

LEG. FINANCE - BILLS 1977 - 1978 900

SB 110 thru SB 117 900



# RECORDS CERTIFICATION



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

  
\_\_\_\_\_  
Date

COMMITTEE REPORT  
SENATE

Date \_\_\_\_\_

Mr. President:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_  
under consideration. A majority of the members of the Committee

- recommends it to 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 \_\_\_\_\_ to pass
- (and) recommends it be referred to the \_\_\_\_\_  
committee
- reports it back without recommendation
- AND attached a report of its intent
- (other) \_\_\_\_\_

MEMBERS SIGNING THE MAJORITY REPORT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

\_\_\_\_\_  
Chairman

Introduced: 2/1/77  
Referred: Health, Education &  
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 110

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 the state Physical Therapy Board."

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

8 \* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

9 (21) State Physical Therapy Board.

10 \* Sec. 2. AS 08.04.010(a) is amended to read:

11 (a) There is created the state Physical Therapy Board, which  
12 consists of five members appointed by the governor. The membership  
13 consists of one physician licensed to practice medicine in the state,  
14 three physical therapists registered in the state, and one lay person.  
15 [THE MEMBERS SHALL BE SELECTED FROM A LIST OF 10 PERSONS WHICH SHALL  
16 BE SUBMITTED BY THE ALASKA CHAPTER OF THE AMERICAN PHYSICAL THERAPY  
17 ASSOCIATION.] Members of the board shall be appointed for terms of  
18 one, two and three years, respectively, all subsequent appointments  
19 shall be made for a term of three years and until their successors are  
20 appointed. [VACANCIES ON THE BOARD SHALL BE FILLED BY APPOINTMENT IN  
21 LIKE MANNER. BOARD MEMBERS ARE NOT ENTITLED TO A TRAVEL OR PER DIEM  
22 ALLOWANCE.]

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE  
REVISED

I. REQUEST

Bill/Resolution No. SB 110

Title An Act relating to travel and per diem allowances for the Physical Therapy board

Requested by Bob Schroeder, Legislative Fiscal Analyst Date March 9, 1977

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development

Program Category Affected Public Protection

Budget Request Unit(s) Affected Occupational Licensing

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0					
200 TRAVEL	0	2.9	3.2	3.5	3.8	4.2
300 CONTRACTUAL	0					
300 COMMODITIES	0					
500 EQUIPMENT	0					
600 LAND & STRUCTURES	0					
700 GRANTS, CLAIMS, ETC.	0					
<b>TOTAL</b>	<b>0</b>	<b>2.9</b>	<b>3.2</b>	<b>3.5</b>	<b>3.8</b>	<b>4.2</b>

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND	0	2.9	3.2	3.5	3.8	4.2
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

This is a five member board and it is estimated it will meet three times a year in different Alaskan communities. Past experience indicates average per diem days involved will be 1 1/2 per member per meeting. Average transportation costs assumed to be \$166. per person/trip. Average per diem costs assumed to be \$54.35. Inflation at 10%

TRANSPORTATION

5 members X 3 meetings = 15 trips  
 15 trips @ \$166 = \$2,490  
 less 30% for meeting  
 in members home town  
 (747)  
\$1,743

PER DIEM

5 members X 3 meetings X 1 1/2 days = 23 per diem days  
 23 days @ \$54.35 = \$1,250  
 less 10% for  
 absences = 125  
\$1,125

IV. DATE March 9, 1977

PREPARED BY Sharon Andrew

AGENCY Commerce & Economic Development

PHONE 465-2535

Original Legislative Finance

cc Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

Bill No. SB 110  
 An act relating to travel and per diem allowances for Physical Therapy Board  
 and the Physical Therapy Board  
 Date 1-26-77

II. FISCAL DEFICIT  
 Agency Affected: Commerce and Economic Development  
 Program Category: Public Protection  
 Budget Request: 3,000 Affected: Occupational Licensing

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	2.5	2.75	3.0	3.3	3.66
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>2.5</b>	<b>2.75</b>	<b>3.0</b>	<b>3.3</b>	<b>3.66</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	2.5	2.75	3.0	3.3	3.66
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify)	0	0	0	0	0	0

POSITIONS

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

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

*Handwritten signature*

IV. Date: January 26, 1977 PREPARED BY: ABRIL A. G. BLOOMER  
 AGENCY: Commerce and Economic Development  
 PHONE: 645-2933



ALASKA PHYSICAL THERAPY ASSOCIATION, INC.

A CHAPTER OF THE AMERICAN  
PHYSICAL THERAPY ASSOCIATION

C. Patricia McCabe, Pres.  
Alaska Chapter  
3710 E. 20 St.  
Anchorage, Alaska 99504

March 9, 1977

John Sackett, Chairman  
Senate Finance Committee  
Capitol Bldg. 423  
Juneau, AK. 99801

Re: Senate Bill No. 110

Dear Sir,

The following opinion represents the sentiments of the Alaska Physical Therapy Association.

We fully support Commissioner Langhioren A. Motley's opinion that "it is extremely difficult to find individuals who are willing to serve on a board without compensation for these expenses".

Presently, the lack of per diem and travel expenses for board members place an unreasonable demand on board members who must travel long distances, sacrifice wages, or close their own business for a day. For these reasons four out of five members are from the Anchorage area. Allowing for per diem and travel expenses would facilitate better geographic representation on the board.

In 1974 the Alaska Physical Therapy Association proposed Section 1 AS 08.01.010 and Section 2 AS 08.04.010 including "Board members are not entitled to a travel per diem allowance" to avoid any possible resistance to the amendments. At that time we were advised that a demand for increasing state expenses to support a new board would not have been accepted.

Thank you very much for your attention.

Sincerely,  
*C. Patricia McCabe*  
C. Patricia McCabe, Pres.

cc: Joe Orsini  
Chancy Croft

*B. Kelly  
March 10, 1977*

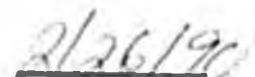


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\_\_\_\_\_  
Signature of Camera Operator

  
\_\_\_\_\_  
Date

# COMMITTEE REPORT

## HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_  
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with 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

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HC SSB 116  
Title An Act Relating to Unemployment Insurance  
Requested by Labor & Management Date May 23, 1977

II. FISCAL DETAIL

Agency Affected Fiscal  
Program Category Affected Social Services  
Budget Request Unit(s) Affected Employment Security Division

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78*	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	-0-	23.4	60.5	71.0	82.5	90.1
200 TRAVEL		.5	1.2	1.4	1.7	1.8
300 CONTRACTUAL		10.1	26.0	30.5	35.5	38.7
400 COMMODITIES		.9	2.4	2.8	2.9	3.6
500 EQUIPMENT		.5	1.2	1.4	1.7	1.8
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
100 BENEFITS		1,498.0	3,041.0	3,100.0	3,450.0	3,876.0
TOTAL	-0-	1,533.4	3,132.3	3,207.1	3,574.3	4,012.0

\* To be treated as revised program prior to January 1, 1978.

FUNDING (Thousands of Dollars)

	0	0*	2,432.8	2,480.0	2,760.0	3,100.8
GENERAL FUND						
FEDERAL FUNDS		1,533.4	395.4	427.1	469.3	523.6
OTHER (Specify)			304.1	310.0	345.0	387.6

\* Federal reimbursement for Benefits for first six months.

POSITIONS

	0	2.3*	2.8	3.1	3.4	3.5
FULL TIME						
PART TIME						
TEMPORARY						

\* For six months only.

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

POSITION ANALYSIS

Notes	Positions Required for	FY 78	FY 79	FY 80	FY 81	FY 82
1)	Initial Claim	0.3	0.4	0.4	0.5	0.5
2)	Weeks Claimed	0.4	0.5	0.5	0.6	0.6
3)	Normal Det	0.1	0.1	0.2	0.2	0.2
4)	Appeals	0.1	0.1	0.1	0.1	0.1
5)	Wage Record	0.7	1.0	1.1	1.2	1.2
6)	Covered EPS	0.6	0.6	0.6	0.6	0.7
7)	Support	0.1	0.1	0.2	0.2	0.2
	Total Positions	2.3**	2.8	3.1	3.4	3.5

\*\* For six months only

*Tom Haas by Judy Knight*

IV. DATE May 23, 1977 PREPARED BY Tom Haas, Finance Officer  
AGENCY Labor

Original Legislative Finance PHONE 465-2720  
cc. Budget and Management

Prime Sponsor (First Legislator Named)

Positions to be staffed as needed to meet workload from the following job classifications:

Note

- 1&2) Clerks II - IV, Benefit Specialist I & II, Benefit Assistants, Employment Security Specialists I
- 3) Benefit Specialists I & II
- 4) Appeal Referees
- 5) Key Punch Operators
- 6) Tax Auditor
- 7) Employment Security Specialist III

State Reimbursement for Benefit Payments:

Assumptions:

- (1) Costing for regular UI and Extended Benefits (EB); does not include program for federal workers (UCFE) or for ex-servicemen (UCX).
- (2) Economic assumptions include a slight increase over 1974-1976 period through 1982.
- (3) Coverage of state and local government workers beginning January 1, 1978 of 25,000 workers with state reimbursement beginning July 1, 1978.
- (4) Mid economic base on UI simulator model.
- (5) State coverage on a reimbursement basis.
- (6) No other changes in the ES law.
- (7) State IUR is one-half that of regular workers.
- (8) Includes full share of Extended Benefits payments.
- (9) UI coverage of state government workers would become effective January 1, 1978.
- (10) Wage growth equals 12%.
- (11) All costs of EB are new to state. SUA claimants were not qualified for that program.
- (12) Combined wages to qualify for benefits will add claimants in low earnings bracket. Example: State EB and regular previously covered.
- (13) Addition of short term PSE. Group with higher unemployment rate.
- (14) Projections of workload for new program are based on experience under SUA.

Non-Personal Services: (Travel, Contractual Services, etc.)

All non-personal services costs are determined on a percent/proportionate ratio as expressed in the original FY 1978 state budget request for the Unemployment Insurance Program for the Employment Security Division.

<u>Category</u>	<u>Administrative % of Personal Services</u>
Travel	2%
Contractual Services	43%
Commodities	4%
Equipment	2%

Personal Service dollars are based on an accumulative total of 6% per year of average annual cost of \$19,227 for FY 1977.

<u>Funding Analysis:</u>	<u>FY 78 (1)</u>	<u>FY 79 (2)</u>	<u>FY 80 (2)</u>	<u>FY 81 (2)</u>	<u>FY 82 (2)</u>
General Fund	-0-	<u>\$2,432.8</u>	<u>\$2,480.0</u>	<u>\$2,760.0</u>	<u>\$3,100.8</u>
Federal Funding					
Administrative Costs	\$ 35.4	91.3	107.1	124.3	136.0
Other Federal	<u>1,498.0</u>	<u>304.1</u>	<u>310.0</u>	<u>345.0</u>	<u>387.6</u>
Other State Funds		<u>304.1</u>	<u>310.0</u>	<u>345.0</u>	<u>387.6</u>
Total Funding	<u>1,533.4</u>	<u>3,132.3</u>	<u>3,207.1</u>	<u>3,574.3</u>	<u>4,012.0</u>

- (1) Federal Government will pay the cost of UI benefits for the first six (6) months. Appropriation of Federal Funds to be provided by revised program prior to January 1, 1978.
- (2) Funding for Benefit Reimbursement to be contained in individual agency BU's.

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HCSSB 116  
 Title An Act Relating to Unemployment Insurance  
 Requested by Labor & Management Date May 17, 1977

II. FISCAL DETAIL  
 Agency Affected Labor  
 Program Category Affected Social Services  
 Budget Request Unit(s) Affected Employment Security Division

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	-0-	1,848.6	3,846.8	4,002.3	4,479.2	5,021.0
200 TRAVEL		7.0	16.1	18.0	20.6	22.9
300 CONTRACTUAL		150.8	346.5	387.9	442.6	492.3
400 COMMODITIES		14.0	32.2	36.1	41.2	45.8
500 EQUIPMENT		7.0	16.1	18.0	20.6	22.9
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>*2,027.4</b>	<b>4,257.7</b>	<b>4,462.3</b>	<b>5,004.2</b>	<b>5,604.9</b>

\*To be treated as revised program prior to January, 1978.

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0*	2,432.8	2,480.0	2,760.0	3,100.8
FEDERAL FUNDS		2,027.4	1,504.9	1,692.4	1,899.1	2,116.5
OTHER (Specify)			304.1	310.0	345.0	387.6

\*For six months only.

POSITIONS

FULL TIME		34.4**	37.3	39.4	42.4	44.5
PART TIME						
TEMPORARY						

\*\*For six months only.

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

<u>Personal Services:</u>	FY 78	FY 79	FY 80	FY 81	FY 82
Program Administration	\$ 350.6	\$ 805.8	\$ 902.3	\$1,029.2	\$1,145.0
State Reimbursement for Benefit Payments	1,498.0*	3,041.0	3,100.0	3,450.0	3,876.0
	<u>\$1,848.6</u>	<u>\$3,846.8</u>	<u>\$4,002.3</u>	<u>\$4,479.2</u>	<u>\$5,021.0</u>

\*Federal Government will pay the cost of UI for first six months.

