

LEG. FINANCE - BILLS 1979 - 1980 1180

CASHB 863 am cont., thru HB 869 480

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 863 SB 535
Title An Act providing for a task force on fire prevention and control
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Community & Regional Affairs
Program Category Affected _____
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		68.2	73.6	79.5	85.9	92.7
200 TRAVEL		76.7	82.8	89.4	96.6	104.3
300 CONTRACTUAL		53.4	57.7	62.3	67.3	72.7
400 COMMODITIES		5.5	5.9	6.4	6.9	7.5
500 EQUIPMENT		1.6	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		205.4	220.0	237.6	256.7	277.2

FUNDING (Thousands of Dollars)

GENERAL FUND		205.4	220.0	237.6	256.7	277.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		2	2	2	2	2
PART TIME						
TEMPORARY						

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

All the above costs are increased at 8% a year for inflation. Attached is a breakdown of the costs.

IV. DATE 3-27-80 PREPARED BY McKie Campbell
AGENCY Community & Regional Affairs
PHONE 465-4735
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Contractual Services

Communications	7,500
Advertising & Printing (annual report, info to task force members & advertising of public hearings)	7,000
Space expense	
Meetings	1,500
Office 400 sq. ft. @ \$2.00	9,000
Equipment rental	
Mag card @ \$232/mo.	2,800
Professional fees (study performed by professionals could be more than one contract)	<u>25,000</u>
	53,400

Commodities

Office supplies	3,000
Photo/video supplies	2,000
misc. operating supplies	500
	<u>\$5,500</u>

Equipment

1 file cabinet	200
2 desks	750
2 chairs	500
other	350
	<u>\$1,600</u>

Cost Summary

Personal Services	\$ 68,157
Travel	76,680
Contractual	53,400
Commodities	5,500
Equipment	1,600
	<u>\$205,337</u>

Personal Services

Project Coordinator (20A) \$2845	\$34,140
Benefits @ .1465	5,002
FICA @ .0665	2,270
Health Insurance	1,524
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Based on new partially-exempt salary schedule effective 5/16/80. \$68,157

Benefits are based on FY81 budget instructions.

Fixed	.1394
Office of Governor variable	.0071
	<u>.1465</u>

Travel

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Transportation - 20 instate trips @ \$350	\$ 7,000
Per diem @ \$70 for 60 days	4,200
	<u>\$11,200</u>
Administrative Assistant	
Transportation - 12 instate trips @ \$750	\$4,200
Per diem @ \$70 for 36 days	2,520
	<u>\$6,720</u>

(Locations averaged for transportation estimate)

Task Force members

Transportation - 9 members/4 regular meetings @ \$350	\$12,600
Per diem - 9 members/4 regular meetings for 3 days @ \$70	7,500
	<u>\$20,100</u>

(Estimate 5 of 9 at hearings)

Transportation - 5 members/12 regular hearings @ \$350 plus 5.0 for charter to villages	\$26,000
Per diem - 5 members/12 meetings/hearings for 3 days @ \$70	12,600
	<u>\$38,600</u>

\$76,680

Introduced: 2/18/80
Referred: Commerce

1 IN THE HOUSE

BY MUNSON, DUNCAN AND ROGERS

2 HOUSE BILL NO. 863

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a Task Force on Fire Prevention
7 and Control; and providing for an effective date."

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

9 * Section 1. TASK FORCE ON FIRE PREVENTION AND CONTROL. The Alaska Task
10 Force on Fire Prevention and Control is established in the Office of the
11 Governor.

12 * Sec. 2. MEMBERSHIP. (a) The Alaska Task Force on Fire Prevention and
13 Control consists of nine members to be appointed by the governor, without
14 regard to political affiliation, to be selected as follows:

15 (1) one member from the Alaska State Firefighters Association from
16 a list of nominees provided by the association;

17 (2) One members from the International Association of Firefighters
18 from a list of nominees provided by the association;

19 (3) one member from the Alaska Fire Chiefs Association from a list
20 of nominees provided by the association;

21 (4) one member representative of the insurance industry;

22 (5) a contractor licensed under AS 08.18;

23 (6) an architect licensed under AS 08.48;

24 (7) an educator from the state public school system;

25 (8) one public member; and

26 (9) one member representative of the Alaska Municipal League from
27 a list of nominees provided by the league.

28 (b) There shall be at least one member from each judicial district.

29 (c) The state fire marshal shall be an ex officio member of the task

1 force.

2 * Sec. 3. OBJECTIVES. The objectives of the task force are to

3 (1) identify and provide a detailed account of the fire loss
4 problem in the state, including causal factors;

5 (2) identify and define the present roles and relationships of the
6 agencies in the state which are involved in fire protection activities at the
7 local, regional, state and federal levels;

8 (3) recommend organizational or operational modifications to
9 improve the effectiveness of the state's fire protection system;

10 (4) provide documentation that will assist all levels of govern-
11 ment agencies in effectively addressing their fire protection responsibili-
12 ties.

13 * Sec. 4. CHAIRMAN. The members of the Task Force on Fire Prevention and
14 Control shall elect a chairman from their membership.

15 * Sec. 5. PROJECT DIRECTOR. The Task Force on Fire Prevention and Con-
16 trol shall contract with a research analyst to function as an impartial
17 investigator and project director. The project director shall be under the
18 direction of the chairman.

19 * Sec. 6. MEETINGS. The Task Force on Fire Prevention and Control shall
20 meet at least once every three months. The first meeting shall be not later
21 than 60 days following the appointment of the nine members to the task force.

22 * Sec. 7. COMPENSATION. The members of the Task Force on Fire Prevention
23 and Control serve without compensation but are entitled to per diem and
24 travel expenses authorized by law for boards and commissions.

25 * Sec. 8. DUTIES. The Task Force on Fire Prevention and Control shall

26 (1) request and review information concerning the causes and
27 nature of fire losses in the state;

28 (2) hold public hearings and meetings to determine the extent of
29 public awareness of the present fire protection systems;

1 (3) study the activities of the various fire protection agencies
2 in the state;

3 (4) submit an interim report with recommendations for the improve-
4 ment of fire prevention and control in the state to the governor and the
5 legislature no later than January 1, 1982; and

6 (5) not later than January 1, 1984, submit to the governor and the
7 legislature its final report which shall identify those interim report recom-
8 mendations which have been implemented, evaluate the practical effects of
9 their implementation, and make further recommendations concerning the im-
10 provement of fire prevention and control.

