

LEG. FINANCE - BILLS 1977 - 1978 734

HB 519 cont., thru HB 523 734

1 before the executive and legislative branches of the state government  
2 and before the public;

3 (3) advise the executive and legislative branches of the  
4 state government and the private sector on programs and policies per-  
5 taining to current and potential services to handicapped or gifted  
6 persons and their families;

7 (4) submit periodic reports to the commissioners of health  
8 and social services, of education and to other appropriate departments  
9 on the effects of current federal and state programs regarding services  
10 to handicapped or gifted persons; these reports shall include program  
11 performance reports to the governor, the federal government, and to  
12 state agencies as required by P.L. 91-517, P.L. 94-103, or P.L. 94-142,  
13 as amended;

14 (5) in conjunction with the Departments of Health and Social  
15 Services and Education, develop, prepare, adopt, periodically review,  
16 and revise as necessary an annual state plan prescribing programs which  
17 meet the needs of persons with developmental disabilities as required  
18 under P.L. 91-517 or P.L. 94-103, as amended;

19 (6) review and comment to commissioners of state departments  
20 on all state plans and proposed regulations relating to programs for  
21 persons with handicaps before the adoption of a plan or regulation; for  
22 this purpose, the appropriate departments shall submit the plans and  
23 proposed regulations to the council;

24 (7) recommend the priorities and specifications for the use  
25 of funds received by the state under P.L. 91-517, P.L. 94-103 and P.L.  
26 94-142, as amended;

27 (8) submit annually to the commissioner of health and social  
28 services, the commissioner of education, and the commissioner of com-  
29 munity and regional affairs a proposed interdepartmental program budget

1 for services to handicapped or gifted persons which includes, insofar as  
2 possible, projected revenues and expenditures for programs implemented  
3 by state agencies, local governmental agencies, and private organiza-  
4 tions; the interdepartmental program budget is an informational supple-  
5 ment to the regular annual budgetary submissions of the departments to  
6 the office of the governor;

7 (9) provide information and guidance for the development of  
8 appropriate special educational programs and services for exceptional  
9 children as defined in AS 14.30.350;

10 (10) monitor and evaluate budgets or other implementation  
11 plans and programs for handicapped and gifted persons to assure nondup-  
12 lication of services and encourage efficient and coordinated use of  
13 federal, state and private resources in the provision of services;  
14 members of the council with the approval of the council, have access to  
15 information in the possession of state agencies subject to disclosure  
16 restrictions imposed by state or federal confidentiality or privacy  
17 laws; and

18 (11) perform other duties required under P.L. 91-517, P.L.  
19 94-103, P.L. 94-142, as amended, or AS 14.30.231, and as the governor  
20 may assign.

21 ARTICLE 3. PROGRAMS AND PLANS.

22 Sec. 47.80.100. PROGRAMS FOR PERSONS WITH HANDICAPS. (a) The  
23 Department of Health and Social Services, the Department of Education,  
24 and other departments of the state as appropriate, shall, in coordina-  
25 tion, plan, develop, and implement a comprehensive system of services  
26 and facilities for persons with handicaps, which is consistent with the  
27 state plan adopted under sec. 90(5) of this chapter and is dispersed  
28 geographically within the state.

29 (b) The services required in (a) of this section are specialized

1 services or special adaptations of services available to the general  
2 population and shall be directed toward the social, personal, physical,  
3 or economic habilitation or rehabilitation of persons with handicaps.

4 (c) Within the limits of appropriations and other available funds,  
5 the appropriate department may itself provide the services and estab-  
6 lish, operate, and maintain the facilities required under (a) and (b) of  
7 this section, or it may provide the services or facilities entirely or  
8 in part through contractual arrangements with public or private agen-  
9 cies.

10 Sec. 47.80.110. PROGRAM PRINCIPLES. The system of services and  
11 facilities required under sec. 100 of this chapter shall accord with the  
12 principle that treatment, services, and habilitation shall be designed  
13 to maximize individual potential, minimize institutionalization, and  
14 shall be provided in the least restrictive setting, enabling a person to  
15 live as normally as possible within the limitations of the handicap.

16 Sec. 47.80.120. HABILITATION PLANS. A state agency, contractor,  
17 or grantee who is directly responsible for providing services to persons  
18 with handicaps shall develop an individual habilitation plan for each  
19 person whose program of services utilizes state funds. The plan shall  
20 be completed in writing and furnished to the department within 30 days  
21 of admission of a client to the program of services. The plan, its re-  
22 newals, and any changes of it, shall have the written concurrence of the  
23 client, or his parent or guardian when appropriate, and the agency or  
24 contractor responsible for providing services. The development and  
25 content of a plan shall conform to requirements established by the  
26 department by regulation. Insofar as practicable, the requirements  
27 shall conform to those established for individual habilitation plans  
28 under P.L. 91-517 or P.L. 94-103, as amended. Each plan shall be  
29 time-limited, evaluated, and renewed at least annually.

1           Sec. 47.80.130. POWERS AND DUTIES OF THE DEPARTMENT. (a) The  
2 department shall

3           (1) develop budgets and receive and distribute appropriations  
4 and funds under this section;

5           (2) adopt regulations regarding standards of services and  
6 facilities for persons with handicaps and the quality of services and  
7 the process by which services are to be delivered;

8           (3) adopt any other regulations necessary to implement this  
9 chapter;

10          (4) provide technical assistance to public and private agen-  
11 cies in planning, developing, and implementing programs to serve handi-  
12 capped persons;

13          (5) operate programs and facilities, and enter into agree-  
14 ments, contracts, or grants necessary to provide services required under  
15 ch. 80 of this title;

16          (6) take the actions and undertake the obligations which are  
17 necessary to participate in federal grant-in-aid programs and accept  
18 federal or other financial aid for the study, examination, care and  
19 treatment of the handicapped.

20          (b) For purposes of P.L. 91-517 and P.L. 94-103, as amended, the  
21 department is designated the sole administering agency; it shall make  
22 applications for, receive, and expend grants under P.L. 91-517 or P.L.  
23 94-103, as amended, and otherwise exercise the powers and perform the  
24 duties and functions necessary to comply with P.L. 91-517 and P.L.  
25 94-103, as amended.

26          (c) The Department of Education may make applications for, re-  
27 ceive, and expend grants under P.L. 91-230 (The Education for the Handi-  
28 capped Act), as amended, and otherwise exercise the powers and perform  
29 the functions necessary to comply with that Act.

1           Sec. 47.80.140. LICENSING AND CERTIFICATES OF NEED. (a) No  
2 person may establish or operate a residential facility without first  
3 obtaining a license to do so. The department by regulation shall pro-  
4 vide for licensing of residential facilities which are not within the  
5 licensing provisions of AS 18.20.010 - 18.20.130, AS 47.35.010 - 47.35.-  
6 080 or other law requiring state licensing of such facilities. Regula-  
7 tions of the department shall include but need not be limited to (1)  
8 standards of operation promoting and protecting public health, safety,  
9 and welfare, and (2) procedures governing applications for and issuance  
10 of licenses and duration, renewal, and revocation of licenses for cause.  
11 The department may at reasonable times inspect and examine residential  
12 facilities, licensed under this subsection, for conformity with licens-  
13 ing requirements.

14           (b) A certificate of need is required as a prerequisite for li-  
15 censing a residential facility established after the effective date of  
16 this Act and not otherwise provided for in AS 18.07.031 - 18.07.111. A  
17 certificate shall be issued and regulated in the same manner as provided  
18 in AS 18.07.031 - 18.07.111 for certificates of need for health care  
19 facilities.

20           Sec. 47.80.150. LIABILITY FOR EXPENSE OF SERVICES. (a) A person  
21 with a handicap or his legal representative acting in a representative  
22 capacity, or his spouse or parents, shall pay or contribute to the  
23 payment of the charges for the care or treatment in the manner and  
24 proportion which the department finds is not detrimental to rehabili-  
25 tation and which is within the responsible person's ability to pay. The  
26 charges may not exceed the actual cost of the care or treatment as  
27 determined by the department. The order of the department relating to  
28 the payment of charges shall be prospective in effect and shall relate  
29 only to charges to be incurred, except that if a person intentionally

1 conceals his ability to pay, he shall be ordered to pay to the extent of  
2 his ability the charges accruing during the period of the concealment.  
3 The order of the department relating to the payment of charges by the  
4 person with a handicap or his legal representative, or his spouse or  
5 parents, shall be issued within six months of the date on which the  
6 charge was incurred. The department may make necessary investigations  
7 to determine the ability to pay. The order shall remain in full force  
8 and effect unless modified by subsequent court or department orders.

9 (b) As used in (a) of this section, the term "actual cost of the  
10 care and treatment" means either the rate provided for by a contract  
11 entered into under this chapter, or, in the absence of a contract, a  
12 daily rate fixed by the department, and includes expenses of transpor-  
13 tation incidental to treatment and carrying out the intent of this  
14 chapter.

15 (c) A person with a handicap who receives benefits under this  
16 chapter who is developmentally disabled as defined in sec. 900(7) of  
17 this chapter or the person responsible for payment of charges for such a  
18 person, may not be required to pay more than \$50 a month toward the  
19 charges for the care, treatment, and transportation in connection with  
20 treatment of the person with a handicap.

21 (d) The department may charge, or accept from a person money or  
22 property, for the care or treatment of an in-patient or out-patient or  
23 for other purposes, even if the payment is not required by an order of  
24 the department, so long as the total payments received do not exceed the  
25 actual cost of care or treatment.

26 (e) All money paid by the person with a handicap or on his behalf,  
27 under this section, shall be deposited in the state treasury.

28 (f) If an order of payment is entered by the department under this  
29 section and delinquency in the payment of any amount due the state under

1 the order continues for a period of more than 30 days after the noti-  
2 fication by the department to the legal representative, parent, or  
3 spouse of the person with a handicap, the state may proceed to collect  
4 the amounts due by appropriate proceedings. Actions to enforce the  
5 collection of payments may only be brought within three years after the  
6 date of notification of a delinquent payment.

7 Sec. 47.80.160. TRANSPORTATION. When an individual is to be  
8 treated under this chapter, the department shall arrange, upon the  
9 request of a person having a proper interest in the individual's  
10 treatment, and may pay for the individual's transportation to the desig-  
11 nated facility, with appropriate medical or nursing attendants and by  
12 the available means which are appropriate and suitable. The department  
13 may pay return transportation of an individual and appropriate medical  
14 and nursing attendants. When practicable, one or more relatives or  
15 friends of the individual to be treated shall be permitted to accompany  
16 him. The department may pay necessary travel, housing and meal expenses  
17 incurred by one relative or friend in accompanying the individual to the  
18 facility if the department determines

19 (1) that the best interests of the individual's health re-  
20 quire that he be accompanied by the relative or friend;

21 (2) the relative or friend accompanying the individual is  
22 indigent.

23 Sec. 47.80.170. PROVISION FOR PERSONAL NEEDS UPON DISCHARGE. The  
24 department shall make arrangements which are necessary to ensure that

25 (1) no patient is discharged or placed on convalescent status  
26 from a designated facility without suitable clothing; and

27 (2) an indigent patient discharged or placed on convalescent  
28 status is furnished suitable transportation to his permanent residence  
29 in this state or other suitable place at the discretion of the depart-

1 ment, and a reasonable amount of money to meet his immediate needs.