Program Administration:

Personal Service dollars are based on an accumulative total of 6% per year of average annual cost of \$19,227 for FY 1977.

IV. DATE May 17, 1977 PREPARED BY Tom Haas, Finance Officer  
 AGENCY Labor  
 PHONE 465-2720  
 Original Legislative Finance  
 cc Budget and Management  
 Prime Sponsor (First Legislator Named)

POSITION ANALYSIS

Note	Positions Required for	FY 78	FY 79	FY 80	FY 81	FY 82
1)	Initial Claim	10.9	12.1	13.4	14.5	15.3
2)	Weeks Claimed	14.6	15.9	16.2	17.3	18.2
3)	Nonmon Det	4.4	4.6	4.6	5.0	5.2
4)	Appeals	1.6	1.7	1.6	1.8	1.9
5)	Wage Records	0.7	1.0	1.1	1.2	1.2
6)	Covered ERS	0.6	0.6	0.6	0.6	0.7
7)	Support	1.6	1.4	1.9	2.0	2.1
	Total Positions	34.4**	37.3	39.4	40.4	44.5

\*\*For six months only.

Positions to be staffed as needed to meet workload from the following job classifications:

Note	
1&2)	Clerks II - IV, Benefit Specialist I & II, Benefit Assistants, Employment Security Specialists I
3)	Benefit Specialists I & II
4)	Appeal Referees
5)	Key Punch Operators
6)	Tax Auditor
7)	Employment Security Specialist III

State Reimbursement for Benefit Payments:

Assumptions:

- (1) Costing for regular UI and Extended Benefits (EB); does not include program for federal workers (UCFE) or for ex-servicemen (UCX).
- (2) Economic assumptions include a slight increase over 1974-1976 period through 1982.
- (3) Coverage of state and local government workers beginning January 1, 1978 of 25,000 workers with state reimbursement beginning July 1, 1978.
- (4) Mid economic base on UI simulator model.
- (5) State coverage on a reimbursement basis.
- (6) No other changes in the ES law.
- (7) State IUR is one-half that of regular workers.
- (8) Includes full share of Extended Benefits payments.
- (9) UI coverage of state government workers would become effective January 1, 1978.
- (10) Wage growth equals 12%.

Non-Personal Services: (Travel, Contractual Services, etc.)

All non-personal services costs are determined on a percent/proportionate ratio as expressed in the original FY 1978 state budget request for the Unemployment Insurance Program for the Employment Security Division.

Category	Administrative % of Personal Services
Travel	2%
Contractual Services	43%
Commodities	4%
Equipment	2%

Funding Analysis:	FY 78 (1)	FY 79 (2)	FY 80 (2)	FY 81 (2)	FY 82 (2)
General Fund	-0-	\$2,432.8	\$2,480.0	\$2,760.0	\$3,100.8
Federal Funding					
Administrative Costs	\$ 529.4	1,216.7	1,362.3	1,554.2	1,789.9
Other Federal	1,498.0	304.1	310.0	345.0	387.6
Other State Funds		304.1	310.0	345.0	387.6
Total Funding	2,027.4	4,257.7	4,462.3	5,004.2	5,604.9

- (1) Federal Government will pay the cost of UI benefits for the first six (6) months. Appropriation of Federal Funds to be provided by revised program prior to January 1, 1978.
- (2) Funding for Benefit Reimbursement to be contained in individual agency BRU's.

Introduced: 2/3/77  
Referred: Labor & Management

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE  
BY REQUEST

2 SENATE BILL NO. 116

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 employment security; and providing  
7 for an effective date."

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

9 \* Section 1. AS 23.20.526(a) is amended by adding a new paragraph to read:

10 (20) service performed by an individual on a boat engaged in  
11 catching fish or other forms of aquatic animal life under an arrangement  
12 with the owner or operator of that boat under which

13 (A) that individual does not receive any cash remunera-  
14 tion except as provided in (B) of this paragraph;

15 (B) that individual receives a share of the boat's (or  
16 the boats' in the case of a fishing operation involving more than  
17 one boat) catch of fish or other forms of aquatic animal life or  
18 a share of the proceeds from the sale of that catch; and

19 (C) the amount of that individual's share depends on the  
20 amount of the boat's (or the boats' in the case of a fishing opera-  
21 tion involving more than one boat) catch of fish or other forms of  
22 aquatic animal life, but only if the operating crew of that boat  
23 (or each boat from which the individual receives a share in the case  
24 of a fishing operation involving more than one boat) is normally  
25 made up of fewer than 10 individuals.

26 \* Sec. 2. AS 23.20.530(b) is amended by adding a new paragraph to read:

27 (11) the amount of payment made to an individual for services  
28 performed on a boat engaged in catching fish or other forms of aquatic  
29 animal life under an arrangement with the owner or operator of that boat

1 under which

2 (A) that individual does not receive any cash remunera-  
3 tion except as provided in (B) of this paragraph;

4 (B) that individual receives a share of the boat's (or  
5 the boats' in the case of a fishing operation involving more than  
6 one boat) catch of fish or other forms of aquatic animal life or a  
7 share of the proceeds from the sale of that catch; and

8 (C) the amount of that individual's share depends on  
9 the amount of the boat's (or the boats' in the case of a fishing  
10 operation involving more than one boat) catch of fish or other forms  
11 of aquatic animal life; but only if the operating crew of that boat  
12 (or each boat from which the individual receives a share in the case  
13 of a fishing operation involving more than one boat) is normally  
14 made up of fewer than 10 individuals.

15 \* Sec. 3. AS 23.20.515 is repealed.

16 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
17 070(e), except that sections 1 - 3 of this Act shall become inoperative and  
18 void if the United States Secretary of Labor, within 30 days after the  
19 effective date of this Act, finds that the provisions of this Act do not meet  
20 the requirements of section 1207(e) of the Tax Reform Act of 1976 (P.L. 94-455)  
21 and section 3306(c) of the Federal Unemployment Tax Act (26 U.S.C. 3306(c)).

Original sponsor: Judiciary Committee  
by request

Offered: 5/12/77  
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND  
MANAGEMENT COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 116

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 unemployment insurance; and pro-  
7 viding for an effective date."

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

9 \* Section 1. AS 23.20.085(c) is amended to read:

10 (c) For the purpose of this section, the terms "other state" and  
11 "another state" are considered as including any state or territory of  
12 the United States, the District of Columbia, the Commonwealth of Puerto  
13 Rico, the Virgin Islands, and Canada, and where applicable are con-  
14 sidered as including the federal government.

15 \* Sec. 2. AS 23.20.110 is amended by adding new subsections to read:

16 (c) Upon request of an agency of this or another state or of the  
17 federal government which administers or operates one or more programs  
18 of public assistance under either federal law or the law of this state,  
19 or which is charged with any duty or responsibility under any such pro-  
20 gram, and if that agency is required by law to impose safeguards for  
21 the confidentiality of information at least as effective as required  
22 under this section, the department shall provide, with respect to any  
23 named individual specified by the requesting agency, the following in-  
24 formation:

25 (1) whether the individual is receiving, has received, or has  
26 made application for unemployment compensation under this chapter;

27 (2) the period, if any, for which unemployment compensation  
28 was payable and the weekly rate of compensation paid;

29 (3) the individual's most recent address, and

1 (4) whether the individual has refused an offer of employ-  
2 ment, and, if so, the date of the refusal and a description of the  
3 employment refused, including duties, conditions of employment, and rate  
4 of pay.

5 (d) The department may require that an agency to which it provides  
6 information under this section reimburse the department for its costs of  
7 furnishing that information.

8 \* Sec. 3. AS 23.20.277(b) and (c) are amended to read:

9 (b) At the end of each calendar quarter, or at the end of any  
10 other period as determined by the department, the department shall bill  
11 each nonprofit organization, or group of nonprofit organizations, which  
12 has elected to make payments in place of contributions for an amount  
13 equal to the full amount of regular benefits plus one-half of the amount  
14 of extended benefits and in the case of a government entity which has  
15 elected to make payments under this section an amount equal to the full  
16 amount of the regular benefits plus the full amount of the extended  
17 benefits paid during the quarter or other prescribed period that is  
18 attributable to service in the employ of the nonprofit organization.

19 (c) At the end of each taxable year, the department shall deter-  
20 mine whether the total of payments for the year made by a nonprofit  
21 organization is less than, or in excess of, the total amount of regular  
22 benefits plus one-half of the amount of extended benefits paid to indi-  
23 viduals during the taxable year based on wages attributable to service  
24 in the employ of the nonprofit organization; and in the case of a  
25 government entity who has elected to make payments under this section,  
26 whether the total of payments for the year is less than, or in excess of  
27 the total amount of regular benefits plus the total amount of extended  
28 benefits as determined in this subsection. Each [NONPROFIT] organization  
29 whose total payments for the taxable year are less than the amount so

1 determined is liable for payment of the unpaid balance to the fund in  
2 accordance with (f) of this section. If the total payments exceed the  
3 amount so determined for the taxable year, all or part of the excess  
4 may, at the discretion of the department, be refunded from the fund or  
5 retained in the fund as part of the payments which may be required for  
6 the next taxable year.

- 7 • Sec. 4. AS 23.20.278 is amended to read

8       Sec. 23.20.278. FINANCING BENEFITS PAID TO EMPLOYEES OF THE STATE  
9 AND ITS POLITICAL SUBDIVISIONS (STATE HOSPITALS AND INSTITUTIONS OF  
10 HIGHER EDUCATION)]. A political subdivision of a department, division,  
11 or other agency of the [THE] state [OR AN INSTRUMENTALITY OF THE STATE]  
12 subject to this chapter, under sec. 23.20.14) and (14) of this chapter,  
13 shall pay contributions under the provisions of sec. 263 of this chapter  
14 unless it elects to reimburse the department for the unemployment com-  
15 pensation fund according to the provisions applicable to nonprofit  
16 organizations under secs. 276 and 280.277 of this chapter.

- 17 • Sec. 5. AS 23.30.125(a) is amended to read

18       (a) A service performed for an employing unit [ INCLUDING STATE  
19 DEPARTMENTS AND AGENCIES, SUBDIVISIONS, OR OTHER POLITICAL SUBDIVI-  
20 SIONS OF THE STATE,] which is included under the definition of employ-  
21 ment, and with respect to which no payments are required under the  
22 employment security law of another state or of the federal government,  
23 is considered employment for all purposes of this chapter if the depart-  
24 ment approves a written election to that effect filed by the employing  
25 unit for which the service is performed, as of the date stated in the  
26 approval. The department may not approve an election unless it (1)  
27 includes all the service of the type specified in each establishment or  
28 place of business for which the election is made, and (2) is made for  
29 not less than two calendar years.

\* Sec. 6. AS 23.20.375(c) is amended to read:

(c) Benefits based on service in employment defined in sec. 525(n)(4), (5), [AND] (6) and (14) of this chapter are payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this chapter; except that, effective January 1, 1978, benefits based on service in an instructional, research or principal administrative capacity for an educational institution [IN AN INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SEC. 520 OF THIS CHAPTER] may not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs services in the first of those academic years or terms and if there is a contract or reasonable assurance that the individual will perform services in the same or a similar capacity for any educational institution in the second of those academic years or terms [HAS A CONTRACT OR CONTRACTS TO PERFORM SERVICES IN ANY SUCH CAPACITY FOR ANY INSTITUTION OR INSTITUTIONS OF HIGHER EDUCATION FOR BOTH THE ACADEMIC YEARS OR BOTH TERMS].

\* Sec. 7. AS 23.20 is amended by adding a new section to read

Sec. 23.20.381. OTHER DISQUALIFICATIONS. (a) Benefits are not payable to any individual on the basis of any services, substantially all of which consist of participation in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive seasons or similar periods of that sport or athletic event if that individual performed the services in the first of those seasons or similar periods and there is a reasonable assurance that the individual will perform the same or similar

services in the second of those seasons or similar periods.

(b) Benefits are not payable on the basis of services performed by an alien unless that alien is an individual who has been lawfully admitted for permanent residence or otherwise is permanently residing in the United States under color of law, including an alien who is lawfully present in the United States as a result of the application of the provisions of sec. 203(a)(7) or sec. 212(d)(5) of the Immigration and Nationality Act, 8 U.S.C. 1153, 8 U.S.C. 1182.

(c) Benefits may not be refused under (b) of this section unless any data or information required of individuals to determine whether benefits are not payable to them because of their alien status is uniformly required of all applicants for benefits and, in the case of individuals whose applications for benefits would otherwise be approved, determinations that benefits to those individuals are not payable because of their alien status are made only upon a preponderance of the evidence in the record.

