

LEG. FINANCE - BILLS 1977 - 1978 727

CSHB 442 cont., thru HB 456

1 policies;

2 (2) the balance of benefits and costs to Alaska including
3 environmental and social costs, and the ability of the project to
4 generate sufficient revenues to be self-supporting;

5 (3) whether a project which will physically impinge upon a
6 park, wildlife refuge, registered historic site, critical habitat area,
7 or state land classified for public recreation, has a feasible alter-
8 native project design or site;

9 (4) whether any alternative to the project or action which
10 would result in comparable volumes of power at a lower cost has been
11 rejected because the authority finds that social, cultural, or environ-
12 mental considerations justify rejection; and

13 (5) the way in which the authority's policies and its pro-
14 posed action affect the following policy areas:

15 (A) the use of power development, power pricing, and
16 marketing policies to achieve the social, economic, and energy
17 conservation goals of the state;

18 (B) policies concerning the allocation of state fossil
19 fuels, land, water resources, and other natural resources to power
20 development;

21 (C) facility siting policies and the conformity of
22 project proposals to federal, state, and local land use and
23 community development plans and policies;

24 (D) rural electrification policies as they affect
25 regional growth;

26 (E) reliability standards and quality-of-service
27 policies of the authority including reserve capacity levels and
28 back-up system capabilities;

29 (F) authority environmental policies to insure that

1 project proposals conform to state environmental policies; and

2 (G) any other policy matters relevant to the actions of
3 the authority.

4 (c) Recognizing the crucial role of power demand estimates in
5 analyses and project evaluations, any estimates or projections of
6 future electrical power demands produced or used by the authority must
7 be submitted to the governor for his review and the review of appro-
8 priate state agencies. No projection which is not approved by the
9 governor may be used to justify and support a project proposal.

10 * Sec. 16. AS 44.56.210 is repealed and re-enacted to read:

11 Sec. 44.56.210. APPROPRIATIONS AND REPORTS. (a) Notwithstanding
12 any other provision in this chapter, the authority is subject to the
13 provisions of the Executive Budget Act (AS 37.07).

14 (b) The authority shall, by the 15th day of each regular legis-
15 lative session, present to the legislature a report detailing project
16 status, original costs and projected costs, particularly highlighting
17 any costs in excess of the original cost estimates submitted for each
18 project when that project was originally approved by the legislature.

19 * Sec. 17. AS 44.56 is amended by adding a new section to read:

20 Sec. 44.56.224. LONG-TERM PLAN. The Department of Commerce and
21 Economic Development, assisted by the authority, shall prepare, and as
22 appropriate revise, a long-term electrical power development plan for
23 meeting projected electrical energy demand in Alaska at the lowest
24 feasible cost, including environmental and social costs, consistent
25 with acceptable standards of reliability. The plan must include, but
26 is not limited to, considerations specified in sec. 180(b) of this
27 chapter. In preparing and revising the plan, the department shall
28 obtain and consider, through appropriate public input processes, the
29 expertise and views of local governments, electrical utilities,

1 industry, labor, consumer, and environmental advocacy groups and other
2 interested members of the public. The plan and any revision of it
3 must be submitted to the governor for his review and for review by all
4 appropriate state agencies. The department shall adopt the plan if it
5 is shown to be consistent with state policy and if it is approved by
6 the governor.

7 * Sec. 18. AS 44.56.230(4) is amended to read:

8 (4) "power project" or "project" means a plant, works,
9 system, facility, water rights, fuel deposits or sources, and real
10 estate and personal property of any nature whatsoever, together with
11 all facilities and appurtenances related to them or necessary for the
12 purposes of them used or useful in the generation, by means of any
13 economically feasible technology, [WATER OR FOSSIL FUEL] of electric
14 power and the production, transmission, purchase, sale, exchange and
15 interchange of electric power, and shall include any interest in them,
16 whether divided or undivided, or any right to the capacity of them;

17 * Sec. 19. AS 44.56.230 is amended by adding a new paragraph to read:

18 (6) "person" includes a public agency in addition to the
19 entities set out in AS 01.10.060(7).

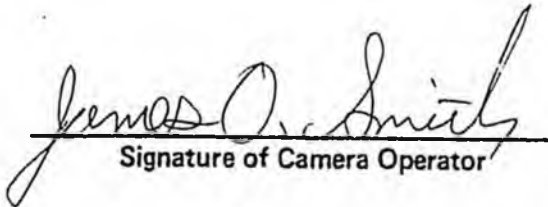
20 * Sec. 20. AS 44.56.050 and 44.56.110(b) are repealed.
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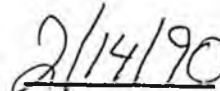


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE
BY REQUEST

2 HOUSE BILL NO. 443

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Alaska Court System to fund the cost of ch. 193, SLA
8 1976; and providing for an effective date."

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

10 * Section 1. The sum of \$49,800 is appropriated from the general fund to
11 the Alaska Court System to fund the cost of ch. 193, SLA 1976, increasing the
12 number of superior court judges.

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
14 070(c).

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Supreme Court

State of Alaska

HB 443

CHIEF JUSTICE
ROBERT BOOCHEVER

JUSTICES
JAY A. RABINOWITZ
ROGER G. CONNOR
ROBERT C. ERWIN
EDMOND W. BURKE

POUCH U
STATE COURT AND OFFICE BUILDING
JUNEAU, ALASKA
99811
907-455-3410

February 25, 1977

Hon. Hugh Malone
Speaker of the House
Capitol Bldg. - Rm. 210
Juneau, Alaska 99811

Dear Rep. Malone:

The Alaska Court System requests that a supplemental appropriation of \$49,800 be introduced for funding of SB 670, a bill which passed last session but which was improperly funded. SB 670, an act relating to the number of superior court judges, initially included two superior court judgeships (Bethel and Sitka) which were upgrades of existing district court positions. The cost of these upgrades, as reflected in the initial fiscal note, was projected at \$7,500. However, SB 670 was amended late in the session to include a new superior court judgeship in Fairbanks with supporting clerical staff. The amended fiscal note of \$112,000 was approved by the House Finance Committee, but was not entered into the automated budget system of the Legislative Finance Division.