2 ARTICLE 4. GENERAL PROVISIONS.

3 Sec. 47.80.900. DEFINITIONS. In this chapter

4 (1) "council" means the Governor's Council for the Handi-  
5 capped and Gifted created by sec. 30 of this chapter;

6 (2) "department" means the Department of Health and Social  
7 Services;

8 (3) "facilities for persons with handicaps" means publicly or  
9 privately operated facilities, or specified portions of facilities,  
10 designed primarily for the delivery of services to those persons; the  
11 term includes but is not limited to residential facilities;

12 (4) "habilitation" means education or training for the handi-  
13 capped to enable them to function better in society;

14 (5) "least restrictive setting" means a residential or other  
15 setting for meeting the needs of a handicapped person which requires the  
16 least amount of restriction of personal liberty by enabling the person  
17 to function in as normal an environment as possible, and to live as  
18 normally as possible, within the limitations of the handicap;

19 (6) "person with a handicap" means a person with a develop-  
20 mental disability as defined in (7) of this section or a person who is  
21 hard of hearing, deaf, speech impaired, visually handicapped, seriously  
22 emotionally disturbed, orthopedically or otherwise health impaired, or  
23 who has a specific learning disability; the term includes but is not  
24 limited to "exceptional children" as defined in AS 14.30.350(1) and AS  
25 47.20.050(1);

26 (7) "person with a developmental disability" means a person  
27 having a disability which

28 (A) is attributable to

29 (i) mental retardation, cerebral palsy, epilepsy,

1 or autism;

2 (ii) any other condition found to be closely re-  
3 lated to mental retardation because the condition results in  
4 impairment of general intellectual functioning or adaptive  
5 behavior similar to impairment resulting from mental retarda-  
6 tion; or

7 (iii) dyslexia resulting from a disability des-  
8 cribed in (i) or (ii) of this subparagraph; and

9 (B) constitutes a substantial handicap to the person's  
10 ability to function normally in society;

11 (8) "residential facility" means a publicly or privately  
12 operated facility which provides 24-hour care for four or more persons  
13 with handicaps, excluding family, foster family, or adoptive homes;

14 (9) "substantial handicap" means a disability which prevents,  
15 or substantially impedes the person's participating in and benefiting  
16 from the social, economic, educational, recreational, or other opportu-  
17 nities generally available to peers in the community who are not simi-  
18 larly handicapped.

19 \* Sec. 3. AS 18.05.031 and AS 47.30.010 - 47.30.340 are repealed.

20 \* Sec. 4. TRANSITION. The Governor's Council for the Handicapped and  
21 Gifted established under this Act succeeds to all contracts, rights, liabili-  
22 ties and obligations of the Alaska Developmental Disabilities Planning  
23 Council appointed under law repealed by this Act which are in effect on the  
24 effective date of this Act. The council also succeeds to all contract  
25 rights, liabilities, and obligations of the Special Education Advisory  
26 Council established under the authority of AS 14.30.231 and made part of the  
27 Governor's Council for the Handicapped and Gifted by Administrative Order No.  
28 42A dated November 25, 1977. Records, equipment and other property of the  
29 former councils shall be transferred upon this Act's taking effect. The

1 amount of any appropriation to the former councils which is encumbered but  
2 not expended on the effective date of this Act shall not lapse but shall be  
3 transferred to the Governor's Council for the Handicapped and Gifted con-  
4 currently with the effective date of this Act.

5 \* Sec. 5. This Act takes effect on the effective date of a version of  
6 House Bill No. 472.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Introduced: 5/2/77  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 519

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 persons with developmental  
7 handicaps."

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

9 \* Section 1. INTENT. This Act is intended to assure the provision of  
10 quality services to those children and adults, numbering in the thousands  
11 in the state, who have developmental handicaps by reason of mental or  
12 physical disabilities, including persons qualifying for special education  
13 services under AS 14.30.180 - 14.30.350, other persons with the same or  
14 similar handicaps, and persons handicapped by mental retardation, cerebral  
15 palsy, epilepsy, autism or by other developmental disabilities defined in  
16 this Act. The primary objective of the Act is to bring together and make  
17 optimal use of all available resources -- federal, state, local, and pri-  
18 vate -- so that persons with developmental handicaps may be served in the  
19 most effective and efficient way. A second, but not secondary, goal of the  
20 Act is to assure the dignity of persons with developmental handicaps, by  
21 reaffirming, and providing for the protection and advocacy of, their  
22 rights, which are the same rights as other people of the state of the same  
23 age and include the right to live as complete and normal lives as possible  
24 and develop their ability and potential to the fullest extent possible.

25 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

26 CHAPTER 80. DEVELOPMENTAL HANDICAPS.

27 ARTICLE 1. RIGHTS.

28 Sec. 47.80.010. RIGHTS OF PERSONS WITH DEVELOPMENTAL HANDICAPS.

29 (a) Persons with developmental handicaps have the same legal rights

COMMITTEE COPY

1 and responsibilities guaranteed all other persons by the Constitution  
2 of the United States and federal laws and by the constitution and laws  
3 of the state. No otherwise qualified person by reason of having a  
4 developmental handicap may be excluded from participation in, be  
5 denied the benefits of, or be subjected to discrimination under, any  
6 program or activity which receives public funds. It is the intent of  
7 of the legislature that persons with developmental handicaps have  
8 rights including but not limited to:

9 (1) a right to education, training, habilitation, and guid-  
10 ance which will enable development of individual ability and potential  
11 to the fullest possible extent, no matter how severe the handicap, and  
12 a right to receive services in the setting that is least restrictive  
13 of personal liberty;

14 (2) a right to appropriate health care, including promotive  
15 and preventive care, medical and surgical treatment, and rehabilita-  
16 tive services in the setting that is least restrictive of personal  
17 liberty;

18 (3) a right to economic security and to a decent standard  
19 of living, including a right to productive work or other meaningful  
20 occupation;

21 (4) a right not to be placed in a residential facility if  
22 such a placement is not necessary, with the primary consideration  
23 being given to living with their families, foster families, or indepen-  
24 dently, and to participate in all aspects of community life, including  
25 appropriate leisure time activities; if care in a residential facility  
26 becomes necessary, a right to be in surroundings and under circumstances  
27 as close to normal living as possible;

28 (5) a right to qualified guardians when this is required to  
29 protect personal well-being and interest; a right to a guardian who is

1 not rendering direct services to the person with a developmental  
2 handicap;

3 (6) a right to protection from exploitation, abuse, and  
4 degrading treatment; if a person with a developmental handicap is  
5 accused, a right to fair trial with full recognition being given to  
6 his degree of competence.

7 (b) Some persons with developmental handicaps may be unable, due  
8 to the severity of their handicap, to exercise for themselves all of  
9 their rights in a meaningful way; for others modification of some or  
10 all of their rights under (a) is appropriate. The procedure used for  
11 modification or denial of rights must contain proper legal safeguards  
12 against every form of abuse, must be based on an evaluation of the  
13 social capability of the person by qualified experts, and must be  
14 subject to periodic reviews and to the right of appeal to higher  
15 authorities.

16 Sec. 47.80.020. PROTECTION AND ADVOCACY OF RIGHTS. The department  
17 is responsible for having in effect a system to protect and advocate  
18 rights of persons with developmental handicaps. The system

19 (1) has the authority to pursue legal, administrative, and  
20 other appropriate remedies to assure the protection of the rights of  
21 persons with developmental handicaps, and

22 (2) must be independent of any state agency which provides  
23 treatment, services or habilitation of persons with developmental  
24 handicaps.

25 ARTICLE 2. PLANNING COUNCIL.

26 Sec. 47.80.030. ALASKA PLANNING COUNCIL FOR PERSONS WITH DEVELOP-  
27 MENTAL HANDICAPS. There is established the Alaska Planning Council  
28 for Persons with Developmental Handicaps. For budgetary purposes, the  
29 council is located within the Department of Health and Social Services

1 but is the interdepartmental planning and coordinating agency of the  
2 Department of Health and Social Services, the Department of Education,  
3 and the Department of Community and Regional Affairs for programs  
4 affecting persons with developmental handicaps. In addition, the  
5 council is the state planning council required by the Developmental  
6 Disabilities Services and Facilities Construction Act (P.L. 91-517, as  
7 amended).

8 Sec. 47.80.040. COMPOSITION. (a) The council consists of 23  
9 members appointed by the governor.

10 (b) Seven members must be appointed to represent the principal  
11 state agencies concerned with the following federal and state programs:  
12 education of the handicapped, vocational rehabilitation, public assist-  
13 ance, social services, maternal and child health and crippled children's  
14 services, health planning, mental health and developmental disabilities.

15 (c) Eight members must be appointed who are persons with develop-  
16 mental disabilities, or parents or guardians of such persons, and who  
17 are not officers or directors of an entity, or employees of a state  
18 agency, which receives funds for, or provides services to, develop-  
19 mentally disabled persons.

20 (d) Eight members must be appointed from the public at large and  
21 from groups concerned with or dealing with developmental handicaps.

22 (e) Membership of the council must at all times comply with the  
23 requirements of P.L. 91-517, as amended.

24 (f) In the appointment of all members other than state agency  
25 members, due regard must be given to geographically balanced representa-  
26 tion of areas of the state, particularly representation of urban and  
27 rural areas, and to representation of minorities.

28 Sec. 47.80.050. TERM OF OFFICE. (a) Council members' terms are  
29 three years. Of the 23 initial appointees, seven must be appointed

1 for one-year terms, eight for two-year terms, and eight for three-year  
2 terms.

3 (b) A vacancy occurring in the membership of the council must be  
4 filled by appointment of the governor for the unexpired portion of the  
5 vacated term.

6 (c) Council members serve at the pleasure of the governor, not-  
7 withstanding their terms of office.

8 (d) It is the legislative intent that the governor replace any  
9 member who, by poor attendance or lack of contribution to the council's  
10 work, demonstrates ineffectiveness as a council member.

11 Sec. 47.80.060. COMPENSATION, PER DIEM, AND EXPENSES. Members  
12 of the council receive no salary but are entitled to per diem and  
13 reimbursement for travel and other expenses as authorized by law for  
14 boards.

15 Sec. 47.80.070. OFFICERS AND STAFF. (a) The council, by a  
16 majority of its membership, shall elect a chairman and vice chairman  
17 and other officers it considers necessary from among its membership,  
18 to serve on a yearly basis.

19 (b) The department shall provide for assignment to the council  
20 of personnel adequate to ensure that the council has the capacity to  
21 fulfill its responsibilities. The personnel is directly responsible  
22 to the council for performance of its duties.

23 Sec. 47.80.080. BYLAWS. The council, on approval of a majority  
24 of its membership, shall adopt and amend bylaws governing its composi-  
25 tion, proceedings and other activities consistent with secs. 30 - 90  
26 of this chapter and including, but not limited to, provisions concerning  
27 a quorum to transact council business and other aspects of procedure,  
28 frequency and location of meetings, and establishment, functions and  
29 membership of council committees.

