1)	70,147 (12)	78,930 (41)	4,667,933
vol. fire depts.	72,576 (40)							72,576
" " " (new)	12,653 (10-est)							12,653
TOTAL	\$15,224,559	\$2,170,103	\$341,504	\$366,696	\$61,693	\$695,931	\$91,024	\$18,951,510
						Plus Added Health and Hospital		<u>1,823,325</u>
								\$20,774,835

Cost of Minimum Grants - AS 43.17.020

FY '77 entitlements under existing law	sub-total	+	additional cost of minimum grants	= total
cities	\$1,122,260 (95)		\$1,895,336 (95)	\$ 3,017,596
new " "	112,668 (11-est)		218,707 (11-est)	331,375
TOTAL	\$1,234,928		\$2,114,043	\$ 3,348,971

Total FY '77 entitlements under existing law	\$16,459,487
Additional Cost of Basic Grants and Minimum Grants (HCSSB 474)	<u>7,664,319</u>
TOTAL	\$24,123,806
	<u>- 23,092</u>
	\$24,100,714

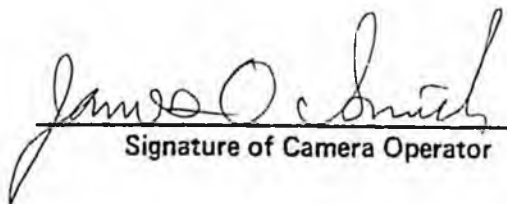
*Numbers in parentheses indicate the number of municipalities or volunteer fire departments eligible in the category.

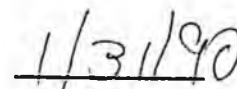


RECORDS CERTIFICATION



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 providing financial aid for catastrophic illness or injury; effective date."

COMMITTEE REPORT

4/9/76

HOUSE

Mr. Speaker:

Date 5-17-76

The Committee on FINANCE has had HR 467

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 HR 467 AND THAT
CS FOR HR 467 DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>Burke</u>	<u>Hansen</u>	_____
<u>Chambers</u>	<u>Greening</u>	_____
<u>Conrad</u>		_____
<u>Edwards</u>		_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

*5-17-76
Signed in Clerk's office
MB*

Chairman

Financial Institutions Report

COMMITTEE REPORT

HOUSE

2/5/76

Mr. Speaker:

Date February 24 1976

FINANCE

SB 478 am

The Committee on _____ has had _____

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 ^{House} CS FOR _____ AND THAT

CS FOR SB 478 am 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>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman



Alaska House of Representatives

AS 01.10.030

Statute Attached

HUGH MALONE

POUCH V
JUNEAU
99811

P. O. BOX 9
KENAI
99611

Jay

*Screened for
1/10/03
0.11.03*

— here are a couple of
proposed CS's —

Your comments — we'll
do what you want
Hush

Original Sponsors: Kerttula, Ferguson
and Croft

IN THE SENATE

BY THE FINANCE COMMITTEE

HOUSE CS FOR SENATE BILL NO. 476

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska longevity bonus; and
providing for an effective date."