The Free Conference Committee did not review fiscal notes for pending or adopted legislation. Therefore, the automated appropriation bill picked up the outdated fiscal information on SB 670 and \$7,500 was appropriated to the Court System. Upon notification of this error, I immediately wrote Legislative Finance to point out the error in the appropriation bill and to state that the Court System would require a supplemental appropriation to cover the costs of the Fairbanks judgeship.

Rep. Hugh Malone
February 25, 1977
Page Two

I have held off submitting this request for a supplemental until I was certain of the exact amount of funds required. Since the recruitment process for the Fairbanks judgeship took several months, the actual need for funds is less than the amount projected in the fiscal note. The sum of \$49,800 is the projected total salary during FY 77 of the three positions established by SB 670. It is this amount only which the Court System is requesting.

For your information, I am attaching copies of the letter to Legislative Finance and of the initial and amended fiscal notes for SB 670. Thank you for your assistance.

Sincerely,

Richard Barrier

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST *FINANCE*

Bill No. use for S.B. 670
 Title: Number of Superior Court Judges
 Requested by: Legislative Finance Date: _____
 Return Date Requested: _____
 Agency: Alaska Court System Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Court System

A. EXPENDITURES: (Thousands of dollars)

		FY 77					
OBJECT		FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		95.9	95.9	95.9	95.9	95.9
200	TRAVEL						
300	CONTRACTUAL		2.0	2.0	2.0	2.0	2.0
400	COMMODITIES		1.0	1.0	1.0	1.0	1.0
500	EQUIPMENT		1.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
TOTAL		112.0	106.9	98.9	98.9	98.9	98.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND	112.0	106.9	98.9	98.9	98.9	98.9
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

House Committee Substitute for Senate Bill 670 increases the number of Superior Court judges in the state by two. The Superior Court judge position in Sitka will replace the existing District Court judge position there. Therefore, the additional cost of this judgeship is the difference between the salary of Superior and District Court judges, or \$7,500/year.

The Superior Court judge position in Fairbanks is a new position and will require the creation of three new permanent positions - judge, secretary, and in-court clerk. The total personnel services cost of these positions is \$88,400/year. These new positions will need furniture, including desks, chairs, typewriters, bookcases,

IV. ATTACHMENTS (see attached page)

V. DATE: _____ PREPARED BY: _____

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

*Revised
 Fiscal Note
 Adopted by
 Committee
 May 15, 1976
 Jhr*

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HCS for S.B. 670 (Finance)
 Title: Number of Superior Court Judges
 Requested by: Legislative Finance Date: _____
 Return Date Requested: _____
 Agency: Alaska Court System Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		103.4	103.4	103.4	103.4	103.4
200 TRAVEL		(4.3)	(4.3)	(4.3)	(4.3)	(4.3)
300 CONTRACTUAL		3.0	3.0	3.0	3.0	3.0
400 COMMODITIES		1.9	1.9	1.9	1.9	1.9
500 EQUIPMENT		8.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		112.0	104.0	104.0	104.0	104.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
GENERAL FUND		112.0	104.0	104.0	104.0	104.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
PERMANENT/TEMPORARY	/	3 /	3 /	3 /	3 /	3 /
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 House Committee Substitute for Senate Bill 670 increases the number of Superior Court judges in the state by three. The Superior Court judge position in Sitka will replace the existing District Court judge position there. Therefore, the additional cost of this judgeship is the difference between the salary of Superior and District Court judges, or \$7,500/year.

The judgeship in Bethel will replace the existing District Court Judge position there. The additional salary requirements is \$7,500/year. By placing a Superior Court Judge in Bethel, the Court System will save approximately \$4,300 in travel previously incurred by Superior Court Judges traveling from Anchorage to Bethel to serve the Bethel Service Area. (see attached page)

IV. ATTACHMENTS

V. DATE: May 17, 1976 PREPARED BY: Richard P. Barrier

Richard P. Barrier

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

FISCAL NOTE (continued)

HCS for S.B. 670

The Superior Court judge position in Fairbanks is a new position and will require the creation of three new permanent positions - judge, secretary, and in-court clerk. The total personnel services cost of these positions is \$88,400/year. These new positions will need furniture, including desks, chairs, typewriters, bookcases, filing cabinets, and other office equipment. The one-time cost of this equipment is \$8,000. Also, an additional \$1,900/year for commodities and \$3,000/year of contractual expenses (phone, postage, equipment rental, etc.) will be needed in support of the 3 new positions.

For the immediate future the Fairbanks Court can absorb a fourth Superior Court judge without adding a courtroom. Since Fairbanks is responsible for providing judicial coverage to Barrow and other rural locations in the fourth district, one judge is frequently on travel status. Also, vacation schedules and sick leave further reduce the number of days when all four judges would be holding court. When these days do occur, the Federal Court in Fairbanks has agreed to the use of its courtroom for the trying of state cases. In future capital planning for Fairbanks, four superior court courtrooms will be included. But for the present time, the court can manage with the three existing courtrooms.

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. S.B. 670

Title: Number of Superior Court Judges

Requested by: Senate Finance Company

Date: 2/20/76

Return Date Requested:

Agency: Alaska Court System

Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Court System

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		7.5	7.5	7.5	7.5	7.5
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		7.5	7.5	7.5	7.5	7.5

B. FUNDING: (Thousands of dollars)

GENERAL FUND		7.5	7.5	7.5	7.5	7.5
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

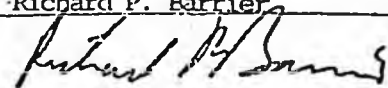
Senate Bill 670 increases the number of Superior Court judges in the state from seventeen to eighteen. The additional Superior Court judge will replace the existing district court judge position in Sitka. Therefore, the only additional funds required are the difference between the salary of Superior Court and District Court judges.

IV. ATTACHMENTS

V. DATE: 2/20/76

PREPARED BY: Richard P. Barrier

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



"An Act making a supplemental appropriation to the Alaska Court System to fund the cost of ch. 193, SLA 1976; eff. date."

