

LEG. FINANCE - BILLS 1979 - 1980 1138

HB 630 thru HB 638

488



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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill 630  
 Title An Act relating to limited entry and providing penalties...etc.  
 Requested by House Resources Date 4/24/80

II. FISCAL DETAIL

Agency Affected Labor  
 Program Category Affected Worker Protection  
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

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

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

Committee Substitute does not impact this department.

IV. DATE April 24, 1980 PREPARED BY Jim Souby  
 AGENCY Labor  
 PHONE 465-2720

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor: Substitute for House Bill 630

Title An Act relating to the taking and sale of fish without an entry permit

Requested by Anderson Date 2/25/80

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Worker Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour, Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	77.3	77.3	77.3	77.3	77.3
200 TRAVEL	0	8.5	9.1	9.7	10.4	11.1
300 CONTRACTUAL	0	17.2	18.4	19.6	21.0	22.5
400 COMMODITIES	0	.8	.9	1.0	1.0	1.1
500 EQUIPMENT	0	3.3	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	107.1	105.7	107.6	109.7	112.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	107.1	105.7	107.6	109.7	112.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	3	3	3	3	3
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

- a. Assume effective date July 1, 1980.
- b. Salary schedule effective 3/16/80. No increase for inflation.
- c. Non-personal services expenditures (200-400) increase at 7% inflation rate.

IV. DATE February 25, 1980

PREPARED BY James Souby

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

SSHE 130

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16 A	BAHG. UNIT. GGU	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES:								
	SALARY 2,132 P/M			25,584					
5	BENEFITS .1542			3,945					
6	FICA .0665			1,701					
7	HEALTH INS. 127 X 12			1,524					
8	TOTAL PERSONAL SERVICES			32,754					
9	TRAVEL			7,500					
10	CONTRACTUAL			6,750					
11	COMMODITIES			280					
12	EQUIPMENT			1,250					
13	OTHER								
14	TOTAL COST			48,534					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		48,534					
18		I-A RCPTS.							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		XXXX	FOR B&M USE ONLY					
4A KEY NUMBER _____ COLUMN NO. _____									

JUSTIFICATION:

Pers. Service: Salary schedule effective 3/16/80.  
 Travel: Extensive travel to all areas in the state.  
 Contractual Services: Cost per position for proposed FY '81 Budget plus amendment.  $(99.0 \div 19)$ , plus charterin cost to remote areas.  
 Commodities: Cost per position for FY '81 Budget  $(5.2 \div 19)$   
 Equipment: Desk, Chair, dictating equipment, etc.

Justification for position: This position is needed to promulgate regulations to implement that act. To investigate violations and to hold hearings on suspensions and revocations. This investigator will be required to hold hearings in locations where possible violations may reside, to interview witnesses, and to gather evidence.

AGENCY Labor PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

Page 1 of 3

REVISED DATE

FY 81

**13 REQUEST FOR NEW POSITION.**

1	POSITION TITLE <b>Wage &amp; Hour Technican I</b>			RANGL/STEP <b>12</b>	BARG. UNIT. <b>GGU</b>	LOCATION <b>Juneau</b>	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>12</b>	RP No.	PCN No.	PRIORITY <b>1</b>	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2			3		
4	PERSONAL SERVICES:								
	SALARY <b>1,628 P/M</b>			<b>19,536</b>					
5	BENEFITS <b>.1542</b>			<b>3,012</b>					
6	FICA <b>.0665</b>			<b>1,299</b>					
7	HEALTH INS. <b>127 X 12</b>			<b>1,524</b>					
8	TOTAL PERSONAL SERVICES			<b>25,371</b>					
9	TRAVEL			<b>1,000</b>					
10	CONTRACTUAL			<b>5,200</b>					
11	COMMODITIES			<b>280</b>					
12	EQUIPMENT			<b>1,000</b>					
13	OTHER								
14	TOTAL COST			<b>32,851</b>					
15	CODE	FUNDING SOURCE							
16		FED RCPTS.							
17		GF MATCH.							
18		GEN. FUND		<b>32,851</b>					
19		I-A RCPTS.							
20		PGM RCPTS							
21		OTHER							
21	CONTINUATION			<b>FOR B&amp;M USE ONLY</b>					
22	ADDITION	<b>XXXX</b>							
4A. KEY NUMBER				COLUMN NO.					

JUSTIFICATION:

Pers. Svcs.: Salary schedule effective 3/16/80.  
 Travel: Estimate of 2 - 3 trips between Anchorage and Juneau travel and per diem.  
 Contractual: Cost per position for proposed FY '81 budget and amendment (99.0 ÷ 19).  
 Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19).  
 Equipment: Desk, chair, etc. (one time cost).

Justification for position: The position is needed to assist the Investigator I in the preparation of regulations. To correspond with fish buyers, fish processors, and fishermen regarding compliance with the law, to audit records, and to assist with hearings.

This position will also need to be outfitted with a desk and other office equipment.

AGENCY Labore PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

Page 2 of 3

REVISED DATE \_\_\_\_\_

**FY 81**

**13 REQUEST FOR NEW POSITION.**

1	POSITION TITLE <b>Clerk Typist II</b>				RANGE/STEP <b>7</b>	BAHG. UNIT. <b>GGU</b>	LOCATION <b>Juneau</b>	GOV.	APPROV.	D:SAPP.
2	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>12</b>	RP No.	PCN No.	PRIORITY <b>1</b>	FORM 12	PAGE/LINE	LEG.		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES- SALARY	<b>1,207 P/M</b>	<b>14,484</b>
5	BENEFITS	<b>1542</b>	<b>2,233</b>
6	FICA	<b>0665</b>	<b>963</b>
7	HEALTH INS.	<b>127 x 12</b>	<b>1,524</b>
8	TOTAL PERSONAL SERVICES		<b>19,204</b>
9	TRAVEL		<b>-</b>
10	CONTRACTUAL		<b>5,200</b>
11	COMMODITIES		<b>280</b>
12	EQUIPMENT		<b>1,000</b>
13	OTHER		
14	TOTAL COST		<b>25,684</b>

JUSTIFICATION:

Pers. Svcs: Salary schedule effective 3/16/80.  
 Contractual Services: Cos per position in this BRU (99.0 ÷ 19).  
 Commodities: Cost per position for FY '81 budget (5.2 ÷ 19).  
 Equipment: Desk, chair, etc.

Justification for Position: This position will need all the necessary tools of the trade.

This position is required to do the necessary typing, filing, and general clerical backup for the other two positions.

	CODE	FUNDING SOURCE	
15		FED RCPTS.	
16		GF MATCH.	
17		GEN. FUND	<b>25,684</b>
18		I-A RCPTS.	
19		PGM RCPTS	
20		OTHER	

21 CONTINUATION

22 ADDITION **XXXX** **FOR B&M USE ONLY**

4A KEY NUMBER \_\_\_\_\_ COLUMN NO. \_\_\_\_\_

AGENCY Labor PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

**13** REQUEST FOR NEW POSITION.

**FY 81**

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No. 630  
 Title An Act relating to limited entry and providing penalties for taking & ~~XXXXXX~~ (sale of fish without entry permit or interim-use permit.  
 Requested by: House Resources Committee Date: 4/23/80

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_  
 Program Category Affected \_\_\_\_\_ Fiscal Services \_\_\_\_\_  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_ Audit Division \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS. CLAIMS. ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

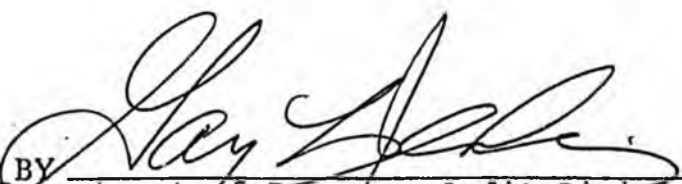
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS None

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE April 23, 1980

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

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

CS/SB HB 630

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSHB 630  
 Bill/Resolution No. \_\_\_\_\_  
 Title Relating to limited entry and providing penalties for taking and sale of fish  
~~without a permit or interim-use permit~~ without a permit or interim-use permit Date 4/24/80

II. FISCAL DETAIL  
 Agency Affected Revenue  
 Program Category Affected General Government  
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.5	.5	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS. CLAIMS. ETC.						
<b>TOTAL</b>		<b>122.6</b>	<b>129.9</b>	<b>139.1</b>	<b>148.7</b>	<b>159.2</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/24mm	2/24mm	2/24mm	2/24mm	2/24mm
FULL TIME					
PART TIME					
TEMPORARY					

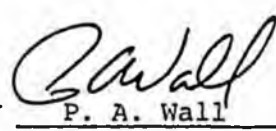
III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Section 1 requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.62. A staff conferee and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 @ \$3,339 = 40.1  
 Benefits - 6.0, FICA - 2.7, H.I. - 1.5 = 10.2  
 1 PFT Clerk Typist III, R 8 @ \$1,277 = 15.3  
 Benefits - 2.3, FICA - 1.0, H.I. - 1.5 = 4.8

70.4

(continued on next page)

IV. DATE April 24, 1980 PREPARED BY  P. A. Wall  
 AGENCY Revenue  
 PHONE 465-2313  
 Original: Legislative Finance  
 cc: Budget and Management  
Prime Sponsor (First Legislator Named)

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	45.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

Introduced: 2/18/80  
Referred: Resources

1 IN THE HOUSE

BY ANDERSON

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the taking and sale of fish without  
7 an entry permit or interim-use permit."