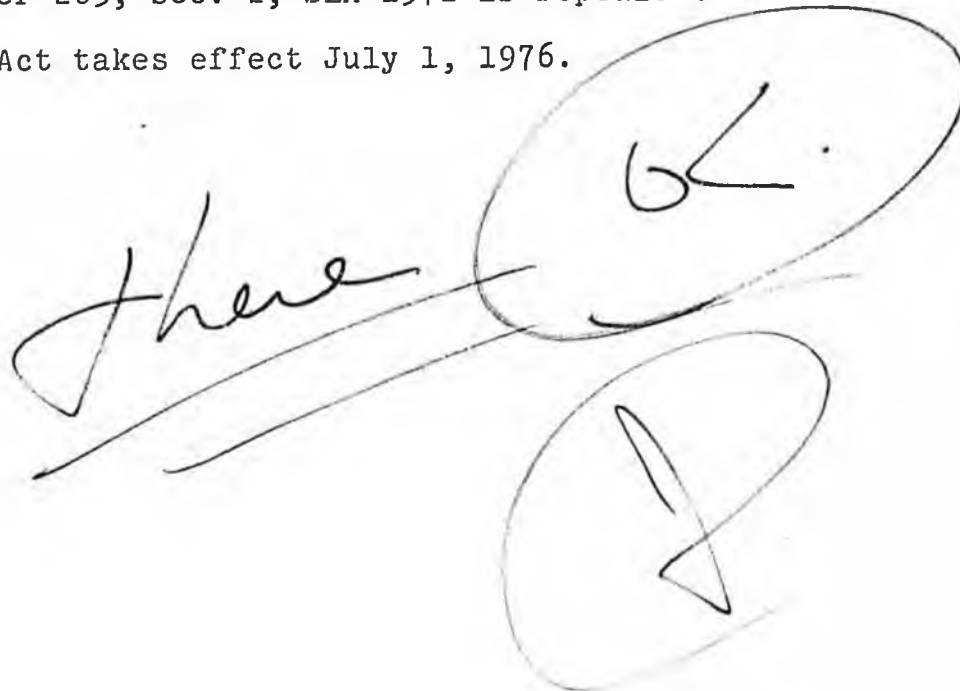

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 47.45.010(a) is amended to read:

(a) A person who is 65 years of age or over, who was domiciled in
the territory on or before January 3, 1959 and who has maintained a con-
tinuous domicile in the territory or state for 25 years may apply to the
commissioner of administration for qualification to receive a monthly
bonus of \$125 [\$100].

* Sec. 2. Chapter 205, sec. 2, SLA 1972 is repealed.

* Sec. 3. This Act takes effect July 1, 1976.

There  

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100

DEPARTMENT Alaska State Legislature

ATTENTION Senator Kerttula

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:

FROM:
MAIL STATION NUMBER 0208

DEPARTMENT Admin/Admin. Services

BY Kellus Sewell DATE 2/25

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. S. B. 476 am
 Title: An Act Relating to the Longevity Bonus
 Requested by: Senate Kerttula, Ferguson, Croft Date: _____
 Return Date Requested: 2/25/76
 Agency: Administration Program: Pioneers Benefits

II. FISCAL DETAIL

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

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES	0					
200 TRAVEL	0					
300 CONTRACTUAL	0					
400 COMMODITIES	0					
500 EQUIPMENT	0					
600 LAND & STRUCTURES	0					
700 GRANTS, CLAIMS, ETC.	0	1,625.2	1,690.2	1,757.8	1,828.1	1,901.2
TOTAL		1,625.2	1,690.2	1,757.8	1,828.1	1,901.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	1,625.2	1,690.2	1,757.8	1,828.1	1,901.2
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

Pioneer Alaskans who qualify for the State Longevity Bonus Program would have their benefits raised to \$125.00 per month. Total benefits requested for budget year 1977 is \$6,500,900. Total estimated costs with the \$25.00 raise per person would be \$8,126,100.

Assumed a 5% average annual increase for FY 78-81.

IV. ATTACHMENTS

V. DATE: 2-25-76 PREPARED BY: Marie E swanson

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

accepted 2/12/76

Introduced: 1/12/76
Referred: Health, Education
and Social Services and
Finance

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IN THE SENATE BY KERTTULA, FERGUSON AND CROFT

SENATE BILL NO. 476 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska longevity bonus; and
providing for an effective date."

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

* Section 1. AS 47.45.010(a) is amended to read:

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the territory on or before January 3, 1959 and who has maintained a con-
tinuous domicile in the territory or state for 25 years may apply to the
commissioner of administration for qualification to receive a monthly
bonus of \$125 [\$100].

* Sec. 2. This Act takes effect July 1, 1976.