COMMITTEE REPORT

4-7-77

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 443 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

3888
Berry

Introduced: 4/7/77
Referred: Finance

BY THE RULES COMMITTEE
BY REQUEST BY MALONE

1 IN THE HOUSE

2 HOUSE BILL NO. 443

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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10 * Section 1. The sum of \$49,800 is appropriated from the general fund to
11 the Alaska Court System to fund the cost of ch. 193, SLA 1976, increasing the
12 number of superior court judges.

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
14 070(-).

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 443

By THE RULES COMMITTEE BY REQUEST

"An Act making a supplemental appropriation to the Alaska Court System to fund the cost of ch. 193, SLA 1976; and providing for an effective date."

Supp. approp. ch. 193, SLA 1976

Introduced in the House 4-7-1977

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on Finance																						
Apr. 7	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
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Nays	Nays																						
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Reconsideration																							
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Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed																						
	Signed by Speaker																						
	Sent to Senate																						
	CHIEF CLERK OF THE HOUSE																						

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																						
	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
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Excused	Excused																						
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HISTORY IN THE HOUSE

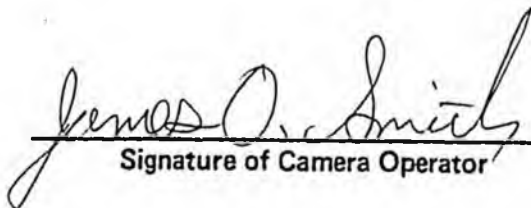
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

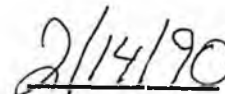


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Signature of Camera Operator


Date

Introduced: 4/7/77
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 446

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

10 * Section 1. The sum of \$25,000 is appropriated from the general fund to
11 the Department of Transportation to conduct a study of the feasibility of a
12 bridge across the Naknek River from South Naknek to North Naknek.

13 * Sec. 2. This Act takes effect July 1, 1977.
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"An Act making a special appropriation to the Dept. of Transportation for a feasibility study; eff. date."

COMMITTEE REPORT

HOUSE

5/4/77

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HR 446 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

_____ Chairman

"An Act making a special appropriation to the Dept. of Transportation for a feasibility study; eff. date."

COMMITTEE REPORT

4-7-77

FINANCE

HOUSE

May 3, 1977

Date

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 446 under consideration. A ⁴³majority 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
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- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<i>L. S. Bradley</i>	<i>Do Pass</i>	_____
<i>B. White</i>	<i>Do Pass</i>	_____
<i>Joe McKinnon</i>	<i>Do Pass</i>	_____
<i>Tim Kelly</i>	<i>No Rec</i>	_____
<i>Donkuworth</i>	<i>No Rec</i>	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

L. S. Bradley
Chairman

3949
Berry

Introduced: 4/7/77
Referred: State Affairs and
Finance

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BY ANDERSON

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ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 446

By ANDERSON

"An Act making a special appropriation to the Dept. of Transportation for a feasibility study; and providing for an effective date."

Dept. of Transp. feasibility study.

Introduced in the House 4-7-1977

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on State Affairs and Finance												
Apr. 7	Reported back with recommendation that												
	Read second time and												
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	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

COMMITTEE REPORT

4-7-77

~~XXXXXXXXXX~~

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE ° has had HB 453
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

Introduced: 4/7/77
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 453

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Education; and providing for an effec-
8 tive date."

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

10 * Section 1. The sum of \$350,000 is appropriated from the general fund
11 to the Department of Education for Fiscal Year 1977 to be used as a loan to
12 the Bering Strait REAA School District, under the conditions stated in sec.
13 2 of this Act.

14 * Sec. 2. The \$350,000 is to be repaid over three years from the Bering
15 Strait REAA School District's foundation support. The Department of
16 Education shall deduct the total amount in 36 equal monthly installments
17 beginning July 1977.

18 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

HB 453

April 6, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making a special appropriation to the Department of Education for the purpose of making advances to the Bering Strait REAA. This bill would ensure that the Bering Strait REAA is able to meet its financial obligations during the remainder of FY 77, and will ensure that the burden of any problems arising from the Bering Strait REAA's cash flow will not be passed on to its vendors and employees.

Advances by the Department of Education to the Bering Strait REAA will be made upon condition that the general fund advance be repaid over a 36 month period.

Due to the immediacy of the Bering Strait REAA's cash flow situation, I ask that you join in expeditiously reviewing this appropriation measure.

Sincerely,

Jay S. Hammond
Governor

HB 453

DISTRICT OFFICE

BERING STRAIT REAA SCHOOL DISTRICT

P. O. BOX 1088

NOME, ALASKA 99762

(807) 443 - 5237

February 28, 1977

- BREVIK MISSION
- COUNCIL
- DIOMEDE
- ELIM
- GAMBELL
- GOLOVIN
- KOYUK
- SAINT MICHAEL
- SAVOONGA
- SHAKTOOLIK
- SHISHMAREF
- STEBBINS
- TELLER
- UNALAKLEET
- WALES
- WHITE MOUNTAIN

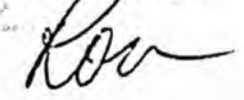
Bill Thomson, Director
 Management, Law & Finance
 Department of Education
 Pouch F
 Juneau, Alaska 99811

Dear Bill:

Enclosed is an up-date copy of our Alaska Public Schools Operating Fund Budget, form number 05-158-12 (Revised 6/76).

Our auditing firm reviewed our records during the week of February 21. Although we have not received their official report, most of what was reviewed is reflected in the attached up-dated copy.

Sincerely,



Ronald W. Hohman, Superintendent
 Bering Strait School District

RWH/hid

Enclosure - 1

March 7, 1977

Ron Hohman, Superintendent
Bering Straits School Dist.
Box 1083
Nome, Alaska 99762

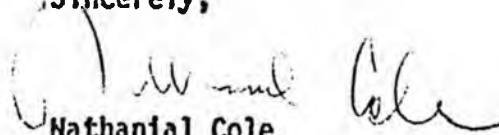
Dear Ron:

I have reviewed your small secondary school programs and find that they meet the criteria to be counted as separate secondary schools for the purposes of the Public School Foundation Program.