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

9 \* Section 1. AS 16.10 is amended by adding new sections to read:

10 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A  
11 licensed fish processor or primary fish buyer may purchase raw fish only  
12 from a seller who holds an entry permit or an interim-use permit issued  
13 or transferred to the seller in accordance with AS 16.43.

14 (b) When a fisherman sells fish to a fish processor or primary  
15 fish buyer, the fisherman shall have in his possession an entry permit  
16 or interim-use permit issued or transferred to him under AS 16.43 and  
17 (1) a picture identification card; or  
18 (2) if the entry permit or interim-use permit was transferred  
19 to the fisherman under AS 16.43.180, an emergency transfer slip com-  
20 pleted in accordance with AS 16.43.180 and with regulations of the  
21 Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

22 (c) If requested by a fish processor or primary fish buyer or by a  
23 peace officer, the fisherman shall present the picture identification  
24 card or emergency transfer slip required to be in his possession under  
25 (b) of this section for inspection.

26 (d) In (b)(1) of this section "picture identification card" means  
27 an identification card issued by a local, state, or federal agency which  
28 bears a photograph of the person to whom the card is issued. A "picture  
29 identification card" may include, but is not limited to, a motor vehicle

1 operator's license issued under AS 28.15.080, an identification card  
2 issued under AS 18.65.310, or a fishermen's identification card issued  
3 under AS 16.10.267.

4 Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon  
5 payment of a \$5 fee, the Department of Public Safety shall issue a  
6 fishermen's identification card to a person who requests one. The  
7 fishermen's identification card shall be identical to an identification  
8 card issued under AS 18.65.310 except that the fishermen's identi-  
9 fication card may include the number of an entry permit possessed by the  
10 person identified on the card.

11 (b) A person may obtain a fishermen's identification card by  
12 applying to the Department of Public Safety on forms and in the manner  
13 prescribed by the Department of Public Safety.

14 (c) A person who knowingly makes a fraudulent written statement or  
15 application for a fishermen's identification card concerning age, race,  
16 sex, entry permit number or other identifying characteristics, is  
17 guilty of a class B misdemeanor.

18 (d) It is a class B misdemeanor for a person to possess, use,  
19 produce or manufacture a fraudulent fishermen's identification card.

20 (e) It is a class B misdemeanor for a person to allow a fisher-  
21 men's identification card issued to him to be used by another person.

22 \* Sec. 2. AS 16.10.294(c) is amended to read:

23 (c) If a licensed fish processor or primary fish buyer fails to  
24 fulfill his obligations as set out in AS 16.10.290 or purchases raw fish  
25 in violation of AS 16.10.265, his license shall be suspended for a  
26 period of time the commissioner determines is appropriate. After three  
27 suspensions his license may be permanently revoked.

28 \* Sec. 3. AS 16.10.296 is amended to read:

29 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-

1 10.270 - 16.10.296], unless the context otherwise requires,

2 (1) "commissioner" means the commissioner of labor;

3 (2) "fish" means any species of aquatic fin fish, inverte-  
4 bra'es and amphibians, shellfish, or any other raw fishery resource, in  
5 any stage of its life cycle, found in or introduced into the state;

6 (3) "fish processor" means a person engaging or attempting to  
7 engage in a business for which a license is required under AS 43.75.-  
8 010 - 43.75.090;

9 (4) "primary fish buyer" means a person, other than a co-  
10 operative corporation organized under AS 10.15, engaging or attempting  
11 to engage in the business of originally purchasing or buying any raw  
12 fishery resource in intrastate, interstate, or foreign commerce.

13 \* Sec. 4. AS 16.43.360(a) is amended to read:

14 (a) A person who violates or assists in the violation of a provi-  
15 sion of this chapter or a regulation promulgated under this chapter is,  
16 upon conviction, guilty of a misdemeanor and is punishable by a fine of  
17 not more than \$5,000 for a first conviction, and a fine of not more than  
18 \$10,000 for a second or third conviction. Upon a third conviction, the  
19 person shall forfeit all interim-use and entry permits held by him and  
20 loses eligibility for future issuance or transfer of interim-use or  
21 entry permits for a period of three years. Upon a first or second  
22 conviction under this section, the court may in its discretion order a  
23 forfeiture of interim-use or entry permits held by him as well as a loss  
24 of eligibility for future issuance or transfer of interim-use or entry  
25 permits or order a suspension of fishing rights under interim-use or  
26 entry permits held or to be held by him for a period of not more than  
27 three years. This subsection does not apply to violations of AS 16.43.  
28 140(a).

29 \* Sec. 5. AS 16.43.360 is amended by adding a new subsection to read:

1 (f) A person who violates the provisions of AS 16.43.140(a), upon  
2 conviction, shall forfeit the value of the fish caught by the person in  
3 the course of the violation. In addition, the person is subject to the  
4 following penalties:

5 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
6 the first conviction;

7 (2) a fine of not less than \$5,000 or more than \$10,000 and  
8 loss of all fishing privileges in the state, including subsistence,  
9 sport and commercial fishing privileges, for two years after the date of  
10 conviction upon the second conviction;

11 (3) forfeiture of the vessel and gear used in the violation  
12 and imprisonment for a period of not less than three months or more than  
13 one year upon each conviction after the second.  
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Original sponsor: Anderson

Offered: 4/30/80  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to limited entry and providing penal-  
7 ties for the taking and sale of fish without an entry  
8 permit or interim-use permit."

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

10 \* Section 1. AS 16.10 is amended by adding new sections to read:

11 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A  
12 licensed fish processor or primary fish buyer may purchase raw fish only  
13 from a seller who holds an entry permit or an interim-use permit issued  
14 or transferred to the seller in accordance with AS 16.43.

15 (b) When a fisherman sells fish to a fish processor or primary  
16 fish buyer, the fisherman shall have in his possession an entry permit  
17 or interim-use permit issued or transferred to him under AS 16.43 and

18 (1) a picture identification card; or

19 (2) if the entry permit or interim-use permit was transferred  
20 to the fisherman under AS 16.43.180, an emergency transfer slip com-  
21 pleted in accordance with AS 16.43.180 and with regulations of the  
22 Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

23 (c) If requested by a fish processor or primary fish buyer or by a  
24 peace officer, the fisherman shall present the picture identification  
25 card or emergency transfer slip required to be in his possession under  
26 (b) of this section for inspection.

27 (d) A licensed fish processor or primary fish buyer who, in wilful  
28 violation of this section, purchases raw fish is subject to the follow-  
29 ing penalties:

1 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
2 the first conviction;

3 (2) a fine of not less than \$5,000 or more than \$10,000 upon  
4 the second conviction;

5 (3) a fine of not less than \$10,000 or more than \$25,000 upon  
6 the third conviction;

7 (4) upon the fourth or subsequent violation, the commissioner  
8 of revenue may suspend or permanently revoke the person's license to  
9 engage in the business of fish processing or primary fish buying.

10 (e) Proceedings to suspend or revoke a license under (d)(4) of  
11 this section are governed by the Administrative Procedure Act (AS 44.62).

12 (f) In (b)(1) of this section "picture identification card" means  
13 an identification card issued by a local, state, or federal agency which  
14 bears a photograph of the person to whom the card is issued. A "picture  
15 identification card" may include, but is not limited to, a motor vehicle  
16 operator's license issued under AS 28.15.111, an identification card  
17 issued under AS 18.65.310, or a fishermen's identification card issued  
18 under AS 16.10.267.