#

these pioneers have been forced to live out their retirement years in areas far away from the land they loved and nurtured and thereby also suffering in many cases, the loss of familial relationship with their own kin, an experience that is sad and frustrating to them as well as depriving new generations of Alaskans the benefit of their wisdom and experience. This legislation hopefully will provide our pioneers with the economic means to remain in and continue to serve their state and to enjoy the opportunity of aiding the new Alaskan in making this state truly "The Great Land".

* Sec. 2. AS 01.10.030 does not apply to this Act. If any provision of this Act, or the application of a provision of this Act to any person or circumstance is held invalid, this entire Act shall be considered invalid.

* Sec. 3. This Act takes effect January 1, 1973.

HCS SB 476 repeals this ↗

FROM TAXATION AND PROVISIONS...
ter are exempt from all...
taxes except sales and...
execution, attachment,
bonus received under...
Federal tax requirement.

CESSATION OF RESIDENCY.
on shall establish proced...
ipient under this chapter...
ipient dies or disabilit...
qualification for a bonus...
st approved monthly ap...

FALSE STATEMENTS. A
makes a false statement,
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of a misdemeanor and,
y a fine of not more than...
more than six months, or...
er this chapter, and shall...
bonuses illegally re-

In this chapter
monthly Alaska longevity
his beneficiary who
the place with which a
for determination of his
ses because it is actual...
ncipal home.

TY OF ADMINISTRATIVE
Procedure Act (AS 44.1)

The sole purpose of this
all law-abiding Alaskans
pairs who have maintained
least 25 years and have
an incentive to continue
ate. Under no circum...
sidered a form, type, or...
s made under this chapter...
though they may appear...
me qualified person at...
me responsibilities. The...
er finds and states that...
economic hardships suf...
Alaskans who through their...
Alaska as we know it!
eir talents. There...
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y did not have the...
r of the ballot.
to fact that many of

Permitted to become law without signature: July 7, 1972
Actual effective date: January 1, 1973

the latter is intoxicated, without more, generally prevails. *Cherbonnier v. Rafalovich*, 12 Alaska 634, 88 F. Supp. 900 (D. Alas. 1950).

Replevin.—Plaintiff has no right to bring an action in replevin, which is governed by the common law, unless he is the legal owner of the property taken. *Hager v. Gordon*, 11 Alaska 481, rev'd on other grounds, 12 Alaska 181, 171 F.2d 90 (9th Cir. 1948).

Equitable title is insufficient to support an action in replevin. *Hager v. Gordon*, 11 Alaska 484, rev'd on other grounds, 12 Alaska 181, 171 F.2d 90 (9th Cir. 1948).

Review of prior judgment.—In absence of statutory authority, review of a prior judgment may not be had in Alaska because neither the Alaska statutes nor the common law so authorizes. *Martin v. Sheely*, 11 Alaska 211, 67 F. Supp. 689 (D. Alas. 1946).

Separate maintenance. — Alaska has no law on separate maintenance, but the common law, by this section, has been declared to be in force in Alaska. And a suit for separate maintenance was well known at common law. *Moller v. Moller*, 11 Alaska 33, 66 F. Supp. 507 (D. Alas. 1946).

Title by accretion. — At common

law the riparian owner acquires title to additions thereto by accretion. *Nordale v. Waxberg*, 12 Alaska 399, 84 F. Supp. 1064 (D. Alas. 1949), aff'd, 12 Alaska 695, 182 F.2d 1022 (9th Cir. 1950).

Applied in *United States v. Pacific & A. Ry. & Nav. Co.*, 5 Alaska 43 (1914); *Van Dyke v. Midnight Sun Mining & Ditch Co.*, 177 F. 85 (9th Cir. 1910); *Northwestern S.S. Co. v. Cochran*, 191 F. 146 (9th Cir. 1911); *Bosel v. State*, Sup. Ct. Op. No. 280 (File No. 32), 398 P.2d 651 (1965).

Quoted in *Turnbull v. Bonkowski*, 419 F.2d 104 (9th Cir. 1969).

Stated in *Bickel v. Polaris Inv. Co.*, 17 Alaska 389, 155 F. Supp. 411 (D. Alas. 1957).