(d) Notwithstanding the provisions of (b) or (c) of this section, any other conditions which may be required under any amendments to 26 U.S.C. 3304(a)(14) for allowing or denying benefits to aliens as a condition of approval of the unemployment insurance laws of this state under 26 U.S.C. 3304 shall be applied in determining eligibility for benefits under this chapter, commencing on the date on which those conditions are required by federal law to be in effect.

\* Sec. 8. AS 23.20.608(d) is repealed and re-enacted to read:

(d) There is a national "on" indicator for a week if, for the period consisting of that week and the immediately preceding 12 weeks, the rate of insured unemployment, seasonally adjusted for all states, as determined by the United States Secretary of Labor by reference to the average monthly covered employment for the first four of the most

1 recent six calendar quarters ending before the close of the period,  
2 equaled or exceeded 4.5 per cent.

3 \* Sec. 9. AS 23.20.408(e) is repealed and re-enacted to read:

4 (e) There is a national "off" indicator for a week if, for the  
5 period consisting of that week and the immediately preceding 12 weeks,  
6 the rate of insured unemployment, seasonally adjusted for all states, as  
7 determined by the United States Secretary of Labor by reference to the  
8 average monthly covered employment for the first four of the most  
9 recent six calendar quarters ending before the close of the period, was  
10 less than 4.5 per cent.

11 \* Sec. 10. AS 23.20.408(f) is repealed and re-enacted to read:

12 (f) There is a state "on" indicator for a week if the rate of  
13 insured unemployment under this chapter for the period consisting of  
14 that week and the immediately preceding 12 weeks either:

15 (1) equaled or exceeded 120 per cent of the average rate of  
16 insured unemployment for the corresponding 13-week period in each of the  
17 preceding two calendar years and equaled or exceeded four per cent; or

18 (2) equaled or exceeded five per cent.

19 \* Sec. 11. AS 23.20.408(g) is repealed and re-enacted to read:

20 (g) There is a state "off" indicator for a week if neither (f)(1)  
21 nor (f)(2) of this section is satisfied.

22 \* Sec. 12. AS 23.20.409(5)(A) is amended to read:

23 (A) has no right to unemployment benefits or allowances,  
24 as the case may be, under the Railroad Unemployment Insurance Act  
25 [THE TRADE EXPANSION ACT OF 1962, THE AUTOMOTIVE PRODUCTS TRADE  
26 ACT OF 1965.] or under other federal laws which are specified in  
27 regulations issued by the United States Secretary of Labor and has  
28 not received and is not seeking unemployment benefits under the  
29 unemployment compensation law [OF THE VIRGIN ISLANDS OR] of Canada,

but if he is seeking these benefits and the appropriate agency finally determines that he is not entitled to benefits under that law he is considered an exhaustee; and either

\* Sec. 13. AS 23.20.520(12) is amended to read:

(12) "employing unit" means one or more departments or other agencies of the state, a political subdivision of the state, an individual, or a type of organization, partnership, association, trust, estate, joint trust company, insurance company, or domestic or foreign corporation, or the receiver, referee in bankruptcy, trustee, or successor of one of these, or the legal representative of a deceased person, which has or subsequent to January 1, 1937, had one or more individuals performing service for it within the state; an individual performing services inside the state for an employing unit which maintains two or more separate establishments inside the state is considered as employed by a single employing unit for the purposes of this chapter. notwithstanding any provision in this chapter, any employing unit which employs individuals whose services must be covered by the unemployment insurance laws of this state after December 31, 1971 as a condition of approval of the unemployment insurance laws of this state under sec. 3304(a) of the U.S. Internal Revenue Code of 1954, as amended, will be considered an employer as to those individuals and is subject to contributions on all wages paid after December 31, 1971, or reimbursement payments to cover benefits paid based on services performed after December 31, 1971, depending on the applicable law.

\* Sec. 14. AS 23.20.520(19) is amended to read

(19) "state" includes the states of the United States of America, the District of Columbia, (AND) the Commonwealth of Puerto Rico, and the Virgin Islands.

\* Sec. 15. AS 23.20.520(4)(4) is amended to read

1 (4) service performed after December 31, 1971 and through  
2 December 31, 1977 by an individual in the employ of this state or any  
3 instrumentality of this state, or in the employ of this state and one  
4 or more states or their instrumentalities, for a hospital or institution  
5 of higher education in this state (except service described in sec.  
6 526(d) of this chapter) if the service is excluded from the term "employ-  
7 ment" solely by reason of sec. 3306(c)(7) of the Federal Unemployment  
8 Tax Act;

9 \* Sec. 16. AS 23.20.525(a)(5) is amended to read:

10 (5) service performed before January 1, 1978 in the employ of  
11 a political subdivision of this state or a wholly owned instrumentality  
12 of a political subdivision of this state, if coverage was [IS] elected  
13 under sec. 325 or sec. 326 of this chapter;

14 \* Sec. 17. AS 23.20.525(a)(7) is amended to read:

15 (7) service of an individual who is a citizen of the United  
16 States, performed outside the United States (except in Canada [OR THE  
17 VIRGIN ISLANDS]), after December 31, 1971 in the employ of an American  
18 employer, or of this state or of any of its instrumentalities or any of  
19 its political subdivisions, (other than service which is considered  
20 "employment" under the provisions of (11) or (12) of this subsection or  
21 the parallel provisions of the law of another state), if

22 (A) the employer's principal place of business in the  
23 United States is located in this state; or

24 (B) the employer has no place of business in the United  
25 States, but

26 (i) the employer is an individual who is a resident  
27 of this state; or

28 (ii) the employer is a corporation which is organ-  
29 ized under the laws of this state; or

1 (11) the employer is a partnership or a trust and  
2 the number of the partners or trustees who are residents of  
3 this state is greater than the number who are residents of any  
4 one other state; or

5 (C) none of the criteria in (A) and (B) of this para-  
6 graph is met but the employer has elected coverage in this state  
7 or, the employer having failed to elect coverage in any state, the  
8 individual has filed a claim for benefits, based on service de-  
9 scribed in this paragraph, under the law of this state;

10 \* Sec. 18. AS 23.20.525(a) is amended by adding new paragraphs to read:

11 (14) service performed after December 31, 1977 in the employ  
12 of this state or any of its instrumentalities or any political sub-  
13 division of this state or any of its instrumentalities or any instru-  
14 mentality of any of the foregoing and one or more other states or  
15 political subdivisions, if that service is excluded from "employment" as  
16 defined in section 3306(c)(7) of the Federal Unemployment Tax Act and is  
17 not excluded from "employment" under sec. 526(d)(B) of this chapter;

18 (15) domestic services performed after December 31, 1977 for  
19 an employer who paid wages of \$1,000 or more in any calendar quarter in  
20 the current or preceding calendar year for those services;

21 (16) service performed after December 31, 1977 by an indivi-  
22 dual in agricultural labor when that service is performed for a person  
23 who.

24 (A) during any calendar quarter in either the current or  
25 the preceding year paid remuneration in cash of \$20,000 or more to  
26 individuals employed in agricultural labor, or

27 (B) employed in agricultural labor 10 or more indivi-  
28 duals for some portion of the day in each of at least 20 different  
29 calendar weeks in either the current or the preceding calendar  
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year, whether or not the weeks were consecutive, and regardless of whether the individuals were employed at the same moment of time;

(C) for the purposes of this paragraph any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of that crew leader

(i) if that crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963, or substantially all the members of that crew operate or maintain tractors, mechanized harvesting or crop-dusting equipment, or any other mechanized equipment, which is provided by that crew leader; and

(ii) if that individual is not an employee of that other person within the meaning of (A) of this paragraph;

(D) for the purposes of this paragraph, in the case of an individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of that crew leader under (C) of this paragraph,

(i) that other person and not the crew leader shall be treated as the employer of that individual; and

(ii) that other person shall be treated as having paid cash remuneration to that individual in an amount equal to the amount of cash remuneration paid to that individual by the crew leader (either on his own behalf or on behalf of that other person) for the service in agricultural labor performed for that other person;

(E) for the purposes of this paragraph, the term "crew leader" means an individual who

(i) furnishes individuals to perform service in

1 agricultural labor for any other person;

2 (ii) pays (either on his own behalf or on behalf of  
3 that other person) the individuals so furnished by him for the  
4 service in agricultural labor performed by them; and

5 (iii) has not entered into a written agreement with  
6 that farm operator under which the agricultural worker is  
7 designated as an employee of that farm operator.

8 \* Sec. 19. AS 23.20.526(a)(1) is amended to read:

9 (1) domestic service in a private home, except as provided in  
10 sec. 525(a)(15) of this chapter;

11 \* Sec. 20. AS 23.20.526(a)(15) is amended to read:

12 (15) service performed by an individual in agricultural  
13 labor, except as provided in sec. 525(a)(16) of this chapter; the term  
14 "agricultural labor" means remunerated service

15 (A) on a farm, in the employ of any person in connection  
16 with cultivating the soil, or in connection with raising or har-  
17 vesting any agricultural or horticultural commodity, including the  
18 raising, shearing, feeding, caring for, training, and management of  
19 livestock, bees, poultry, and fur-bearing animals and wildlife;

20 (B) in the employ of the owner or tenant or other oper-  
21 ator of a farm, in connection with the operation, management,  
22 conservation, improvement, or maintenance of the farm and its tools  
23 and equipment, or in salvaging timber or clearing land of brush and  
24 other debris left by a hurricane, if the major part of the service  
25 is performed on a farm;

26 (C) in connection with the production or harvesting of  
27 any commodity defined as an agricultural commodity in sec. 15(g) of  
28 the Agricultural Marketing Act, as amended (46 Stat. 1550, sec. 5;  
29 12 U.S.C. 1141j), or in connection with the operation or  
30

1 maintenance of ditches, canals, reservoirs, or waterways, not owned  
2 or operated for profit, used exclusively for supplying and storing  
3 water for farming purposes;

4 (D) in the employ of the operator of a farm in handling,  
5 planting, drying, packing, packaging, processing, freezing, grad-  
6 ing, storing or delivering to storage or to market or to a carrier  
7 for transportation to market, in its unmanufactured state, any  
8 agricultural or horticultural commodity; but only if the operator  
9 produced more than one-half of the commodity with respect to which  
10 the service is performed except as stated in (b) of this section;

11 (E) in the employ of a group of operators of farms (or  
12 a cooperative organization of which the operators are members) in  
13 the performance of service described in (D) of this paragraph, but  
14 only if the operators produced more than one-half of the commodity  
15 with respect to which the service is performed;

16 (F) on a farm operated for profit if the service is not  
17 in the course of the employer's trade or business [OR IS DOMESTIC  
18 SERVICE IN A PRIVATE HOME OF THE EMPLOYER].

19 \* Sec. 21. AS 23.20.526(d) is amended to read:

20 (d) For the purposes of sec. 525(a)(4), (5), (6) and (14)  
21 of this chapter, the term "employment" does not apply to service per-  
22 formed

23 (1) by a duly ordained, commissioned, or licensed minister of  
24 a church in the exercise of his ministry or by a member of a religious  
25 order in the exercise of duties required by the order;

26 (2) in a facility conducted for the purpose of carrying out  
27 a program of rehabilitation for individuals whose earning capacity is  
28 impaired by age or physical or mental deficiency or injury or providing  
29 remunerative work for individuals who, because of their impaired physi-  
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1 cal or mental capacity, cannot be readily absorbed in the competitive  
2 labor market by an individual receiving the rehabilitation or remuner-  
3 ative work;

4 (3) as part of an unemployment work-relief or work-training  
5 program assisted or financed in whole or in part by any federal agency  
6 or any agency of a state or political subdivision thereof, by an indivi-  
7 dual receiving work relief or work training;

8 (4) for a state hospital by an inmate of a prison or correc-  
9 tional institution;

10 (5) in the employ of a school, college, or university, if the  
11 service is performed by a student who is enrolled and is regularly  
12 attending classes at the school, college or university;

13 (6) by an individual under the age of 22 who is enrolled at  
14 a nonprofit or public educational institution which normally maintains  
15 a regular faculty and curriculum and normally has a regularly organized  
16 body of students in attendance at the place where its educational  
17 activities are carried on as a student in a full-time program, taken for  
18 credit at the institution, which combines academic instruction with work  
19 experience, if the service is an integral part of the program, and the  
20 institution has so certified to the employer, except that this paragraph  
21 does not apply to service performed in a program established for or on  
22 behalf of an employer or group of employers;

23 (7) in the employ of a hospital, if the service is performed  
24 by a patient of a hospital, as defined in sec. 520 of this chapter.

25 \* Sec. 22. AS 23.20.526(d) is amended by adding a new paragraph to read:

26 (8) in the employ of the state or a political subdivision of  
27 the state if the service is performed by an individual in the exercise  
28 of duties:

29 (A) as a "public official" as defined in AS 39.50.200(1)

1 or any other elected official;

2 (B) as a member of the Alaska Army National Guard or  
3 Alaska Air National Guard or Alaska Naval Militia; or

4 (C) as an employee serving on only a temporary basis in  
5 case of fire, storm, snow, earthquake, flood, or similar emergency.