19 Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon  
20 payment of a \$5 fee, the Department of Public Safety shall issue a  
21 fishermen's identification card to a person who requests one. The  
22 fishermen's identification card shall be identical to an identification  
23 card issued under AS 18.65.310 except that the fishermen's identifica-  
24 tion card may include the number of an entry permit possessed by the  
25 person identified on the card.

26 (b) A person may obtain a fishermen's identification card by  
27 applying to the Department of Public Safety on forms and in the manner  
28 prescribed by the Department of Public Safety.

29 (c) A person who knowingly makes a fraudulent written statement or

1 application for a fishermen's identification card concerning age, race,  
2 sex, entry permit number or other identifying characteristics, is guilty  
3 of a class A misdemeanor.

4 (d) It is a class B misdemeanor for a person to possess, use,  
5 produce or manufacture a fraudulent fishermen's identification card.

6 (e) It is a class B misdemeanor for a person to allow a fisher-  
7 men's identification card issued to him to be used by another person.

8 \* Sec. 2. AS 16.10.296 is amended to read:

9 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-  
10 10.270 - 16.10.296], unless the context otherwise requires,

11 (1) "commissioner" means the commissioner of labor;

12 (2) "fish" means any species of aquatic fin fish, inverte-  
13 brates and amphibians, shellfish, or any other raw fishery resource, in  
14 any stage of its life cycle, found in or introduced into the state;

15 (3) "fish processor" means a person engaging or attempting to  
16 engage in a business for which a license is required under AS 43.75.-  
17 010 - 43.75.090;

18 (4) "primary fish buyer" means a person, other than a co-  
19 operative corporation organized under AS 10.15, engaging or attempting  
20 to engage in the business of originally purchasing or buying any raw  
21 fishery resource in in.rastate, interstate, or foreign commerce.

22 \* Sec. 3. AS 16.43.360(a) is amended to read:

23 (a) A person who violates or assists in the violation of a provi-  
24 sion of this chapter or a regulation promulgated under this chapter is,  
25 upon conviction, guilty of a misdemeanor and is punishable by a fine of  
26 not more than \$5,000 for a first conviction, and a fine of not more than  
27 \$10,000 for a second or third conviction. Upon a third conviction, the  
28 person shall forfeit all interim-use and entry permits held by him and  
29 loses eligibility for future issuance or transfer of interim-use or

1 entry permits for a period of three years. Upon a first or second  
2 conviction under this section, the court may in its discretion order a  
3 forfeiture of interim-use or entry permits held by him as well as a loss  
4 of eligibility for future issuance or transfer of interim-use or entry  
5 permits or order a suspension of fishing rights under interim-use or  
6 entry permits held or to be held by him for a period of not more than  
7 three years. This subsection does not apply to violations of AS 16.43.-  
8 140(a).

9 \* Sec. 4. AS 16.43.360 is amended by adding a new subsection to read:

10 (f) A person who violates the provisions of AS 16.43.140(a), upon  
11 conviction, shall forfeit the value of the fish caught by the person in  
12 the course of the violation. In addition, the person is subject to the  
13 following penalties:

14 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
15 the first conviction;

16 (2) a fine of not less than \$5,000 or more than \$10,000 and  
17 loss of all fishing privileges in the state, including subsistence,  
18 sport and commercial fishing privileges, for two years after the date of  
19 conviction upon the second conviction;

20 (3) forfeiture of the vessel and gear used in the violation  
21 and imprisonment for a period of not less than three months or more than  
22 one year upon each conviction after the second.





7314  
Vassar

Original sponsor: Anderson

Offered: 4/30/80  
Referred: Rules

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to limited entry and providing penal-  
7 ties for the taking and sale of fish without an entry  
8 permit or interim-use permit."

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

10 \* Section 1. AS 16.10 is amended by adding new sections to read:

11 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A  
12 licensed fish processor or primary fish buyer may purchase raw fish only  
13 from a seller who holds an entry permit or an interim-use permit issued  
14 or transferred to the seller in accordance with AS 16.43.

15 (b) When a fisherman sells fish to a fish processor or primary  
16 fish buyer, the fisherman shall have in his possession an entry permit  
17 or interim-use permit issued or transferred to him under AS 16.43 and

18 (1) a picture identification card; or

19 (2) if the entry permit or interim-use permit was transferred  
20 to the fisherman under AS 16.43.180, an emergency transfer slip com-  
21 pleted in accordance with AS 16.43.180 and with regulations of the  
22 Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

23 (c) If requested by a fish processor or primary fish buyer or by a  
24 peace officer, the fisherman shall present the picture identification  
25 card or emergency transfer slip required to be in his possession under  
26 (b) of this section for inspection.

27 (d) A licensed fish processor or primary fish buyer who, in wilful  
28 violation of this section, purchases raw fish is subject to the follow-  
29 ing penalties:

COMMITTEE COPY

7 Note 4/30

1 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
2 the first conviction;

3 (2) a fine of not less than \$5,000 or more than \$10,000 upon  
4 the second conviction;

5 (3) a fine of not less than \$10,000 or more than \$25,000 upon  
6 the third conviction;

7 (4) upon the fourth or subsequent violation, the commissioner  
8 of revenue may suspend or permanently revoke the person's license to  
9 engage in the business of fish processing or primary fish buying.

10 (e) Proceedings to suspend or revoke a license under (d)(4) of  
11 this section are governed by the Administrative Procedure Act (AS 44.62).

12 (f) In (b)(1) of this section "picture identification card" means  
13 an identification card issued by a local, state, or federal agency which  
14 bears a photograph of the person to whom the card is issued. A "picture  
15 identification card" may include, but is not limited to, a motor vehicle  
16 operator's license issued under AS 28.15.111, an identification card  
17 issued under AS 18.65.310, or a fishermen's identification card issued  
18 under AS 16.10.267.

19 Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon  
20 payment of a \$5 fee, the Department of Public Safety shall issue a  
21 fishermen's identification card to a person who requests one. The  
22 fishermen's identification card shall be identical to an identification  
23 card issued under AS 18.65.310 except that the fishermen's identifica-  
24 tion card may include the number of an entry permit possessed by the  
25 person identified on the card.

26 (b) A person may obtain a fishermen's identification card by  
27 applying to the Department of Public Safety on forms and in the manner  
28 prescribed by the Department of Public Safety.

29 (c) A person who knowingly makes a fraudulent written statement or

1 application for a fishermen's identification card concerning age, race,  
2 sex, entry permit number or other identifying characteristics, is guilty  
3 of a class A misdemeanor.

4 (d) It is a class B misdemeanor for a person to possess, use,  
5 produce or manufacture a fraudulent fishermen's identification card.

6 (e) It is a class B misdemeanor for a person to allow a fisher-  
7 men's identification card issued to him to be used by another person.

8 \* Sec. 2. AS 16.10.296 is amended to read:

9 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-  
10 10.270 - 16.10.296], unless the context otherwise requires,

11 (1) "commissioner" means the commissioner of labor;

12 (2) "fish" means any species of aquatic fin fish, inverte-  
13 brates and amphibians, shellfish, or any other raw fishery resource, in  
14 any stage of its life cycle, found in or introduced into the state;

15 (3) "fish processor" means a person engaging or attempting to  
16 engage in a business for which a license is required under AS 43.75.-  
17 010 - 43.75.090;

18 (4) "primary fish buyer" means a person, other than a co-  
19 operative corporation organized under AS 10.15, engaging or attempting  
20 to engage in the business of originally purchasing or buying any raw  
21 fishery resource in intrastate, interstate, or foreign commerce.

22 \* Sec. 3. AS 16.43.360(a) is amended to read:

23 (a) A person who violates or assists in the violation of a provi-  
24 sion of this chapter or a regulation promulgated under this chapter is,  
25 upon conviction, guilty of a misdemeanor and is punishable by a fine of  
26 not more than \$5,000 for a first conviction, and a fine of not more than  
27 \$10,000 for a second or third conviction. Upon a third conviction, the  
28 person shall forfeit all interim-use and entry permits held by him and  
29 loses eligibility for future issuance or transfer of interim-use or

1 entry permits for a period of three years. Upon a first or second  
2 conviction under this section, the court may in its discretion order a  
3 forfeiture of interim-use or entry permits held by him as well as a loss  
4 of eligibility for future issuance or transfer of interim-use or entry  
5 permits or order a suspension of fishing rights under interim-use or  
6 entry permits held or to be held by him for a period of not more than  
7 three years. This subsection does not apply to violations of AS 16.43.-  
8 140(a).