I am informing Mrs. Sincic by a copy of this letter to increase your first quarter foundation "floor" appropriately.

If you need an immediate adjustment of foundation payments for cash flow purposes, please contact Mrs. Sincic. Otherwise, we will make the adjustment on your final foundation payment.

Sincerely,



Nathaniel Cole
Deputy Commissioner

One additional Inst. Unit \$ 33,141

NC

file in...

HB 433
 Approved by you
 February 28, 1977

SCHOOL DISTRICT BERING STRAIT R.E.A.A.
 BUDGET RECAPITULATION
 SCHOOL OPERATING FUND

	Actual Prior Year _____ FY*	Budget Current Year 77 FY	adjusted Budget 77 FY
ESTIMATED REVENUE:			
Local Sources	Quarters Rental, KOYUK FUEL SURPLUS SALE	30,250	56,074
State Sources		1,848,388	1,815,823
Federal Sources			+ 33,141
			1,848,964
Total Revenue		1,878,638	1,871,897
Beginning Balance			
TOTAL AVAILABLE FUNDS			
ESTIMATED EXPENDITURES:			
Regular Instruction		677,882	651,771
Vocational Education		66,282	66,282
Correspondence			
Special Instruction		49,205	49,205
Supporting Services — Pupils		200,713	200,713
Supporting Services — Instruction		37,288	37,288
General Support Services		583,541	402,606
Operation & Maintenance of Plant		915,040	770,709
Pupil Transportation			
Community Services			
Nonprogrammed Charges		104,058	88,431
TOTAL EXPENDITURES		2,634,009	2,267,005
BALANCE		(755,371)	(395,108)

+ 33,141

368,967

*Figures to be taken from the Audit Report.
 *Explain below on this form the reason for any budgeted balance.

ALASKA STATE LEGISLATURE

TENTH. Legislature FIRST. Session

HOUSE BILL NO. 453

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to the Department of Education; and providing for an effective date."

Supp. Approp. Dept. of Education

Introduced in the House 4-7-1977.

HISTORY IN THE HOUSE

19 77

Apr. 7

Read first time and referred to Committee on Finance

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
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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Signed by President
Returned to House

SECRETARY OF THE SENATE

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Received from Senate

Concurred in Senate amendment thus adopting:

Failed to concur in Senate amendment; asked Sen. to recede

Senate receded from amendment

Senate failed to recede from amendment

FCC appointed by House

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FCC adopted

To enrolling

Reported correctly enrolled

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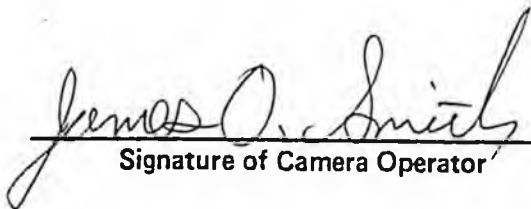
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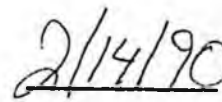


RECORDS CERTIFICATION



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

9

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 454
 Title Salary Increases for Non-Covered Employees
 Requested by Governor Date 4/6/77

II. FISCAL DETAIL
 Agency Affected Executive Br, Legislative Br, AK Court System, and Univ. of AK
 Program Category Affected General Government
 Budget Request Unit(s) Affected Salary Increases

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	2,461.2	5,488.4	NA	NA	NA	NA
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	2,461.2	5,488.4	NA	NA	NA	NA

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND	2,461.2	5,488.4	NA	NA	NA	NA
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

	FY 77	FY 78
Executive Branch	597.6	1,292.4
Legislative Branch		
Leg. Affairs	40.2	88.4
Leg. Audit	-0-	61.5
Leg. Finance	10.3	25.6
Leg. Budget & Audit	-0-	2.8
Ombudsman	4.6	17.2
Alaska Court System	191.5	402.5
University of Alaska	1,617.0	3,598.0

IV. DATE 4/6/77 PREPARED BY Alison H. Rice
 AGENCY Budget and Management
 PHONE 465-2268
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 454

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Administration for salary increases for
8 non-covered employees; 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 \$2,461,200 is appropriated from the general
12 fund to the Department of Administration for the purpose of paying salary
13 increases for all employees of the executive branch, legislative branch,
14 judicial branch, and the University of Alaska who are not members of a
15 collective bargaining unit.

16 * Sec. 2. Any unexpended or unobligated portion of the appropriation
17 made in sec. 1 lapses June 30, 1977.

18 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

20

21

22

23

24

25

26

27

28

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NB 454

April 6, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making a supplemental appropriation of \$2,461,200 to the Department of Administration for the purpose of paying a five per cent salary increase for employees of the executive branch, legislative branch, judicial branch, and the University of Alaska who are not members of a collective bargaining unit.

Sincerely,

Jay S. Hammond
Governor

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

April 21, 1977

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

Jay Hogan, Director
Legislative Finance
Pouch WF
Juneau, Alaska 99811

Re: \$25,000 -- Tanzer Contract Funding

Dear Jay:

This letter is in regard to the request by Representative Steve Cowper and Mr. Jim Rhode for \$25,000 to cover the Tanzer contract funding for the balance of this fiscal year.

It would appear that House Bill No. 454, now in the House Finance Committee, would be the best vehicle to use in adding these funds.

Sincerely,



M. R. Charney, Director
Administrative Services

MRC:mm

"An Act making a supplemental appropriation to the Dept. of Administration for salary increases for non-covered employees; eff. date."

COMMITTEE REPORT

4-7-77

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 454 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 454

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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14 judicial branch, and the University of Alaska who are not members of a
15 collective bargaining unit.