1           Sec. 47.80.090. RESPONSIBILITIES. The council shall

2           (1) serve as a forum by which issues and benefits regarding  
3 current and potential services to persons with developmental handicaps  
4 may be discussed by consumer, public, private, professional, and lay  
5 interests;

6           (2) advocate the needs of persons with developmental  
7 handicaps before the executive and legislative branches of the state  
8 government and before the public;

9           (3) advise the executive and legislative branches of the  
10 state government and the private sector on programs and policies  
11 pertaining to current and potential services to persons with develop-  
12 mental handicaps and their families, including but not limited to the  
13 type, range and availability of services administered by state and  
14 local governmental agencies and private organizations;

15           (4) submit periodic reports to the commissioner of health  
16 and social services on the effects of current federal and state programs  
17 regarding services to persons with developmental handicaps;

18           (5) in consultation with the departments specified in sec.  
19 100 of this chapter, develop, prepare, adopt, and periodically review  
20 and revise as necessary an annual state plan prescribing a program  
21 which meets the needs of persons with developmental disabilities as  
22 required under P.L. 91-517, as amended, and submit the plan and all  
23 revisions of the plan to the federal government; the state plan shall

24           (A) establish goals and priorities of the state in  
25 meeting the needs of developmentally disabled persons, including  
26 the establishment of priorities for the distribution of public  
27 funds for comprehensive services to persons with developmental  
28 disabilities and other matters considered necessary to achieve  
29 normalization of their lives;

1 (B) provide for coordinated delivery and establishment  
2 of comprehensive services, facilities, and programs for persons  
3 with developmental disabilities;

4 (C) include long-range and short-range projections  
5 relating to service needs;

6 (D) otherwise satisfy specific content requirements  
7 for the plan as required under P.L. 91-517, as amended;

8 (6) review and comment to commissioners of state departments  
9 on all state plans and proposed regulations relating to programs for  
10 persons with developmental handicaps before their being adopted; for  
11 this purpose, the appropriate departments shall submit the plans and  
12 proposed regulations to the council;

13 (7) state the priorities and specifications for the use of  
14 funds received by the state under P.L. 91-517, as amended;

15 (8) submit annually to the commissioner of health and  
16 social services, the commissioner of education, and the commissioner  
17 of community and regional affairs a proposed interdepartmental program  
18 budget for services to persons with developmental handicaps which  
19 includes, insofar as possible, projected expenditures for programs  
20 implemented by state agencies, local governmental agencies, and private  
21 organizations; the interdepartmental program budget is an informational  
22 supplement to the regular annual budgetary submissions of the departments  
23 to the office of the governor;

24 (9) prepare and submit program performance reports to the  
25 commissioner, the governor, and the federal government, as required by  
26 P.L. 91-517, as amended, regarding the uses of funds received under  
27 P.L. 91-517, and submit other reports as the Secretary of Health,  
28 Education and Welfare may reasonably request; and

29 (10) monitor and evaluate budgets or other implementation

1 plans and programs for persons with developmental handicaps to assure  
2 non-duplication of services and encourage efficient and coordinated  
3 use of federal, state and private resources in the provision of  
4 services.

5 ARTICLE 3. PROGRAMS AND PLANS.

6 Sec. 47.80.100. PROGRAMS FOR PERSONS WITH DEVELOPMENTAL HANDICAPS.

7 (a) The Department of Health and Social Services, the Department of  
8 Education, and other departments of the state as appropriate, shall,  
9 in coordination, plan, develop, and implement a comprehensive system  
10 of services and facilities for persons with developmental handicaps,  
11 which is consistent with the state plan adopted under sec. 90(5) of  
12 this chapter and is dispersed geographically within the state. The  
13 program must include but need not be limited to:

- 14 (1) diagnosis;
- 15 (2) evaluation;
- 16 (3) treatment;
- 17 (4) personal care;
- 18 (5) day care;
- 19 (6) residential care;
- 20 (7) respite care;
- 21 (8) specialized foster care;
- 22 (9) in-home support services;
- 23 (10) domiciliary care;
- 24 (11) special living arrangements;
- 25 (12) training;
- 26 (13) education;
- 27 (14) sheltered employment;
- 28 (15) recreation;
- 29 (16) counseling of persons with developmental handicaps and

1 their families;

2 (17) protective and other social and socio-legal services;

3 (18) information and referral services;

4 (19) follow-along services;

5 (20) transportation services necessary to assure delivery  
6 of service;

7 (21) services offered by the division of corrections.

8 (b) The services designated in (a) of this section are specialized  
9 services or special adaptations of services available to the general  
10 population and must be directed toward the social, personal, physical,  
11 or economic habilitation or rehabilitation of persons with developmental  
12 handicaps.

13 (c) Within the limits of appropriations and other available  
14 funds, the appropriate department may itself provide the services and  
15 establish, operate, and maintain the facilities required under (a) and  
16 (b) of this section, or it may provide the services or facilities  
17 entirely or in part through contractual arrangements with public or  
18 private agencies.

19 Sec. 47.80.110. PROGRAM PRINCIPLES. The system of services and  
20 facilities required under sec. 100 of this chapter must accord with  
21 the following principles:

22 (1) treatment, services, and habilitation must be designed  
23 to maximize individual developmental potential, in accordance with the  
24 premises that persons with developmental handicaps are capable of  
25 growth and that normal risk is necessary for growth, and must be  
26 provided in the least restrictive setting, enabling a person to live  
27 as normally as possible within the limitations of the handicap; the  
28 establishment of alternatives to institutionalization, the elimination  
29 of inappropriate placement in residential facilities, and the improve-

1 ment of the quality of care and the state of surroundings of persons  
2 who are appropriately placed in residential facilities are fundamental;

3 (2) programs must meet standards which are designed to  
4 assure the most favorable possible outcome for the persons served, and  
5 which

6 (A) in the case of residential programs assure that  
7 care is appropriate to the needs of the persons being served by  
8 the programs, assure that the persons admitted to residential  
9 facilities are persons whose needs can be met through services  
10 provided by the facilities, and assure that the facilities provide  
11 for the humane care of the residents, meet state sanitation and  
12 life-safety codes, and protect the individual rights of the  
13 persons receiving services; and

14 (B) in the case of non-residential programs assure  
15 that care meets the needs of the persons served by the programs;

16 (3) the intent of all programs is to develop a self-reliant  
17 individual maintaining himself or herself within the society;

18 (4) the appropriate department is responsible for securing  
19 program funding through all available sources;

20 (5) the system of services and facilities required under  
21 sec. 100(a) and (b) of this chapter shall be provided for persons of  
22 all ages;

23 (6) the first effort of the departments in implementing the  
24 system shall be to provide access to the full use of all facilities  
25 and services available to the general population;

26 (7) a normal range of options must be available among an  
27 array of services and must include the right to enter and leave the  
28 system;

29 (8) services must be delivered in a timely fashion when

1 need is established;

2 (9) the rights of persons with developmental handicaps set  
3 out in sec. 10 of this chapter must continuously be observed;

4 (10) program evaluation must be integral to all service  
5 systems and must reflect the involvement of consumers, advocatas, pro-  
6 fessionals, and the general public;

7 (11) prevention must be an integral part of the service  
8 system;

9 (12) an effective means of educating the public and generat-  
10 ing public awareness and support must be implemented.

11 Sec. 47.80.120. HABILITATION PLANS. A state agency or contractor  
12 who is directly responsible for providing services to persons with  
13 developmental handicaps shall develop an individual habilitatation plan  
14 for each person whose program of services utilizes state funds. The  
15 plan must be completed in writing and furnished to the department  
16 within 30 days of admission of a client to the program of services.  
17 The plan, its renewals, and any changes of it, must have the written  
18 concurrence of the client, or his parent or guardian when appropriate,  
19 and the agency or contractor responsible for providing services. The  
20 development and content of a plan must conform to requirements estab-  
21 lished by the department by regulation. Insofar as practicable, the  
22 requirements must conform to those established for individual habilita-  
23 tion plans under P.L. 91-517, as amended. Each plan must be time-  
24 limited, evaluated, and renewed at least annually.

25 Sec. 47.80.130. OTHER DEPARTMENTAL POWERS AND DUTIES. (a) The  
26 department shall

27 (1) develop budgets and receive and distribute appropriations  
28 and funds under this section;

29 (2) adopt within 180 days after the effective date of this

1 Act regulations regarding standards of services and facilities for  
2 persons with developmental handicaps and the quality of services and  
3 the process by which services are to be delivered;

4 (3) adopt any other regulations necessary to implement this  
5 chapter;

6 (4) provide technical assistance to public and private  
7 agencies in planning, developing, and implementing programs to serve  
8 persons with developmental handicaps.

9 (b) For purposes of P.L. 91-517, as amended, the department is  
10 designated the sole administering agency; it shall make applications  
11 for, receive, and expend grants under P.L. 91-517 and otherwise  
12 exercise the powers and perform the duties and functions necessary to  
13 comply with P.L. 91-517.

14 (c) The Department of Education may make applications for,  
15 receive, and expend grants under P.L. 91-230 (The Education for the  
16 Handicapped Act), as amended, and otherwise exercise the powers and  
17 perform the functions necessary to comply with that Act.

18 Sec. 47.80.140. LICENSING AND CERTIFICATES OF NEED. (a) No  
19 person may establish or operate a residential facility without first  
20 obtaining a license to do so. The department by regulation shall  
21 provide for licensing of residential facilities which are not within  
22 the licensing provisions of AS 18.20.010 - 18.20.130, AS 47.35.010 -  
23 47.35.080 or other law requiring state licensing of such facilities.  
24 Regulations of the department must include but need not be limited to  
25 (1) standards of operation promoting and protecting public health,  
26 safety, and welfare, and (2) procedures governing applications for and  
27 issuance of licenses and duration, renewal, and revocation of licenses  
28 for cause. The department may at reasonable times inspect and examine  
29 residential facilities, licensed under this subsection, for conformity

1 with licensing requirements.

2 (b) A certificate of need is required as a prerequisite for  
3 licensing a residential facility established after the effective date  
4 of this Act and not otherwise provided for in AS 18.07.031 - 18.07.111.  
5 A certificate shall be issued and regulated in the same manner as  
6 provided in AS 18.07.031 - 18.07.111 for certificates of need for  
7 health care facilities.

8 ARTICLE 4. GENERAL PROVISIONS.

9 Sec. 47.80.900. DEFINITIONS. In this chapter

10 (1) "council" means the Alaska Planning Council for Persons  
11 with Developmental Handicaps, created by sec. 30 of this chapter;

12 (2) "department" means the Department of Health and Social  
13 Services;

14 (3) "facilities for persons with developmental handicaps"  
15 means publicly or privately operated facilities, or specified portions  
16 of facilities, designed primarily for the delivery of services to  
17 those persons; the term includes but is not limited to residential  
18 facilities;

19 (4) "least restrictive setting" means a residential or  
20 other setting for meeting the needs of a handicapped person which  
21 requires the least amount of restriction of personal liberty by  
22 enabling the person to function in as normal an environment as possible,  
23 and to live as normally as possible, within the limitations of the  
24 handicap;

25 (5) "person with a developmental disability" means a person  
26 having a disability which

27 (A) is attributable to:

28 (i) mental retardation, cerebral palsy, epilepsy,  
29 or autism;

1 (ii) any other condition found to be closely  
2 related to mental retardation because the condition results  
3 in impairment of general intellectual functioning or adaptive  
4 behavior similar to impairment resulting from mental retarda-  
5 tion; or

6 (iii) dyslexia resulting from a disability  
7 described in (i) or (ii) of this subparagraph; and

8 (B) constitutes a substantial handicap to the person's  
9 ability to function normally in society;

10 (6) "person with a developmental handicap" means a person  
11 with a developmental disability or a person who is hard of hearing,  
12 deaf, speech impaired, visually handicapped, seriously emotionally  
13 disturbed, orthopedically or otherwise health impaired, or who has a  
14 specific learning disability; the term includes but is not limited to  
15 "exceptional children" as defined in AS 14.30.350(1) and AS 47.20.-  
16 050(1);

17 (7) "residential facility" means a publicly or privately  
18 operated facility which provides 24-hour care for four or more persons  
19 with developmental handicaps, excluding family, foster family, or  
20 adoptive homes;

21 (8) "substantial handicap" means a disability which prevents,  
22 or substantially impedes the person's participating in and benefiting  
23 from the social, economic, educational, recreational, or other opportu-  
24 nities generally available to peers in the community who are not  
25 similarly handicapped.

26 \* Sec. 3. AS 47.30.340(10) is amended to read:

27 (10) "mentally ill individual" means an individual having  
28 a psychosis or senile changes which substantially impair his mental  
29 health to the degree that he is a danger to himself or others; [OR A

1 MENTALLY DEFICIENT AND SEVERELY MENTALLY RETARDED PERSON WHOM THE  
2 COMMISSIONER OF HEALTH AND SOCIAL SERVICES OR HIS DESIGNEE ADMITS FOR  
3 TREATMENT SUBJECT, HOWEVER, TO ALL THE OTHER ADMISSION AND DISCHARGE  
4 PROCEDURES PROVIDED FOR IN SECS. 10 - 340 OF THIS CHAPTER;] the defini-  
5 tion does not include an individual suffering from acute alcoholism or  
6 drug addiction;

7 \* Sec. 4. AS 18.05.031 is repealed.