9 \* Sec. 4. AS 16.43.360 is amended by adding a new subsection to read:

10 (f) A person who violates the provisions of AS 16.43.140(a), upon  
11 conviction, shall forfeit the value of the fish caught by the person in  
12 the course of the violation. In addition, the person is subject to the  
13 following penalties:

14 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
15 the first conviction;

16 (2) a fine of not less than \$5,000 or more than \$10,000 and  
17 loss of all fishing privileges in the state, including subsistence,  
18 sport and commercial fishing privileges, for two years after the date of  
19 conviction upon the second conviction;

20 (3) forfeiture of the vessel and gear used in the violation  
21 and imprisonment for a period of not less than three months or more than  
22 one year upon each conviction after the second.

7314  
Vassar

Introduced: 2/18/80  
Referred: Resources

1 IN THE HOUSE

BY ANDERSON

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the taking and sale of fish without  
7 an entry permit or interim-use permit."

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

9 \* Section 1. AS 16.10 is amended by adding new sections to read:

10 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A  
11 licensed fish processor or primary fish buyer may purchase raw fish only  
12 from a seller who holds an entry permit or an interim-use permit issued  
13 or transferred to the seller in accordance with AS 16.43.

14 (b) When a fisherman sells fish to a fish processor or primary  
15 fish buyer, the fisherman shall have in his possession an entry permit  
16 or interim-use permit issued or transferred to him under AS 16.43 and

17 (1) a picture identification card; or

18 (2) if the entry permit or interim-use permit was transferred  
19 to the fisherman under AS 16.43.180, an emergency transfer slip com-  
20 pleted in accordance with AS 16.43.180 and with regulations of the  
21 Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

22 (c) If requested by a fish processor or primary fish buyer or by a  
23 peace officer, the fisherman shall present the picture identification  
24 card or emergency transfer slip required to be in his possession under  
25 (b) of this section for inspection.

26 (d) In (b)(1) of this section "picture identification card" means  
27 an identification card issued by a local, state, or federal agency which  
28 bears a photograph of the person to whom the card is issued. A "picture  
29 identification card" may include, but is not limited to, a motor vehicle

1 operator's license issued under AS 28.15.080, an identification card  
2 issued under AS 18.65.310, or a fishermen's identification card issued  
3 under AS 16.10.267.

4 Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon  
5 payment of a \$5 fee, the Department of Public Safety shall issue a  
6 fishermen's identification card to a person who requests one. The  
7 fishermen's identification card shall be identical to an identification  
8 card issued under AS 18.65.310 except that the fishermen's identi-  
9 fication card may include the number of an entry permit possessed by the  
10 person identified on the card.

11 (b) A person may obtain a fishermen's identification card by  
12 applying to the Department of Public Safety on forms and in the manner  
13 prescribed by the Department of Public Safety.

14 (c) A person who knowingly makes a fraudulent written statement or  
15 application for a fishermen's identification card concerning age, race,  
16 sex, entry permit number or other identifying characteristics, is  
17 guilty of a class B misdemeanor.

18 (d) It is a class B misdemeanor for a person to possess, use,  
19 produce or manufacture a fraudulent fishermen's identification card.

20 (e) It is a class B misdemeanor for a person to allow a fisher-  
21 men's identification card issued to him to be used by another person.

22 \* Sec. 2. AS 16.10.294(c) is amended to read:

23 (c) If a licensed fish processor or primary fish buyer fails to  
24 fulfill his obligations as set out in AS 16.10.290 or purchases raw fish  
25 in violation of AS 16.10.265, his license shall be suspended for a  
26 period of time the commissioner determines is appropriate. After three  
27 suspensions his license may be permanently revoked.

28 \* Sec. 3. AS 16.10.296 is amended to read:

29 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-

1 10.270 - 16.10.296], unless the context otherwise requires,

2 (1) "commissioner" means the commissioner of labor;

3 (2) "fish" means any species of aquatic fin fish, inverte-  
4 brates and amphibians, shellfish, or any other raw fishery resource, in  
5 any stage of its life cycle, found in or introduced into the state;

6 (3) "fish processor" means a person engaging or attempting to  
7 engage in a business for which a license is required under AS 43.75.-  
8 010 - 43.75.090;

9 (4) "primary fish buyer" means a person, other than a co-  
10 operative corporation organized under AS 10.15, engaging or attempting  
11 to engage in the business of originally purchasing or buying any raw  
12 fishery resource in intrastate, interstate, or foreign commerce.

13 \* Sec. 4. AS 16.43.360(a) is amended to read:

14 (a) A person who violates or assists in the violation of a provi-  
15 sion of this chapter or a regulation promulgated under this chapter is,  
16 upon conviction, guilty of a misdemeanor and is punishable by a fine of  
17 not more than \$5,000 for a first conviction, and a fine of not more than  
18 \$10,000 for a second or third conviction. Upon a third conviction, the  
19 person shall forfeit all interim-use and entry permits held by him and  
20 loses eligibility for future issuance or transfer of interim-use or  
21 entry permits for a period of three years. Upon a first or second  
22 conviction under this section, the court may in its discretion order a  
23 forfeiture of interim-use or entry permits held by him as well as a loss  
24 of eligibility for future issuance or transfer of interim-use or entry  
25 permits or order a suspension of fishing rights under interim-use or  
26 entry permits held or to be held by him for a period of not more than  
27 three years. This subsection does not apply to violations of AS 16.43.  
28 140(a).

29 \* Sec. 5. AS 16.43.360 is amended by adding a new subsection to read:

1 (f) A person who violates the provisions of AS 16.43.140(a), upon  
2 conviction, shall forfeit the value of the fish caught by the person in  
3 the course of the violation. In addition, the person is subject to the  
4 following penalties:

5 (1) a fine of not less than \$1,000 or more than \$5,000 upon  
6 the first conviction;

7 (2) a fine of not less than \$5,000 or more than \$10,000 and  
8 loss of all fishing privileges in the state, including subsistence,  
9 sport and commercial fishing privileges, for two years after the date of  
10 conviction upon the second conviction;

11 (3) forfeiture of the vessel and gear used in the violation  
12 and imprisonment for a period of not less than three months or more than  
13 one year upon each conviction after the second.  
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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSIB 630  
 Bill/Resolution No. \_\_\_\_\_  
 Title Relating to limited entry and providing penalties for taking and sale of fish  
without a permit or interim-use permit Date 4/24/80

II. FISCAL DETAIL  
 Agency Affected Revenue  
 Program Category Affected General Government  
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.5	.5	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>122.6</b>	<b>129.9</b>	<b>139.1</b>	<b>148.7</b>	<b>159.2</b>

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/24mm	2/24mm	2/24mm	2/24mm	2/24mm
FULL TIME					
PART TIME					
TEMPORARY					

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

Section 1 requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.62. A staff conferee and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 @ \$3,339 = 40.1  
 Benefits - 6.0, FICA - 2.7, H.I. - 1.5 = 10.2  
 1 PFT Clerk Typist III, R 8 @ \$1,277 = 15.3  
 Benefits - 2.3, FICA - 1.0, H.I. - 1.5 = 4.8

70.4

(continued on next page)

IV. DATE April 24, 1980 PREPARED BY P. A. Wall  
 AGENCY Revenue  
 PHONE 465-2313  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	45.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No. 630  
 Title An Act relating to limited entry and providing penalties for taking & possession by (sale of fish without entry permit or intertidal use permit.  
 Requested by: House Resources Committee Date: 4/23/80

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_  
 Program Category Affected \_\_\_\_\_ Fiscal Services \_\_\_\_\_  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_ Audit Division \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

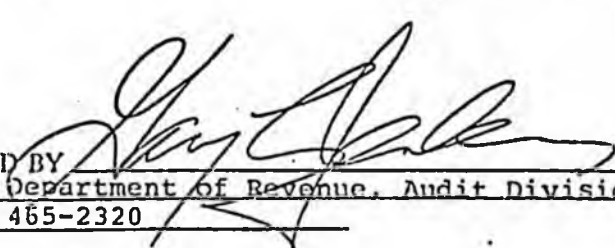
POSITIONS

None

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE April 23, 1980

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

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 630  
Title "An act relating to the taking & sale of fish w/o entry or interim-use permit"  
Requested by Representative Osterback Date 3/3/80

II. FISCAL DETAIL

Agency Affected Public Safety  
Program Category Affected NRMEC/Public Protection  
BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		0	0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

No fiscal impact is projected. Applicants for a Fishermen's Identification Card (proposed AS 16.10.267) would need to use an existing field office of the Division of Motor Vehicles.