11 * Sec. 9. This Act takes effect immediately in accordance with AS 01.10.-
12 070(c).

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RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images of 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

Original sponsors: Munson, Duncan
and Rogers

Offered: 4/3/80
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 863 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

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20 of nominees provided by the association;

21 (4) one member representative of the insurance industry;

22 (5) a contractor or architect licensed under AS 08.18;

23 (6) a commissioner or executive officer of a regional native
24 housing authority created under AS 18.55.996;

25 (7) an educator from the state public school system;

26 (8) one public member; and

27 (9) one member representative of the Alaska Municipal League from
28 a list of nominees provided by the league.

29 (b) There shall be at least one member from each judicial district.

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8 improve the effectiveness of the state's fire protection system;

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10 and fire fighting services in effectively meeting their fire protection
11 responsibilities.

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13 Control shall elect a chairman from the membership of the task force.

14 * Sec. 5. PROJECT DIRECTOR. The Task Force on Fire Prevention and Con-
15 trol shall hire an executive director to function as an impartial investi-
16 gator and project director. The executive director shall be under the direc-
17 tion of the chairman and may, with the approval of the chairman, employ
18 additional staff as necessary.

19 * Sec. 6. MEETINGS AND HEARINGS. The Task Force on Fire Prevention and
20 Control shall meet at least once every three months. The first meeting shall
21 be held not later than 60 days following the appointment of the nine members
22 to the task force. Public hearings and meetings shall be held in areas of
23 the state that are representative of its urban and rural fire protection
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5 in the state;

6 (4) submit an annual report with recommendations for the improve-
7 ment of fire prevention and control in the state to the governor and the
8 legislature; the first annual report shall be submitted by January 1, 1982;

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10 (5) by January 1, 1983, submit to the governor and the legislature
11 its final report which shall identify those interim report recommendations
12 which have been implemented, evaluate the practical effects of the implemen-
13 tation of the recommendations, and make further recommendations on the im-
14 provement of fire prevention and control.

15 * Sec. 9. This Act terminates on June 30, 1983.

16 * Sec. 10. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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20 Control shall meet at least once every three months. The first meeting shall
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ELEVENTH LEGISLATURE

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 AGENCY Community & Regional Affairs
 PHONE 465-4735
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

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\$76,680



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

3/20/90
Date

COMMITTEE REPORT

SENATE

FURTHER: None

5/2/80

Date: June 4, 1980

Mr. President:

The Committee on FINANCE has had HB 865 civil liability for personal injuries or death occurring on unimproved land

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) [] same title
[] replace with CS for [] 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

Handwritten signatures of committee members who support the bill.

MEMBERS HAVING OTHER RECOMMENDATIONS:

Blank lines for members with other recommendations.

Handwritten signature of the Chairman and the words 'Do Pass'.

SENATE AMENDMENT

BY Senate Finance Committee

To: _____ SENATE BILL No. _____

To: _____ HOUSE BILL No. 865

PAGE:

LINE:

Page 1, Line 14:

After "on the" and before "land", insert
"unimproved portion"

Introduced: 2/18/80
Referred: Judiciary

BY HALFORD, ANDERSON, BARNES,
COTTEN, FULLER, HAYES, HURLBERT,
MALONE, METCALFE, MILLER, MUNSON,
PARR, PHILLIPS, ROGERS, ZHAROFF
AND GARDINER

1 IN THE HOUSE

2 HOUSE BILL NO. 865

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 civil liability for personal in-
7 juries or death occurring on unimproved land."

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

9 * Section 1. AS 09.45 is amended by adding a new section to article 9 to
10 read:

11 Sec. 09.45.795. CIVIL LIABILITY FOR PERSONAL INJURIES OR DEATH
12 OCCURRING ON UNIMPROVED LAND. An owner of unimproved land is not liable
13 in tort for damages for the injury, to or death of a person who enters
14 onto or remains on the ^{unimproved portion} land if

15 (1) the injury or death resulted from a natural condition of
16 the property; and

17 (2) the person had no responsibility to compensate the owner
18 for his use or occupancy of the property.

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Introduced: 2/18/80
Referred: Judiciary

BY HALFORD, ANDERSON, BARNES,
COTTEN, FULLEY, HAYES, HURLBERT,
MALONE, METCALFE, MILLER, MUNSON,
PARR, PHILLIPS, ROGERS, ZHAROFF
AND GARDINER

1 IN THE HOUSE

2 HOUSE BILL NO. 865

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 civil liability for personal in-
7 juries or death occurring on unimproved land."

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

9 * Section 1. AS 09.45 is amended by adding a new section to article 9 to
10 read:

11 Sec. 09.45.795. CIVIL LIABILITY FOR PERSONAL INJURIES OR DEATH
12 OCCURRING ON UNIMPROVED LAND. An owner of unimproved land is not liable
13 in tort for damages for the injury to or death of a person who enters
14 onto or remains on the land if

15 (1) the injury or death resulted from a natural condition of
16 the property; and

17 (2) the person had no responsibility to compensate the owner
18 for his use or occupancy of the property.

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THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 865

Title Relating to civil liability for personal injuries or death occurring on unimproved

Requested by House Judiciary Comm. Date 4.10.80 land

II. FISCAL DETAIL

Agency Affected _____

Program Category Affected _____

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		0				
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-				

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						
PART TIME						
TEMPORARY						

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

IV. DATE 4.10.80

PREPARED BY Jeff Haynes

AGENCY Department of Natural Resources

PHONE 465-2400

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)



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: 2/18/80
Referred: Finance

1 IN THE HOUSE

BY BUCHHOLDT

2 HOUSE BILL NO. 867

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing financing for the purchase of un-
7 improved land."

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

9 * Section 1. AS 34 is amended by adding a new chapter to read:

10 CHAPTER 14. LAND PURCHASE LOANS.

11 Sec. 34.14.010. FUNDS CREATED. (a) There is created in the
12 Department of Commerce and Economic Development the land purchase re-
13 volving loan fund. The loan fund consists of money appropriated to that
14 fund by the legislature.

15 (b) There is created in the Department of Commerce and Economic
16 Development the land purchase loan guarantee fund. The loan guarantee
17 fund consists of money appropriated to that fund by the legislature.

18 (c) The commissioner is the administrator of the funds created in
19 this section.