Cited in *Ketchikan Co. v. Citizens' Co.*, 2 Alaska 120 (1903); *First Nat. Bank v. Stout*, 9 Alaska 400 (1938); *Northwest Airlines, Inc. v. Alaska Airlines, Inc.*, 351 F.2d 253 (9th Cir. 1965).

Am. Jur., ALR and C.J.S. references. — 11 Am. Jur., Common Law, §§ 4 to 16; 50 Am. Jur., Statutes, §§ 45, 52 to 63, 217 to 511, 516 to 576.

Pleading of common law of other states, 134 ALR 575.

15 C.J.S. Common Law § 11.

Article 2. General Rules of Statutory Construction.

- Section 20. Applicability of §§ 40—90 of this chapter
- 30. Constitutionality and severability
- 40. Words and phrases

- Section 50. Tense, number, and gender
- 60. Definitions
- 65. Certified mail

Sec. 01.10.020. Applicability of §§ 40—90 of this chapter. The provisions of §§ 40—90 of this chapter shall be observed in the construction of the laws of the state unless the construction would be inconsistent with the manifest intent of the legislature. (§ 1 ch 62 SLA 1962)

The supreme court is enjoined by the legislature to observe the provisions of this section, in resolving any issue relating to AS 01.10.030 and its applicability to the five-day recount provision of AS 15.20.430. *Wade v. Dworkin*, Sup. Ct. Op. No. 306 (File No. 603), 407 P.2d 587 (1965).

ALR and C.J.S. references. — Resort to constitutional or legislative

debates, committee reports, journals, etc., as aid in construction of statute, 70 ALR 5.

Removal or suspension of constitutional limitations as affecting construction of statute previously enacted, 171 ALR 1078.

82 C.J.S. Statutes §§ 1 to 3, 311 to 425.

Sec. 01.10.030. Constitutionality and severability. Any law heretofore or hereafter enacted by the Alaska legislature which lacks

a severability clause in the application of the law, the clause is valid, the provisions are enforceable. (SLA 1962)

Applied in *State v. ...* Ct. Op. No. ... P.2d 893 (1962)

Sec. 01.10.030. construed according to the common law, those which are not, whether by statute or otherwise, according to the common law. (SLA 1962)

Judicial construction required to give effect to phrases according to their ordinary and approved meanings and peculiar meanings. *Lynch v. Mc...*

Sec. 01.10.030. present tense and future tense

(b) Words in the plural

(c) Words in the neuter and gender may refer to

Sec. 01.10.030. context other than

(1) "action" or criminal;

(2) "daytime";

(3) "month" or "month" pressed;

(4) "night" or "night";

(5) "oath" or "oath";

(6) "peace" or "peace" of the peace; States marshaled; it is to enforce;

(7) "person" or "person";

acquires title by accretion. Alaska 399, 1949), aff'd, 1022 (9th Cir.

ates v. Pacific 5 Alaska 43 Midnight Sun 77 P. 85 (9th Cir. 1911); Op. No. 280 651 (1965). v. Bonkowski, 1969). olaris Inv. Co., Supp. 411 (D.

Co. v. Citizens' 83); First Nat. ka 400 (1938); Inc. v. Alaska d 253 (9th Cir.

d C.J.S. refer- Common Law, ar., Statutes, §§ 511, 516 to 576. n law of other Law § 11.

action.

and gender

s chapter. The bserved in the truction would gislature. (§ 1

reports, journals, ruction of statute,

n of constitu- affecting con- previously en-

§§ 1 to 3, 311 to

. Any law here- ure which lacks

a severability clause shall be construed as though it contained the clause in the following language, "If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application to other persons or circumstances shall not be effected thereby." (§ 1 ch 98 SLA 1949)

Applied in State v Baker, Sup Ct. Op. No. 584 (File No. 1014), 460 Ct. Op. No. 227 (File No. 428), 393 P.2d 77 (1969). P.2d 893 (1961); Speidel v. State, Sup.