No additional cost is projected for the Division of Fish and Wildlife Protection for enforcement. (Similar comment was made on SB 391).

IV. DATE 3/3/80

PREPARED BY Michael Clemens  
AGENCY Public Safety  
PHONE 465-4322

Original: Legislative Finance  
cc: Budget and Management

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill 630  
 Title An Act relating to limited entry and providing penalties...etc.  
 Requested by House Resources Date 4/24/80

II. FISCAL DETAIL

Agency Affected Labor  
 Program Category Affected Worker Protection  
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

Committee Substitute does not impact this department.

IV. DATE April 24, 1980

PREPARED BY Jim Souby  
 AGENCY Labor  
 PHONE 465-2720

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

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session  
 SPONSOR SUBSTITUTE FOR  
 HOUSE ..... BILL ..... NO. 630 .....  
 By ..... ANDERSON .....

"An Act relating to the taking and sale of fish without an entry permit or interim-use permit."

Taking and sale of fish without a permit

Introduced in the House 2/13....., 19.80.

HISTORY IN THE HOUSE

19 80	Read first time and referred to Committee on												
Feb. 18	<b>Resources</b>												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
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Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
	..... By Governor
	Filed with Lt. Governor
	Chapter No. ....



# RECORDS CERTIFICATION



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

James O. Smith  
Signature of Camera Operator

3/20/90  
Date

Introduced: 1/30/80  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY PARR

2 HOUSE BILL NO. 637

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the purchase of services by the  
7 state for persons under its responsibility; and pro-  
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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26 \* Sec. 6. This Act takes effect July 1, 1980.  
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Original sponsor: Parr

Offered: 5/2/80  
Referred: Finance

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BY THE HEALTH EDUCATION AND  
SOCIAL SERVICES COMMITTEE

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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

48657

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 637

Title "An Act relating to the purchase of services by the state for persons under its

Requested by House HCSS

Date 4/16/80

Title cont.

responsibility; and providing for an effective date."

II. FISCAL DETAIL

Department of Health and Social Services

Agency Affected

Program Category Affected Social Services, Justice, Health

BRU, Program, or Subprogram(s) Affected Admin. and Support - Audit

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		125.8	98.0	111.0	124.0	140.0
200 TRAVEL		20.1	19.0	21.0	23.0	25.0
300 CONTRACTUAL		.0	1.1	1.3	1.4	1.6
400 COMMODITIES		1.0	.8	.0	1.0	1.1
500 EQUIPMENT		2.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		1) See Note 1 below				

TOTAL

150.3 \* 118.0 \* 134.2 \* 149.4 \* 167.7 \*

\*Does not include costs in 700 lines as result of cost settling.

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		150.3*	118.0*	134.2*	149.4*	167.7*
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		3	2	2	2	2
PART TIME						
TEMPORARY						

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

Note 1:

During 1978 rate hearings were held for "full-cost-of-care" as required in AS 47.40.70. Inflationary rate increases were established and the costs for the first six months of that year were reviewed. Based on that information rates were believed to be sufficient to pay for the full-cost-of-care. A review of FY 1979 provider costs revealed costs exceeded actual payments by \$352,723.81. It may be reasonable to assume that the FY 81 cost settlement would be at least equal and probably greater.

Assumptions:

- Actual impact cannot be estimated for expenditures related to costs to be allowed under this bill, as no data base exists. Other line items reflect 7% inflation.

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Prepared by: Cborah Bell Date: April 16, 1980

Division/Office: PH:

Department of Health & Social Services

33-001 (Rev. 12/79)

Modify by DHSS (11-28-79)

Approval DHSS Mgt. & Bdgt: [Signature] Date: 4/16/80

2. Costs above reflect increase in administrative expense only.
3. All positions full year budgeted.
4. Salaries reflect current contracts plus 7% increase in calendar year 1982.

## Program:

## 1. Personal Services

- a. Two range 18 Field Auditors  
Salary FY 81  
2465 increases to 2640 1-1-81  
  
FY 82  
2736 increases to 2928 1-1-82  
Benefits total 28%

## Program:

- b. Social Worker IV Position for FY 81 only.

This position is needed to enable the Department to promulgate regulations this fiscal year, including levels of care and standards of allowable costs. The position would also carry out an implementation plan including developing facility forms, guidelines, and information packets. Finally, the position would provide ongoing expertise in residential child care and develop strategies to enable providers to upgrade the quality of their treatment programs.

## 2. Program Plan

These additional auditors will be required to perform lengthy and complex fiscal audits to establish and revise rates of reimbursement for contract providers of service.

The complex financial arrangements made by some current providers include holding companies, lease back agreements, donated property and similar complications, all of which preclude an accurate cost estimate.

(11)

# COMMITTEE REPORT

## HOUSE

5/2/80

FURTHER:

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

Mr. Speaker:

The Committee on FINANCE has had HB 637

"An Act relating to the purchase of services by the state for persons under its responsibility; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

# COMMITTEE REPORT

(7)

## HOUSE

5/2

1/30/80

FURTHER: FINANCE

Date: 4/29/80

Mr. Speaker:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 637

"An Act relating to the purchase of services by the state for persons under its responsibility; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
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MEMBERS SIGNING  
DO PASS

*Chas H. Welford*  
*Boones*  
*Buchholdt*  
*Aurke Rein*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*Vernon Furth*  
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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Buchholdt*  
 CHAIRMAN

7795  
Walker

Original sponsor: Parr

Offered: 5/2/80  
Referred: Finance

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COMMITTEE COPY

7 note 5/2

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7795  
Walker

Introduced: 1/30/80  
Referred: Health, Education &  
Social Services and Finance

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FISCAL NOTE

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Bill/Resolution No. House Bill 637

(Page 1 of 2)

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Requested by House HSS Date 4/16/80

Title cont.

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<b>TOTAL</b>		<b>150.3 *</b>	<b>118.0 *</b>	<b>134.2 *</b>	<b>149.4 *</b>	<b>167.7 *</b>

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OTHER (Specify Fund Source)						

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

Prepared by: Cedrick B. Baker Date: April 16, 1980  
Division/Office: \_\_\_\_\_ PH: \_\_\_\_\_  
Department of Health & Social Services

HB 637.

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ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

HOUSE BILL NO. 637

By PARR

"An Act relating to the purchase of services by the state for persons under its responsibility; and providing for an effective date."

Purchase of services by the state

Introduced in the House 1/30, 1980

HISTORY IN THE HOUSE

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Jan 30	HESS and Finance																												
	Reported back with recommendation that																												
	Read second time and																												
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	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reported correctly engrossed</td> </tr> <tr> <td colspan="2">Signed by Speaker</td> </tr> <tr> <td colspan="2">Sent to Senate</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reported correctly engrossed		Signed by Speaker		Sent to Senate	
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	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reported correctly engrossed</td> </tr> <tr> <td colspan="2">Signed by President</td> </tr> <tr> <td colspan="2">Returned to House</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reported correctly engrossed		Signed by President		Returned to House	
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SECRETARY OF THE SENATE																													

HISTORY IN THE HOUSE

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

*New*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 637 (Page 1 of 2)  
Title "An Act relating to the purchase of services by the state for persons under its responsibility; and providing for an effective date."  
Requested by House DSS Date 4/16/80  
Title cont.

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
Program Category Affected Social Services, Justice, Health  
BRU, Program, or Subprogram(s) Affected Admin. and Support - Audit  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		125.8	99.0	111.0	124.0	140.0
200 TRAVEL		20.1	10.0	21.0	25.0	25.0
300 CONTRACTUAL		.0	1.1	1.3	1.4	1.6
400 COMMODITIES		1.0	.8	.0	1.0	1.1
500 EQUIPMENT		2.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
		11 See Note 1 below				
<b>TOTAL</b>						
		150.3 *	118.9 *	134.2 *	149.4 *	167.7 *

\*Does not include costs in 700 lines as result of cost settling.

FUNDING (Thousands of Dollars)

GENERAL FUND		150.3*	118.9*	134.2*	149.4*	167.7*
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		3	2	2	2	2
PART TIME						
TEMPORARY						

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

Note 1:

During 1978 rate hearings were held for "full-cost-of-care" as required in AS 47.40.70. Inflationary rate increases were established and the costs for the first six months of that year were reviewed. Based on that information rates were believed to be sufficient to pay for the full-cost-of-care. A review of FY 1979 provider costs revealed costs exceeded actual payments by \$352,723.81. It may be reasonable to assume that the FY 81 cost settlement would be at least equal and probably greater.