20 Sec. 34.14.020. POWERS OF THE DEPARTMENT. The department may

21 (1) adopt regulations necessary to carry out the purposes of
22 this chapter;

23 (2) establish amortization plans for repayment of loans,
24 which may include an extension for a borrower who because of personal
25 hardship is unable to comply with the loan agreement;

26 (3) enter into agreements with private lending institutions,
27 other state agencies, or agencies of the federal government to carry out
28 the purposes of this chapter.

29 Sec. 34.14.030. LAND PURCHASE LOANS. The department may make

1 loans for the purchase of unimproved land located in the state to an
2 individual who is eligible under AS 34.14.040. A loan under this sec-
3 tion may not exceed \$30,000 or 99 percent of the appraised value of the
4 land, whichever is less. A loan may not be for a period longer than 20
5 years or bear interest which exceeds seven percent, and the loan shall
6 be secured by a first lien, mortgage or deed of trust.

7 Sec. 34.14.040. ELIGIBILITY. (a) An individual is eligible for a
8 loan or loan guarantee under this chapter if he

9 (1) submits proof, as required by regulation, that he has
10 been a state resident for at least one year before the loan application
11 is made;

12 (2) is at least 18 years of age;

13 (3) has not previously received a loan or a loan guarantee
14 under this chapter;

15 (4) has sufficient financial resources to repay the loan; and

16 (5) certifies that he is purchasing the land for his residen-
17 tial use.

18 (b) An individual is eligible to receive a loan under this chapter
19 even if the individual has no history of other credit transactions.

20 Sec. 34.14.050. LOAN GUARANTEE. (a) The department may guarantee
21 the payment of loans for the purchase of unimproved land located in the
22 state made by lending institutions and persons to individuals who are
23 eligible under AS 34.14.040. A loan guarantee may not exceed 90 percent
24 of the amount loaned, and the loan must be secured by a first lien,
25 mortgage or deed of trust. The interest rate on loans guaranteed under
26 this section may not exceed the prevailing interest rate for real estate
27 mortgage loans made by the federal land bank for the farm credit
28 district for Alaska at the time the loan agreement is signed.

29 (b) The department shall pay a lender the unpaid principal and

1 interest due on any loan guaranteed under this section upon which there
2 is a default by the borrower. Payments made under this subsection must
3 be from the loan guarantee fund.

4 (c) The commissioner may not guarantee loans under this
5 section if the balance of the loan guarantee fund is less than 20 per-
6 cent of the unpaid balance of all outstanding loans guaranteed under
7 this section.

8 Sec. 34.14.060. CONDITIONS FOR LOANS AND GUARANTEES. A loan which
9 is made or guaranteed under this chapter must contain the following
10 conditions:

11 (1) the borrower may prepay the principal of the loan without
12 penalty;

13 (2) the loan obligation may only be assumed by a person who
14 is eligible under AS 34.14.040; and

15 (3) the loan balance and interest become immediately due if

16 (A) the borrower constructs improvements on the land for
17 use other than residential use, or

18 (B) the borrower conveys the land to a person who is not
19 eligible under AS 34.14.040.

20 Sec. 34.14.070. DEFINITIONS. In this chapter,

21 (1) "commissioner" means the commissioner of commerce and
22 economic development;

23 (2) "department" means the Department of Commerce and Eco-
24 nomic Development;

25 (3) "loan fund" means the land purchase revolving loan fund
26 established in AS 34.14.010(a);

27 (4) "loan guarantee fund" means the land purchase guarantee
28 fund established in AS 34.14.010(b);

29 (5) "residential use" means the use of land for a temporary

or permanent place of residence.

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Introduced: 2/18/80
Referred: Finance

1 IN THE HOUSE

BY BUCHHOLDT

2 HOUSE BILL NO. 867

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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17 fund consists of money appropriated to that fund by the legislature.

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19 this section.

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21 (1) adopt regulations necessary to carry out the purposes of
22 this chapter;

23 (2) establish amortization plans for repayment of loans,
24 which may include an extension for a borrower who because of personal
25 hardship is unable to comply with the loan agreement;

26 (3) enter into agreements with private lending institutions,
27 other state agencies, or agencies of the federal government to carry out
28 the purposes of this chapter.

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2 individual who is eligible under AS 34.14.040. A loan under this sec-
3 tion may not exceed \$30,000 or 99 percent of the appraised value of the
4 land, whichever is less. A loan may not be for a period longer than 20
5 years or bear interest which exceeds seven percent, and the loan shall
6 be secured by a first lien, mortgage or deed of trust.

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8 loan or loan guarantee under this chapter if he

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10 been a state resident for at least one year before the loan application
11 is made;

12 (2) is at least 18 years of age;

13 (3) has not previously received a loan or a loan guarantee
14 under this chapter;

15 (4) has sufficient financial resources to repay the loan; and

16 (5) certifies that he is purchasing the land for his residen-
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20 Sec. 34.14.050. LOAN GUARANTEE. (a) The department may guarantee
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24 of the amount loaned, and the loan must be secured by a first lien,
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27 mortgage loans made by the federal land bank for the farm credit
28 district for Alaska at the time the loan agreement is signed.

29 (b) The department shall pay a lender the unpaid principal and

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THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 867

Title An Act providing financing for the purchase of unimproved land

Requested by Legislative Finance Date 2-21-80

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development

Program Category Affected Development

BRU, Program, or Subprogram(s) Affected Division of Business Loans

(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-	207.2	227.9	250.7	275.8	303.4
200 TRAVEL		16.5	18.2	20.0	22.0	24.2
300 CONTRACTUAL		38.0	41.8	46.0	50.6	55.7
400 COMMODITIES		1.0	1.1	1.2	1.3	1.4
500 EQUIPMENT		9.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		272.5	289.0	317.9	349.7	384.7

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		272.5	289.0	317.9	349.7	384.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		5.0	5.0	5.0	5.0	5.0
PART TIME						
TEMPORARY						

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

Funds positions for the processing and servicing of loans for unimproved land.

See attached fiscal note detail.

IV. DATE Feb. 21, 1980

PREPARED BY Sharon R. Traylor, Director
AGENCY Div. of Business Loans/Dept. of Commerce & Econ. Dev.
PHONE 465-2510

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

CATEGORY: DEVELOPMENT

AGENCY: COMMERCE AND ECONOMIC DEVELOPMENT

PROGRAM: ECONOMIC DEVELOPMENT

BRU(s): BUSINESS LOANS

The Business Loans BRU provides Alaskan businesses and residents with long term, low interest financing which is usually not available from private lending institutions. Specific loan programs include:

Small Business Loans These loans are generally too risky or too small to interest private lending institutions.