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Alaska State Legislature
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Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 454
 Title Salary Increases for Non-Covered Employees
 Requested by Governor Date 4/6/77

II. FISCAL DETAIL
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 Program Category Affected General Government
 Budget Request Unit(s) Affected Salary Increases

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	2,461.2	5,488.4	NA	NA	NA	NA
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS. CLAIMS. ETC.						
TOTAL	2,461.2	5,488.4	NA	NA	NA	NA

FUNDING (Thousands of Dollars)

GENERAL FUND	2,461.2	5,488.4	NA	NA	NA	NA
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

	FY 77	FY 78
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IV. DATE 4/6/77 PREPARED BY Alison Elgee
 AGENCY Budget and Management
 PHONE 465-2268
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 454

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to the Department of Administration for salary increases for non-covered employees; and providing for an effective date."

Salary increases for non-covered

Introduced in the House 4-7, 1977

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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

April 21, 1977

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JUNEAU, ALASKA 99811
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Sincerely,



M. R. Charney, Director
Administrative Services

MRC:mm

Introduced: 4/7/77
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 454

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a supplemental appropriation to the
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16 * Sec. 2. Any unexpended or unobligated portion of the appropriation
17 made in sec. 1 lapses June 30, 1977.

18 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

20 Line 15, following the work "unit": Add the following:

21 This appropriation shall be allocated as follows:

22	University of Alaska	\$1,617,000
23	Other executive branch agencies	597,600
24	Judicial branch agencies	191,500
25	Legislative branch agencies	80,100
		<u>\$2,486,200</u>

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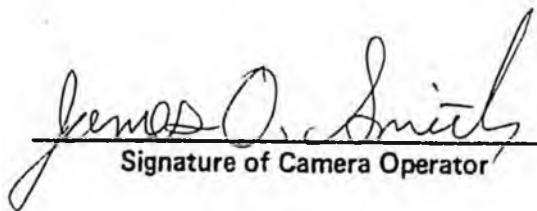
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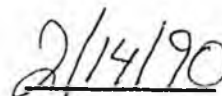


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

4-7-77

COMMITTEE REPORT

HOUSE

May 5 1977 Date

Mr. Speaker:

The Committee on FINANCE has had HB 455 under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

Chairman

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 455

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for state employees;
7 and providing for an effective date."

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

9 * Section 1. AS 39.27.011(a) is repealed and re-enacted to read:

10 (a) Notwithstanding sec. 10 of this chapter, the following
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12 and partially exempt employees in the executive branch of the state
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14 the authority of the Public Employment Relations Act:

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19 07	11,376	11,688	12,060	12,432	12,828	13,248
20 08	12,060	12,432	12,828	13,248	13,644	14,112
21 09	12,828	13,248	13,644	14,112	14,568	15,000
22 10	13,644	14,112	14,568	15,000	15,516	16,008
23 11	14,568	15,000	15,516	16,008	16,536	17,088
24 12	15,516	16,008	16,536	17,088	17,724	18,384
25 13	16,536	17,088	17,724	18,384	19,068	19,800
26 14	17,724	18,384	19,068	19,800	20,544	21,324
27 15	19,068	19,800	20,544	21,324	22,104	22,944
28 16	20,544	21,324	22,104	22,944	23,796	24,696
29 17	22,104	22,944	23,796	24,696	25,632	26,568

2KB 455

April 6, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill providing a five per cent pay raise, retroactive to January 1, 1977, for state employees who are not members of a collective bargaining unit. This would set the salaries for these employees at the levels in the recently negotiated agreement with the general government unit employees. Although the general government employees have just failed to ratify that agreement, we believe that that action was not due to the salary levels and that it is appropriate to consider this bill at this time in order to avoid delay.

Sincerely,

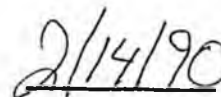
Jay S. Hammond
Governor



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Signature of Camera Operator


Date

4-7-77

COMMITTEE REPORT

HOUSE

May 5, 1977 Date

Mr. Speaker:

The Committee on FINANCE has had HB 455

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- recommends it do not pass
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- recommends it be replaced with CS for _____ and that
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- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

Chairman

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 455

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

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3	20	27,552	28,620	29,688	30,804	31,932	33,144
4	21	29,688	30,804	31,932	33,144	34,404	35,676
5	22	31,932	33,144	34,404	35,676	37,020	38,400
6	23	34,404	35,676	37,020	38,400	39,828	41,340
7	24	37,020	38,400	39,828	41,340	42,876	44,496
8	25	39,828	41,340	42,876	44,496	46,164	47,904
9	26	41,340	42,876	44,496	46,164	47,904	49,668
10	27	42,876	44,496	46,164	47,904	49,668	51,552
11	28	44,496	46,164	47,904	49,668	51,552	53,484
12	29	46,164	47,904	49,668	51,552	53,484	55,476
13	30	47,904	49,668	51,552	53,484	55,476	57,564

14 * Sec. 2. It is the intent of the legislature that the permanent and
15 temporary employees of the judicial branch (other than judicial officers)
16 and the University of Alaska and the permanent employees of the legislative
17 branch receive pay increases comparable to those received by the classified
18 and partially exempt employees under this Act.

19 * Sec. 3. This Act is retroactive to January 1, 1977.

20 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).

22
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24
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27
28
29

21B 455

April 6, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill providing a five per cent pay raise, retroactive to January 1, 1977, for state employees who are not members of a collective bargaining unit. This would set the salaries for these employees at the levels in the recently negotiated agreement with the general government unit employees. Although the general government employees have just failed to ratify that agreement, we believe that that action was not due to the salary levels and that it is appropriate to consider this bill at this time in order to avoid delay.