Assumptions:

- Actual impact cannot be estimated for expenditures related to costs to be allowed under this bill, as no data base exists. Other line items reflect 7% inflation.

Original: Legislative Finance Prepared by: Cecilia Bell Date: April 16, 1980  
cc: Budget and Management Division/Office: PH:  
Prime Sponsor (First Legislator Named) Department of Health & Social Services

33-001 (Rev. 12/79)  
Modify by DHSS (11-28-79)

Approval DHSS Mgt. & Bdgt John DeWine Date: 4/16/80

2. Costs above reflect increase in administrative expense only.
3. All positions full year budgeted.
4. Salaries reflect current contracts plus 7% increase in calendar year 1982.

Program:

1. Personal Services

a. Two range 18 Field Auditors

Salary FY 81

2465 increases to 2640 1-1-81

FY 82

2736 increases to 2928 1-1-82

Benefits total 28%

Program:

b. Social Worker IV Position for FY 81 only.

This position is needed to enable the Department to promulgate regulations this fiscal year, including levels of care and standards of allowable costs. The position would also carry out an implementation plan including developing facility forms, guidelines, and information packets. Finally, the position would provide ongoing expertise in residential child care and develop strategies to enable providers to upgrade the quality of their treatment programs.

Program Plan

These additional auditors will be required to perform lengthy and complex fiscal audits to establish and revise rates of reimbursement for contract providers of service.

The complex financial arrangements made by some current providers include holding companies, lease back agreements, donated property and similar complications, all of which preclude an accurate cost estimate.



# RECORDS CERTIFICATION



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

James O. Smith  
Signature of Camera Operator

3/20/90  
Date

(11)

# COMMITTEE REPORT

## HOUSE

3/28/80

FURTHER:

Date: 5/22/80

Mr. Speaker:

The Committee on FINANCE has had HB 638

"An Act relating to transportation planning and reports."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with <sup>st. Affairs</sup> CS for HB 638  same title  
 new title
- and recommends individual rec.
- AND attaches a "Letter of Intent"  <sup>amended</sup> New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Freeman

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

No Rec - Rogers

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Freeman  
Chair CHAIRMAN

Requested by

Special Committee on Budget and Finance

Date 3/21/80

(this is date of request)

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities

Program Category Affected Transportation

CRU, Program, or Subprogram(s) Affected Planning and Research

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		1.8	2.7	2.7	2.7	2.7
200 TRAVEL **		22.5	23.4	23.4	23.4	23.4
300 CONTRACTUAL		2.0	2.0	2.0	2.0	2.0
400 COMMODITIES		2.0	2.0	2.0	2.0	2.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		28.3	30.1	30.1	30.1	30.1

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	28.3	30.1	30.1	30.1	30.1	30.1
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
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)

This revises Fiscal Note of 2/9/80. Membership on the Council would be increased from five (5) to nine (9) members.

\*\* Travel based on four (4) meetings per year, nine 9 members for two (2) days.

IV. DATE 3/21/80

PREPARED BY John Umlauf

Approved: JB

AGENCY Planning & Research, Dept of Transportation

PHONE 465-2470

Public Facilities

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Original sponsor: The Special Committee  
on Roads and Highways

Offered: 3/28/80  
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 638

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation planning and re-  
7 ports."

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

9 \* Section 1. AS 44.42 is amended by adding new sections to read:

10 ARTICLE 2. ALASKA TRANSPORTATION POLICY COUNCIL.

11 Sec. 44.42.100. ESTABLISHMENT OF COUNCIL. There is established  
12 the Alaska Transportation Policy Council. The council is in the De-  
13 partment of Transportation and Public Facilities, but for administrative  
14 purposes only.

15 Sec. 44.42.105. APPOINTMENT AND QUALIFICATIONS. The council  
16 consists of nine members appointed by the governor. Each member must be  
17 a resident and qualified voter of Alaska at the time of his appointment  
18 and while serving on the council. Two members shall be appointed from  
19 each of the four judicial districts of the state and the ninth member  
20 shall be appointed at large.

21 Sec. 44.42.110. TERMS OF OFFICE. (a) Members of the council  
22 shall be appointed for five-year terms. However, of the initial ap-  
23 pointments to the council, two members shall serve for one year, two  
24 members shall serve for two years, two members shall serve for three  
25 years, two members shall serve for four years, and one member shall  
26 serve for five years.

27 (b) The governor shall fill a vacancy on the council for the  
28 balance of an unexpired term.

29 (c) The council shall select a chairman from among its members.

1           Sec. 44.42.115. PER DIEM AND EXPENSES. Members of the council  
2 receive no salary, but are entitled to per diem and travel expenses  
3 authorized by law for other boards and commissions.

4           Sec. 44.42.120. MEETINGS. The chairman may call meetings of the  
5 council upon at least 14 days notice, and must call meetings upon the  
6 request of five members.

7           Sec. 44.42.125. QUORUM AND MAJORITY. Five members of the council  
8 constitute a quorum for the conduct of business. An affirmative vote by  
9 a majority of the members of the council is required for action by the  
10 council.

11          Sec. 44.42.130. DUTIES. (a) The council shall make recommenda-  
12 tions to the governor and the legislature relating to

13               (1) the development and implementation of a comprehensive  
14 long-range transportation plan for the state; in developing the recom-  
15 mendations for the plan the council shall consider methods to

16                       (A) improve existing transportation modes to ensure safe  
17 and efficient transportation services;

18                       (B) provide alternatives to existing transportation  
19 modes in the state, considering the economic costs and benefits and  
20 the social and environmental impacts of the alternatives;

21                       (C) provide alternatives to existing transportation  
22 modes in urban areas of the state and to provide for the develop-  
23 ment of plans to improve urban transportation;

24                       (D) improve transportation for the elderly, handicapped  
25 and poor;

26                       (E) improve the movement of goods and services, in-  
27 cluding transportation support for resource development;

28                       (F) improve or create energy conservation measures; and

29                       (G) provide financing of the operational and maintenance

1           costs of transportation modes by the users of the systems and  
2           facilities;

3           (2) the development and coordination of regional transporta-  
4           tion planning, including the development of regional, intermodal, short-  
5           range and long-range transportation plans and systems;

6           (3) the development of plans covering a six-year period for  
7           the construction of transportation facilities, including the development  
8           of budgets reflecting the cost of constructing the facilities and re-  
9           flecting the cost of maintaining and operating the facilities; the  
10          development of criteria to assess the performance of the transportation  
11          facilities in providing the functions for which they were intended; and  
12          the development of schedules for the completion of construction of the  
13          facilities;

14          (4) the provision of effective coordination of state trans-  
15          portation planning with national transportation policy, state and local  
16          land use policies, and local and regional transportation plans and  
17          programs;

18          (5) procedures for effective public involvement in trans-  
19          portation planning and operations, considering the development of re-  
20          gional transportation advisory boards, and when applicable, the use of  
21          public and private agencies designed to encourage public involvement in  
22          state planning functions;

23          (6) procedures for reviewing and revising state transporta-  
24          tion policies and plans;

25          (7) other activities considered necessary by the council or  
26          directed by the governor.

27          (b) The council shall submit an annual report containing the  
28          recommendations required under (a) of this section to the governor and  
29          the legislature. The report shall be submitted not later than January 30

1 of each year.

2 Sec. 44.42.135. DEFINITION. In AS 44.42.100 - 44.42.135, "council"  
3 means the Alaska Transportation Policy Council.

4 \* Sec. 2. AS 19.10.140 is amended to read:

5 Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY CONSTRUCTION AND  
6 MAINTENANCE. The governor shall require the department to establish a  
7 continuing, long-range program for highway construction and maintenance.  
8 The program shall annually project proposed construction and maintenance  
9 of highways for not less than the next succeeding five years. A state-  
10 ment of the program shall be submitted by the governor to the legisla-  
11 ture annually, and the long-range program shall include in detail the  
12 program prepared under AS 19.10.150. The department shall annually  
13 submit a copy of the program to the Alaska Transportation Policy Coun-  
14 cil (AS 44.42.100).

15 \* Sec. 3. AS 19.10 is amended by adding a new section to read:

16 Sec. 19.10.155. PROJECT REPORTING. The department shall establish  
17 an information system to provide current information for each project it  
18 undertakes. The information system shall be available to members of the  
19 legislature and shall include information on

- 20 (1) the status of construction on each project;  
21 (2) the amount of money spent on each project; and  
22 (3) the estimated amount of money needed to complete each

23 project.