Commercial Fishing Loans provide commercial fishermen with capital for purchase or upgrade of vessels needed to remain competitive. Due to high risk and unpredictable fish seasons, local banks have been reluctant to make these loans.

Tourism Loans provide capital for the expansion of tourist facilities.

Fisheries Enhancement Loans provide long-term, low interest loans for hatchery planning and construction, in support of private ownership of hatcheries by qualified nonprofit corporations.

Child Care Facilities Loans provide financing for the development of licensed child care facilities which helps stabilize that portion of the work force dependent on these services.

Water Resources Loans provide funds for hydroelectric and water supply projects. With the exception of certain previously conceived projects, this program has been replaced by the Power Project Loan fund.

Historical Districts The intent of these loans is to foster an awareness of the need to preserve our historical past.

Residential Care Facilities provides residential care facilities with financing needed for renovation or equipment needed to comply with licensing standards. Loans are often not available from private lending institutions.

Alternative Technology and Power Resource Loans This loan fund assists in the development of energy production utilizing sources other than fossil fuel.

The Division has decentralized it's operations with the opening of offices in Anchorage and Fairbanks. As a result, the number of applicants has doubled. This outreach effort will continue in FY 81.

COMPONENT DESCRIPTION	79 AUTH	79 FUND	79 ACT	80 AUTH	80 SUPL	80 RP	GOVERNOR
LOAN FUND ADM	832.6	916.0	836.6	860.4			916.5
** TOTAL	832.6	916.8	836.6	860.4			916.5
** CHANGE VERSUS 80 AUTH							6.5%
OBJECT DESCRIPTION							
PERS. SERV.	646.9	675.2	652.9	675.7			712.8
TRAVEL	121.0	121.0	42.5	90.8			70.9
CONTRACTUAL	71.0	76.2	90.7	60.4			90.7
COMMODITIES	7.0	7.0	6.9	6.0			7.5
EQUIPMENT	13.3	13.3	10.2				
LANDS/BLDG	23.4	23.4	33.4	27.5			34.6
FUNDING SOURCE							
GENERAL FUND	882.6	916.8	836.6	860.4			916.5
** GENERAL FUND CHANGE VS. 80 AUTH							6.5%
POSITIONS							
FULL-TIME	23.0	23.0	23.0	23.0			23.0
STAFF MONTHS	276.0	276.0	276.0	276.0			276.0

Fiscal Note Detail

HB 867 - Unimproved Land Loans

		<u>12 Months</u>
100.	1 Loan Examiner III @2,652/mo.	\$31.8
	1 Loan Examiner I/II (flex) @2,289/mo.	27.5
	1 Clerk Typist III @1,277/mo.	15.3
	1 Loan Closer II @1,628/mo.	19.5
	1 Accounting Technician II @1,850/mo.	<u>22.2</u>
	Total Wages	\$116.3
	Standard benefits (Wages X .1529)	17.8
	Supplemental benefits (Wages X .0665)	7.7
	Health insurance (Man months X \$127)	<u>7.6</u>
		\$207.2
200.	Travel to close loans:	
	30 trips @430	\$12.9
	60 days per diem @60	<u>3.6</u>
		16.5
300.	Telephone, postage	\$16.0
	Printing, advertising	4.0
	Office space @1,500/mo.	<u>18.0</u>
		38.0
400.	Office supplies	<u>1.0</u>
	12 Months Operating Costs	\$262.7
500.	5 Desks @333	\$ 1.7
	2 Typist's extensions @409	.8
	3 Credenzas @390	1.2
	3 Secretarial chairs @137	.4
	2 Executive chairs @180	.4
	6 Side chairs @125	.8
	5 File cabinets @225	1.1
	3 Typewriters @810	2.4
	4 Calculators @225	.9
	1 Coat rack, 5 wastebaskets	<u>.1</u>
	Total	<u>9.8</u>
		\$272.5

10% Inflation for succeeding years.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. HB 867
Title An Act providing financing for the purchase of unimproved land
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Commerce & Economic Development
Program Category Affected Development
BRU, Program, or Subprogram(s) Affected Division of Business Loans
(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-	207.2	227.9	250.7	275.8	303.4
200 TRAVEL		16.5	18.2	20.0	22.0	24.2
300 CONTRACTUAL		38.0	41.8	46.0	50.6	55.7
400 COMMODITIES		1.0	1.1	1.2	1.3	1.4
500 EQUIPMENT		9.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		272.5	289.0	317.9	349.7	384.7

FUNDING (Thousands of Dollars)

GENERAL FUND		272.5	289.0	317.9	349.7	384.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		5.0	5.0	5.0	5.0	5.0
PART TIME						
TEMPORARY						

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

Funds positions for the processing and servicing of loans for unimproved land.

See attached fiscal note detail.

IV. DATE Feb. 21, 1980 PREPARED BY Sharon R. Traylor, Director
AGENCY Div. of Business Loans/Dept. of Commerce & Econ.
PHONE 465-2510

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

CATEGORY: DEVELOPMENT

AGENCY: COMMERCE AND ECONOMIC DEVELOPMENT

PROGRAM: ECONOMIC DEVELOPMENT

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LOAN FUND ADM	882.6	916.8	836.6	860.4			916.5
** TOTAL	882.6	916.8	836.6	860.4			916.5
** CHANGE VERSUS 80 AUTH							6.5%
OBJECT DESCRIPTION							
PERS. SERV.	646.9	675.2	652.9	675.7			712.8
TRAVEL	121.0	121.0	42.5	90.8			70.9
CONTRACTUAL	71.0	76.9	90.7	60.4			90.7
COMMODITIES	7.0	7.0	6.9	6.0			7.5
EQUIPMENT	13.3	13.3	10.2				
LANDS/BLDGS	23.4	23.4	33.4	27.5			34.6
FUNDING SOURCE							
GENERAL FUND	882.6	916.8	836.6	860.4			916.5
** GENERAL FUND CHANGE VS. 80 AUTH							6.5%
POSITIONS							
FULL-TIME	23.0	23.0	23.0	23.0			23.0
STAFF MONTHS	276.0	276.0	276.0	276.0			276.0

Fiscal Note Detail

HB 867 - Unimproved Land Loans

		<u>12 Months</u>
100.	1 Loan Examiner III @2,652/mo.	\$31.8
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	Health insurance (Man months X \$127)	<u>7.6</u>
		\$207.2
200.	Travel to close loans:	
	30 trips @430	\$12.9
	60 days per diem @60	<u>3.6</u>
		16.5
300.	Telephone, postage	\$16.0
	Printing, advertising	4.0
	Office space @1,500/mo.	<u>18.0</u>
		38.0
400.	Office supplies	<u>1.0</u>
	12 Months Operating Costs	\$262.7
500.	5 Desks @333	\$ 1.7
	2 Typist's extensions @409	.8
	3 Credenzas @390	1.2
	3 Secretarial chairs @137	.4
	2 Executive chairs @180	.4
	6 Side chairs @125	.8
	5 File cabinets @225	1.1
	3 Typewriters @810	2.4
	4 Calculators @225	.9
	1 Coat rack, 5 wastebaskets	<u>.1</u>
	Total	<u>9.8</u>
		\$272.5

10% Inflation for succeeding years.