6 \* Sec. 23. AS 23.20.526(a) is amended by adding a new paragraph to read:

7 (20) service performed by an individual on a boat engaged in  
8 catching fish or other forms of aquatic animal life under an arrangement  
9 with the owner or operator of that boat under which

10 (A) that individual does not receive any cash remunera-  
11 tion except as provided in (B) of this paragraph;

12 (B) that individual receives a share of the boat's (or  
13 the boats' in the case of a fishing operation involving more than  
14 one boat) catch of fish or other forms of aquatic animal life or a  
15 share of the proceeds from the sale of that catch; and

16 (C) the amount of that individual's share depends on the  
17 amount of the boat's (or the boats' in the case of a fishing opera-  
18 tion involving more than one boat) catch of fish or other forms of  
19 aquatic animal life; but only if the operating crew of that boat  
20 (or each boat from which the individual receives a share in the  
21 case of a fishing operation involving more than one boat) is nor-  
22 mally made up of fewer than 10 individuals.

23 \* Sec. 24. AS 23.20.530(b) is amended by adding a new paragraph to read:

24 (11) the amount of payment made to an individual for services  
25 performed on a boat engaged in catching fish or other forms of aquatic  
26 animal life under an arrangement with the owner or operator of that boat  
27 under which

28 (A) that individual does not receive any cash remunera-  
29 tion except as provided in (B) of this paragraph;

1 (B) that individual receives a share of the boat's (or  
2 the boats' in the case of a fishing operation involving more than  
3 one boat) catch of fish or other forms of aquatic animal life or a  
4 share of the proceeds from the sale of that catch; and

5 (C) the amount of that individual's share depends on the  
6 amount of the boat's (or the boats' in the case of a fishing  
7 operation involving more than one boat) catch of fish or other  
8 forms of aquatic animal life; but only if the operating crew of  
9 that boat (or each boat from which the individual receives a share  
10 in the case of a fishing operation involving more than one boat) is  
11 normally made up of fewer than 10 individuals.

12 \* Sec. 25. The following laws are repealed: AS 23.20.012, 23.20.015,  
13 23.20.326, 23.20.408(c), and 23.20.526(a)(16) and (18).

14 \* Sec. 26. AS 23.20.515 is repealed.

15 \* Sec. 27. (a) Notwithstanding the provisions of AS 23.20.350, benefits  
16 may be paid to an individual after December 31, 1977 on wages earned by that  
17 individual in a category of employment which was not covered under AS 23.20  
18 at any time during calendar year 1975 and which was service which is covered  
19 under AS 23.20, effective January 1, 1978, as the result of enactment of sec.  
20 19 of this Act.

21 (b) An employing unit which elects to make payments in place of contri-  
22 butions as provided in AS 23.20.278, as enacted by sec. 3 of this Act, is not  
23 liable to make those payments with respect to benefits paid to an individual  
24 as a result of the operation of (a) of this section to the extent that the  
25 unemployment compensation fund is reimbursed for those benefits under sec.  
26 121 of P. L. 94-566.

27 \* Sec. 28. Sections 8 and 9 of this Act take effect immediately in accor-  
28 dance with AS 01.10.070(c) and are retroactive to December 31, 1976.

29 \* Sec. 29. Sections 10 and 11 of this Act take effect immediately in

accordance with AS 01.10.070(c) and are retroactive to March 30, 1977.

\* Sec. 30. Sections 1, 12, 14 and 17 of this Act take effect on the day after the day on which the United States Secretary of Labor approves for the first time under 26 U.S.C. 3304(a) an unemployment compensation law submitted to him by the Virgin Islands.

\* Sec. 31. Sections 2 - 7, 13, 18 - 22, and 25 of this Act take effect on January 1, 1978.

\* Sec. 32. Sections 4, 5, 13, 15, 16, 21 and 22 of this Act, AS 23.20.525(a)(14) as enacted by sec. 18 of this Act and the repeal of AS 23.20.526(a)(16) and (18) enacted in sec. 25 of this Act are suspended for the period in which an injunction issued by a federal court of competent jurisdiction prohibiting the enforcement of 26 U.S.C. 3304(a)(6) remains in effect.

\* Sec. 33. Sections 4, 5, 13, 15, 16, 21 and 22 of this Act, AS 23.20.525(a)(14) as enacted in sec. 18 of this Act, and the repeal of AS 23.20.526(a)(16) and (18) enacted in sec. 25 of this Act are repealed and the language of AS 23.20.278, 23.20.325(a), 23.20.520(12), 23.20.525(a)(4), (5), and (14), 23.20.526(a)(16) and (18) and 23.20.526(d), as it existed before January 1, 1978, is revived.

\* Sec. 34. Section 33 of this Act takes effect upon the condition and at the time that:

(1) a decision of a federal court of competent jurisdiction, which decision is not subject to appeal or for which the time in which to appeal has run without an appeal having been taken, that the requirement of 26 U.S.C. 3304(a)(6) is unconstitutional becomes final, or

(2) Congressional repeal of 26 U.S.C. 3304(a)(6) takes effect in accordance with law.

\* Sec. 35. Sections 23, 24, and 26 of this Act take effect immediately in accordance with AS 01.10.070(c) and are retroactive to April 1, 1977, except that secs. 23, 24 and 26 of this Act shall become inoperative and void if the

1 United States Secretary of Labor, within 30 days after the effective date of  
2 this Act, finds that the provisions of this Act do not meet the requirements  
3 of section 1207(e) of the Tax Reform Act of 1976 (P.L. 94-455) and section  
4 3306(c) of the Federal Unemployment Tax Act (26 U.S.C. 3306(c)).

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U. S. DEPARTMENT OF LABOR

Alaska Dept. of Labor

EMPLOYMENT AND TRAINING ADMINISTRATION

RECEIVED

NORTHWEST REGION

MAY 10 1977

Rep. Fred Brown

May 5, 1977

Reply to  
Attn of: U(UNI 11-1)


Mr. Russell D. Molt  
Director  
Employment Security Division  
Department of Labor  
P. O. Box 3-7000  
Juneau, AK 99811

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SEATTLE, WA 98101  
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EXECUTIVE DIRECTOR

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7000 FEDERAL OFFICE BLDG  
EMPLOYMENT SECURITY DIVISION  
JUNEAU



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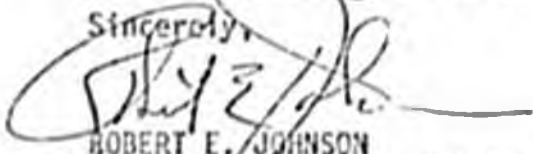
Dear Mr. Molt:

Considerable confusion has been generated in recent months with respect to the coverage of fishermen under unemployment insurance laws. The dilemma arose as a result of the enactment of P.L. 94-445 which excluded some fishermen from the Federal Insurance Contribution Act (FICA). The FICA, of course, is the tax relating to old-age survivors and disability insurance. No comparable amendment was made to the definition of employment in sec. 3306(c)(17) of the Federal Unemployment Tax Act (FUTA). Accordingly, there is no change in the status of fishermen with respect to liability for FUTA coverage.

I am enclosing for your information a xerox copy of some pages extracted from a Commerce Clearing House revision dated April 22, 1977, to the Unemployment Insurance Reporter series which confirms the observation that there has been no change in the requirements for coverage of fishermen under the FUTA.

In the event a State saw fit to delete coverage of fishermen from unemployment insurance protection and the Internal Revenue Service found them subject under the Federal Act, the employers would be taxed at the full Federal rate of 3.4% on the \$6000 base (effective 1/1/78), and since there would be no State coverage, there would be no offset credit. [In short, the employers would pay the same total amount as they now pay to the combined taxes levied by the State and U.S. Treasury] and no benefits would be payable to workers.

Sincerely,



ROBERT E. JOHNSON  
Associate Regional Administrator  
for Unemployment Insurance

Enclosure

**§ 13681 Maritime Service and Aircraft Service**

"Employment" includes service on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which and while the employee is employed on the vessel or aircraft; it touches at a port in the United States, if the employee is employed on and in connection with such vessel or aircraft when outside the United States. Certain services in connection with vessels and aircraft, however, are exempt. These exempt services are described in the law as follows:

(1) Service performed on or in connection with a vessel or aircraft not an American vessel or American aircraft, if the employee is employed on and in connection with such vessel or aircraft when outside the United States. The term "American vessel" means (a) any vessel documented or numbered under the laws of the United States and (b) any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or any state. "American aircraft" means an aircraft registered under the laws of the United States.

(2) Service performed by an individual in (or as an officer or member of the crew of a vessel, while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than ten net tons.

Prior to July 1, 1946, "service performed as an officer or member of a crew of a vessel on the navigable waters of the United States" was exempt. The provisions of the law relating to aircraft were added to the federal law by the 1960 amendments.

For federal law and regulations see § 20,228, 20,229, 20,258, 20,261, 23,062, 23,072.

The states have also extended unemployment insurance coverage to maritime services. The Federal Unemployment Tax Act permits the states to collect unemployment compensation contributions from maritime employers engaged in interstate operations and many of the states have adopted specific provisions providing for the coverage of such employers. In many cases the officials engaged in administering the law are authorized to enter into reciprocal agreements with other states regarding the coverage of interstate maritime employment. The states are also permitted to cover merchant seamen employed on vessels operated for the account of the United States.

**Fishing Operations**

As noted above, certain fishing operations are exempt for federal and state unemployment tax purposes. The exception extends to services performed as an officer or member of the crew of a vessel while the vessel is engaged in any of the enumerated activities, whether or not the officer or member of the crew is himself so engaged. In the case of an individual who is engaged in any such activity in the employ of any person, services performed as an ordinary incident to any such activity are also excepted. Similarly, for example, the shore services of an officer or member of the crew of a vessel engaged in any such

activity are excepted if such services are an ordinary incident to any such activity. Services performed as an ordinary incident to any such activity may include, for example, services performed in such cleaning, icing, and packing of fish as are necessary for the immediate preservation of the catch. Therefore, services performed in connection with the planting, cultivating, harvesting, grading and packing of oysters by oyster-bed workers, maintenance men, warehousemen and truck drivers are held to fall within the exemption relating to fishing activities and services performed as an "ordinary incident" to such activities. Thus, the oyster-bed workers and harvesters were held to fall expressly within the language of the exemption, and "if the words 'ordinarily incident to any such activity' in the exemption are given their natural and generally accepted meaning, it seems clear that the other ... classes of employers are also within the fishing exemption." Furthermore, such services do not constitute agricultural labor (*Coast Oyster Co. v. U. S.*, 167 F. Supp. 460 (1958)).

NOTE

Services performed in connection with the catching or taking of salmon or halibut, for commercial purposes, are not within the exception. Thus, neither the services of an officer or member of the crew of a vessel (irrespective of its tonnage) which is engaged in the catching or taking of salmon or halibut, for commercial purposes, nor the services of any other individual in connection with such activity, are within the exception.

Services performed on or in connection with a vessel of more than 10 net tons are not within the exception. For purposes of the exception, the tonnage of the vessel is determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States.

The status of employers in the commercial fishing industry was not changed for Federal Unemployment Tax purposes by the Tax Reform Act of 1966 (*IRS Release, IR 177, 3/21/77*).

State Cases

(See § 1104 of the "Companion Index" for current citations to the list of cases summarized below)

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|--|--|
| <p>04 Action on threatened hold and "release" of the crew" on exclusive employer's vessel.<br/><i>State, In re, 200 So. 2d 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 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Unemployment Insurance Reports



# Alaska State Legislature

*Sam J. M.*

JUNEAU ALASKA

## MEMORANDUM

4 May 1977

SUBJECT: HCSSB 116

Rep. Al Osterback, Chairman  
House Resources Committee

In 1976 Congress passed the Tax Reform Act, part of which declares crew members working for shares on fishing boats of 10 crew members or less as self employed. Evidently, the fishermen want this because it takes a burden off of them for quarterly withholding. It appears now that many skippers didn't know they were responsible for withholding before the 1976 Tax Reform Act and weren't doing it anyway.

The purpose of SB 116 is to make the State's Unemployment withholding program consistent with the Tax Reform Act; and to try to get the Fedn to amend the Federal Unemployment Tax Act so that it is consistent with the 1976 Tax Reform Act.

As the Federal Unemployment Tax Act presently reads, it says that a crew member of a fishing boat 10 (57) net tons or less (about a 33 foot fiberglass boat) is considered self employed unless the boat is fishing for salmon or halibut. Failure to amend this Act to be consistent with the Tax Reform Act is considered by some people to be the negligence of Alaska's Congressional Delegation.