24 \* Sec. 4. AS 44.42.050(a) is amended to read:

25 (a) The commissioner shall develop annually a comprehensive,  
26 intermodal, long-range transportation plan for the state. In developing  
27 and revising the state plan, the commissioner shall consider means and  
28 costs of improving existing modes and facilities, state and federal  
29 subsidies, and the costs and benefits of new transportation modes and

1 facilities. The commissioner shall also consider the recommendation of  
2 the Alaska Transportation Planning Council. The plan shall be submitted  
3 to the governor for his review and approval and submitted by the gover-  
4 nor to the legislature. A copy of the plan shall be submitted to the  
5 Alaska Transportation Policy Council (AS 44.42.100).  
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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 638 -- Revision  
 Title An Act relating to Transportation Planning and Reports  
 Requested by Special Committee on Roads and Highways Date 1/30/80  
 (this is date of first request)

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities  
 Program Category Affected Transportation  
 BRU, Program, or Subprogram(s) Affected Planning and Research  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		25.0				
200 TRAVEL *		* 30.0				
300 CONTRACTUAL		12.0				
400 COMMODITIES		4.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		** 71.0				

FUNDING (Thousands of Dollars)

GENERAL FUND	71.0				
FEDERAL FUNDS	0				
OTHER (Specify Fund Source)	0				

POSITIONS

FULL TIME	1				
PART TIME	0				
TEMPORARY	0				

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

This revises Fiscal Note of 2/9.80. Membership on the Council would be increased from five (5) to nine (9) members.

\* - Travel based on four (4) meetings per year, nine (9) members for two (2) days.

\*\* - Does not include 1.8 Million needed for Information System.

IV. DATE 5/27/80

PREPARED BY John Umlauf Approved: 

AGENCY Planning & Research, DOT/PF

PHONE 465-2470

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

I. REQUEST  
 Bill/Resolution No. HOUSE BILL NO. 638 -- Revision  
 Title An Act relating to Transportation Planning and Reports  
 Requested by Special Committee on Roads and Highways Date 1/30/80  
 (this is date of first request)

II. FISCAL DETAIL  
 Agency Affected Department of Transportation and Public Facilities  
 Program Category Affected Transportation  
 BRU, Program, or Subprogram(s) Affected Planning and Research  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0.9	1.8	2.7	2.7	2.7	2.7
200 TRAVEL **	8.1	22.5	23.4	23.4	23.4	23.4
300 CONTRACTUAL	1.0	2.0	2.0	2.0	2.0	2.0
400 COMMODITIES	1.0	2.0	2.0	2.0	2.0	2.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>11.0</b>	<b>28.3</b>	<b>30.1</b>	<b>30.1</b>	<b>30.1</b>	<b>30.1</b>

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	11.0	28.3	30.1	30.1	30.1	30.1
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
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)

This revises Fiscal Note of 2/9/80. Membership on the Council would be increased from five (5) to nine (9) members.

\*\* Travel based on four (4) meetings per year, nine 9 members for two (2) days.

IV. DATE 3/21/80 PREPARED BY John Umlauf *Approved: JB*  
 AGENCY Planning & Research, Dept of Transportation  
 PHONE 465-2470 Public Facilities  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 638

Title An Act Relating to Transportation Planning and Reports

Requested by Special Committee on Roads and Highways Date 1/30/80

II. FISCAL DETAIL

Agency Affected Department of Transportation & Public Facilities

Program Category Affected Transportation

BRU, Program, or Subprogram(s) Affected Planning & Research

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0.5	1.0	1.5	1.5	1.5	1.5
200 TRAVEL **	4.5	12.5	13.0	13.5	14.0	14.5
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>5.0</b>	<b>13.5</b>	<b>14.5</b>	<b>15.0</b>	<b>15.5</b>	<b>16.0</b>

\*\* Travel based on 4 meetings per year, 5 members for 2 days

FUNDING (Thousands of Dollars)

	5.0	13.5	14.5	15.0	15.5	16.0
GENERAL FUND						
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

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

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

Administrative Order No. 33, as amended, dated October 8, 1976 established the Alaska Transportation Planning Council within the Division of Policy Development and Planning. It is assumed that this HB 638 will supersede the Administrative Order No. 33. The duties described by HB 638 are not as comprehensive as the duties for the Council in AO 33. In HB 638 the duties of the Council are limited to review and comment on the department's plans and programs and providing copies of their comments to the legislative and executive branches. AO 33 required development of recommendations on a variety of transportation policy issues, programs and procedures with at least one report annually detailing the findings, recommendations, and areas of study of the Council. There are no provisions for an Executive Secretary in HB 638 to provide the administrative support for the council. Arranging for meetings, agenda, travel, travel vouchers and payment, correspondence, transcribing meeting minutes, and report preparation are necessary administrative activities that must be provided.

IV. DATE 2/9/80

PREPARED BY John Umlauf  
AGENCY Planning & Research, DOTPF  
PHONE 465-2470

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No.638  
 Title An Act Relating to Transportation Planning and Reports  
 Requested by Special Committee on Roads and Highways Date 1/30/80

II. FISCAL DETAIL

Agency Affected Department of Transportation & Public Facilities  
 Program Category Affected Transportation  
 BRU, Program, or Subprogram(s) Affected Planning & Research  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0.5	1.0	1.5	1.5	1.5	1.5
200 TRAVEL **	4.5	12.5	13.0	13.5	14.0	14.5
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL 5.0 13.5 14.5 15.0 15.5 16.0

\*\* Travel based on 4 meetings per year, 5 members for 2 days

FUNDING (Thousands of Dollars)

	5.0	13.5	14.5	15.0	15.5	16.0
GENERAL FUND						
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

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

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

Administrative Order No.33, as amended, dated October 8, 1976 established the Alaska Transportation Planning Council within the Division of Policy Development and Planning. It is assumed that this HB 638 will supersede the Administrative Order No.33. The duties described by HB 638 are not as comprehensive as the duties for the Council in AO 33. In HB 638 the duties of the Council are limited to review and comment on the department's plans and programs and providing copies of their comments to the legislative and executive branches. AO 33 required development of recommendations on a variety of transportation policy issues, programs and procedures with at least one report annually detailing the findings, recommendations, and areas of study of the Council. There are no provisions for an Executive Secretary in HB 638 to provide the administrative support for the council. Arranging for meetings, agenda, travel, travel vouchers and payment, correspondence, transcribing meeting minutes, and report preparation are necessary administrative activities that must be provided.

IV. DATE 2/9/80 PREPARED BY John Umlauf  
 AGENCY Planning & Research, DOTPF  
 PHONE 465-2470

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

Introduced: 1/30/80  
Referred: State Affairs and  
Finance

BY THE SPECIAL COMMITTEE  
ON ROADS AND HIGHWAYS

1 IN THE HOUSE

2 HOUSE BILL NO. 638

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation planning and re-  
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 44.42 is amended by adding new sections to read:

10 ARTICLE 2. ALASKA TRANSPORTATION POLICY COUNCIL.

11 Sec. 44.42.100. ESTABLISHMENT OF COUNCIL. There is established  
12 the Alaska Transportation Policy Council. The council is in the De-  
13 partment of Transportation and Public Facilities, but for administrative  
14 purposes only.

15 Sec. 44.42.110. APPOINTMENT AND QUALIFICATIONS. The council  
16 consists of five members appointed by the governor. Each member must be  
17 a resident and qualified voter of Alaska at the time of his appointment  
18 and while serving on the council. One member shall be appointed from  
19 each of the four judicial districts of the state and the fifth member  
20 shall be appointed at large.

21 Sec. 44.42.120. TERMS OF OFFICE. (a) Members of the council  
22 shall be appointed for five-year terms. However, of the initial  
23 appointments to the council, one member shall serve for one year, one  
24 member shall serve for two years, one member shall serve for three  
25 years, one member shall serve for four years, and one member shall serve  
26 for five years.

27 (b) The governor shall fill a vacancy on the council for the  
28 balance of an unexpired term.

29 (c) The council shall select a chairman from among its members.

1           Sec. 44.42.130. PER DIEM AND EXPENSES. Members of the council  
2 receive no salary, but are entitled to per diem and travel expenses  
3 authorized by law for other boards and commissions.

4           Sec. 44.42.140. MEETINGS. The chairman may call meetings of the  
5 council upon at least seven days notice, and must call meetings upon the  
6 request of two members.