Sincerely,

Jay S. Hammond
Governor

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 455

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

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21	09	12,828	13,248	13,644	14,112	14,568	15,000
22	10	13,644	14,112	14,568	15,000	15,516	16,008
23	11	14,568	15,000	15,516	16,008	16,536	17,088
24	12	15,516	16,008	16,536	17,088	17,724	18,384
25	13	16,536	17,088	17,724	18,384	19,068	19,800
26	14	17,724	18,384	19,068	19,800	20,544	21,324
27	15	19,068	19,800	20,544	21,324	22,104	22,944
28	16	20,544	21,324	22,104	22,944	23,796	24,696
29	17	22,104	22,944	23,796	24,696	25,632	26,568

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12	29	46,164	47,904	49,668	51,552	53,484	55,476
13	30	47,904	49,668	51,552	53,484	55,476	57,564

14 * Sec. 2. It is the intent of the legislature that the permanent and
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21 10.070(c).
22
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24
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2KB 455


April 6, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

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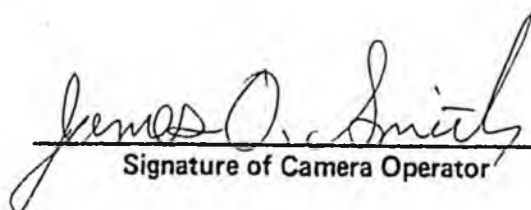

Jay S. Hammond
Governor

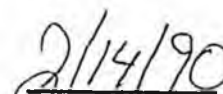


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Signature of Camera Operator


Date

HB 453

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill providing a five per cent pay raise, retroactive to January 1, 1977, for state employees who are not members of a collective bargaining unit. This would set the salaries for these employees at the levels in the recently negotiated agreement with the general government unit employees. Although the general government employees have just failed to ratify that agreement, we believe that that action was not due to the salary levels and that it is appropriate to consider this bill at this time in order to avoid delay.

Sincerely,

Jay S. Hammond
Governor

608

COMMITTEE REPORT

SENATE

5/19/77

Date

Mr. President:

The Committee on Finance has had HB 455
compensation for state employees
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) Refer to the Finance Committee

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

Introduced: 4/7/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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4 TENTH LEGISLATURE - FIRST SESSION

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James O. Smith
Signature of Camera Operator

2/14/90
Date

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 456
 Title Establishes A Contributory Retirement for Judges and "Full-Time" Magistrates
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Administration - Division of Retirement & Benefits
 Program Category Affected Retirement and Benefits
 Budget Request Unit(s) Affected Contributory Judicial/Full-Time Magistrates Retirement System

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
100 BENEFITS		259.7	300.9	345.5	393.9	446.3
TOTAL	-0-	259.7	300.9	345.5	393.9	446.3

FUNDING (Thousands of Dollars)

GENERAL FUND		259.7	300.9	345.5	393.9	446.3
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

- Fiscal note represents cost on a funded basis for the inclusion of past and future service for existing full-time magistrates under Non-Contributory Judicial Retirement System (AS 22.25).
- Fiscal note includes costs on a funded basis for future full-time magistrates, judges and justices under HB 456.
- Fiscal note does not include the cost on a funded basis for the existing Judicial System (AS 22.25) (these costs identified in fiscal note for SR 91--first year cost equals \$1,832.7).
- The Alaska Court System cannot provide a definition for "full-time" magistrate (see attachment), so for purposes of this fiscal note all magistrates earning \$15,000 or more per year were considered full-time (16 out of 50) with an average salary of \$24,939.
- Assume that 3 new judges are appointed each year starting FY 79 at a salary of \$46,061 per year (weighted average salary for Supreme, Superior and District Judges) and that 1 new full-time magistrate is appointed each year starting FY 79 at a salary of \$24,939 per year (also assumes attrition of 1 full-time magistrate under AS 22.25).
- Assume salaries are increased at 5% per year.
- Employer contribution rate of 58.34% of covered payroll is required.

IV. DATE 3/01/78 PREPARED BY Paul B. Arnoldt
 AGENCY Division of Retirement & Benefits
 PHONE 465-4460 *OK BLS*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Representative Malone
 Office of the Governor (Keith Specking)

HB 456



Alaska Court System
State of Alaska

303 K STREET
ANCHORAGE, ALASKA 99501

SUSAN BURKE
DEPUTY ADMINISTRATIVE DIRECTOR

OFFICE OF ADMINISTRATIVE DIRECTOR

(907) 274-8611

February 24, 1978

Hon. Terry Gardiner
Chairman, House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Re: HB 727

Dear Representative Gardiner:

This is in response to your Committee's request for (1) a description of our existing system for distinguishing between full time and part time magistrates for purposes of leave benefits, and (2) a definition of "full time" magistrates for purposes of retirement benefits under House Bill 727.


During 1975, our personnel office conducted a survey of all magistrate posts in order to develop a standard schedule of salaries for magistrates. This survey included on-site visits to most of the magistrate posts. As a result of this undertaking, baseline 1975 data was developed which included, among other things, the number of hours each magistrate was required to spend in his or her office. Those who were required to keep regular office hours of 8:00 to 4:30 were considered "full time" for purposes of applying leave benefits under AS 39.20. (It should perhaps be noted that the number of hours worked was not ultimately used as one of the criteria for salary setting.)

Having established baseline data, we now merely update it to reflect any changes in circumstances that would have a bearing on salary level. Through this process we can also determine whether the workload has increased or decreased to the point that a change is warranted in the application of leave benefits.

After having some time to reflect on your request for a definition of "full time magistrate" that might be used in House Bill 727, we find that it is impossible to do so. As you know, we consider all magistrates as full time for purposes of retirement benefits. Unless all magistrates are to be included in House Bill 727, then a definition of "full time magistrate" necessarily involves including some magistrates and excluding others. The basis for making this distinction involves a policy determination that we believe only the Legislature can make. The judiciary has already made a policy determination that all magistrates should be treated equally for retirement purposes, and has expressed the view that no magistrates should be included in the existing judicial retirement system.

I realize that this response does not provide much assistance toward developing an accurate fiscal analysis of the bill, but I hope you understand the inherent limitations we face. If there is any other information we can provide, please let me know.

Sincerely,


Susan Burke
Staff Counsel



Official Business

Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811
April 25, 1978

MEMO

TO: House Finance Committee, Steve Cowper, chairman

FROM: House Judiciary, Terry Gardiner, chairman
Bob Speed, A.A.