(11)

COMMITTEE REPORT

HOUSE

2/18/80

FURTHER:

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 867
~~"An Act providing financing for the purchase of unimproved land."~~

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:

CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. HB 867
Title An Act providing financing for the purchase of unimproved land
Requested by _____ Date _____

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400 COMMODITIES		1.0	1.1	1.2	1.3	1.4
500 EQUIPMENT		9.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		272.5	289.0	317.9	349.7	384.7

FUNDING (Thousands of Dollars)

GENERAL FUND		272.5	289.0	317.9	349.7	384.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		5.0	5.0	5.0	5.0	5.0
PART TIME						
TEMPORARY						

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

Funds positions for the processing and servicing of loans for unimproved land.

See attached fiscal note detail.

IV. DATE Feb. 21, 1980

PREPARED BY Sharon R. Traylor, Director
AGENCY Div. of Business Loans/Dept. of Commerce & Econ De
PHONE 465-2510

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

Fiscal Note Detail

HB 867 - Unimproved Land Loans

		<u>12 Months</u>
100.	1 Loan Examiner III @2,652/mo.	\$31.8
	1 Loan Examiner I/II (flex) @2,289/mo.	27.5
	1 Clerk Typist III @1,277/mo.	15.3
	1 Loan Closer II @1,628/mo.	19.5
	1 Accounting Technician II @1,850/mo.	<u>22.2</u>
	Total Wages	\$116.3
	Standard benefits (Wages X .1529)	17.8
	Supplemental benefits (Wages X .0665)	7.7
	Health insurance (Man months X \$127)	<u>7.6</u>
		\$207.2
200.	Travel to close loans:	
	30 trips @430	\$12.9
	60 days per diem @60	<u>3.6</u>
		16.5
300.	Telephone, postage	\$16.0
	Printing, advertising	4.0
	Office space @1,500/mo.	<u>18.0</u>
		38.0
400.	Office supplies	<u>1.0</u>
	12 Months Operating Costs	\$262.7
500.	5 Desks @333	\$ 1.7
	2 Typist's extensions @409	.8
	3 Credenzas @390	1.2
	3 Secretarial chairs @137	.4
	2 Executive chairs @180	.4
	6 Side chairs @125	.8
	5 File cabinets @225	1.1
	3 Typewriters @810	2.4
	4 Calculators @225	.9
	1 Coat rack, 5 wastebaskets	<u>.1</u>
	Total	9.8
		\$272.5

10% Inflation for succeeding years.

7779
Baldwin

Introduced: 2/18/80
Referred: Finance

1 IN THE HOUSE

BY BUCHHOLDT

2 HOUSE BILL NO. 867

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing financing for the purchase of un-
7 improved land."

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

9 * Section 1. AS 34 is amended by adding a new chapter to read:

10 CHAPTER 14. LAND PURCHASE LOANS.

11 Sec. 34.14.010. FUNDS CREATED. (a) There is created in the
12 Department of Commerce and Economic Development the land purchase re-
13 volving loan fund. The loan fund consists of money appropriated to that
14 fund by the legislature.

15 (b) There is created in the Department of Commerce and Economic
16 Development the land purchase loan guarantee fund. The loan guarantee
17 fund consists of money appropriated to that fund by the legislature.

18 (c) The commissioner is the administrator of the funds created in
19 this section.

20 Sec. 34.14.020. POWERS OF THE DEPARTMENT. The department may

21 (1) adopt regulations necessary to carry out the purposes of
22 this chapter;

23 (2) establish amortization plans for repayment of loans,
24 which may include an extension for a borrower who because of personal
25 hardship is unable to comply with the loan agreement;

26 (3) enter into agreements with private lending institutions,
27 other state agencies, or agencies of the federal government to carry out
28 the purposes of this chapter.

29 Sec. 34.14.030. LAND PURCHASE LOANS. The department may make

1 loans for the purchase of unimproved land located in the state to an
2 individual who is eligible under AS 34.14.040. A loan under this sec-
3 tion may not exceed \$30,000 or 99 percent of the appraised value of the
4 land, whichever is less. A loan may not be for a period longer than 20
5 years or bear interest which exceeds seven percent, and the loan shall
6 be secured by a first lien, mortgage or deed of trust.

7 Sec. 34.14.040. ELIGIBILITY. (a) An individual is eligible for a
8 loan or loan guarantee under this chapter if he

9 (1) submits proof, as required by regulation, that he has
10 been a state resident for at least one year before the loan application
11 is made;

12 (2) is at least 18 years of age;

13 (3) has not previously received a loan or a loan guarantee
14 under this chapter;

15 (4) has sufficient financial resources to repay the loan; and

16 (5) certifies that he is purchasing the land for his residen-
17 tial use.

18 (b) An individual is eligible to receive a loan under this chapter
19 even if the individual has no history of other credit transactions.

20 Sec. 34.14.050. LOAN GUARANTEE. (a) The department may guarantee
21 the payment of loans for the purchase of unimproved land located in the
22 state made by lending institutions and persons to individuals who are
23 eligible under AS 34.14.040. A loan guarantee may not exceed 90 percent
24 of the amount loaned, and the loan must be secured by a first lien,
25 mortgage or deed of trust. The interest rate on loans guaranteed under
26 this section may not exceed the prevailing interest rate for real estate
27 mortgage loans made by the federal land bank for the farm credit
28 district for Alaska at the time the loan agreement is signed.