Posing the question, "Would enactment of SB 116 increase chances for tax evasion by non-Alaskan residents?" the answer is, "No, the opportunity for increased tax evasion was made possible by the 1976 Tax Reform Act." The 1976 Tax Reform Act was automatically adopted by the Alaska State Legislature. The Alaska Department of Revenue (Mike McCormack) does express its concern over this increased chance for tax evasion. Mike McCormack said if the legislature wants to decrease the opportunity for tax evasion by nonresidents, it would have to amend the Alaska Tax Statutes (separate legislation) to deviate from the federal Tax Reform Act. Jim Baldwin, an attorney in the Legislative Affairs Agency said this is possible also. If legally possible, you may want to exclude only non-Alaskan residents from the self-employed status. Talk to Jim Baldwin about this.

Jim Baldwin also mentioned to me that the effective date clause in the bill (Sec. 15) as now written voids the Governor's appeal

powers should the Secretary of the U.S. Department of Labor inform him of nonconforming provisions of the State's law. To retain the Governor's appeal powers Sec. 35 should be amended to read:

\* Sec.35. Sections 23, 24, and 26 of this Act take effect immediately in accordance with AS 01.10.070(c).

STATE  
of ALASKA

# MEMORANDUM

TO  House Finance Committee

DATE May 19, 1978

FILE NO

TELEPHONE NO

FROM Roger A. Harman *R. Harman*  
Assistant Director, UI

SUBJECT Estimated costs for local governments

Transmitted herewith is the information you requested during the committee hearing on May 19, 1978 concerning the estimated costs for local government Unemployment Insurance coverage under HB 372 (HCSSB 116).

Rate Class	City	Tax Contributions Dollars	Reimbursement Dollars	Rate Class	City	Tax Contributions Dollars	Reimbursement Dollars
1	Palmer	6,000 7,000	4,000 9,000	3	Nome	15,000 16,000	7,000
2	Seward	13,000 14,000	7,000 17,000	1	Sitka	25,000 28,000	18,000 41,000
1	Valdez	10,000 11,000	7,000 16,000	2	Petersburg	15,000 17,000	9,000 20,000
1	Juneau	87,000 97,000	52,000 140,000	1	Anchorage	666,000 746,000	478,000 1,073,000
3	Fairbanks	241,000 270,000	118,000 266,000	1	Kenai	12,000 13,000	8,000 19,000
1	Hechikan	48,000 53,000	34,000 77,000	3	Kodiak	30,000 33,000	15,000 33,000
ALL OTHERS*		189,000 189,000	58,000 131,000				
TOTAL LOCAL GOVERNMENT		1,337,000 1,424,000	825,000 1,858,000				

N.B. The first row of figures for each city is for the calendar year 1978; the second row of figures is for calendar year 1979; and the last row of figures is for calendar year 1982.

\* ALL OTHERS includes second class cities and any cities not specifically mentioned by name.

## U. I. TEST CASE

The National Institute of Municipal Law Officers (NIMLO) met with city, county and state attorneys recently to evaluate a proposed constitutional challenge to P.L. 94-566, Amendments to the Unemployment Compensation Act of 1976. Under this law states are required by January 1, 1978, to cover all state, city, county, and other government employees under state unemployment compensation laws approved by the Department of Labor. Such approved laws would contain the required changes under P.L. 94-566.

Under the NIMLO plan, financial support would be neither solicited nor accepted from national associations, but would be based upon voluntary contributions from cities, counties, and states. Attorneys have agreed to proceed with the challenge by May 15, requiring that all participants have signed agreements by that date and submitted facts on impact of the federal law on their jurisdictions.

The key issues for state and local governments are whether federal and/or state powers can mandate as a condition of continued participation in the federal/state unemployment insurance program extended coverage of state and local government employees without commensurate federal and/or state financial assistance to offset the cost.

Because of diverse state laws, it has been indicated that in seeking legal action injunctions in the unemployment insurance challenge can only be sought individually for participating state and local government employers. Local governments must choose between litigation which is expected to take three years and payment of the billion dollar annual tax which comes with the new law. Under P.L. 94-566, states and subdivisions remain exempt from the federal unemployment tax, but must pay in state taxes up to 2.7 percent of the first \$6,000 of wages for each employee annually.

Cities will experience an additional cost through the curtailment of the federal share of extended benefits for state and local government workers, which is independent of state laws.

To date forty-seven states have submitted legislation for review to the Department of Labor. Arkansas, Georgia, Idaho, Mississippi, Virginia, and Wyoming are the only states that have enacted conformity legislation.

Regardless of the anticipated outcome of a constitutional test, local governments are being urged to seek automatic repeal language when enacting conformity legislation.

## VIRGINIA HOLDS UNEMPLOYMENT INSURANCE SEMINAR

Sixty-five representatives of Virginia county and local government participated in one of a series of one-day seminars being conducted around the state on the subject of Unemployment Insurance: Implications for Localities. Sponsored by the Virginia Municipal League, the Virginia Association of Counties, and the Virginia Employment Commission, the meeting focused on taxation, benefits, eligibility, disqualifications, and appeals as key elements

of unemployment compensation affecting local governments.

There was considerable discussion of the relative advantages and disadvantages of the contribution and reimbursement options for financing the extended coverage to city employees mandated in the Unemployment Compensation Amendments of 1976. Under the new law municipal governments must choose one of the two methods, in

Original sponsor: Judiciary Committee  
by request

Offered: 5/12/77  
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND  
MANAGEMENT COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 116

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 unemployment insurance; and pro-  
7 viding for an effective date."

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

9 \* Section 1. AS 23.20.035(c) is amended to read

10 (c) For the purpose of this section, the terms "other state" and  
11 "another state" are considered as including any state or territory of  
12 the United States, the District of Columbia, the Commonwealth of Puerto  
13 Rico, the Virgin Islands, and Canada, and where applicable are con-  
14 sidered as including the federal government.

15 \* Sec. 2. AS 23.20.110 is amended by adding new subsections to read

16 (c) Upon request of an agency of this or another state or of the  
17 federal government which administers or operates one or more programs  
18 of public assistance under either federal law or the law of this state,  
19 or which is charged with any duty or responsibility under any such pro-  
20 gram, and if that agency is required by law to impose safeguards for  
21 the confidentiality of information at least as effective as required  
22 under this section, the department shall provide, with respect to any  
23 named individual specified by the requesting agency, the following in-  
24 formation

25 (1) whether the individual is receiving, has received, or has  
26 made application for unemployment compensation under this chapter.

27 (2) the period, if any, for which unemployment compensation  
28 was payable and the weekly rate of compensation paid.

29 (3) the individual's most recent address, and

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

## U. I. TEST CASE

The National Institute of Municipal Law Officers (NIMLO) met with city, county and state attorneys recently to evaluate a proposed constitutional challenge to P.L. 94-566, Amendments to the Unemployment Compensation Act of 1976. Under this law states are required by January 1, 1978, to cover all state, city, county, and other government employees under state unemployment compensation laws approved by the Department of Labor. Such approved laws would contain the required changes under P.L. 94-566.

Under the NIMLO plan, financial support would be neither solicited nor accepted from national associations, but would be based upon voluntary contributions from cities, counties, and states. Attorneys have agreed to proceed with the challenge by May 15, requiring that all participants have signed agreements by that date and submitted facts on impact of the federal law on their jurisdictions.

The key issues for state and local governments are whether federal and/or state powers can mandate as a condition of continued participation in the federal/state unemployment insurance program extended coverage of state and local government employees without commensurate federal and/or state financial assistance to offset the cost.

Because of diverse state laws, it has been indicated that in seeking legal action injunctions in the unemployment insurance challenge can only be sought individually for participating state and local government employers. Local governments must choose between litigation which is expected to take three years and payment of the billion dollar annual tax which comes with the new law. Under P.L. 94-566, states and subdivisions remain exempt from the federal unemployment tax, but must pay in state taxes up to 2.7 percent of the first \$6,000 of wages for each employee annually.

Cities will experience an additional cost through the curtailment of the federal share of extended benefits for state and local government workers, which is independent of state laws.

To date forty-seven states have submitted legislation for review to the Department of Labor. Arkansas, Georgia, Idaho, Mississippi, Virginia, and Wyoming are the only states that have enacted conformity legislation.

Regardless of the anticipated outcome of a constitutional test, local governments are being urged to seek automatic repeal language when enacting conformity legislation.

## VIRGINIA HOLDS UNEMPLOYMENT INSURANCE SEMINAR

State-wide representatives of Virginia county and local government officials met for a series of one-day seminars being conducted around the state on the subject of Unemployment Insurance. Legislation for localities, sponsored by the Virginia Municipal League, the Virginia Association of Counties, and the Virginia Employment Commission, the meeting focused on taxation, benefits, eligibility, disqualifications, and appeals as key elements

of unemployment compensation affecting local governments.

There was considerable discussion of the relative advantages and disadvantages of the contribution and reimbursement options for financing the extended coverage to city employees mandated in the Unemployment Compensation Amendments of 1976. Under the new law municipal governments must choose one of the two methods, in

25,000

18,900

54 minutes per unit  
initial claim

Original sponsor: Judiciary Committee  
by request

Offered: 5/12/77  
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND  
MANAGEMENT COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 116

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 unemployment insurance; and pro-  
7 viding for an effective date."

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

9 \* Section 1. AS 23.20.085(c) is amended to read

10 (c) For the purpose of this section, the terms "other state" and  
11 "another state" are considered as including any state or territory of  
12 the United States, the District of Columbia, the Commonwealth of Puerto  
13 Rico, the Virgin Islands, and Canada, and where applicable are con-  
14 sidered as including the federal government.

15 \* Sec. 2. AS 23.20.110 is amended by adding new subsections to read

16 (c) Upon request of an agency of this or another state or of the  
17 federal government which administers or operates one or more programs  
18 of public assistance under either federal law or the law of this state,  
19 or which is charged with any duty or responsibility under any such pro-  
20 gram, and if that agency is required by law to impose safeguards for  
21 the confidentiality of information at least as effective as required  
22 under this section, the department shall provide, with respect to any  
23 named individual specified by the requesting agency, the following in-  
24 formation

25 (1) whether the individual is receiving, has received, or has  
26 made application for unemployment compensation under this chapter.

27 (2) the period, if any, for which unemployment compensation  
28 was payable and the weekly rate of compensation paid.

29 (3) the individual's most recent address, and

1 (4) whether the individual has refused an offer of employ-  
2 ment, and, if so, the date of the refusal and a description of the  
3 employment refused, including duties, conditions of employment, and rate  
4 of pay.

5 (d) The department may require that an agency to which it provides  
6 information under this section reimburse the department for its costs of  
7 furnishing that information.

8 \* Sec. 3. AS 23.20.277(b) and (c) are amended to read:

9 (b) At the end of each calendar quarter, or at the end of any  
10 other period as determined by the department, the department shall bill  
11 each nonprofit organization, or group of nonprofit organizations, which  
12 has elected to make payments in place of contributions for an amount  
13 equal to the full amount of regular benefits plus one-half of the amount  
14 of extended benefits and in the case of a government entity which has  
15 elected to make payments under this section an amount equal to the full  
16 amount of the regular benefits plus the full amount of the extended  
17 benefits paid during the quarter or other prescribed period that is  
18 attributable to service in the employ of the nonprofit organization.

19 (c) At the end of each taxable year, the department shall deter-  
20 mine whether the total of payments for the year made by a nonprofit  
21 organization is less than, or in excess of, the total amount of regular  
22 benefits plus one-half of the amount of extended benefits paid to indi-  
23 viduals during the taxable year based on wages attributable to service  
24 in the employ of the nonprofit organization, and in the case of a  
25 government entity who has elected to make payments under this section,  
26 whether the total of payments for the year is less than, or in excess of  
27 the to a amount of regular benefits plus the total amount of extended  
28 benefits as determined in this subsection. Each [NONPROFIT] organization  
29 whose total payments for the taxable year are less than the amount so  
30

1 determined is liable for payment of the unpaid balance to the fund in  
2 accordance with (f) of this section. If the total payments exceed the  
3 amount so determined for the taxable year, all or part of the excess  
4 may, at the discretion of the department, be refunded from the fund or  
5 retained in the fund as part of the payments which may be required for  
6 the next taxable year.

7 \* Sec. 4. AS 23.20.278 is amended to read:

8       Sec. 23.20.278. FINANCING BENEFITS PAID TO EMPLOYEES OF THE STATE  
9 AND ITS POLITICAL SUBDIVISIONS [STATE HOSPITALS AND INSTITUTIONS OF  
10 HIGHER EDUCATION]. A political subdivision or a department, division,  
11 or other agency of the [THE] state [OR AN INSTRUMENTALITY OF THE STATE]  
12 subject to this chapter, under sec. 525(a)(6) and (14) of this chapter,  
13 shall pay contributions under the provisions of sec. 165 of this chapter  
14 unless it elects to reimburse the department for the unemployment com-  
15 penetration fund according to the provisions applicable to nonprofit  
16 organizations under secs. 276 and [SEC.] 277 of this chapter.