Sec. 01.10.040. Words and phrases. Words and phrases shall be construed according to the rules of grammar and according to their common and approved usage. Technical words and phrases and those which have acquired a peculiar and appropriate meaning, whether by legislative definition or otherwise, shall be construed according to the peculiar and appropriate meaning. (§ 2 ch 62 SLA 1962)

Judicial construction.—The court is required to construe words and phrases according to their "common and approved usage" unless such words and phrases have acquired peculiar meaning by virtue of statutory definition or judicial construction. Lynch v. McCann, Sup. Ct. Op. No. 659 (File No. 1142), 478 P.2d 835 (1970). Quoted in Employment Sec. Comm'n v. Wilson, Sup. Ct. Op. No. 587 (File No. 1084), 461 P.2d 125 (1969); Thorsheim v. State, Sup. Ct. Op. No. 611 (File No. 1090), 469 P.2d 383 (1970).

Sec. 01.10.050. Tense, number, and gender. (a) Words in the present tense include the past and future tenses, and words in the future tense include the present tense.

(b) Words in the singular number include the plural, and words in the plural number include the singular.

(c) Words of the masculine gender include the feminine and the neuter and when the sense so indicates, words of the neuter gender may refer to any gender. (§ 3 ch 62 SLA 1962)

Sec. 01.10.060. Definitions. In the laws of the state, unless the context otherwise requires,

- (1) "action" includes any matter or proceeding in a court, civil or criminal;
- (2) "daytime" means the period between sunrise and sunset;
- (3) "month" means a calendar month unless otherwise expressed;
- (4) "nighttime" means the period between sunset and sunrise;
- (5) "oath" includes affirmation or declaration;
- (6) "peace officer" means any officer of the state troopers, members of the police force of any incorporated city or borough, United States marshals and their deputies, and other officers whose duty it is to enforce and preserve the public peace;
- (7) "person" includes a corporation, company, partnership,

Article 2. General Rules of Statutory Construction.

Sec. 01.10.030. Constitutionality and severability.

There seems to be little or no authority as to the difference between general and specific severability clauses. *Lynden Transp., Inc. v. State*, Sup. Ct. Op. No. 1120 (File No. 2100), 532 P.2d 700 (1975).

Whereas a specific severability clause creates a slight presumption in favor of severability, a general clause creates an even weaker presumption. For all practical purposes, the difference between the two is negligible. *Lynden Transp., Inc. v. State*, Sup. Ct. Op. No. 1120 (File No. 2100), 532 P.2d 700 (1975).

General ruling which states that the invalidation of an exception automatically precludes severability is overbroad. It remains a question of legislative intent and the rule concerning invalidated exceptions is just another aid in determining that in-

tent. *Lynden Transp., Inc. v. State*, Sup. Ct. Op. No. 1120 (File No. 2100), 532 P.2d 700 (1975).

The test for determining the severability of a statute is twofold. A provision will not be deemed severable "unless it appears both that, standing alone, legal effect can be given to it, and that the legislature intended the provision to stand, in case others included in the act and held bad should fall." *Lynden Transp., Inc. v. State*, Sup. Ct. Op. No. 1120 (File No. 2100), 532 P.2d 700 (1975).

Invalid portion of the 1972 amendment to AS 12.10.130, relating to the granting of permits to carriers, which portion discriminated against nonresidents, was held severable. *Lynden Transp., Inc. v. State*, Sup. Ct. Op. No. 1120 (File No. 2100), 532 P.2d 700 (1975).

Sec. 01.10.040. Words and phrases.

Quoted in *State v. City of Anchorage*, Sup. Ct. Op. No. 932 (File No. 1743), 513 P.2d 1101 (1973).

Article 3. Effect of Statutes.

Section

70. Time statutes become law and take effect

Sec. 01.10.070. Time statutes become law and take effect. (a) All bills passed by the legislature become law upon the governor's signature or upon his veto being overridden or, when he allows a bill to become law without his signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution. Acts become effective 90 days after becoming law, unless the legislature, by concurrence of two-thirds of the membership of each house, provides for another effective date.