29 (b) The department shall pay a lender the unpaid principal and

1 interest due on any loan guaranteed under this section upon which there
2 is a default by the borrower. Payments made under this subsection must
3 be from the loan guarantee fund.

4 (c) The commissioner may not guarantee loans under this
5 section if the balance of the loan guarantee fund is less than 20 per-
6 cent of the unpaid balance of all outstanding loans guaranteed under
7 this section.

8 Sec. 34.14.060. CONDITIONS FOR LOANS AND GUARANTEES. A loan which
9 is made or guaranteed under this chapter must contain the following
10 conditions:

11 (1) the borrower may prepay the principal of the loan without
12 penalty;

13 (2) the loan obligation may only be assumed by a person who
14 is eligible under AS 34.14.040; and

15 (3) the loan balance and interest become immediately due if

16 (A) the borrower constructs improvements on the land for
17 use other than residential use, or

18 (B) the borrower conveys the land to a person who is not
19 eligible under AS 34.14.040.

20 Sec. 34.14.070. DEFINITIONS. In this chapter,

21 (1) "commissioner" means the commissioner of commerce and
22 economic development;

23 (2) "department" means the Department of Commerce and Eco-
24 nomic Development;

25 (3) "loan fund" means the land purchase revolving loan fund
26 established in AS 34.14.010(a);

27 (4) "loan guarantee fund" means the land purchase guarantee
28 fund established in AS 34.14.010(b);

29 (5) "residential use" means the use of land for a temporary

1 or permanent place of residence.
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ALASKA STATE LEGISLATURE

11th Legislature 2nd Session

HOUSE BILL NO. 867

By BUCHHOLDT

"An Act providing financing for the purchase of unimproved land."

Financing purchase unimproved land

Introduced in the House 2/12, 1980

HISTORY IN THE HOUSE

1980

Feb. 18

Read first time and referred to Committee on Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

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

Bill not
referred to
HFC. ϕ
Fis. note
R/c 3/25/80

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 869
 Title Relating to claims of the state
 Requested by Finance Committee Date 3/25/80

II. FISCAL DETAIL

Agency Affected _____
 Program Category Affected _____
 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.						
TOTAL	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

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)

No Fiscal Impact.

IV. DATE March 25, 1980

PREPARED BY Russ Meekins, (Chairman)
 AGENCY House Finance Committee
 PHONE 465-3795

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. HB869
 Title Claims of the State
 Requested by Parr Date _____

II. FISCAL DETAIL

Agency Affected Department of Revenue
 Program Category Affected Revenue Collection and Management
 BRU, Program, or Subprogram(s) Affected Enforcement 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		22.7	22.7	22.7	22.7	22.7
200 TRAVEL						
300 CONTRACTUAL		4.7	4.7	4.7	4.7	4.7
400 COMMODITIES		.5	.5	.5	.5	.5
500 EQUIPMENT		1.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		28.9	27.9	27.9	27.9	27.9

FUNDING (Thousands of Dollars)

GENERAL FUND		28.9	27.9	27.9	27.9	27.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

The Enforcement Division would require the services of one Tax Collection Specialist to implement its portion of the administration of this bill. Our part of the procedure would be to prepare a short audit in order to apply the proposed refund to the claimed debt. This would require a CRT terminal to access the refund and agency claims files and appropriate forms for handling the short audits. In the initial year a desk, chair, calculator and files storage would be purchased.

We do not have specific information as to the probable volume of claims. However, since the new procedure would be functionally differentiated from other procedures, an appropriate organizational module would have to be created to implement the program. It is possible that the volume would be come great enough to require additional personnel and/or equipment in subsequent years.

IV. DATE 2-28-80 PREPARED BY Fred Boetsch
 AGENCY Department of Revenue
 PHONE 465-2366
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

1	POSITION TITLE Tax Collection Specialist I			RANGE/STEP 10A	BARG. UNIT. G	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No. NEW	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES: SALARY 1,440/mo.		17,280						
5	BENEFITS		3,059						
6	FICA		1,059						
7	HEALTH INS.		1,272						
8	TOTAL PERSONAL SERVICES		22,670						
9	TRAVEL								
10	CONTRACTUAL		4,700						
11	COMMODITIES		500						
12	EQUIPMENT		1,000						
13	OTHER								
14	TOTAL COST		28,870						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		28,870					
18		I-A RCPTS.							
19		PGM RCPTS.							
20		OTHER							
21	CONTINUATION								
22	ADDITION	FOR B&M USE ONLY							
4A KEY NUMBER		COLLIAN NO.							

AGENCY Department of Revenue PROGRAM AREA Revenue Collection & Management

BRU Enforcement

FY 81

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

HB 869

I. REQUEST
 Bill/Resolution No. HB 869
 Title Claim of the State
 Requested by _____ Date 2-26-80

II. FISCAL DETAIL
 Agency Affected _____ Revenue _____
 Program Category Affected _____ General Government _____
 BRU, Program, or Subprogram(s) Affected Administration & Support, Management Services
 (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		29.5	31.6	33.8	36.1	38.7
200 TRAVEL						
300 CONTRACTUAL		4.0	4.3	4.6	4.9	5.2
400 COMMODITIES		.3	.3	.3	.4	.4
500 EQUIPMENT		.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		34.3	36.2	38.7	41.4	44.3

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		34.3	36.2	38.7	41.4	44.3
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	1/12mm	1/12mm	1/12mm	1/12mm	1/12mm
FULL TIME					
PART TIME	1/3mm	1/3mm	1/3mm	1/3mm	1/3mm
TEMPORARY					

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

HB 869 would allow all State agencies to offset certain debt claims against individual income tax refunds. The procedure in the Bill should be changed by four considerations:

1. Most refunds held because of claimed debt will exceed the 30 days contained in AS 43.20.215 and result in interest penalties. The action to be taken should be defined.
2. There is no provision for early release of the held refund should the debtor pay the claimant agency directly. An early release feature by the claimant agency would be helpful.

(continued on next page.)

IV. DATE 3-5-80 PREPARED BY *P. A. Wall*
 AGENCY Revenue
 PHONE 465-2313
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

HB 869 Analysis (continued)

3. Most important, Sec. 44.78.070 does not provide for notifying Revenue should a hearing be requested by the debtor. This is necessary to insure the refund is held to determination of the hearing and through the 20-day certification period in Sec. 44.78.080. A subsection 44.78.070(c) could say, "The department shall hold action upon the refund until Sec. 44.78.080 is complete."
4. It appears that AS 44.78.060 should be corrected to 050(c) under Sec. 44.78.060 (page 2, line 28).