8 \* Sec. 5. TRANSITION. The Alaska Planning Council for Persons With  
9 Developmental Handicaps established under this Act succeeds to all contracts,  
10 rights, liabilities and obligations of the Alaska Developmental Disabilities  
11 Planning Council appointed under law repealed by this Act which are in  
12 effect on the effective date of this Act. Records, equipment and other  
13 property of the former council shall be transferred upon this Act's taking  
14 effect. The amount of any appropriation to the former council which is  
15 encumbered but not expended on the effective date of this Act shall not  
16 lapse but shall be transferred to the Alaska Planning Council for Persons  
17 with Developmental Handicaps concurrently with the effective date of this  
18 Act.

HB 519

May 2, 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(h) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill to provide a comprehensive legislative framework for meeting the needs of persons with developmental handicaps. The bill is based on draft legislation prepared during the past several months by my Planning Council on Developmental Disabilities -- a broadly based group of members of the public and governmental and private sector officials concerned with services for persons with developmental handicaps. The council has exercised a very direct and specific role in writing this bill. The proposed legislation was recently submitted to me, after public hearings and preparation of a final draft through the Department of Law, with the request that I present it for introduction in the legislature. I am pleased to transmit this bill and urge your serious consideration of it during the legislative interim for action next session.

The bill is intended to provide an integrated statutory means of marshalling federal, state, local, and private resources to meet the needs of persons with developmental handicaps in the most efficient and best coordinated manner and also of assuring the rights and dignity of persons having the mental or physical disabilities specified in the proposed law.

The basic objective of the bill is not to authorize new programs and funding or new administrative structures but rather to provide a focus on and organization of present efforts, so as to improve and make more readily accessible to persons with developmental handicaps services which are already provided for the general population and encourage special adaptations of these

general services. Funds will undoubtedly be needed eventually to fill gaps in existing services for persons with developmental handicaps, and such proposals will undoubtedly be considered in the future, whether or not the proposed legislation is enacted. However, by enabling existing funds to be channelled in a better coordinated way and establishing a potential for efficiencies in the use of present as well as future funds, the proposed legislation suggests a desirable first step to organizing public and private resources effectively and developing a sound public and private partnership to meet the special needs of the thousands of children and adults of the state with developmental handicaps.

The bill has three main components. The first, set out in Article 1, the rights article, gives legislative reaffirmation of basic rights of persons with developmental handicaps. Proposed AS 47.80.010(a) first sets out a general affirmation of rights, patterned after a basic rights statement of recently enacted California law (Health and Safety Code of the State of California, Sec. 38002). In part, this provision incorporates and extends to all programs and activities receiving public funds the concept of existing federal law prohibiting discrimination in programs or activities receiving federal financial assistance (Sec. 504 of the Rehabilitation Act of 1973, P.L. 93-112).

Proposed AS 47.80.010(a) then enumerates more specific rights determined for inclusion by my Planning Council on Developmental Disabilities and based on a model rights statement prepared under auspices of the World Health Organization. The emphasis of the rights article of the bill is on assuring that persons with developmental handicaps may live as complete and normal lives as possible within the limits of their handicaps and may develop individual potential and ability to the fullest extent possible.

The second section of the rights article, proposed AS 47.80.020, provides for a state system to protect and advocate rights of persons with developmental handicaps. This provision is included in the bill primarily

to comply with conditions of the state's receiving federal funds under the current Disabilities Services and Facilities Construction Act (P.L. 91-517, as amended by P.L. 94-103). Approximately \$150,000 annually has been and is expected to continue to be apportioned to the state under that law. As amended, the federal law requires that the state system for protecting and advocating individual rights be in effect by October 1 of this year. Planning of the system is now underway by my Planning Council on Developmental Disabilities. It should be noted that, while the system must be in effect as of October 1, 1977 as a condition to continued receipt of federal funds, the system can presently be implemented as a matter of state law under the general authority of existing AS 18.05.031, authorizing actions necessary to comply with the federal law; the enabling provisions of the proposed AS 47.80.020 are thus not mandatory for enactment this year but rather comprise part of the legislative framework to meet the needs of persons with developmental handicaps which the bill in its entirety represents.

The rights protection and advocacy system specifically authorized in the bill, like most provisions of the bill, is broader in scope of coverage than the coverage of the federal law cited above requiring the system. The federal provision is limited to persons with "developmental disabilities", as defined in the federal Act, while the attached bill includes those persons in its coverage of persons with "developmental handicaps" -- a broader category of mental or physical handicaps, defined in proposed AS 47.80.900(6) of the bill. Accordingly, to the extent that the bill includes within its scope the larger population of persons with developmental handicaps and authorizes a protection and advocacy system for their rights, it calls for service to persons which is not already authorized under existing law. In that limited sense the provision represents an extension of the basic purpose of the bill to provide a framework for marshaling resources under existing law to serve handicapped persons and is a commitment to a new service.

Following the rights article, the second main component of the bill establishes the Alaska Planning Council for Persons with Developmental Handicaps. This provision formalizes in law the existing Governor's Planning Council on Developmental Disabilities and broadens its scope of concern to persons with developmental handicaps. The existing council was established several years ago, without specific legislation, but by administrative action under the authority of AS 18.05.031, in order to qualify the state for the federal aid available under the federal Developmental Disabilities Services and Facilities Construction Act.

The proposed legislation reconstitutes the council and enlarges its membership to reflect its broadened scope of representation of the handicapped. The membership is constituted so as to satisfy requirements for federal assistance of the Developmental Disabilities Services and Facilities Construction Act and the federal Education for all Handicapped Children Act of 1975 (P.L. 94-142); this is the federal law, as recently amended, under which assistance is made available for the special educational needs of exceptional children within the state. While the specific responsibilities of the state planning body required under the latter federal Act are not assigned to the council under the proposed legislation but rather remain in the special education advisory committee currently provided for under AS 14.30.231, amalgamation of the two planning groups is anticipated as a gradual process.

Generally in terms of its responsibilities, the council, at AS 47.80.090 of the proposed law, is afforded a strong role in planning and advocating for, and advising on and monitoring, efforts to meet the needs of persons with developmental handicaps. The intent is to assure a comprehensive array of services and assure non duplication of services as well as efficient and coordinated use of federal, state, local, and private resources. The existing council, in its draft legislation on which the bill being transmitted is based, makes the following findings bearing on its proposed role:

(1) A formal state planning and advisory council is required for federal aid to state programs serving persons with developmental handicaps who qualify under the Developmental Disabilities Services and Facilities Construction Act (P.L. 91-517, as amended).

(2) Present responsibilities for state services to persons with developmental handicaps cross departmental lines, and a formal mechanism established by law is needed to coordinate state services and planning activities and prevent gaps in the spectrum of needed services, prevent duplication of services, provide clear responsibility for services, and eliminate other impediments to effective services.

(3) A mechanism is also required to provide integrated planning and close coordination of state services with the numerous services available to persons with developmental handicaps through private organizations and local governmental agencies, such planning and coordination being indispensable to serving persons with developmental handicaps effectively.

The council, consistent with the Developmental Disabilities Services and Facilities Construction Act, is responsible for developing the annual state plan required under that law to meet the needs of persons with developmental disabilities.

As its third article and final main component, the bill establishes a statutory "umbrella" for interdepartmental activities so as to provide a comprehensive system of services and facilities for persons with developmental handicaps. Depending on a person's handicap, different types of services are required for differing needs, and the provisions of the article are intended to assure that a comprehensive array of services properly provided is available to meet individual needs.

# CORRECTION

THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY

(1) A formal state planning and advisory council is required for federal aid to state programs serving persons with developmental handicaps who qualify under the Developmental Disabilities Services and Facilities Construction Act (P.L. 91-517, as amended).

(2) Present responsibilities for state services to persons with developmental handicaps cross departmental lines, and a formal mechanism established by law is needed to coordinate state services and planning activities and prevent gaps in the spectrum of needed services, prevent duplication of services, provide clear responsibility for services, and eliminate other impediments to effective services.

(3) A mechanism is also required to provide integrated planning and close coordination of state services with the numerous services available to persons with developmental handicaps through private organizations and local governmental agencies, such planning and coordination being indispensable to serving persons with developmental handicaps effectively.

The council, consistent with the Developmental Disabilities Services and Facilities Construction Act, is responsible for developing the annual state plan required under that law to meet the needs of persons with developmental disabilities.

As its third article and final main component, the bill establishes a statutory "umbrella" for interdepartmental activities so as to provide a comprehensive system of services and facilities for persons with developmental handicaps. Depending on a person's handicap, different types of services are required for differing needs, and the provisions of the article are intended to assure that a comprehensive array of services properly provided is available to meet individual needs.

The article specifies types of services to be offered and establishes principles and guidelines for the programs offered. Among the basic principles stated are treatment, services and habilitation designed to maximize individual developmental potential and to be provided in the least restrictive setting, enabling a person to live as normally as possible within the limitations of the handicap; establishment of alternatives to institutionalization; elimination of inappropriate placement in residential facilities of persons served; and improvement of the quality of care and the condition of surroundings of persons who are appropriately placed in residential facilities. Services and facilities are authorized to be provided directly by the state or by contract with public or private agencies. Proposed AS 47.80.120 provides for individual habilitation plans, concurred in by the person served or a parent or guardian when appropriate, to be prepared for each person served by a program under the bill. Such plans, requiring in their development the participation of the persons served, are currently required as a condition of the state's receiving financial assistance to serve persons with developmental disabilities under the Developmental Disabilities Services and Facilities Construction Act, and similar plans are required under the Education for All Handicapped Children Act of 1975.

Under AS 47.80.130(b) of the bill, authority is conferred on the Department of Health and Social Services to require licensing of residential facilities (defined in the bill, at AS 47.80.900(7), as "publicly or privately operated facilities which provide 24-hour care for four or more persons with developmental handicaps, excluding family, foster family, or adoptive homes") in cases in which state licensing is not already required of such facilities under existing law; in addition, certificates of need, applied for and furnished in accordance with the recently-enacted provisions of state law governing health care facilities, are required of residential facilities which are established after the effective date of the proposed law and which are not within the coverage of the recently-enacted law (AS 18.07.031 - 18.07.111).

Section 3 of the proposed bill amends the existing mental health laws to make clear that services and facilities for persons who are developmentally handicapped by mental retardation are controlled by the proposed law and are not to be subsumed under programs for the mentally ill governed by the mental health laws. (A proposed revision of the mental health laws currently before the legislature, HB 472, if enacted, would obviate the need for section 3 of this bill.)

Among its other merits, the proposed legislation being transmitted today places a public policy focus on a field of need which, it would seem, has been confined to the background and developed legislatively in a relatively unintegrated and piecemeal fashion. In providing a framework for comprehensive public action to meet the needs of persons with developmental handicaps, the proposed legislation affords clear and well-merited recognition of the state's concern in assisting its handicapped citizens to lead just as normal and fulfilled lives as humanly possible irrespective of their handicaps. To achieve that important human goal, your earnest consideration of this bill is respectfully urged.

Sincerely,

Jay S. Hammond  
Governor

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 519  
 Title An Act relating to persons with developmental handicaps  
 Requested by Governor's Office Date 4/28/77

II. FISCAL DETAIL Departments of Education, Community and Regional Affairs,  
 Agency Affected Health and Social Services, and Law.  
 Program Category Affected Many in different departments  
 Budget Request Unit(s) Affected Unspecified at this time.