RE: CS HB456, Contributory judicial retirement

It has been brought to our attention that the CS passed out of Judiciary does not have a clause taking full-time magistrates out of the Public Employees Retirement System, which means that if passed as is, the bill would provide two retirement systems for full-time magistrates.

While magistrates might like this idea, it is doubtful that the taxpayers of Alaska would. Therefore, we request that your committee add a provision removing full-time magistrates from PERS, at the same time Finance deals with the seven percent solution mentioned in a previous memo to Finance from Judiciary.

If there are any questions, please don't hesitate to contact the A.A. for Judiciary.

Introduced: 4/7/77
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 456

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a contributory judicial retirement
7 system; and providing for an effective date."

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

9 * Section 1. AS 22 is amended by adding a new chapter to read:

10 CHAPTER 27. CONTRIBUTORY JUDICIAL RETIREMENT SYSTEM.

11 Sec. 22.27.010. APPLICATION. Each justice, judge, or full-time
12 magistrate appointed before July 1, 1977 accrues benefits under the
13 provisions of ch. 25 of this title. Each justice, judge, or full-time
14 magistrate appointed after that date accrues benefits under the system
15 provided in this chapter.

16 Sec. 22.27.020. ADMINISTRATION. The commissioner of administra-
17 tion is responsible for the administration of the system.

18 Sec. 22.27.030. REGULATIONS. The commissioner may adopt regula-
19 tions to implement the provisions of this chapter. Regulations adopted
20 by the commissioner under this chapter relate to the internal management
21 of state agencies and their adoption is not subject to the Administra-
22 tive Procedure Act (AS 44.62).

23 Sec. 22.27.040. EMPLOYEE CONTRIBUTIONS. While participating in
24 the system each justice, judge, and magistrate shall contribute seven
25 per cent of his compensation to the retirement system.

26 Sec. 22.27.050. RETIREMENT OF JUSTICES AND JUDGES. (a) A justice,
27 judge, or magistrate shall be retired on the date that he reaches the
28 age of 70. He is eligible for retirement pay if he has had five or more
29 years of service at the time of retirement as a justice, judge, or

1 magistrate.

2 (b) A justice, judge, or magistrate may be retired for incapacity
3 as provided by law. He is eligible for retirement pay if he has had two
4 or more years of service at the time of retirement for incapacity. The
5 effective date of retirement under this subsection is the first day of
6 the month coinciding with or after the date upon which the governor with
7 respect to a justice, or the supreme court with respect to a judge or
8 magistrate, files with the commissioner of administration a written
9 declaration to the effect that a designated justice, judge, or magistrate
10 was retired for incapacity. A duplicate copy of the declaration shall
11 be filed with the judicial council.

12 (c) A justice, judge, or magistrate who served for a period of
13 five years, and who believes that he has become so incapacitated as to
14 prevent him from efficiently performing his judicial duties may file
15 with the governor a written application for retirement which contains a
16 sworn statement of his service and of his incapacity. When an applica-
17 tion is filed, the governor shall appoint a board of three persons to
18 inquire into the circumstances, and may, upon the board's recommenda-
19 tion, retire the justice, judge, or magistrate. The effective date of
20 the retirement shall be as provided in (b) of this section.

21 (d) A justice, judge, or magistrate may voluntarily retire at any
22 time and has a vested right to his accrued retirement pay if he has
23 served five or more years. Retirement pay shall not commence until he
24 has reached age 60, except that an actuarially equivalent retirement pay
25 may be commenced after he has reached age 55 or upon his serving 20
26 years as a justice, judge, or magistrate. The provisions of (b) of this
27 section are an exception to this rule. A justice, judge, or magistrate
28 desiring to retire under this subsection shall file with the commissioner
29 of administration a notice of his desire. If a justice, judge, or

1 magistrate is eligible to receive retirement pay at the time of his
2 retirement, his retirement pay shall commence on the first day of the
3 month coinciding with or after the date the notice is filed with the
4 commissioner of administration. If a justice, judge, or magistrate is
5 not eligible to receive retirement pay at the time of his retirement,
6 his retirement pay shall commence on the first day of the month he
7 reaches age 60 or the month he becomes eligible for an actuarial equiva-
8 lent if he has applied for this option.

9 (e) In the computation of service for retirement under this
10 chapter, the time served by a justice, judge, or magistrate of any court
11 of the state is added to the time served by him, if any, on any other
12 court of the state.

13 Sec. 22.27.060. RETIREMENT PAY. A retired justice, judge, or
14 magistrate eligible for retirement pay shall receive from the date of
15 his eligibility until his death monthly compensation equal to five per
16 cent per year of service, to a maximum of 75 per cent, of the monthly
17 salary authorized for justices, judges, and magistrates, respectively,
18 at the time each retirement payment is made.

19 Sec. 22.27.070. SURVIVORS' BENEFITS. (a) Upon the death of a
20 justice, judge, or magistrate who has served for at least two years, the
21 surviving spouse is entitled to receive monthly compensation equal to 50
22 per cent of the monthly retirement pay the justice, judge, or magistrate
23 would thereafter have been entitled to receive if retired at the time of
24 death. If at death the justice, judge, or magistrate was not yet en-
25 titled to retirement pay, or was or would have been entitled to less
26 than 60 per cent of the monthly salary authorized for his office, the
27 surviving spouse is entitled to monthly compensation equal to 30 per
28 cent of the salary authorized for justices, judges, or magistrates,
29 respectively, at the time each monthly payment is made.

1 (b) To be eligible for the survivors' benefits, the surviving
2 spouse must have been married to the justice, judge, or magistrate for
3 at least two years immediately preceding the death of the justice,
4 judge, or magistrate. The benefits continue until the remarriage or
5 death of the surviving spouse.

6 (c) If there is no surviving spouse, or if the surviving spouse
7 does not meet the requirements of (b) of this section, or upon the
8 remarriage or death of the surviving spouse, the surviving dependent
9 child or children of the justice, judge, or magistrate are entitled to
10 receive in equal shares 50 per cent of the amount of the survivors'
11 benefits specified under (a) of this section.