Assumptions

An estimate of the number of debt claims is not possible. Claims from the student, veterans and agriculture loan, motor vehicle and other programs which serve large numbers of individuals are assumed. The promulgation of regulations, design and distribution of a debt claim form and the procedure to establish and control debt claim offsets is assumed to constitute one additional employee's work load.

Positions

1 PFT Accounting Clerk II, Range 8 A	
\$1,277 per mo. X 12 months	= 15.3
Benefits - 2.3, FICA - 1.0, H.I. - 1.5	= 4.8
1 PPT Systems Analyst, Range 18 A	
\$2,465 per mo, X 3 months	= 7.4
Benefits - 1.1, FICA - .5, H.I. - .4	= 2.0

Other Expenditures

Contractual	= 4.0
Forms - 1.0	
Postage, Phone - 1.5	
DP Chargeback - 1.0	
Miscellaneous - .5	
Commodities	= .3
Equipment	= .5

This debt offset concept would be even more effective if the control was placed on the Daily Warrant Process in the Department of Administration where the warrants which make all State payments, including the refund warrants, are written each day.

HB 869

Introduced: 2/18/80
Referred: Judiciary

1 IN THE HOUSE

BY PARR

2 HOUSE BILL NO. 869

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 claims of the state; and providing
7 for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE. The purpose of this Act is to require
10 departments and agencies of the state to cooperate in identifying debtors who
11 owe money to the state and who also qualify for payments from the state. It
12 is the intent of this Act that procedures be established to set off against a
13 payment from the state the amount of the debt owed to the state.

14 * Sec. 2. AS 44 is amended by adding a new chapter to read:

15 CHAPTER 78. SETOFF OF CLAIMS OF THE STATE.

16 Sec. 44.78.010. PROCEDURES REQUIRED. Each claimant agency of the
17 state shall submit claimed debt to the department for collection under
18 the procedures established in this chapter except when

19 (1) the agency is advised by the attorney general not to
20 submit a claim because the validity of the claimed debt is in dispute;

21 (2) an alternative remedy is pending and is believed to be
22 adequate; or

23 (3) the collection attempt would result in a loss of federal
24 funding.

25 Sec. 44.78.020. IDENTIFYING INFORMATION. A claimant agency shall
26 obtain the full name, the social security number or other identifying
27 number when appropriate, the resident address and mailing address, and
28 any other identifying information required under regulations of the
29 commissioner from a person for whom the claimant agency provides a

1 service or transacts business and who may become a debtor under this
2 chapter.

3 Sec. 44.78.030. MINIMUM SUM COLLECTIBLE. A claimant agency may
4 not use the procedures established under this chapter unless both the
5 claimed debt and the refund amount to at least \$100.

6 Sec. 44.78.040. COLLECTIONS THROUGH SETOFF. The commissioner
7 shall render assistance in the collection of a delinquent account or
8 debt owed to a claimant agency by setting off a refund due the debtor
9 from the department by the sum certified by the claimant agency as due
10 and owing.

11 Sec. 44.78.050. PROCEDURE FOR SETOFF. (a) A claimant agency
12 attempting collection of a claimed debt through setoff shall notify the
13 commissioner in writing and provide the commissioner with information
14 adequate to identify the debtor whose refund is sought to be set off.

15 (b) The notice to the commissioner must occur before a date speci-
16 fied by the commissioner in the year preceding the calendar year during
17 which the refund is expected to be paid. The notice under (a) of this
18 section is effective only for a claim against a refund that would be
19 made in the calendar year after the year in which notice is given to the
20 commissioner.

21 (c) The commissioner shall determine whether the debtor is likely
22 to be entitled to a refund of \$100 or more. On determination by the
23 commissioner that a debtor qualifies for a refund of \$100 or more, the
24 department shall notify the claimant agency that a refund is pending,
25 specify its amount, and indicate the address of the debtor reflected on
26 the income tax return.

27 Sec. 44.78.060. NOTICE OF INTENT TO SET OFF. (a) The claimant
28 agency, on notification under AS 44.78.060 that a debtor is entitled to
29 a refund, shall within 10 days send written notice to the debtor of its

1 assertion of a claim against the refund. The claimant agency shall
2 provide a copy of this notice to the commissioner.

3 (b) If the commissioner receives a copy of the notice sent under
4 (a) of this section within 30 days of the department's notice to the
5 claimant agency under AS 44.78.050(c), the commissioner may not issue a
6 refund to the debtor.

7 (c) The contents of the notice to the debtor shall clearly set out

8 (1) the basis for the claim of the agency;

9 (2) the claimant agency's intention to apply the refund
10 against the claimed debt;

11 (3) the right of the debtor to give written notice of intent
12 to contest the validity of the claimed debt at a hearing before the
13 claimant agency within 30 days of the date of the mailing of the notice;

14 (4) the mailing address to which the application for the
15 hearing must be sent; and

16 (5) the fact that failure to apply for a hearing in writing
17 within 30 days constitutes a waiver of the opportunity to contest the
18 claimed debt and a consent to the setoff by default.

19 (d) A written application by the debtor for a hearing is effective
20 on mailing the application postage prepaid and properly addressed to the
21 claimant agency.

22 Sec. 44.78.070. HEARING PROCEDURES. (a) If a claimant agency
23 receives a written application for a hearing under AS 44.78.060, it
24 shall grant a hearing under the Administrative Procedure Act (AS 44.62)
25 to determine the validity of the claimed debt. Whether the amount
26 claimed as due and owing is correct shall also be determined at the
27 hearing.

28 (b) Efforts to collect the claimed debt shall be deferred pending
29 a final decision under (a) of this section.

1 Sec. 44.78.080. CERTIFICATION OF DEBT. (a) Within 20 days of a
2 final determination under AS 44.78.070 favorable to the claimant agency,
3 the claimant agency shall certify the debt determined to be due and
4 owing to the commissioner. If no certification is made within the
5 20-day period, the commissioner may issue the refund.

6 (b) On receipt by the commissioner of the decision under (a) of
7 this section, the commissioner shall transfer the amounts determined to
8 be due under the final decision issued under AS 44.78.070 to the claimant
9 agency and refund any remaining money to the debtor.

10 Sec. 44.78.090. PRIORITIES. Priority in multiple claims to re-
11 funds allowed to be set off under this chapter shall be in the order in
12 time a claimant agency has notified the commissioner under AS 44.78.-
13 050(a). The department has priority over other claimant agencies when
14 it has a claim against a refund.