EXPENDITURES (Thousands of Dollars) SEE ANALYSIS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

The legislation provides the framework and sets a direction (a community orientation) for the development of services. Even though the legislation does not call directly for the additional funds and, technically, the fiscal impact is zero, we cannot say that the indirect effects will be zero. That is, there is a good deal of continuing pressure from various communities and from existing service providers for increased funds to expand or to increase programs. This will continue to be so whether or not the legislation passes. In our judgement, the main effect of the legislation will be to direct the distribution of the current and future resources. The attached letter from the Governor to the legislature properly analyzes the content of the bill. What remains is for each division of each department mentioned in II above to analyze the legislation from their point of view. It was previously understood that this would be done concurrent with the movement of the bill in the legislature. It was further understood that (because of the late date of introduction of the bill) it would be analyzed in detail by the various agencies (both public and private as well as by the legislature) between the legislative sessions. The attached draft from the Governor attests to this understanding.

IV. DATE 4/28/77 PREPARED BY Robert P. Gregovich, Ph. D.  
 AGENCY Division of Mental Health & D. D.  
 PHONE 465-3372

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

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 519

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act relating to persons with developmental handicaps."

Persons with developmental handicaps.

Introduced in the House ..... 5-2-1977

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on HESS AND FINANCE												
May 2	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td>Reconsideration</td> <td></td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		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

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td>Reconsideration</td> <td></td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

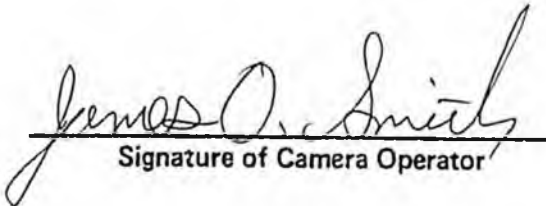
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled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

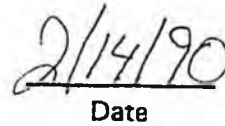


# RECORDS CERTIFICATION



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

Introduced: 5/3/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 520

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 and Public Facilities for  
8 erosion control; and providing for an effective date."

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

10 \* Section 1. The sum of \$50,000 is appropriated from the general fund to  
11 the Department of Transportation and Public Facilities to design and con-  
12 struct an erosion control project at Egegik.

13 \* Sec. 2. The appropriation made in sec. 1 of this Act is for a capital  
14 project and is subject to the provisions of AS 37.25.020.

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

16

17

18

19

20

21

22

23

24

25

26

27

28

29

# COMMITTEE REPORT

5-3-77

## HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HB 520 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

4117  
Baldwin

Introduced: 5/3/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 520

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 and Public Facilities for  
8 erosion control; and providing for an effective date."

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

10 \* Section 1. The sum of \$50,000 is appropriated from the general fund to  
11 the Department of Transportation and Public Facilities to design and con-  
12 struct an erosion control project at Egegik.

13 \* Sec. 2. The appropriation made in sec. 1 of this Act is for a capital  
14 project and is subject to the provisions of AS 37.25.020.

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

29 COMMITTEE COPY

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 520

By ANDERSON

"An Act making a special appropriation to the Department of Transportation and Public Facilities for erosion control; and providing for an effective date."

(Egegik)

Spec. approp. for erosion control

Introduced in the House 5-3-77

HISTORY IN THE HOUSE

19 77

May 3

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

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by President  
Returned to House

SECRETARY OF THE SENATE

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

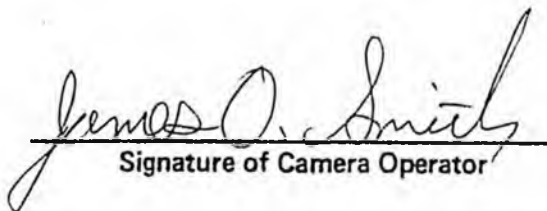
Chapter No. ....

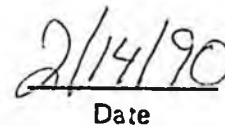


# RECORDS CERTIFICATION



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

Introduced: 5/3/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 521

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 Department  
7 of Transportation and Public Facilities for erosion  
8 control; and providing for an effective date."

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

10 \* Section 1. The sum of \$135,000 is appropriated from the general fund  
11 to the Department of Transportation and Public Facilities to design and  
12 construct an erosion control project at Port Heiden.

13 \* Sec. 2. The appropriation made in sec. 1 of this Act is for a capital  
14 project and is subject to the provisions of AS 37.25.020.

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

16

17

18

19

20

21

22

23

24

25

26

27

28

29

"An Act making a special appropriation to the Department of Transportation and Public Facilities for erosion control; and eff. date."

### COMMITTEE REPORT

5-3-77

### HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HB 521 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

4118  
Baldwin

Introduced: 5/3/77  
Referred: Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 521

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 Department  
7 of Transportation and Public Facilities for erosion  
8 control; and providing for an effective date."

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

10 \* Section 1. The sum of \$135,000 is appropriated from the general fund  
11 to the Department of Transportation and Public Facilities to design and  
12 construct an erosion control project at Port Heiden.

13 \* Sec. 2. The appropriation made in sec. 1 of this Act is for a capital  
14 project and is subject to the provisions of AS 37.25.020.

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

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 521

By ANDERSON

"An Act making a special appropriation to the Department of Transportation and Public Facilities for erosion control; and providing for an effective date."

(Port Heiden)  
Spec. approp. erosion control

Introduced in the House ..... 5-3, 19.77.

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on Finance										
May 3	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by President										
	Returned to House										

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

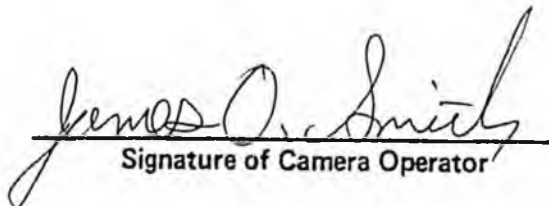
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled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

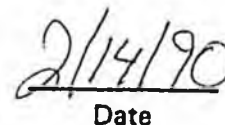


# RECORDS CERTIFICATION



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

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

HB 523

I. REQUEST

Bill/Resolution No. House Bill No. 523  
Title An Act reducing the tax rates on individuals & fiduciaries under Alaska Net Income  
Requested by House Finance Committee Date 5/5/77 Tax Act

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_  
Program Category Affected Fiscal Services  
Budget Request Unit(s) Affected Audit Division

EXPENDITURES (Thousands of Dollars) None

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

FUNDING (Thousands of Dollars) None

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS None

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME						
PART TIME						
TEMPORARY						

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

See memo to J. R. Messenger dated 5/6/77 which is attached.

IV. DATE May 9, 1977

PREPARED BY [Signature]  
AGENCY Department of Revenue, Audit Division  
PHONE 465-2320

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

STATE  
of ALASKA

# MEMORANDUM

TO:  John R. Messenger  
Deputy Commissioner  
Department of Revenue

DATE : May 6, 1977

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: House Bill No. 523

This bill would make a major reduction in the individual income tax rates. Based on the returns filed in 1975, 72 percent of individuals who paid a tax to the State of Alaska would not have a tax liability under the proposed law. After adjusting for the effect of the rate differentials, it is anticipated that this bill would reduce revenue from the individual income tax by 65 percent per year. For FY 78 this would mean a reduction of 60.7 million dollars.

It is anticipated that there would be little or no effect on the administrative costs of the individual income tax law.

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****	RETURNS	PERCENT
1	500	28,182	15.636	<i>Almost 100% S/B - 0 - Taxable Income</i>		
501	1,000	5,457	3.028			
1,001	1,500	5,117	2.839			
1,501	2,000	4,577	2.539			
2,001	2,500	4,383	2.432			
2,501	3,000	4,069	2.258			
3,001	3,500	3,827	2.123			
3,501	4,000	3,632	2.015			
4,001	4,500	3,477	1.929			
4,501	5,000	3,166	1.757	1	5,000	65,887 36.556
5,001	5,500	3,178	1.763			
5,501	6,000	2,983	1.655			
6,001	6,500	2,902	1.610			
6,501	7,000	2,932	1.627			
7,001	7,500	2,880	1.598			
7,501	8,000	2,921	1.621			
8,001	8,500	2,877	1.596			
8,501	9,000	2,813	1.561			
9,001	9,500	2,731	1.515			
9,501	10,000	2,662	1.477	5,001	10,000	28,879 16.023
10,001	10,500	2,689	1.492			
10,501	11,000	2,520	1.398			
11,001	11,500	2,390	1.326			
11,501	12,000	2,250	1.248			
12,001	12,500	2,091	1.160			
12,501	13,000	2,161	1.199			
13,001	13,500	2,084	1.156			
13,501	14,000	2,085	1.157			
14,001	14,500	2,082	1.155			
14,501	15,000	2,101	1.166	10,001	15,000	22,453 12.458
15,001	15,500	2,060	1.143			
15,501	16,000	1,964	1.090			
16,001	16,500	1,960	1.087			
16,501	17,000	1,914	1.062			
17,001	17,500	1,825	1.013			
17,501	18,000	1,975	1.096			
18,001	18,500	1,885	1.046			
18,501	19,000	1,789	.993			
19,001	19,500	1,708	.948			
19,501	20,000	1,669	.926	15,001	20,000	18,749 10.403
20,001	20,500	1,663	.923			
20,501	21,000	1,647	.914			
21,001	21,500	1,571	.872			
21,501	22,000	1,490	.827			
22,001	22,500	1,485	.824			
22,501	23,000	1,446	.802			
23,001	23,500	1,390	.771			
23,501	24,000	1,393	.773			
24,001	24,500	1,340	.743			
24,501	25,000	1,297	.720	20,001	25,000	14,722 8.168
25,001	25,500	1,295	.719			
25,501	26,000	1,188	.659			
26,001	26,500	1,173	.651			
26,501	27,000	1,166	.647			
27,001	27,500	1,058	.587			
27,501	28,000	1,074	.596			
28,001	28,500	1,014	.563			

43.3% single or married  
filing separately

RO1-04B-0002

COUNTS OF REFUNDS AND RECEIPTS IN 500 AND 5000 DOLLAR INCREMENTS OF TAXABLE INCOME FOR 1975

05/06/77

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****		RETURNS	PERCENT
28,501	29,000	1,004	.557				
29,001	29,500	907	.503				
29,501	30,000	968	.537	25,001	30,000	10,847	6.018
30,001	30,500	844	.468				
30,501	31,000	862	.478				
31,001	31,500	764	.424				
31,501	32,000	744	.413				
32,001	32,500	793	.440				
32,501	33,000	718	.398				
33,001	33,500	651	.361				
33,501	34,000	611	.339				
34,001	34,500	602	.334				
34,501	35,000	573	.318	30,001	35,000	7,162	3.974
35,001	35,500	548	.304				
35,501	36,000	534	.296				
36,001	36,500	507	.281				
36,501	37,000	489	.271				
37,001	37,500	442	.245				
37,501	38,000	422	.234				
38,001	38,500	385	.214				
38,501	39,000	395	.219				
39,001	39,500	371	.206				
39,501	40,000	345	.191	35,001	40,000	4,438	2.462
40,001	40,500	326	.181				
40,501	41,000	307	.170				
41,001	41,500	291	.161				
41,501	42,000	284	.158				
42,001	42,500	263	.146				
42,501	43,000	257	.143				
43,001	43,500	258	.143				
43,501	44,000	238	.132				
44,001	44,500	217	.120				
44,501	45,000	215	.119	40,001	45,000	2,656	1.474
45,001	45,500	184	.102				
45,501	46,000	183	.102				
46,001	46,500	182	.101				
46,501	47,000	159	.088				
47,001	47,500	146	.081				
47,501	48,000	153	.085				
48,001	48,500	155	.086				
48,501	49,000	130	.072				
49,001	49,500	134	.074				
49,501	50,000	157	.087	45,001	50,000	1,583	.878
50,001	50,500	132	.073				
50,501	51,000	120	.067				
51,001	51,500	99	.055				
51,501	52,000	103	.057				
52,001	52,500	68	.038				
52,501	53,000	83	.046				
53,001	53,500	94	.052				
53,501	54,000	73	.041				
54,001	54,500	68	.038				
54,501	55,000	63	.035	50,001	55,000	903	.501
55,001	55,500	83	.046				
55,501	56,000	57	.032				
56,001	56,500	52	.029				
56,501	57,000	52	.029				