(b) The actual effective date of an Act having no effective-date provision is determined by starting with the day after it is signed by the governor or the day after his veto is overridden or the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution, and counting 90 calendar days, the Act becoming effective at 12:01 a.m., Pacific Standard Time on the 90th day.

(c) The mediate-effective date, on the day after his veto is overridden or, when he allows a bill to become law without his signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(d) An Act becomes effective at the time the governor signs it or the day after his veto is overridden or, when he allows a bill to become law without his signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(e) When a bill becomes law upon the governor's signature or upon his veto being overridden or, when he allows a bill to become law without his signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(f) In the event of a conflict between the provisions of this section and any other provision of law, the provisions of this section shall prevail.

(1) "Act" means a law enacted by the legislature.

(2) "bill" means a proposed law introduced in the legislature.

(3) "become effective" means the date on which a law begins to have legal effect.

(4) "effective date" means the date on which a law begins to have legal effect.

(5) "effective date" means the date on which a law begins to have legal effect.

(6) "effective date" means the date on which a law begins to have legal effect.

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OPTIONS TO INCREASE PAYMENTS UNDER ALASKA LONGEVITY BONUS PROGRAM
FOR FY 77

Options	FY 77 (1) Number of Recipients	FY 77 Monthly payment Per Individual	FY 77 Total Cost	FY 77 Additional Appropriation
SB 476 Increases monthly payment to \$150	5,349	\$150	\$9,628,200	\$3,209,400
CSSE 476 Increases monthly payment to \$125 & adds COLA in FY 73	5,349	\$125	\$8,023,500	<u>\$1,604,700</u>
SB 535 Monthly payment remains at \$100 & adds COLA in FY 78. Also amends residency duration requirements	5,499	\$100	\$6,598,800	\$ 120,000
No change in legislation \$100 monthly payment	5,349	\$100	\$6,418,800	\$ 0

SENATE JOURNAL

$$\begin{array}{r} 15 \\ 53 \overline{) 80} \\ \underline{53} \\ 270 \\ \underline{265} \end{array}$$

$$\begin{array}{r} 6.5 \\ 1.6 \\ \hline 8.1 \times 150 \end{array}$$

 + 4 mm if attached

SB 476

FEB 25 1976

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

JAY S. HAMMOND, GOVERNOR

OFFICE OF THE COMMISSIONER POUCH C—JUNEAU 99811

February 24, 1976

Honorable Hugh Malone
Chairman
House Finance Committee
Alaska State Legislative
Pouch V - State Capitol
Juneau, Alaska 99811

RE: Senate Bills No. 476 and No. 533

Dear Representative Malone:

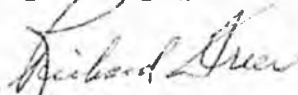
Senate Bill No. 533 was introduced by the Governor at the request of this department to amend certain sections in the Longevity Bonus Act. A copy of our original analysis of the need for these changes is attached. This bill is presently in the Senate Health Education and Social Services Committee where it was originally referred on January 17, 1976.

Senate Bill No. 476, introduced by Senator Kerttula, provides for an increase in the amount of monthly Longevity Bonus payments and we note has passed the Senate and is presently referred to your committee.

Because we consider the amendments contained in Senate Bill No. 533 to be reasonable and important to the administration of the Longevity Bonus program we are requesting your consideration to include them as amendments to Senate Bill No. 476.

We would be glad to discuss the matter with you and your committee at any time and by copy of this letter we are advising the Senate Health Education and Social Service Committee of our suggestion to you in this regard.

Very truly yours,



Richard W. Freer
Deputy Commissioner

RWF/be
Enclosure

cc: Senate Health Education and
Social Services Committee

"Sec. 47.45.010 PERSONS WHO MAY QUALIFY FOR LONGEVITY BONUS. (a) A person who is 65 years of age or over, who was domiciled in the territory on or before January 3, 1959 and who has maintained a continuous domicile in the territory or state for 25 years or who has domiciled in the territory and state a total of 30 years, may apply to the commissioner of administration for qualification to receive a monthly bonus of \$100."