12 (d) The surviving child or children are entitled to the survivors'
13 benefits under (c) of this section during the period of their dependency.
14 Dependency exists with respect to any child of a justice, or judge, or
15 magistrate who is either (1) a minor under the laws of Alaska, (2) under
16 the age of 23 and is a student attending on a full-time basis an ac-
17 credited educational or technical institution recognized by the Depart-
18 ment of Education, or (3) so mentally or physically incapacitated as to
19 be unable to provide for self-care.

20 (e) If there are both an eligible surviving spouse and surviving
21 dependent children, but who reside in separate households, the surviving
22 spouse and dependent children are entitled to share equally in the
23 benefits payable under (a) of this section.

24 Sec. 22.27.080. TAX EXEMPTION. Benefits paid under this chapter
25 are exempt from state and municipal taxes.

26 Sec. 22.27.090. EMPLOYER CONTRIBUTIONS. (a) The employer shall
27 make contributions to the system in accordance with the rate established
28 by the commissioner of administration. That rate shall be based upon
29 the results of an actuarial valuation of the system. The results of the

1 actuarial valuation shall be based upon actuarial methods and assumptions
2 adopted by the commissioner.

3 (b) The contribution rate shall be a percentage which, when
4 applied to the covered compensation of all active members of the system,
5 will generate sufficient contributions to properly support, in conjunc-
6 tion with employee contributions, the benefits of the system.

7 Sec. 22.27.100. ACCOUNTING. (a) The contributory judicial
8 retirement account is established to which all appropriations made for
9 the purpose of funding the retirement system under this chapter shall be
10 credited.

11 (b) An individual account shall be maintained for each justice,
12 judge, or magistrate to which the amount of his mandatory contributions
13 collected under this chapter shall be credited as of the date of deduc-
14 tion or payment, as the case may be. On June 30 and December 31 of each
15 year, beginning with June 30, 1978, this account shall be credited with
16 interest by applying one-half of the prescribed rate of interest to the
17 balance in the account as of that date.

18 (c) Upon commencement of retirement pay to a justice, judge, or
19 magistrate, the balance in his individual account shall be transferred
20 to the contributory judicial retirement account.

21 Sec. 22.27.110. REFUNDS. Upon termination of judicial service,
22 application may be made for a refund of the balance in the individual's
23 account. Upon withdrawal of the balance, all rights to benefits ter-
24minate.

25 Sec. 22.27.120. PRIOR SERVICE CREDIT. If a justice, judge, or
26 magistrate who has withdrawn the balance of his individual account
27 returns to permanent active service, he shall receive credit for his
28 prior period or periods of service only if he repays within one year of
29 the date of return all refunded contributions with interest at the

1 prevailing prescribed rate.

2 Sec. 22.27.130. MEDICAL BENEFITS. Each person who is entitled to
3 receive a monthly benefit from the retirement system under this chapter
4 shall be provided with major medical insurance coverage. Coverage shall
5 become effective on the same date as retirement benefits commence and
6 cease when the retired employee or survivor is no longer eligible to
7 receive a monthly benefit. The level of coverage for persons over age
8 65 shall be the same as that available before reaching age 65 except
9 that the benefits payable shall be supplemental to those afforded under
10 the federal old age survivor and disability insurance program, if any.

11 Sec. 22.27.900. DEFINITIONS. In this chapter, unless the context
12 clearly indicates otherwise,

13 (1) "commissioner" means the commissioner of administration;

14 (2) "judge" means a superior court or district court judge;

15 (3) "justice" means a supreme court justice;

16 (4) "magistrate" means a district court magistrate serving

17 the state on a full-time basis.

18 * Sec. 2. AS 22.28.130 is repealed.

19 * Sec. 3. This Act takes effect July 1, 1977.

Original sponsor: Malone

Offered: 4/25/78
Referred: Finance

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BY THE JUDICIARY COMMITTEE

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7 system; and providing for an effective date."

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10 CHAPTER 27. CONTRIBUTORY JUDICIAL RETIREMENT SYSTEM.

11 Sec. 22.27.010. APPLICATION. (a) Except as provided in (b) of
12 this section, each justice or judge appointed before July 1, 1978 ac-
13 crues benefits under the provisions of ch. 25 or ch. 28 of this title.
14 Each justice or judge appointed after that date and all full-time
15 magistrates accrue benefits under the system provided in this chapter.

16 (b) A justice or judge appointed before July 1, 1978, who receives
17 an increase or increases in salary after July 1, 1978, equivalent to or
18 greater than seven per cent of his salary as of July 1, 1978, accrues
19 benefits under and is subject to the provisions of this chapter.

20 Sec. 22.27.020. ADMINISTRATION. The commissioner of administra-
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9 effective date of retirement under this subsection is the first day of
10 the month coinciding with or after the date upon which the governor with
11 respect to a justice, or the supreme court with respect to a judge or
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13 declaration to the effect that a designated justice, judge, or magis-
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21 (5) "full-time magistrate" means a magistrate who receives
22 remuneration for his services as a magistrate on the basis of no less
23 than 37.5 hours per week.

24 * Sec. 2. This Act takes effect July 1, 1978.

COMMITTEE REPORT
HOUSE

4/25/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on Finance has had HR 456
"An Act establishing a contributory judicial retirement system; eff. date."

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title
 AND attaches a Letter of Intent New Fiscal Note
 reports it back without recommendation
 and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

4-7-77

COMMITTEE REPORT

FINANCE

HOUSE

April 24, 1978 Date

Mr. Speaker:

The Committee on JUDICIARY has had HB 456 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 HB 456 (same title) and that CS for HB 456 do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

Tony Gardiner Richard D. Kist Bass
B. Mills - De Pass
St. Bude
Bob Brown - De Pass

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

Dunkworth recommends: No Rec
Camp/Harper recommends: No Rec
 _____ recommends: _____

Tony Gardiner
 Chairman

3882
Vassar

Original sponsor: Malone

Offered: 4/25/78
Referred: Finance

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BY THE JUDICIARY COMMITTEE

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4 TENTH LEGISLATURE - SECOND SESSION

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COMMITTEE COPY