\*\*\*\*\*RANGE\*\*\*\*\*

RETURNS PERCENT

\*\*\*\*\*RANGE\*\*\*\*\*

RETURNS PERCENT

57,001	57,500	50	.028				
57,501	58,000	43	.024				
58,001	58,500	59	.033				
58,501	59,000	37	.021				
59,001	59,500	37	.021				
59,501	60,000	63	.035	55,001	60,000	533	.296
60,001	60,500	39	.022				
60,501	61,000	27	.015				
61,001	61,500	32	.018				
61,501	62,000	36	.020				
62,001	62,500	35	.019				
62,501	63,000	43	.024				
63,001	63,500	40	.022				
63,501	64,000	25	.014				
64,001	64,500	26	.014				
64,501	65,000	23	.013	60,001	65,000	326	.181
65,001	65,500	39	.022				
65,501	66,000	28	.016				
66,001	66,500	33	.018				
66,501	67,000	25	.014				
67,001	67,500	27	.015				
67,501	68,000	13	.007				
68,001	68,500	16	.009				
68,501	69,000	18	.010				
69,001	69,500	19	.011				
69,501	70,000	15	.008	65,001	70,000	233	.129
70,001	70,500	25	.014				
70,501	71,000	15	.008				
71,001	71,500	20	.011				
71,501	72,000	19	.011				
72,001	72,500	15	.008				
72,501	73,000	17	.009				
73,001	73,500	10	.006				
73,501	74,000	13	.007				
74,001	74,500	11	.006				
74,501	75,000	15	.008	70,001	75,000	160	.089
75,001	75,500	13	.007				
75,501	76,000	13	.007				
76,001	76,500	9	.005				
76,501	77,000	15	.008				
77,001	77,500	8	.004				
77,501	78,000	13	.007				
78,001	78,500	11	.006				
78,501	79,000	8	.004				
79,001	79,500	11	.006				
79,501	80,000	5	.003	75,001	80,000	106	.059
80,001	80,500	11	.006				
80,501	81,000	6	.003				
81,001	81,500	4	.002				
81,501	82,000	3	.002				
82,001	82,500	11	.006				
82,501	83,000	9	.005				
83,001	83,500	13	.007				
83,501	84,000	10	.006				
84,001	84,500	6	.003				
84,501	85,000	3	.002	80,001	85,000	76	.042
85,001	85,500	6	.003				

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****		RETURNS	PERCENT
85,501	86,000	6	.003				
86,001	86,500	4	.002				
86,501	87,000	6	.003				
87,001	87,500	5	.003				
87,501	88,000	2	.001				
88,001	88,500	10	.006				
88,501	89,000	6	.003				
89,001	89,500	3	.002				
89,501	90,000	1	.006	85,001	90,000	59	.033
90,001	90,500	5	.003				
90,501	91,000	9	.005				
91,001	91,500	5	.003				
91,501	92,000	7	.004				
92,001	92,500	7	.004				
92,501	93,000	4	.002				
93,001	93,500	3	.002				
93,501	94,000	4	.002				
94,001	94,500	8	.004				
94,501	95,000	4	.002	90,001	95,000	56	.031
95,001	95,500	6	.003				
95,501	96,000	9	.005				
96,001	96,500	4	.002				
96,501	97,000	4	.002				
97,001	97,500	5	.003				
97,501	98,000	3	.002				
98,001	98,500	5	.003				
98,501	99,000	5	.003				
99,001	99,500	9	.005				
99,501	100,000	2	.001	95,001	100,000	52	.029
100,001	100,500	3	.002				
100,501	101,000	4	.002				
101,001	101,500	4	.002				
101,501	102,000	2	.001				
102,001	102,500	3	.002				
102,501	103,000	7	.004				
103,001	103,500	3	.002				
104,001	104,500	3	.002				
104,501	105,000	2	.001	100,001	105,000	31	.017
105,001	105,500	6	.003				
105,501	106,000	6	.003				
106,001	106,500	5	.003				
106,501	107,000	2	.001				
107,001	107,500	4	.002				
107,501	108,000	1	.001				
108,001	108,500	1	.001				
108,501	109,000	3	.002				
109,001	109,500	3	.002				
109,501	110,000	6	.003	105,001	110,000	37	.021
110,001	110,500	1	.001				
110,501	111,000	3	.002				
111,001	111,500	3	.002				
111,501	112,000	1	.001				
112,001	112,500	2	.001				
112,501	113,000	1	.001				
113,001	113,500	6	.003				
113,501	114,000	3	.002				
114,001	114,500	4	.002				

\*\*\*\*\*RANGE\*\*\*\*\* RETURNS PERCENT \*\*\*\*\*RANGE\*\*\*\*\* RETURNS PERCENT

14,501	15,500	4	.002	110,001	115,000	28	.016
15,501	16,000	5	.003				
16,001	16,500	5	.003				
17,001	17,500	4	.002				
18,001	18,500	1	.001				
18,501	19,000	3	.002				
19,001	19,500	4	.002				
19,501	20,000	2	.001	115,001	120,000	33	.018
20,001	20,500	1	.001				
20,501	21,000	0	.003				
21,001	21,500	1	.001				
21,501	22,000	1	.001				
22,001	22,500	3	.002				
22,501	23,000	2	.001				
23,001	23,500	3	.002				
23,501	24,000	4	.002				
24,001	24,500	4	.002	120,001	125,000	26	.014
24,501	25,000	2	.001				
25,001	25,500	2	.001				
25,501	26,000	3	.002				
26,001	26,500	1	.001				
27,001	27,500	1	.001				
28,001	28,500	1	.001				
28,501	29,000	5	.002				
29,001	29,500	2	.001	125,001	130,000	13	.007
29,501	30,000	1	.001				
30,001	30,500	1	.001				
30,501	31,000	3	.002				
31,001	31,500	2	.001				
31,501	32,000	2	.001				
32,001	32,500	1	.001				
32,501	33,000	2	.001				
33,001	33,500	1	.001				
33,501	34,000	2	.001				
34,001	34,500	2	.001				
34,501	35,000	2	.001	130,001	135,000	14	.008
35,001	35,500	2	.002				
35,501	36,000	2	.001				
36,001	36,500	1	.001				
36,501	37,000	1	.001				
37,001	37,500	4	.002				
37,501	38,000	1	.001				
38,001	38,500	1	.001				
39,001	39,500	1	.001				
40,001	40,500	2	.001	135,001	140,000	14	.008
40,501	41,000	1	.001				
41,001	41,500	2	.001				
41,501	42,000	1	.001				
42,001	42,500	3	.002				
42,501	43,000	1	.001				
43,001	43,500	3	.002				
43,501	44,000	1	.001				
44,001	44,500	1	.001				
44,501	45,000	3	.002				
45,001	45,500	1	.001	140,001	145,000	15	.008
45,501	46,000	1	.001				
46,001	46,500	3	.002				
46,501	47,000	4	.002				
47,001	47,500	1	.001				
47,501	48,000	4	.002				
48,001	48,500	1	.001				
48,501	49,000	1	.001				
49,001	49,500	1	.001	145,001	150,000	12	.007
49,501	50,000	1	.001				

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****		RETURNS	PERCENT
152,001	152,500	1	.001				
153,001	153,500	1	.001				
153,501	154,000	1	.001				
				150,001	155,000	4	.002
155,001	155,500	2	.001				
155,501	156,000	3	.002				
158,501	159,000	2	.001				
				155,001	160,000	7	.004
160,501	161,000	1	.001				
161,501	162,000	2	.001				
162,001	162,500	1	.001				
163,001	163,500	1	.001				
163,501	164,000	2	.001				
164,001	164,500	1	.001				
164,501	165,000	2	.001	160,001	165,000	10	.006
166,501	167,000	2	.001				
167,501	168,000	4	.002				
169,001	169,500	1	.001				
				165,001	170,000	7	.004
170,501	171,000	1	.001				
171,001	171,500	2	.001				
171,501	172,000	1	.001				
172,001	172,500	3	.002				
173,001	173,500	2	.001				
173,501	174,000	1	.001				
174,001	174,500	1	.001				
				170,001	175,000	11	.006
177,001	177,500	1	.001				
178,501	179,000	2	.001				
179,501	180,000	1	.001	175,001	180,000	4	.002
182,001	182,500	1	.001				
183,001	183,500	1	.001				
184,001	184,500	1	.001				
				180,001	185,000	3	.002
186,001	186,500	1	.001				
189,001	189,500	1	.001				
				185,001	190,000	2	.001
190,501	191,000	1	.001				
191,001	191,500	1	.001				
192,501	193,000	2	.001				
				190,001	195,000	4	.002
195,501	196,000	1	.001				
				195,001	200,000	1	.001
202,501	203,000	1	.001				
				200,001	205,000	1	.001
206,001	206,500	1	.001				
206,501	207,000	1	.001				
207,501	208,000	1	.001				
209,001	209,500	1	.001				
209,501	210,000	1	.001	205,001	210,000	5	.003
210,501	211,000	1	.001				
213,001	213,500	1	.001				
213,501	214,000	1	.001				
				210,001	215,000	3	.002
217,001	217,500	2	.001				
217,501	218,000	1	.001				
218,501	219,000	1	.001				

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****		RETURNS	PERCENT
219,501	220,000	1	.001	215,001	220,000	5	.003
222,001	222,500	1	.001	220,001	225,000	1	.001
225,501	226,000	1	.001	225,001	230,000	2	.001
229,501	230,000	1	.001	230,001	235,000	2	.001
230,001	230,500	1	.001	235,001	240,000	2	.001
231,001	231,500	1	.001	240,001	245,000	4	.002
238,501	239,000	1	.001	245,001	250,000	2	.001
239,501	240,000	1	.001	250,001	255,000	1	.001
242,001	242,500	1	.001	260,001	265,000	2	.001
243,001	243,500	1	.001	265,001	270,000	1	.001
243,501	244,000	1	.001	270,001	275,000	4	.002
244,501	245,000	1	.001	275,001	280,000	4	.002
246,001	246,500	1	.001	280,001	285,000	2	.001
249,001	249,500	1	.001	285,001	290,000	2	.001
252,501	253,000	1	.001	295,001	300,000	2	.001
260,001	260,500	1	.001	300,001	305,000	1	.001
260,501	261,000	1	.001	305,001	310,000	1	.001
267,001	267,500	1	.001	320,001	325,000	2	.001
272,001	272,500	2	.001	325,001	330,000	1	.001
272,501	273,000	1	.001	330,001	335,000	3	.002
274,001	274,500	1	.001	335,001	340,000	1	.001
275,001	275,500	1	.001				
275,501	276,000	1	.001				
279,001	279,500	1	.001				
279,501	280,000	1	.001				
280,001	280,500	1	.001				
282,001	282,500	1	.001				
285,001	285,500	1	.001				
285,501	286,000	1	.001				
298,501	299,000	1	.001				
299,001	299,500	1	.001				
301,501	302,000	1	.001				
308,001	308,500	1	.001				
320,501	321,000	1	.001				
323,001	323,500	1	.001				
328,501	329,000	1	.001				
330,001	330,500	1	.001				
332,001	332,500	1	.001				
333,501	334,000	1	.001				
337,501	338,000	1	.001				
352,001	352,500	1	.001				

*****RANGE*****		RETURNS	PERCENT	*****RANGE*****		RETURNS	PERCENT
357,501	358,000	1	.001	350,001	355,000	1	.001
377,501	378,000	1	.001	355,001	360,000	1	.001
386,501	387,000	1	.001	375,001	380,000	1	.001
393,001	393,500	1	.001	385,001	390,000	1	.001
397,501	398,000	1	.001	390,001	395,000	1	.001
410,501	411,000	1	.001	395,001	400,000	1	.001
411,501	412,000	1	.001	410,001	415,000	2	.001
424,501	425,000	1	.001	420,001	425,000	1	.001
426,501	427,000	1	.001	425,001	430,000	1	.001
483,501	484,000	1	.001	480,001	485,000	1	.001
492,501	493,000	1	.001	490,001	495,000	3	.002
493,501	494,000	1	.001	500,001	505,000	1	.001
494,501	495,000	1	.001	530,001	535,000	1	.001
502,001	502,500	1	.001	535,001	540,000	2	.001
534,001	534,500	1	.001	650,001	655,000	1	.001
537,501	538,000	1	.001	700,001	705,000	1	.001
539,501	540,000	1	.001	730,001	735,000	1	.001
651,501	652,000	1	.001	845,001	850,000	1	.001
702,501	703,000	1	.001	870,001	875,000	1	.001
734,501	735,000	1	.001	890,001	895,000	1	.001
847,501	848,000	1	.001				
871,501	872,000	1	.001				
892,001	892,500	1	.001				
TOTAL		180,234					

Introduced: 5/4/77  
Referred: Finance

BY FREEMAN, ANDERSON, AKERS,  
BENNETT, BRADLEY, BUCHHOLDT,  
CHATTERTON, DANKWORTH, DUNCAN,  
ELIASON, GARDINER, GUY, HAUGEN,  
HAYES, KELLY, LETHIN, MCKINNON,  
MALONE, MEEKINS, MILES, NAKAK,  
OSE, PARR, PHILLIPS, RHODE,  
SCHAEFFER, SMITH, SNIDER, SWANSON  
AND URION

1 IN THE HOUSE

2 HOUSE BILL NO. 523

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act reducing the tax rates on individuals and  
7 fiduciaries under the Alaska Net Income Tax Act; and  
8 providing for an effective date."