We have run across numerous instances of applicants for a longevity bonus who have lived in the territory and state considerably more than 25 years but whose 25 years of continuous domicile was interrupted for reasons not acceptable under the program. These people were working, tax paying individuals who contributed to the growth of the territory well within the intent set forth by the legislature.

It is felt that by adding the provision of 30 years total domicile in the territory and state, numerous worthwhile people now excluded from the program will qualify.

"Sec. 47.45.030. ABSENCE FROM THE STATE. A recipient shall notify the commisioner of administration when he expects to be absent from the State. [IF THE ABSENCE IS FOR A CONTINUOUS PERIOD THAT EXCEEDS 30 DAYS] "

We have found that many bonus recipients leave the state expecting to be gone less than 30 days and therefore do not notify the Longevity Bonus Office of their intended absence. Quite often these absences extend to more than 30 days due to the urging of relatives or friends or for other reasons. Lacking this information, a monthly bonus payment is automatically issued and when the absence is more than 30 days the amount must be recovered. This has proved very troublesome.

Under the proposed change, bonus payments would be withheld until the Longevity Bonus Office is notified of the individual's return at which time all payments legally due would be made.

"Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is one who:

(3) is otherwise qualified but confined in a penal or correctional institution or facility; upon completion of sentence or upon the conferral of a pardon, parole or probation, the person may make application; confinement outside the state shall be considered as residence in the state if a person was convicted and sentenced from a court in Alaska[;] and the period of confinement was less than one year; revocation of parole or probation shall be cause for immediate disqualification until release from confinement is again effected."

The language in the statute as now written seems entirely opposed to the intent of the legislature in creating this program as expressed in part in AS 47.45.170.

"The legislature recognizes the economic hardships suffered by many elderly Alaskans, Alaskans who through their tenacity and perseverance molded Alaska as we know it through skillful application of their talents."

A case in point is an application from an individual who came to Alaska in 1950. In 1952 he was convicted of a crime and spent the period from 1952 to 1967 in the federal prison on McNeil Island. This individual returned to Alaska in 1967 and has now reached age 65 thus qualifying for a longevity bonus by reason of age and continuous domicile in Alaska. Of this twenty-five years continuous domicile, 60% or fifteen years of this time was spent in prison at State expense.

We feel the above amendment to AS 47.45.070 will correct what appears to be a gross inequity in the program.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STAN (AP101)
BUREAU, ALASKA 99501

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 23, 1976

SUBJECT: Severability of Longevity Bonus Provisions

TO: Hugh Malone
Chairman, House Finance Committee

FROM: Jerry Williams
Legal Intern

You have asked whether or not the provisions of the Alaska Longevity Bonus chapter are severable or not.

There is no section within the Longevity Bonus chapter which creates severability. However, all statutes enacted in Alaska are severable unless they specifically state otherwise, AS 01.10.030.

In Section 2 of Chapter 205, Session Laws of Alaska for 1972, it was specifically provided that the general severability clause above does not apply. Thus, the Longevity Bonus Act is not severable. If any portion of the act is declared invalid, it will all be held invalid.

JW:smh

January 23, 1976

The Honorable Chancy Croft
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

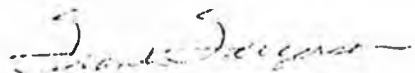
The Senate Health, Education and Social Services Committee has reported out Committee Substitute for Senate Bill #476. The following is an analysis of the Committee Substitute.

CSSB 476, Health and Social Services Committee Substitute

- Sec. 1 Amends 47.45.010 to increase the Alaska Longevity Bonus from \$100 a month to \$125 a month adjusted according to following new section.
- Sec. 2 Amends 47.45 by creating a new section 47.45.015 creating an automatic cost of living increase in the monthly bonus. The COLA would commence on July 1, 1977 and be a percentage of the bonus equal to the upward change in the Consumer Price Index for Anchorage, Alaska, published by the U.S. Department of Labor in the preceding calendar year.
- Sec. 3 Provides for an effective date of July 1, 1976.