17 \* Sec. 5. AS 23.20.325(a) is amended to read:

18       (a) A service performed for an employing unit [, INCLUDING STATE  
19 DEPARTMENTS AND AGENCIES, MUNICIPALITIES, OR OTHER POLITICAL SUBDIVI-  
20 SIONS OF THE STATE,] which is excluded under the definition of employ-  
21 ment, and with respect to which no payments are required under the  
22 employment security law of another state or of the federal government,  
23 is considered employment for all purposes of this chapter if the depart-  
24 ment approves a written election to that effect filed by the employing  
25 unit for which the service is performed, as of the date stated in the  
26 approval. The department may not approve an election unless it (1)  
27 includes all the service of the type specified in each establishment or  
28 place of business for which the election is made, and (2) is made for  
29 not less than two calendar years.

\* Sec. 6. AS 23.20.375(c) is amended to read:

(c) Benefits based on service in employment defined in sec. 525(a)(4), (5), [AND] (6) and (14) of this chapter are payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this chapter; except that, effective January 1, 1978, benefits based on service in an instructional, research or principal administrative capacity for an educational institution [IN AN INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SEC. 520 OF THIS CHAPTER] may not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs services in the first of those academic years or terms and if there is a contract or reasonable assurance that the individual will perform services in the same or a similar capacity for any educational institution in the second of those academic years or terms [HAS A CONTRACT OR CONTRACTS TO PERFORM SERVICES IN ANY SUCH CAPACITY FOR ANY INSTITUTION OR INSTITUTIONS OF HIGHER EDUCATION FOR BOTH THE ACADEMIC YEARS OR BOTH TERMS].

\* Sec. 7. AS 23.20 is amended by adding a new section to read:

Sec. 23.20.381. OTHER DISQUALIFICATIONS. (a) Benefits are not payable to any individual on the basis of any services, substantially all of which consist of participation in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive seasons or similar periods of that sport or athletic event if that individual performed the services in the first of those seasons or similar periods and there is a reasonable assurance that the individual will perform the same or similar

services in the second of those seasons or similar periods.

(b) Benefits are not payable on the basis of services performed by an alien unless that alien is an individual who has been lawfully admitted for permanent residence or otherwise is permanently residing in the United States under color of law, including an alien who is lawfully present in the United States as a result of the application of the provisions of sec. 203(a)(7) or sec. 212(d)(5) of the Immigration and Nationality Act, 8 U.S.C. 1153, 8 U.S.C. 1182.

(c) Benefits may not be refused under (b) of this section unless any data or information required of individuals to determine whether benefits are not payable to them because of their alien status is uniformly required of all applicants for benefits and, in the case of individuals whose applications for benefits would otherwise be approved, determinations that benefits to those individuals are not payable because of their alien status are made only upon a preponderance of the evidence in the record.

(d) Notwithstanding the provisions of (b) or (c) of this section, any other conditions which may be required under any amendments to 26 U.S.C. 3304(a)(14) for allowing or denying benefits to aliens as a condition of approval of the unemployment insurance laws of this state under 26 U.S.C. 3304 shall be applied in determining eligibility for benefits under this chapter, commencing on the date on which those conditions are required by federal law to be in effect.

Sec. 8. AS 23.20.408(d) is repealed and re-enacted to read

(d) There is a national "on" indicator for a week if, for the period consisting of that week and the immediately preceding 12 weeks, the rate of insured unemployment, seasonally adjusted for all states, as determined by the United States Secretary of Labor by reference to the average monthly covered employment for the first four of the most

1 recent six calendar quarters ending before the close of the period,  
2 equaled or exceeded 4.5 per cent.

3 \* Sec. 9. AS 23.20.408(e) is repealed and re-enacted to read:

4 (e) There is a national "off" indicator for a week if, for the  
5 period consisting of that week and the immediately preceding 12 weeks,  
6 the rate of insured unemployment, seasonally adjusted for all states, as  
7 determined by the United States Secretary of Labor by reference to the  
8 average monthly covered employment for the first four of the most  
9 recent six calendar quarters ending before the close of the period, was  
10 less than 4.5 per cent.

11 \* Sec. 10. AS 23.20.408(f) is repealed and re-enacted to read:

12 (f) There is a state "on" indicator for a week if the rate of  
13 insured unemployment under this chapter for the period consisting of  
14 that week and the immediately preceding 12 weeks either:

15 (1) equaled or exceeded 120 per cent of the average rate of  
16 insured unemployment for the corresponding 13-week period in each of the  
17 preceding two calendar years and equaled or exceeded four per cent, or

18 (2) equaled or exceeded five per cent.

19 \* Sec. 11. AS 23.20.408(g) is repealed and re-enacted to read:

20 (g) There is a state "off" indicator for a week if neither (f)(1)  
21 nor (f)(2) of this section is satisfied.

22 \* Sec. 12. AS 23.20.409(5)(A) is amended to read:

23 (A) has no right to unemployment benefits or allowances,  
24 as the case may be, under the Railroad Unemployment Insurance Act  
25 [THE TRADE EXPANSION ACT OF 1962, THE AUTOMOTIVE PRODUCTS TRADE  
26 ACT OF 1965.] or under other federal laws which are specified in  
27 regulations issued by the United States Secretary of Labor and has  
28 not received and is not seeking unemployment benefits under the  
29 unemployment compensation law (OF THE VIRGIN ISLANDS OR) of Canada,

1 but if he is seeking these benefits and the appropriate agency  
2 finally determines that he is not entitled to benefits under that  
3 law he is considered an exhaustee; and either

4 • Sec. 13. AS 23.20.520(12) is amended to read:

5 (12) "employing unit" means one or more departments or other  
6 agencies of the state, a political subdivision of the state, an indi-  
7 vidual, or a type of organization, partnership, association, trust,  
8 estate, joint trust company, insurance company, or domestic or foreign  
9 corporation, or the receiver, referee in bankruptcy, trustee, or suc-  
10 cessor of one of these, or the legal representative of a deceased  
11 person, which has or subsequent to January 1, 1937, had one or more  
12 individuals performing service for it within the state; an individual  
13 performing services inside the state for an employing unit which main-  
14 tains two or more separate establishments inside the state is considered  
15 as employed by a single employing unit for the purposes of this chapter,  
16 notwithstanding any provision in this chapter, any employing unit which  
17 employs individuals whose services must be covered by the unemployment  
18 insurance laws of this state after December 31, 1971 as a condition of  
19 approval of the unemployment insurance laws of this state under sec.  
20 1304(a) of the U.S. Internal Revenue Code of 1954, as amended, will be  
21 considered an employer as to those individuals and is subject to con-  
22 tributions on all wages paid after December 31, 1971, or reimbursement  
23 payments to cover benefits paid based on services performed after  
24 December 31, 1971, depending on the applicable law.

25 • Sec. 14. AS 23.20.520(19) is amended to read:

26 (19) "state" includes the states of the United States of  
27 America, the District of Columbia, [AND] the Commonwealth of Puerto  
28 Rico, and the Virgin Islands.

29 • Sec. 15. AS 23.20.525(a)(4) is amended to read:

(4) service performed after December 31, 1971 and through December 31, 1977 by an individual in the employ of this state or any instrumentality of this state, or in the employ of this state and one or more states or their instrumentalities, for a hospital or institution of higher education in this state (except service described in sec. 526(d) of this chapter) if the service is excluded from the term "employment" solely by reason of sec. 3306(c)(7) of the Federal Unemployment Tax Act.

\* Sec. 16. AS 23.20.525(a)(5) is amended to read

(5) service performed before January 1, 1978 in the employ of a political subdivision of this state or a wholly owned instrumentality of a political subdivision of this state, if coverage was [5] elected under sec. 323 or sec. 326 of this chapter.

\* Sec. 17. AS 23.20.525(a)(7) is amended to read

(7) service of an individual who is a citizen of the United States, performed outside the United States (except in Canada [OR THE VIRGIN ISLANDS]), after December 31, 1971 in the employ of an American employer, or of this state or of any of its instrumentalities or any of its political subdivisions, (other than service which is considered "employment" under the provisions of (1) or (2) of this subsection or the parallel provisions of the law of another state), if

(A) the employer's principal place of business in the United States is located in this state, or

(B) the employer has no place of business in the United States, but

(i) the employer is an individual who is a resident of this state, or

(ii) the employer is a corporation which is organized under the laws of this state, or

(iii) the employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(C) none of the criteria in (A) and (B) of this paragraph is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on service described in this paragraph, under the law of this state.

\* Sec. 10. AS 23.20.323(a) is amended by adding new paragraphs to read

(14) service performed after December 31, 1977 in the employ of this state or any of its instrumentalities or any political subdivision of this state or any of its instrumentalities or any instrumentality of any of the foregoing and one or more other states or political subdivisions, if that service is excluded from "employment" as defined in section 3004(c)(7) of the Federal Unemployment Tax Act and is not excluded from "employment" under sec. 326(C)(3) of this chapter.

(15) domestic services performed after December 31, 1977 for an employer who paid wages of \$1,000 or more in any calendar quarter in the current or preceding calendar year for those services.

(16) service performed after December 31, 1977 by an individual in agricultural labor when that service is performed for a person who

(A) during any calendar quarter in either the current or the preceding calendar year paid remuneration in cash of \$20,000 or more to individuals employed in agricultural labor, or

(B) employed in agricultural labor 10 or more individuals for some portion of the day in each of at least 20 different calendar weeks in either the current or the preceding calendar

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year, whether or not the weeks were consecutive, and regardless of whether the individuals were employed at the same moment of time;

(C) for the purposes of this paragraph any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of that crew leader

(i) if that crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963, or substantially all the members of that crew operate or maintain tractors, mechanized harvesting or crop-dusting equipment, or any other mechanized equipment, which is provided by that crew leader; and

(ii) if that individual is not an employee of that other person within the meaning of (A) of this paragraph;

(D) for the purposes of this paragraph, in the case of an individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of that crew leader under (C) of this paragraph,

(i) that other person and not the crew leader shall be treated as the employer of that individual; and

(ii) that other person shall be treated as having paid cash remuneration to that individual in an amount equal to the amount of cash remuneration paid to that individual by the crew leader (either on his own behalf or on behalf of that other person) for the service in agricultural labor performed for that other person.

(E) for the purposes of this paragraph, the term "crew leader" means an individual who

(i) furnishes individuals to perform service in

1 agricultural labor for any other person:

2 (ii) pays (either on his own behalf or on behalf of  
3 that other person) the individuals so furnished by him for the  
4 service in agricultural labor performed by them; and

5 (iii) has not entered into a written agreement with  
6 that farm operator under which the agricultural worker is  
7 designated as an employee of that farm operator.

8 \* Sec. 19. AS 23.20.526(a)(1) is amended to read:

9 (1) domestic service in a private home, except as provided in  
10 sec. 525(a)(15) of this chapter.

11 \* Sec. 20. AS 23.20.526(a)(15) is amended to read:

12 (15) service performed by an individual in agricultural  
13 labor, except as provided in sec. 525(a)(16) of this chapter. the term  
14 "agricultural labor" means remunerated service

15 (A) on a farm, in the employ of any person in connection  
16 with cultivating the soil, or in connection with raising or har-  
17 vesting any agricultural or horticultural commodity, including the  
18 raising, shearing, feeding, caring for, training, and management of  
19 livestock, bees, poultry, and fur-bearing animals and wildlife.

20 (B) in the employ of the owner or tenant or other oper-  
21 ator of a farm, in connection with the operation, management,  
22 conservation, improvement, or maintenance of the farm and its tools  
23 and equipment, or in salvaging timber or clearing land of brush and  
24 other debris left by a hurricane, if the major part of the service  
25 is performed on a farm.

26 (C) in connection with the production or harvesting of  
27 any commodity defined as an agricultural commodity in sec. 15(g) of  
28 the Agricultural Marketing Act, as amended (46 Stat. 1550, sec. 1,  
29 12 U.S.C. 1141j), or in connection with the operation or

1 maintenance of ditches, canals, reservoirs, or waterways, not owned  
2 or operated for profit, used exclusively for supplying and storing  
3 water for farming purposes;

4 (D) in the employ of the operator of a farm in handling,  
5 planting, drying, packing, packaging, processing, freezing, grad-  
6 ing, storing or delivering to storage or to market or to a carrier  
7 for transportation to market, in its unmanufactured state, any  
8 agricultural or horticultural commodity, but only if the operator  
9 produced more than one-half of the commodity with respect to which  
10 the service is performed except as stated in (b) of this section.

11 (E) in the employ of a group of operators of farms (or  
12 a cooperative organization of which the operators are members) in  
13 the performance of service described in (D) of this paragraph, but  
14 only if the operators produced more than one-half of the commodity  
15 with respect to which the service is performed.

16 (F) on a farm operated for profit if the service is not  
17 in the course of the employer's trade or business [OR IS DOMESTIC  
18 SERVICE IN A PRIVATE HOME OF THE EMPLOYER].

19 \* Sec. 21. AS 23.20.526(d) is amended to read:

20 (d) For the purposes of sec. 525(a)(4), (5), [AND] (6) and (14)  
21 of this chapter, the term "employment" does not apply to service per-  
22 formed

23 (1) by a duly ordained, commissioned, or licensed minister of  
24 a church in the exercise of his ministry or by a member of a religious  
25 order in the exercise of duties required by the order.