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

10 \* Section 1. AS 43.20.011(a), (b), and (c) are amended to read:

11 (a) There is imposed for each taxable year upon the taxable income  
12 of every resident, nonresident and part-year resident individual and  
13 fiduciary of the state, except those qualifying for the rates in (b) or  
14 (c) of this section, taxes computed according to the following table.

15 If the taxable income is:

Then the tax is:

16 Not over \$14,000 [\$2,000]

0 [3] per cent of the taxable  
income

17 [OVER \$2,000 BUT NOT OVER \$4,000

\$60 PLUS 3.5 PER CENT OF EXCESS  
OVER \$2,000

18 OVER \$4,000 BUT NOT OVER \$6,000

\$130 PLUS 4.0 PER CENT OF EX-  
CESS OVER \$4,000

19 OVER \$6,000 BUT NOT OVER \$8,000

\$210 PLUS 5.0 PER CENT OF EX-  
CESS OVER \$6,000

20 OVER \$8,000 BUT NOT OVER \$10,000

\$310 PLUS 5.5 PER CENT OF EX-  
CESS OVER \$8,000

21 OVER \$10,000 BUT NOT OVER

22 \$12,000

\$420 PLUS 6.0 PER CENT OF EX-  
CESS OVER \$10,000

23 OVER \$12,000 BUT NOT OVER

1	\$14,000	\$540 PLUS 7.0 PER CENT OF EX-
2		CESS OVER \$12,000]
3	Over \$14,000 but not over	
4	\$16,000	<u>\$10</u> [\$680] plus <u>6.5</u> [7.5] per
5		cent of excess over \$14,000
6	Over \$16,000 but not over	
7	\$18,000	<u>\$140</u> [\$830] plus <u>7.0</u> [8.0] per
8		cent of excess over \$16,000
9	Over \$18,000 but not over	
10	\$20,000	<u>\$280</u> [\$990] plus <u>7.5</u> [8.5] per
11		cent of excess over \$18,000
12	Over \$20,000 but not over	
13	\$22,000	<u>\$430</u> [\$1,160] plus <u>8.0</u> [9.0]
14		per cent of excess over \$20,000
15	Over \$22,000 but not over	
16	\$26,000	<u>\$590</u> [\$1,340] plus <u>8.5</u> [9.5]
17		per cent of excess over \$22,000
18	Over \$26,000 but not over	
19	\$32,000	<u>\$930</u> [\$1,720] plus <u>9.0</u> [10.0]
20		per cent of excess over \$26,000
21	Over \$32,000 but not over	
22	\$38,000	<u>\$1,470</u> [\$2,320] plus <u>9.5</u> [10.5]
23		per cent of excess over \$32,000
24	Over \$38,000 but not over	
25	\$44,000	<u>\$2,040</u> [\$2,950] plus <u>10.0</u> [11.0]
26		per cent of excess over \$38,000
27	Over \$44,000 but not over	
28	\$50,000	<u>\$2,640</u> [\$3,610] plus <u>11.0</u> [11.5]
29		per cent of excess over \$44,000

1	Over \$50,000 but not over	
2	\$60,000	<u>\$3,300</u> [\$4,300] plus 12.0 per
3		cent of excess over \$50,000
4	Over \$60,000 but not over	
5	\$70,000	<u>\$4,500</u> [\$5,500] plus 12.5 per
6		cent of excess over \$60,000
7	Over \$70,000 but not over	
8	\$80,000	<u>\$5,750</u> [\$6,750] plus 13.0 per
9		cent of excess over \$70,000
10	Over \$80,000 but not over	
11	\$90,000	<u>\$7,050</u> [\$8,050] plus 13.5 per
12		cent of excess over \$80,000
13	Over \$90,000 but not over	
14	\$100,000	<u>\$8,400</u> [\$9,400] plus 14.0 per
15		cent of excess over \$90,000
16	Over \$100,000 but not over	
17	\$150,000	<u>\$9,800</u> [\$10,800] plus 14.0 per
18		cent of excess over \$100,000
19	Over \$150,000 but not over	
20	\$200,000	<u>\$16,800</u> [\$17,800] plus 14.5 per
21		cent of excess over \$150,000
22	Over \$200,000	<u>\$24,050</u> [\$25,050] plus 14.5 per
23		cent of excess over \$200,000

24 (b) There is imposed for each taxable year upon the taxable income  
25 of every resident, nonresident and part-year resident married individual  
26 who makes a single return jointly with his spouse (as provided in sec-  
27 tion 6013 of the Internal Revenue Code) and upon every resident, non-  
28 resident and part-year resident surviving spouse (as defined in section  
29 2(a) of the Internal Revenue Code) taxes computed according to the

1 following table.

2 If the taxable income is:	Then the tax is:
3 Not over <u>\$28,000</u> [\$4,000]	<u>0</u> [3] per cent of the taxable
4	income
5 [OVER \$4,000 BUT NOT OVER \$8,000	\$120 PLUS 3.5 PER CENT OF EX-
6	CESS OVER \$4,000
7 OVER \$8,000 BUT NOT OVER \$12,000	\$260 PLUS 4.0 PER CENT OF EX-
8	CESS OVER \$8,000
9 OVER \$12,000 BUT NOT OVER	
10 \$16,000	\$420 PLUS 5.0 PER CENT OF EX-
11	CESS OVER \$12,000
12 OVER \$16,000 BUT NOT OVER	
13 \$20,000	\$620 PLUS 5.5 PER CENT OF EX-
14	CESS OVER \$16,000
15 OVER \$20,000 BUT NOT OVER	
16 \$24,000	\$840 PLUS 6.0 PER CENT OF EX-
17	CESS OVER \$20,000
18 OVER \$24,000 BUT NOT OVER	
19 \$28,000	\$1,080 PLUS 7.0 PER CENT OF EX-
20	CESS OVER \$24,000]
21 Over \$28,000 but not over	
22 \$32,000	<u>\$20</u> [\$1,360] plus <u>6.5</u> [7.5] per
23	cent of excess over \$28,000
24 Over \$32,000 but not over	
25 \$36,000	<u>\$280</u> [\$1,660] plus <u>7.0</u> [8.0] per
26	cent of excess over \$32,000
27 Over \$36,000 but not over	
28 \$40,000	<u>\$560</u> [\$1,980] plus <u>7.5</u> [8.5] per
29	cent of excess over \$36,000

1	Over \$40,000 but not over	
2	\$44,000	<u>\$860</u> [\$2,320] plus <u>8.0</u> [9.0]
3		per cent of excess over \$40,000
4	Over \$44,000 but not over	
5	\$52,000	<u>\$1,180</u> [\$2,680] plus <u>8.5</u> [9.5]
6		per cent of excess over \$44,000
7	Over \$52,000 but not over	
8	\$64,000	<u>\$1,860</u> [\$3,440] plus <u>9.0</u> [10.0]
9		per cent of excess over \$52,000
10	Over \$64,000 but not over	
11	\$76,000	<u>\$2,940</u> [\$4,640] plus <u>9.5</u> [10.5]
12		per cent of excess over \$64,000
13	Over \$76,000 but not over	
14	\$88,000	<u>\$4,080</u> [\$5,900] plus <u>10.0</u> [11.0]
15		per cent of excess over \$76,000
16	Over \$88,000 but not over	
17	\$100,000	<u>\$5,280</u> [\$7,220] plus <u>11.0</u> [11.5]
18		per cent of excess over \$88,000
19	Over \$100,000 but not over	
20	\$120,000	<u>\$6,600</u> [\$8,600] plus 12.0 per
21		cent of excess over \$100,000
22	Over \$120,000 but not over	
23	\$140,000	<u>\$9,000</u> [\$11,000] plus 12.5 per
24		cent of excess over \$120,000
25	Over \$140,000 but not over	
26	\$160,000	<u>\$11,500</u> [\$13,500] plus 13.0 per
27		cent of excess over \$140,000
28	Over \$160,000 but not over	
29	\$180,000	<u>\$14,100</u> [\$16,100] plus 13.5 per

		cent of excess over \$160,000
1		
2	Over \$180,000 but not over	
3	\$200,000	<u>\$16,800</u> [\$18,800] plus 14.0 per
4		cent of excess over \$180,000
5	Over \$200,000 but not over	
6	\$300,000	<u>\$19,600</u> [\$21,600] plus 14.0 per
7		cent of excess over \$200,000
8	Over \$300,000 but not over	
9	\$400,000	<u>\$33,600</u> [\$35,600] plus 14.5 per
10		cent of excess over \$300,000
11	Over \$400,000	<u>\$48,100</u> [\$50,100] plus 14.5 per
12		cent of excess over \$400,000

(c) There is imposed for each taxable year upon the taxable income of every resident, nonresident and part-year resident head of a household (as defined in section 2(b) of the Internal Revenue Code), taxes computed according to the following table.