Also included are the options and their cost-benefits.

Sincerely,



Frank Ferguson, Chairman
Senate Health, Education and
Social Services Committee

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FOR FY 77

Options	<u>FY 77 (1)</u> Number of Recipients	<u>FY 77</u> Monthly payment Per Individual	<u>FY 77</u> Total Cost	<u>FY 77</u> Additional Appropriation
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Original sponsors: Kerttula, Ferguson
and Croft

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 476

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 Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 65 years of age or over, who was domiciled in
11 the territory on or before January 3, 1959 and who has maintained a con-
12 tinuous domicile in the territory or state for 25 years may apply to the
13 commissioner of administration for qualification to receive a monthly
14 bonus of \$125 [\$100].

15 * Sec. 2. AS 47.45.030 is amended by adding a new subsection to read:

16 (b) A recipient directed by a physician to seek medical atten-
17 tion and hospitalization outside the state shall continue to receive
18 bonuses during a continuous absence for medical purposes which does
19 not exceed 90 days, if the recipient notifies the commissioner and
20 furnishes him with a statement, written by his physician, directing
21 the absence from the state as necessary for medical reasons.

22 * Sec. 3. Chapter 205, sec. 2, SLA 1972 is repealed.

23 * Sec. 4. This Act takes effect July 1, 1976.
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Original sponsors: Kerttula, Ferguson
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4 NINTH LEGISLATURE - SECOND SESSION

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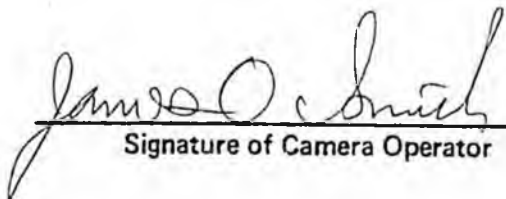
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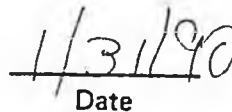
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RECORDS CERTIFICATION

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

COMMITTEE REPORT

1/26/76

SENATE

Mr. President:

Date _____

The Committee on FINANCE has had SB 476 relating to the Alaska longevity bonus 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: *pass original bill*

 recommends: *pass HRS Committee Sub.*

 recommends:

 recommends:

 recommends:

Chairman

A M E N D M E N T

Offered in the SENATE

By _____

To: _____ SENATE BILL NO. 7

_____ HOUSE BILL NO. _____

AMENDMENT: Page 1 Line 17

Clause (17) and insert (17)

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 476

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Original Sponsors: Kerttula, Ferguson

Offered: 1/26/76
Referred: Finance

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BY THE HEALTH, EDUCATION AND
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THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. S. B. 476 am.
 Title: An Act Relating to the Longevity Bonus
 Requested by: Senate Kerttula, Ferguson, Croffate
 Return Date Requested: 2/25/76
 Agency: Administration Program: Pioneers Benefits

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Longevity Bonus

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES	0					
200 TRAVEL	0					
300 CONTRACTUAL	0					
400 COMMODITIES	0					
500 EQUIPMENT	0					
600 LAND & STRUCTURES	0					
700 GRANTS, CLAIMS, ETC.	0	1,625.2	1,690.2	1,757.8	1,828.1	1,901.2
TOTAL		1,625.2	1,690.2	1,757.8	1,828.1	1,901.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	1,625.2	1,690.2	1,757.8	1,828.1	1,901.2
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

Pioneer Alaskans who qualify for the State Longevity Bonus Program would have their benefits raised to \$125.00 per month. Total benefits requested for budget year 1977 is \$6,500,900. Total estimated costs with the \$25.00 raise per person would be \$8,126,100.

Assumed a 5% average annual increase for FY 78-81.

IV. ATTACHMENTS

V. DATE: 2-25-76 PREPARED BY: Marie E. Swanson

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

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Referred: Finance

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