26 (2) in a facility conducted for the purpose of carrying out  
27 a program of rehabilitation for individuals whose earning capacity is  
28 impaired by age or physical or mental deficiency or injury or providing  
29 remunerative work for individuals who, because of their impaired phys-

1 cal or mental capacity, cannot be readily absorbed in the competitive  
2 labor market by an individual receiving the rehabilitation or remuner-  
3 ative work;

4 (3) as part of an unemployment work-relief or work-training  
5 program assisted or financed in whole or in part by any federal agency  
6 or any agency of a state or political subdivision thereof, by an indivi-  
7 dual receiving work relief or work training;

8 (4) for a state hospital by an inmate of a prison or correc-  
9 tional institution;

10 (5) in the employ of a school, college, or university, if the  
11 service is performed by a student who is enrolled and is regularly  
12 attending classes at the school, college or university;

13 (6) by an individual under the age of 22 who is enrolled at  
14 a nonprofit or public educational institution which normally maintains  
15 a regular faculty and curriculum and normally has a regularly organized  
16 body of students in attendance at the place where its educational  
17 activities are carried on as a student in a full-time program, taken for  
18 credit at the institution, which combines academic instruction with work  
19 experience, if the service is an integral part of the program, and the  
20 institution has so certified to the employer, except that this paragraph  
21 does not apply to service performed in a program established for or on  
22 behalf of an employer or group of employers.

23 (7) in the employ of a hospital, if the service is performed  
24 by a patient of a hospital, as defined in sec. 520 of this chapter.

25 • Sec. 22. AS 23.20.326(d) is amended by adding a new paragraph to read

26 (8) in the employ of the state or a political subdivision of  
27 the state if the service is performed by an individual in the exercise  
28 of duties;

29 (A) as a "public official" as defined in AS 39.50.200(1)

or any other elected official;

(B) as a member of the Alaska Army National Guard or Alaska Air National Guard or Alaska Naval Militia; or

(C) as an employee serving on only a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency.

\* Sec. 23. AS 23.20.526(a) is amended by adding a new paragraph to read:

(20) service performed by an individual on a boat engaged in catching fish or other forms of aquatic animal life under an arrangement with the owner or operator of that boat under which

(A) that individual does not receive any cash remuneration except as provided in (B) of this paragraph;

(B) that individual receives a share of the boat's (or the boats' in the case of a fishing operation involving more than one boat) catch of fish or other forms of aquatic animal life or a share of the proceeds from the sale of that catch, and

(C) the amount of that individual's share depends on the amount of the boat's (or the boats' in the case of a fishing operation involving more than one boat) catch of fish or other forms of aquatic animal life, but only if the operating crew of that boat (or each boat from which the individual receives a share in the case of a fishing operation involving more than one boat) is normally made up of fewer than 10 individuals.

\* Sec. 24. AS 23.20.530(b) is amended by adding a new paragraph to read:

(11) the amount of payment made to an individual for services performed on a boat engaged in catching fish or other forms of aquatic animal life under an arrangement with the owner or operator of that boat under which

(A) that individual does not receive any cash remuneration except as provided in (B) of this paragraph;

1 (B) that individual receives a share of the boat's (or  
2 the boats' in the case of a fishing operation involving more than  
3 one boat) catch of fish or other forms of aquatic animal life or a  
4 share of the proceeds from the sale of that catch; and

5 (C) the amount of that individual's share depends on the  
6 amount of the boat's (or the boats' in the case of a fishing  
7 operation involving more than one boat) catch of fish or other  
8 forms of aquatic animal life; but only if the operating crew of  
9 that boat (or each boat from which the individual receives a share  
10 in the case of a fishing operation involving more than one boat) is  
11 normally made up of fewer than 10 individuals.

12 \* Sec. 25. The following laws are repealed: AS 23.20.012, 23.20.015,  
13 23.20.326, 23.20.408(c), and 23.20.526(a)(16) and (18).

14 \* Sec. 26. AS 23.20.515 is repealed.

15 \* Sec. 27. (a) Notwithstanding the provisions of AS 23.20.350, benefits  
16 may be paid to an individual after December 31, 1977 on wages earned by that  
17 individual in a category of employment which was not covered under AS 23.20  
18 at any time during calendar year 1975 and which was service which is covered  
19 under AS 23.20, effective January 1, 1978, as the result of enactment of sec.  
20 19 of this Act.

21 (b) An employing unit which elects to make payments in place of contri-  
22 butions as provided in AS 23.20.278, as enacted by sec. 3 of this Act, is not  
23 liable to make those payments with respect to benefits paid to an individual  
24 as a result of the operation of (a) of this section to the extent that the  
25 unemployment compensation fund is reimbursed for those benefits under sec.  
26 121 of P. L. 94-366.

27 \* Sec. 28. Sections 8 and 9 of this Act take effect immediately in accor-  
28 dance with AS 01.10.070(c) and are retroactive to December 31, 1976.

29 \* Sec. 29. Sections 10 and 11 of this Act take effect immediately in

1 United States Secretary of Labor, within 30 days after the effective date of  
2 this Act, finds that the provisions of this Act do not meet the requirements  
3 of section 1207(e) of the Tax Reform Act of 1976 (P.L. 94-455) and section  
4 3306(c) of the Federal Unemployment Tax Act (26 U.S.C. 3306(c)).  
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# RECORDS CERTIFICATION



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

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

  
\_\_\_\_\_  
Date

**COMMITTEE REPORT**  
**SENATE**

\_\_\_\_\_ Date

Mr. President:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

under consideration. A majority of the members of the Committee

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

**MEMBERS SIGNING THE MAJORITY REPORT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:**

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

\_\_\_\_\_ Chairman

Original sponsor: Rules Committee by  
request of the Governor

IN THE SENATE

BY THE FINANCE COMMITTEE

CS FOR SENATE BILL NO. 117

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making a supplemental appropriation to the Office of the Governor; and providing for an effective date."

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

\* Section 1. The sum of \$249,200 is appropriated from the general fund to the Office of the Governor for the fiscal year ending June 30, 1977, to be allocated as follows:

Limited Entry	\$206,100
Alaska Arts Council	10,300
Public Offices Construction	32,800

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

SB 117 (Governor's bill) requests \$41,400 for the Alaska Public Offices Commission. The breakdown of the amount is as follows:

Personal Services

For temporaries and overtime for existing positions. Due to the lobbyist law, and other high increase in workloads, more personal services effort is needed. \$13.1

Travel

Additional travel is required for staff, and for commission members attending hearings on lobbying law. 9.8

Contractual

Advertising of hearings, printing of forms, and board honorarium during travel for commission members; back payment to Dept. of Highways for printing APOC forms. 18.5

\$41.4

Nancy Carlson, Administrative Assistant in Juneau for the APOC, informed Legislative Finance that the \$41.4 could be reduced by \$9.1, the reduction being made in contractual for a total request of \$32.3.

The Personal Services amount is still needed to pay for temporaries now working. APOC anticipates that they will also need the full amount for travel due to increased travel for staff.

# MEMORANDUM

TO:  Mr. Andrew Warwick  
Commissioner of Administration  
Pouch C  
Juneau, Alaska 99811

DATE: June 10, 1976

FROM: Wilda G. Hudson  
Acting Executive Director  
Alaska Public Offices Commission  
610 C Street, Suite 209  
Anchorage, Alaska 99501

SUBJECT: FY77 Budget Legislation

Reference the memorandum of June 3, from Governor Hammond. FCCS SCS CSMB 586 authorizes \$209,600 for the Alaska Public Offices Commission, which is the amount requested by this office. However, FY77 budget request was based on administering the campaign disclosure and conflict of interest laws only.

FCCS SCS CSMB 522, Regulation of Lobbying, places responsibility for administering this new lobbying law with the Public Offices Commission. No funds were appropriated to fund this new lobbying law. As you are aware, considerable reporting requirements are set forth in the law. While time has not permitted a thorough cost analysis of the lobbying act, it is anticipated that cost can run as high as \$35,000+ to fund personnel, equipment, paper, and printing necessary to carry out the provisions of the Act. It would appear that the Alaska Public Offices Commission may require additional funds for FY77.

WGH/ca

cc: All Commission members

*Let's E 1177*

*MEMORANDUM*

TO: [

Ms. Marian Endicott  
Administrative Officer  
Office of the Governor  
Pouch A  
Juneau, Alaska 99811

DATE : October 24, 1976

FROM:

Hilda G. Hudson *Hilda*  
Executive Director  
Alaska Public Offices Commission

SUBJECT: FY77 Supplemental Appropriation  
Request

Forwarded herewith is the Public Offices Commission's request for a FY77 supplemental appropriation. If my memory serves me correctly, you said that this could just be submitted in memorandum form.

As you are aware, this need for a supplemental appropriation was brought about because the legislature failed to appropriate funds for the administering of the regulation of lobbying law which was passed during the 1976 session and assigned to the APOC.

Because APOC has had considerable lapsed funds for the previous two years of their existence, I have prepared an analysis of the budgets in order that you and others may see that the reason for the lapsed funds was the fact that regional offices were funded under personal services; although, APOC never hired staff and established regional offices except by contract with municipalities. The analysis also points out the fact that APOC has never been able to operate within the personal services funds budgeted strictly for the staffing of the Anchorage office. Our workload has always required more personnel than has been budgeted. In addition to that we have to work too much overtime.

The reason I have shown the reclassifications for 6 months of the FY77 is because I figured that it would be the end of the year before the supplemental budget was approved and the reclassifications were processed and approved. However, if it can be accomplished quicker that would be all the better.

Also attached is a memorandum from this office to Commissioner of Administration, dated June 10, 1976, alerting him that it would appear that APOC might require additional funds for FY77.

If you have any questions, please advise.

cc: All Commission Members

LIBRARY  
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February 3, 1977

The Honorable John L. Rader  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting six supplemental appropriation bills as follows:

Office of the Governor	\$ 203,400
Department of Administration	2,533,200
Department of Administration	1,186,367
Department of Education	150,000
Department of Health and Social Services	875,043
Department of Health and Social Services	3,093,094

Sincerely,

Jay S. Hammond  
Governor

104  
by Ronald B. Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE : December 7, 1976

by Janet Green, Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT: FY 77 Supplemental Request  
Office of the Governor, Alaska  
Public Office Commission

The Office of the Governor requests a FY 77 general fund supplemental appropriation of \$41.4 for the Alaska Public Offices Commission. This request is necessary due to expenses incurred to implement the new Regulation of Lobbying law, Chapter 167 SLA 1976, including public hearings on proposed regulations. No additional funds were appropriated at the time of the bill was passed.

The original agency request reflects a total additional requirement of \$59.1; however this amount includes several position reclassifications which the agency has agreed to postpone until FY 78. The remaining reduction in personal services is due to funding temporary employees for three months instead of the requested six.

The requested funds will be expended in the following line-items:

Personal Services	\$13.1
Travel	9.8
Contractual	18.5
	<hr/>
	\$41.4

Personal services money will be used for temporary employees and overtime. No new positions are included in the request, although the FY 78 budget as approved by the BRC contains three additional part-time positions.

JG/pf

STATE OF ALASKA  
Dept. of Administration  
Budget & Management Div.

REVISED PROGRAM  
COST ANALYSIS SUMMARY  
by BUDGET COMPONENT

Request for Supplemental

AGENCY	CATEGORY	09	General Government
Office of the Governor	PROGRAM	96	Public Services
DIVISION	SUBPROGRAM	03	Lt Gov & Elections
Alaska Public Offices Commission	ELEMENT	03	Public Offices Commission
	SUBELEMENT		

CODE	EXPENDITURE BY OBJECT	PRESENT AUTHORIZATION	REVISION INCREASE (DECREASE)	AMENDED AUTHORIZATION
100	PERSONAL SERVICES	94.2	13.1	107.3
200	TRAVEL	28.6	9.8	38.4
300	CONTRACTUAL SERVICES	79.0	18.5	97.5
400	COMMODITIES	5.1		5.1
500	EQUIPMENT	2.7		2.7
600	LANDS BUILDINGS NON STRUCTURAL IMPROVEMENTS			
700	GRANTS CLAIMS SHARED REVENUE			
800	MISCELLANEOUS			
	INTER AGENCY TRANSFERS (INCLUDED ABOVE)			
	<b>TOTAL</b>	<b>209.6</b>	<b>41.4</b>	<b>251.0</b>
NEW CODE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND MATCHING			
	OTHER GENERAL FUND	209.6	41.4	251.0
	INTER AGENCY TRANSFERS			
	OTHER			
	<b>TOTAL</b>	<b>209.6</b>	<b>41.4</b>	<b>251.0</b>
	PERMANENT FULL TIME POSITIONS	4.0		4.0
	PERMANENT PART TIME POSITIONS	1.0		1.0
	CATERGORY FULL TIME EQUIVALENTS			
	PERMANENT FULL TIME EQUIVALENTS	54		54

REQUIREMENT FOR

	FY	FY	FY	FY	FY
EXPENDITURES - TOTAL					
SOURCE OF FUNDS					
FEDERAL					
DEPT OF REVENUE					
STATE OF ALASKA					
OTHER SOURCES					

190

# MEMORANDUM

TO: Ronald B. Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE: December 3, 1976

FROM: Chuck Taylor, Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT: FY 77 Supplemental Request  
Office of the Governor

The Office of the Governor requests a FY 77 supplemental appropriation in the amount of \$150,000 in general funds for the Alaska Commercial Fisheries Entry Commission.