7           Sec. 44.42.150. QUORUM AND MAJORITY. Three members of the council  
8 constitute a quorum for the conduct of business. A vote of the  
9 majority of members present is required for action by the council.

10          Sec. 44.42.160. DUTIES. The council shall review and comment on  
11 each plan and program submitted to it under AS 44.42.050 and AS 19.10.-  
12 140. The council shall provide copies of its comments to the commis-  
13 sioner of transportation and public facilities, the governor, and the  
14 legislature within 90 days after each plan or program is received.

15 \* Sec. 2. AS 19.10.140 is amended to read:

16          Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY CONSTRUCTION AND  
17 MAINTENANCE. The governor shall require the department to establish a  
18 continuing, long-range program for highway construction and maintenance.  
19 The program shall annually project proposed construction and maintenance  
20 of highways for not less than the next succeeding five years. A state-  
21 ment of the program shall be submitted by the governor to the legisla-  
22 ture annually, and the long-range program shall include in detail the  
23 program prepared under AS 19.10.150. The department shall annually  
24 submit a copy of the program to the Alaska Transportation Policy  
25 Council (AS 44.42.100).

26 \* Sec. 3. AS 19.10 is amended by adding a new section to read:

27          Sec. 19.10.155. QUARTERLY REPORTS. The department shall prepare a  
28 quarterly report for each highway construction project it undertakes.  
29 The report shall include (1) a statement of the current status of con-

1       struction on the project; (2) a statement of the amount of money spent  
2       on the project to date; and (3) an estimate of the amount of money which  
3       will be needed to complete the project. In addition, the report shall  
4       indicate how the project fits into the plans and programs required under  
5       AS 19.10.140 and AS 44.42.050. The department shall submit a copy of  
6       the quarterly report to the legislature.

7       \* Sec. 4. AS 44.42.050(a) is amended to read:

8               (a) The commissioner shall develop annually a comprehensive,  
9       intermodal, long-range transportation plan for the state. In developing  
10       and revising the state plan, the commissioner shall consider means and  
11       costs of improving existing modes and facilities, state and federal  
12       subsidies, and the costs and benefits of new transportation modes and  
13       facilities. The commissioner shall also consider the recommendation of  
14       the Alaska Transportation Planning Council. The plan shall be submitted  
15       to the governor for his review and approval and submitted by the  
16       governor to the legislature. A copy of the plan shall be submitted  
17       to the Alaska Transportation Policy Council (AS 44.42.100).  
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Original sponsor: The Special Committee  
on Roads and Highways

Offered: 3/28/80  
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 638

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to transportation planning and re-  
7 ports."

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

9 \* Section 1. AS 44.42 is amended by adding new sections to read:

10 ARTICLE 2. ALASKA TRANSPORTATION POLICY COUNCIL.

11 Sec. 44.42.100. ESTABLISHMENT OF COUNCIL. There is established  
12 the Alaska Transportation Policy Council. The council is in the De-  
13 partment of Transportation and Public Facilities, but for administrative  
14 purposes only.

15 Sec. 44.42.105. APPOINTMENT AND QUALIFICATIONS. The council  
16 consists of nine members appointed by the governor. Each member must be  
17 a resident and qualified voter of Alaska at the time of his appointment  
18 and while serving on the council. Two members shall be appointed from  
19 each of the four judicial districts of the state and the ninth member  
20 shall be appointed at large.

21 Sec. 44.42.110. TERMS OF OFFICE. (a) Members of the council  
22 shall be appointed for five-year terms. However, of the initial ap-  
23 pointments to the council, two members shall serve for one year, two  
24 members shall serve for two years, two members shall serve for three  
25 years, two members shall serve for four years, and one member shall  
26 serve for five years.

27 (b) The governor shall fill a vacancy on the council for the  
28 balance of an unexpired term.

29 (c) The council shall select a chairman from among its members.

1           Sec. 44.42.115. PER DIEM AND EXPENSES. Members of the council  
2 receive no salary, but are entitled to per diem and travel expenses  
3 authorized by law for other boards and commissions.

4           Sec. 44.42.120. MEETINGS. The chairman may call meetings of the  
5 council upon at least 14 days notice, and must call meetings upon the  
6 request of five members.

7           Sec. 44.42.125. QUORUM AND MAJORITY. Five members of the council  
8 constitute a quorum for the conduct of business. An affirmative vote by  
9 a majority of the members of the council is required for action by the  
10 council.

11          Sec. 44.42.130. DUTIES. (a) The council shall make recommenda-  
12 tions to the governor and the legislature relating to

13               (1) the development and implementation of a comprehensive  
14 long-range transportation plan for the state; in developing the recom-  
15 mendations for the plan the council shall consider methods to

16                   (A) improve existing transportation modes to ensure safe  
17 and efficient transportation services;

18                   (B) provide alternatives to existing transportation  
19 modes in the state, considering the economic costs and benefits and  
20 the social and environmental impacts of the alternatives;

21                   (C) provide alternatives to existing transportation  
22 modes in urban areas of the state and to provide for the develop-  
23 ment of plans to improve urban transportation;

24                   (D) improve transportation for the elderly, handicapped  
25 and poor;

26                   (E) improve the movement of goods and services, in-  
27 cluding transportation support for resource development;

28                   (F) improve or create energy conservation measures; and

29                   (G) provide financing of the operational and maintenance

1 costs of transportation modes by the users of the systems and  
2 facilities;

3 (2) the development and coordination of regional transporta-  
4 tion planning, including the development of regional, intermodal, short-  
5 range and long-range transportation plans and systems;

6 (3) the development of plans covering a six-year period for  
7 the construction of transportation facilities, including the development  
8 of budgets reflecting the cost of constructing the facilities and re-  
9 flecting the cost of maintaining and operating the facilities; the  
10 development of criteria to assess the performance of the transportation  
11 facilities in providing the functions for which they were intended; and  
12 the development of schedules for the completion of construction of the  
13 facilities;

14 (4) the provision of effective coordination of state trans-  
15 portation planning with national transportation policy, state and local  
16 land use policies, and local and regional transportation plans and  
17 programs;

18 (5) procedures for effective public involvement in trans-  
19 portation planning and operations, considering the development of re-  
20 gional transportation advisor boards, and when applicable, the use of  
21 public and private agencies designed to encourage public involvement in  
22 state planning functions;

23 (6) procedures for reviewing and revising state transporta-  
24 tion policies and plans;

25 (7) other activities considered necessary by the council or  
26 directed by the governor.

27 (b) The council shall submit an annual report containing the  
28 recommendations required under (a) of this section to the governor and  
29 the legislature. The report shall be submitted not later than January 30

1 of each year.

2 Sec. 44.42.135. DEFINITION. In AS 44.42.100 - 44.42.135, "council"  
3 means the Alaska Transportation Policy Council.

4 \* Sec. 2. AS 19.10.140 is amended to read:

5 Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY CONSTRUCTION AND  
6 MAINTENANCE. The governor shall require the department to establish a  
7 continuing, long-range program for highway construction and maintenance.  
8 The program shall annually project proposed construction and maintenance  
9 of highways for not less than the next succeeding five years. A state-  
10 ment of the program shall be submitted by the governor to the legisla-  
11 ture annually, and the long-range program shall include in detail the  
12 program prepared under AS 19.10.150. The department shall annually  
13 submit a copy of the program to the Alaska Transportation Policy Coun-  
14 cil (AS 44.42.100).

15 \* Sec. 3. AS 19.10 is amended by adding a new section to read:

16 Sec. 19.10.155. PROJECT REPORTING. The department shall establish  
17 an information system to provide current information for each project it  
18 undertakes. The information system shall be available to members of the  
19 legislature and shall include information on

- 20 (1) the status of construction on each project;  
21 (2) the amount of money spent on each project; and  
22 (3) the estimated amount of money needed to complete each  
23 project.

24 \* Sec. 4. AS 44.42.050(a) is amended to read:

25 (a) The commissioner shall develop annually a comprehensive,  
26 intermodal, long-range transportation plan for the state. In developing  
27 and revising the state plan, the commissioner shall consider means and  
28 costs of improving existing modes and facilities, state and federal  
29 subsidies, and the costs and benefits of new transportation modes and

1 facilities. The commissioner shall also consider the recommendation of  
2 the Alaska Transportation Planning Council. The plan shall be submitted  
3 to the governor for his review and approval and submitted by the gover-  
4 nor to the legislature. A copy of the plan shall be submitted to the  
5 Alaska Transportation Policy Council (AS 44.42.100).  
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