If the taxable income is:	Then the tax is:
Not over <u>\$14,000</u> [\$2,000]	<u>0</u> [3] per cent of the taxable income
[OVER \$2,000 BUT NOT OVER \$4,000	\$60 PLUS 3.5 PER CENT OF EXCESS OVER \$2,000
OVER \$4,000 but not over \$6,000	\$130 PLUS 4.0 PER CENT OF EXCESS OVER \$4,000
OVER \$6,000 BUT NOT OVER \$8,000	\$210 PLUS 4.5 PER CENT OF EXCESS OVER \$6,000
OVER \$8,000 BUT NOT OVER \$10,000	\$300 PLUS 5.0 PER CENT OF EXCESS OVER \$8,000
OVER \$10,000 BUT NOT OVER \$12,000	\$400 PLUS 5.5 PER CENT OF EX-

1		CESS OVER \$10,000
2	OVER \$12,000 BUT NOT OVER	
3	\$14,000	\$510 PLUS 6.0 PER CENT OF EX-
4		CESS OVER \$12,000]
5	Over \$14,000 but not over	
6	\$16,000	<u>\$10</u> [\$630] plus <u>5.5</u> [6.5] per
7		cent of excess over \$14,000
8	Over \$16,000 but not over	
9	\$18,000	<u>\$120</u> [\$760] plus <u>6.0</u> [7.0] per
10		cent of excess over \$16,000
11	Over \$18,000 but not over	
12	\$20,000	<u>\$240</u> [\$900] plus <u>6.0</u> [7.0] per
13		cent of excess over \$18,000
14	Over \$20,000 but not over	
15	\$22,000	<u>\$360</u> [\$1,040] plus <u>6.5</u> [7.5]
16		per cent of excess over \$20,000
17	Over \$22,000 but not over	
18	\$24,000	<u>\$490</u> [\$1,190] plus <u>7.0</u> [8.0]
19		per cent of excess over \$22,000
20	Over \$24,000 but not over	
21	\$28,000	<u>\$630</u> [\$1,350] plus <u>7.5</u> [8.5]
22		per cent of excess over \$24,000
23	Over \$28,000 but not over	
24	\$32,000	<u>\$930</u> [\$1,690] plus <u>8.0</u> [9.0]
25		per cent of excess over \$28,000
26	Over \$32,000 but not over	
27	\$38,000	<u>\$1,250</u> [\$2,050] plus <u>8.5</u> [9.5]
28		per cent of excess over \$32,000
29	Over \$38,000 but not over	

1	\$44,000	<u>\$1,760</u> [\$2,430] plus <u>9.0</u> [10.0]
2		per cent of excess over \$38,000
3	Over \$44,000 but not over	
4	\$50,000	<u>\$2,300</u> [\$3,030] plus <u>10.0</u> [10.5]
5		per cent of excess over \$44,000
6	Over \$50,000 but not over	
7	\$60,000	<u>\$2,900</u> [\$3,660] plus <u>10.5</u> [11.0]
8		per cent of excess over \$50,000
9	Over \$60,000 but not over	
10	\$70,000	<u>\$3,950</u> [\$4,760] plus <u>11.0</u> [11.5]
11		per cent of excess over \$60,000
12	Over \$70,000 but not over	
13	\$80,000	<u>\$5,050</u> [\$5,910] plus <u>11.5</u> [12.0]
14		per cent of excess over \$70,000
15	Over \$80,000 but not over	
16	\$90,000	<u>\$6,200</u> [\$7,110] plus <u>12.0</u> [12.5]
17		per cent of excess over \$80,000
18	Over \$90,000 but not over	
19	\$100,000	<u>\$7,400</u> [\$8,360] plus <u>12.5</u> [13.0]
20		per cent of excess over \$90,000
21	Over \$100,000 but not over	
22	\$150,000	<u>\$8,650</u> [\$9,660] plus 13.5 per
23		cent of excess over \$100,000
24	Over \$150,000 but not over	
25	\$200,000	<u>\$15,400</u> [\$16,410] plus 14.0 per
26		cent of excess over \$150,000
27	Over \$200,000 but not over	
28	\$300,000	<u>\$22,400</u> [\$23,410] plus 14.5 per
29		cent of excess over \$200,000

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Over \$300,000

\$36,900 [\$37,910] plus 14.5 per  
cent of excess over \$300,000

\* Sec. 2. This Act applies to taxable years beginning after December 31,  
1977.

\* Sec. 3. This Act takes effect January 1, 1978.

#



JUNEAU ALASKA

## Alaska State Legislature

### MEMORANDUM

TO: Representative Oral Freeman  
House Finance Committee

FROM: Milt Barker <sup>MB</sup>  
Legislative Finance Division

SUBJECT: HB 523

The Department of Revenue indicates that a total of 180,234 tax returns were filed for calendar year 1975 and that 138,299, or 77% of these, had taxable incomes less than \$14,000 in the case of single people or less than \$28,000 in the case of marrieds.

Under current law, 28,128 or 16% of these tax returns had no liability for 1975 because taxable income was zero.

Mr. Jenkins in his fiscal note is saying that the number of additional people not paying any tax as a result of HB 523, 110,117 (138,299 minus 28,182) is 72% of all those who paid a tax, 152,052 (180,234 minus 28,182).

Attached is a distribution of the returns for 1975.

MBB:re  
Attachment

STATE  
of ALASKA

## MEMORANDUM

TO:  John R. Messenger  
Deputy Commissioner  
Department of Revenue

DATE : May 6, 1977

FROM: Gary L. Jenkins  
Director  
Audit Division

SUBJECT: House Bill No. 523

This bill would make a major reduction in the individual income tax rates. Based on the returns filed in 1975, 72 percent of individuals who paid a tax to the State of Alaska would not have a tax liability under the proposed law. After adjusting for the effect of the rate differentials, it is anticipated that this bill would reduce revenue from the individual income tax by 65 percent per year. For FY 78 this would mean a reduction of 60.7 million dollars.

It is anticipated that there would be little or no effect on the administrative costs of the individual income tax law.

What they're saying is that 72% of our tax payers have a taxable income of less than \$14,000, or, taxpayers with 14,000 or less are paying 72% of the state income tax.

I don't believe it - could we ask them to supply back up material, charts or whatever to substantiate this figure?

# COMMITTEE REPORT

5-4-77

## HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HB 523 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: 5/4/77  
Referred: Finance

4128  
reference

BY FREEMAN, ANDERSON, AKERS,  
BENNETT, BRADLEY, BUCHHOLDT,  
CHATTERTON, DANKWORTH, DUNCAN,  
ELIASON, GARDINER, GUY, HAUGEN,  
HAYES, KELLY, LETHIN, MCKINNON,  
MALONE, MEEKINS, MILES, NAKAK,  
OSE, PARR, PHILLIPS, RHODE,  
SCHAEFFER, SMITH, SNIDER, SWANSON  
AND URION

1 IN THE HOUSE

2 HOUSE BILL NO. 523

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act reducing the tax rates on individuals and  
7 fiduciaries under the Alaska Net Income Tax Act; and  
8 providing for an effective date."

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

10 \* Section 1. AS 43.20.011(a), (b), and (c) are amended to read:

11 (a) There is imposed for each taxable year upon the taxable income  
12 of every resident, nonresident and part-year resident individual and  
13 fiduciary of the state, except those qualifying for the rates in (b) or  
14 (c) of this section, taxes computed according to the following table.

15 If the taxable income is:

Then the tax is:

16 Not over \$14,000 [\$2,000]

0 [3] per cent of the taxable  
17 income

18 [OVER \$2,000 BUT NOT OVER \$4,000

\$60 PLUS 3.5 PER CENT OF EXCESS  
19 OVER \$2,000

20 OVER \$4,000 BUT NOT OVER \$6,000

\$130 PLUS 4.0 PER CENT OF EX-  
21 CESS OVER \$4,000

22 OVER \$6,000 BUT NOT OVER \$8,000

\$210 PLUS 5.0 PER CENT OF EX-  
23 CESS OVER \$6,000

24 OVER \$8,000 BUT NOT OVER \$10,000

\$310 PLUS 5.5 PER CENT OF EX-  
25 CESS OVER \$8,000

26 OVER \$10,000 BUT NOT OVER

27 \$12,000

\$420 PLUS 6.0 PER CENT OF EX-  
28 CESS OVER \$10,000

29 OVER \$12,000 BUT NOT OVER

1	\$14,000	\$540 PLUS 7.0 PER CENT OF EX-
2		CESS OVER \$12,000]
3	Over \$14,000 but not over	
4	\$16,000	<u>\$10</u> [\$680] plus <u>6.5</u> [7.5] per
5		cent of excess over \$14,000
6	Over \$16,000 but not over	
7	\$18,000	<u>\$140</u> [\$830] plus <u>7.0</u> [8.0] per
8		cent of excess over \$16,000
9	Over \$18,000 but not over	
10	\$20,000	<u>\$280</u> [\$990] plus <u>7.5</u> [8.5] per
11		cent of excess over \$18,000
12	Over \$20,000 but not over	
13	\$22,000	<u>\$430</u> [\$1,160] plus <u>8.0</u> [9.0]
14		per cent of excess over \$20,000
15	Over \$22,000 but not over	
16	\$26,000	<u>\$590</u> [\$1,340] plus <u>8.5</u> [9.5]
17		per cent of excess over \$22,000
18	Over \$26,000 but not over	
19	\$32,000	<u>\$930</u> [\$1,720] plus <u>9.0</u> [10.0]
20		per cent of excess over \$26,000
21	Over \$32,000 but not over	
22	\$38,000	<u>\$1,470</u> [\$2,320] plus <u>9.5</u> [10.5]
23		per cent of excess over \$32,000
24	Over \$38,000 but not over	
25	\$44,000	<u>\$2,040</u> [\$2,950] plus <u>10.0</u> [11.0]
26		per cent of excess over \$38,000
27	Over \$44,000 but not over	
28	\$50,000	<u>\$2,640</u> [\$3,610] plus <u>11.0</u> [11.5]
29		per cent of excess over \$44,000

1	Over \$50,000 but not over	
2	\$60,000	<u>\$3,300</u> [\$4,300] plus 12.0 per
3		cent of excess over \$50,000
4	Over \$60,000 but not over	
5	\$70,000	<u>\$4,500</u> [\$5,500] plus 12.5 per
6		cent of excess over \$60,000
7	Over \$70,000 but not over	
8	\$80,000	<u>\$5,750</u> [\$6,750] plus 13.0 per
9		cent of excess over \$70,000
10	Over \$80,000 but not over	
11	\$90,000	<u>\$7,050</u> [\$8,050] plus 13.5 per
12		cent of excess over \$80,000
13	Over \$90,000 but not over	
14	\$100,000	<u>\$8,400</u> [\$9,400] plus 14.0 per
15		cent of excess over \$90,000
16	Over \$100,000 but not over	
17	\$150,000	<u>\$9,800</u> [\$10,800] plus 14.0 per
18		cent of excess over \$100,000
19	Over \$150,000 but not over	
20	\$200,000	<u>\$16,800</u> [\$17,800] plus 14.5 per
21		cent of excess over \$150,000
22	Over \$200,000	<u>\$24,050</u> [\$25,050] plus 14.5 per
23		cent of excess over \$200,000

24 (b) There is imposed for each taxable year upon the taxable income  
25 of every resident, nonresident and part-year resident married individual  
26 who makes a single return jointly with his spouse (as provided in sec-  
27 tion 6013 of the Internal Revenue Code) and upon every resident, non-  
28 resident and part-year resident surviving spouse (as defined in section  
29 2(a) of the Internal Revenue Code) taxes computed according to the

1 following table.

2 If the taxable income is:

Then the tax is:

3 Not over \$28,000 [\$4,000]

0 [3] per cent of the taxable  
4 income

5 [OVER \$4,000 BUT NOT OVER \$8,000

\$120 PLUS 3.5 PER CENT OF EX-  
6 CESS OVER \$4,000

7 OVER \$8,000 BUT NOT OVER \$12,000

\$260 PLUS 4.0 PER CENT OF EX-  
8 CESS OVER \$8,000

9 OVER \$12,000 BUT NOT OVER

10 \$16,000

\$420 PLUS 5.0 PER CENT OF EX-  
11 CESS OVER \$12,000

12 OVER \$16,000 BUT NOT OVER

13 \$20,000

\$620 PLUS 5.5 PER CENT OF EX-  
14 CESS OVER \$16,000

15 OVER \$20,000 BUT NOT OVER

16 \$24,000

\$840 PLUS 6.0 PER CENT OF EX-  
17 CESS OVER \$20,000

18 OVER \$24,000 BUT NOT OVER

19 \$28,000

\$1,080 PLUS 7.0 PER CENT OF EX-  
20 CESS OVER \$24,000]

21 Over \$28,000 but not over

22 \$32,000

\$20 [\$1,360] plus 6.5 [7.5] per  
23 cent of excess over \$28,000

24 Over \$32,000 but not over

25 \$36,000

\$280 [\$1,660] plus 7.0 [8.0] per  
26 cent of excess over \$32,000

27 Over \$36,000 but not over

28 \$40,000

\$560 [\$1,980] plus 7.5 [8.5] per  
29 cent of excess over \$36,000