This amount will be used to meet anticipated expenditures for costs of operation through June 30, 1977 and is consistent with the Free Conference Committee intent that the total FY 77 appropriation not exceed \$1,067.3.

The requested funds will be appropriated as follows:

Personal Services \$143,400  
Contractual Services 6,600

---

\$150,000

CT/pl

TO: Ronald B. Lind, Director  
Division of Budget & Management

DATE: November 30, 1976

FROM: V. Kent Dawson  
Administrative Assistant  
to the Governor

SUBJECT: Request for Supplemental  
Appropriation of \$150,000  
Commercial Fisheries Entry  
Commission.

The Office of the Governor requests consideration of an FY 77 supplemental appropriation in the amount of \$150,000 for the Commercial Fisheries Entry Commission.

The amount requested will meet anticipated expenditures through June 30, 1977, for costs of operation. Funds would be appropriated as follows:

Personal Services (100)	\$143,400
Contractual Services (300)	\$ 6,600
	<u>\$150,000</u>

This request is consistent with legislative intent that the total FY 77 appropriation not exceed \$1,067.3.

RECEIVED  
DEC 01 1976  
BUDGET & MANAGEMENT

RECEIVED  
JUL 21 1976  
BUDGET & MANAGEMENT

TO [ Ron Lind, Director  
Division of Budget & Management  
Office of the Governor

DATE July 20, 1976

FROM Roy A. Rickey  
Commissioner

RR

SUBJECT: FY 77 Supplemental Request

Please advise the Budget Review Committee that the Commercial Fisheries Entry Commission will request a supplemental for FY 1977 of up to \$510.4, which, if the total amount is requested, will bring us up to the Commission's maintenance level for this fiscal year.

This is consistent with the legislative intent expressed by the free conference committee on the budget in relation to the Commission's budget, namely: "The administration is to submit a supplemental request if required--but not to exceed a total of \$1,067.3."

A maintenance level budget is essential to provide the basic services necessary to continue protecting Alaska's commercial fisheries from economically and biologically dangerous increases in the amount of gear fishing.

The Commission is currently seeking a contract with the National Marine Fisheries Service. If the contract is obtained, it is expected to reduce the amount of the supplemental request. Definite information is expected by October.

Naturally, the Commission is also undertaking economy moves wherever possible to ease the cash flow problem created by the size of the legislative appropriation in relation to the anticipated level of service needed.

We will be happy to provide whatever backup information is desired to support this request. Please let us know what is needed, and what arrangements have been made to have this request presented to the Budget Review Committee.

Incidentally, based on actual FY 76 permit receipts you may wish to have the permit revenue projection in our FY 77 budget adjusted. Current figures indicate permit receipts of \$729.8. We have every reason to expect that FY 77 receipts will equal or exceed that.

RAH/AA/ml



TO: [ Ron Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE

December 27, 1976

FROM: Barbara Englert Thomas  
Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT:

\$12,000 supplemental for  
Arts Council to complete  
Gruening Statue Project

The Alaska State Council on the Arts is requesting a supplemental appropriation of \$12,000 to complete the Ernest Gruening Statue that will be placed in the Capitol Building in Washington, D. C. This supplemental is necessary because of initially underestimating the cost of the statue project.

BET/pf

**MEMORANDUM**

TO: Ronald B. Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE: December 7, 1976

FROM: Janet Green, Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT: FY 77 Supplemental Request  
Office of the Governor, Alaska  
Public Office Commission

The Office of the Governor requests a FY 77 general fund supplemental appropriation of \$41.4 for the Alaska Public Offices Commission. This request is necessary due to expenses incurred to implement the new Regulation of Lobbying law, Chapter 167 SLA 1976, including public hearings on proposed regulations. No additional funds were appropriated at the time of the bill was passed.

The original agency request reflects a total additional requirement of \$59.1; however this amount includes several position reclassifications which the agency has agreed to postpone until FY 78. The remaining reduction in personal services is due to funding temporary employees for three months instead of the requested six.

The requested funds will be expended in the following line-items:

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Travel	9.8
Contractual	18.5
	<u>\$41.4</u>

Personal services money will be used for temporary employees and overtime. No new positions are included in the request, although the FY 78 budget as approved by the BRC contains three additional part-time positions.

JG/pl

STATE OF ALASKA  
 Dept. of Administration  
 Budget & Management Div.

REVISED PROGRAM  
 COST ANALYSIS SUMMARY  
 by BUDGET COMPONENT

Request for Supplemental

AGENCY	CATEGORY	09	General Government
Office of the Governor	PROGRAM	96	Public Services
DIVISION	SUBPROGRAM	03	St. Gov & Elections
Alaska Public Offices Commission	ELEMENT	03	Public Offices Commission
	SUBELEMENT		

CODE	EXPENDITURE BY OBJECT	PRESENT AUTHORIZATION	REVISION INCREASE (DECREASE)	ANTICIPATED AUTHORIZATION
100	PERSONAL SERVICES	94.2	13.1	107.3
200	TRAVEL	28.6	9.8	38.4
300	CONTRACTUAL SERVICES	79.0	18.5	97.5
400	COMMODITIES	5.1		5.1
500	EQUIPMENT	2.7		2.7
600	LANDS, BUILDINGS, AND STRUCTURAL IMPROVEMENTS			
700	GRANTS, CLAIMS, SHARED REVENUE			
800	MISCELLANEOUS			
	INTER AGENCY TRANSFERS INCLUDED ABOVE			
	<b>TOTAL</b>	<b>209.6</b>	<b>41.4</b>	<b>251.0</b>
NEW CODE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND MATCHING			
	OTHER GENERAL FUND	209.6	41.4	251.0
	INTER AGENCY TRANSFERS			
	OTHER			
	<b>TOTAL</b>	<b>209.6</b>	<b>41.4</b>	<b>251.0</b>
	PERMANENT FULL-TIME POSITIONS	4.0		4.0
	PERMANENT PART-TIME POSITIONS	1.0		1.0
	TEMPORARY FULL-TIME EQUIVALENTS			
	TEMPORARY PART-TIME POSITIONS	54		54

(CURRENT FY)

	FY	FY	FY	FY	FY	FY
EXPENDITURES - TOTAL						
GENERAL						
DEPT. G. F. MATCH						
OTHER G. F.						
GENERAL RECEIPTS						

# MEMORANDUM

TO: Ron Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE

December 27, 1976

FROM:

Barbara Englert Thomas  
Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT:

\$12,000 supplemental for  
Arts Council to complete  
Gruening Statue Project

The Alaska State Council on the Arts is requesting a supplemental appropriation of \$12,000 to complete the Ernest Gruening Statue that will be placed in the Capitol Building in Washington, D. C. This supplemental is necessary because of initially underestimating the cost of the statue project.

BET/pf

# MEMORANDUM

Ronald B. Lind, Director  
Division of Budget and Management  
Office of the Governor

DATE

December 3, 1976

FROM

Chuck Taylor, Budget Analyst  
Division of Budget and Management  
Office of the Governor

SUBJECT

FY 77 Supplemental Request  
Office of the Governor

The Office of the Governor requests a FY 77 supplemental appropriation in the amount of \$150,000 in general funds for the Alaska Commercial Fisheries Entry Commission.

This amount will be used to meet anticipated expenditures for costs of operation through June 30, 1977 and is consistent with the Free Conference Committee intent that the total FY 77 appropriation not exceed \$1,067.3.

The requested funds will be appropriated as follows:

Personal Services \$143,400  
Contractual Services 6,600

                      
\$150,000

CT/pl

# MEMORANDUM

# State of Alaska

TO V. Kent Dawson  
Administrative Assistant  
Office of the Governor

DATE February 24, 1977

FILE NO

TELEPHONE NO

FROM Allan Adasiak  
Commissioner  
Commercial Fisheries Entry Comm.

SUBJECT FY 77 Supplemental Request  
- Updated Projections  
- SB 117  
- C.F.E.C.

In reference to our conversation last week and your memo of February 14, attached is the revised supplemental request of the Commission.

This revision results from a computational error in the original request and reflects no change in the program.

Please let me know when the BRC will take this up. We will be happy to provide any additional information that is desired.

AA:dl

Attachment

**MEMORANDUM**

TO: [ Ronald B. Lind, Director  
Division of Budget & Management

DATE : November 30, 1976

FROM: V. Kent Dawson *VKD*  
Administrative Assistant  
to the Governor

SUBJECT: Request for Supplemental  
Appropriation of \$150,000  
Commercial Fisheries Entry  
Commission.

The Office of the Governor requests consideration of an FY 77 supplemental appropriation in the amount of \$150,000 for the Commercial Fisheries Entry Commission.

The amount requested will meet anticipated expenditures through June 30, 1977, for costs of operation. Funds would be appropriated as follows:

Personal Services (100)	\$143,400
Contractual Services (300)	\$ 6,600
	<u>\$150,000</u>

This request is consistent with legislative intent that the total FY 77 appropriation not exceed \$1,067.3.

RECEIVED  
DEC 01 1976  
BUDGET & MANAGEMENT

MEMORANDUM

RECEIVED  
JUL 21 1976  
BUDGET & MANAGEMENT

TO: [ ]  
Ron Lind, Director  
Division of Budget & Management  
Office of the Governor

DATE: July 20, 1976

FROM: *RR*  
Roy A. Rickey  
Commissioner

SUBJECT: FY 77 Supplemental Request

Please advise the Budget Review Committee that the Commercial Fisheries Entry Commission will request a supplemental for FY 1977 of up to \$510.4, which, if the total amount is requested, will bring us up to the Commission's maintenance level for this fiscal year.

This is consistent with the legislative intent expressed by the free conference committee on the budget in relation to the Commission's budget, namely: "The administration is to submit a supplemental request if required--but not to exceed a total of \$1,067.3."

A maintenance level budget is essential to provide the basic services necessary to continue protecting Alaska's commercial fisheries from economically and biologically dangerous increases in the amount of gear fishing.

The Commission is currently seeking a contract with the National Marine Fisheries Service. If the contract is obtained, it is expected to reduce the amount of the supplemental request. Definite information is expected by October.

Naturally, the Commission is also undertaking economy moves wherever possible to ease the cash flow problem created by the size of the legislative appropriation in relation to the anticipated level of service needed.

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Incidentally, based on actual FY 76 permit receipts you say wish to have the permit revenue projection in our FY 77 budget adjusted. Current figures indicate permit receipts of \$729.8. We have every reason to expect that FY 77 receipts will equal or exceed that.

RAR/AA/ml



STATE OF ALASKA  
 Dept. of Administration  
 Budget & Management Div.

REVISED PROGRAM  
 COST ANALYSIS SUMMARY  
 by BUDGET COMPONENT

AGENCY OFF. OF GOV.	CATEGORY	
	PROGRAM	
DIVISION C.F.F.C.	SUB PROGRAM	
	ELEMENT	
	SUB-ELEMENT	

CODE	EXPENDITURE BY OBJECT	PRESENT AUTHORIZATION	REVISION (INCREASE, DECREASE)	AMENDED AUTHORIZATION
100	PERSONAL SERVICES	465.3	165.1	630.4
200	TRAVEL	29.4		29.4
300	CONTRACTUAL SERVICES	137.0	41.0	178.0
400	COMMODITIES	6.0		6.0
500	EQUIPMENT	4.9		4.9
600	LANDS, BUILDINGS, NON STRUCTURAL IMPROVEMENTS			
700	GRANTS, CLAIMS, SHARED REVENUE			
800	MISCELLANEOUS			
	INTER AGENCY TRANSFERS (INCLUDED ABOVE)			
	<b>TOTAL</b>	<b>642.6</b>	<b>206.1</b>	<b>848.7</b>
NEW CODE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND MATCHING			
	OTHER GENERAL FUND	642.6	206.1	848.7
	INTER AGENCY TRANSFERS			
	OTHER			
	<b>TOTAL</b>	<b>642.6</b>	<b>206.1</b>	<b>848.7</b>
	PERMANENT FULL TIME POSITIONS			
	PERMANENT PART TIME POSITIONS			
	TEMPORARY FULL TIME EQUIVALENT			
	NUMBER OF MAN MONTHS			

CURRENT FY:

	FY	FY	FY	FY	FY
EXPENDITURES - TOTAL					
SOURCE OF FUNDS					
FEDERAL					
REQ. OF MATCH					
GEN. C. F.					
OTHER RECEIPTS					