15 Sec. 44.78.100. REGULATIONS. The commissioner may adopt regula-
16 tions under the Administrative Procedure Act (AS 44.62) to implement
17 this chapter.

18 Sec. 44.78.110. ADDITIONAL REMEDIES. The remedy established under
19 this chapter is in addition to any other remedy available by law.

20 Sec. 44.78.120. DEFINITIONS. As used in this chapter,

21 (1) "claimant agency" means a department or agency of the
22 executive or judicial branch of the state government which believes that
23 a debt is owed to it by the debtor;

24 (2) "claimed debt" means a sum of money due by a certain and
25 express agreement or by operation of law which a claimant agency indi-
26 cates is owed to it by the debtor;

27 (3) "commissioner" means the commissioner of revenue;

28 (4) "debtor" means a person owing money or having a delin-
29 quent account with a claimant agency which obligation has not been

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adjudicated as satisfied by a judgment of court, set aside by a judgment of court, or discharged in bankruptcy;

(5) "department" means the Department of Revenue;

(6) "refund" means a claim for refund under AS 43.20.

* Sec. 3. This Act takes effect July 1, 1980.

Introduced: 2/18/80
Referred: Judiciary

1 IN THE HOUSE

BY PARR

2 HOUSE BILL NO. 869

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 claims of the state; and providing
7 for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE. The purpose of this Act is to require
10 departments and agencies of the state to cooperate in identifying debtors who
11 owe money to the state and who also qualify for payments from the state. It
12 is the intent of this Act that procedures be established to set off against a
13 payment from the state the amount of the debt owed to the state.

14 * Sec. 2. AS 44 is amended by adding a new chapter to read:

15 CHAPTER 78. SETOFF OF CLAIMS OF THE STATE.

16 Sec. 44.78.010. PROCEDURES REQUIRED. Each claimant agency of the
17 state shall submit claimed debt to the department for collection under
18 the procedures established in this chapter except when

19 (1) the agency is advised by the attorney general not to
20 submit a claim because the validity of the claimed debt is in dispute;

21 (2) an alternative remedy is pending and is believed to be
22 adequate; or

23 (3) the collection attempt would result in a loss of federal
24 funding.

25 Sec. 44.78.020. IDENTIFYING INFORMATION. A claimant agency shall
26 obtain the full name, the social security number or other identifying
27 number when appropriate, the resident address and mailing address, and
28 any other identifying information required under regulations of the
29 commissioner from a person for whom the claimant agency provides a

1 service or transacts business and who may become a debtor under this
2 chapter.

3 Sec. 44.78.030. MINIMUM SUM COLLECTIBLE. A claimant agency may
4 not use the procedures established under this chapter unless both the
5 claimed debt and the refund amount to at least \$100.

6 Sec. 44.78.040. COLLECTIONS THROUGH SETOFF. The commissioner
7 shall render assistance in the collection of a delinquent account or
8 debt owed to a claimant agency by setting off a refund due the debtor
9 from the department by the sum certified by the claimant agency as due
10 and owing.

11 Sec. 44.78.050. PROCEDURE FOR SETOFF. (a) A claimant agency
12 attempting collection of a claimed debt through setoff shall notify the
13 commissioner in writing and provide the commissioner with information
14 adequate to identify the debtor whose refund is sought to be set off.

15 (b) The notice to the commissioner must occur before a date speci-
16 fied by the commissioner in the year preceding the calendar year during
17 which the refund is expected to be paid. The notice under (a) of this
18 section is effective only for a claim against a refund that would be
19 made in the calendar year after the year in which notice is given to the
20 commissioner.

21 (c) The commissioner shall determine whether the debtor is likely
22 to be entitled to a refund of \$100 or more. On determination by the
23 commissioner that a debtor qualifies for a refund of \$100 or more, the
24 department shall notify the claimant agency that a refund is pending,
25 specify its amount, and indicate the address of the debtor reflected on
26 the income tax return.

27 Sec. 44.78.060. NOTICE OF INTENT TO SET OFF. (a) The claimant
28 agency, on notification under AS 44.78.060 that a debtor is entitled to
29 a refund, shall within 10 days send written notice to the debtor of its

1 assertion of a claim against the refund. The claimant agency shall
2 provide a copy of this notice to the commissioner.

3 (b) If the commissioner receives a copy of the notice sent under
4 (a) of this section within 30 days of the department's notice to the
5 claimant agency under AS 44.78.050(c), the commissioner may not issue a
6 refund to the debtor.

7 (c) The contents of the notice to the debtor shall clearly set out

8 (1) the basis for the claim of the agency;

9 (2) the claimant agency's intention to apply the refund
10 against the claimed debt;

11 (3) the right of the debtor to give written notice of intent
12 to contest the validity of the claimed debt at a hearing before the
13 claimant agency within 30 days of the date of the mailing of the notice;

14 (4) the mailing address to which the application for the
15 hearing must be sent; and

16 (5) the fact that failure to apply for a hearing in writing
17 within 30 days constitutes a waiver of the opportunity to contest the
18 claimed debt and a consent to the setoff by default.

19 (d) A written application by the debtor for a hearing is effective
20 on mailing the application postage prepaid and properly addressed to the
21 claimant agency.

22 Sec. 44.78.070. HEARING PROCEDURES. (a) If a claimant agency
23 receives a written application for a hearing under AS 44.78.060, it
24 shall grant a hearing under the Administrative Procedure Act (AS 44.62)
25 to determine the validity of the claimed debt. Whether the amount
26 claimed as due and owing is correct shall also be determined at the
27 hearing.

28 (b) Efforts to collect the claimed debt shall be deferred pending
29 a final decision under (a) of this section.

1 Sec. 44.78.080. CERTIFICATION OF DEBT. (a) Within 20 days of a
2 final determination under AS 44.78.070 favorable to the claimant agency,
3 the claimant agency shall certify the debt determined to be due and
4 owing to the commissioner. If no certification is made within the
5 20-day period, the commissioner may issue the refund.

6 (b) On receipt by the commissioner of the decision under (a) of
7 this section, the commissioner shall transfer the amounts determined to
8 be due under the final decision issued under AS 44.78.070 to the claimant
9 agency and refund any remaining money to the debtor.

10 Sec. 44.78.090. PRIORITIES. Priority in multiple claims to re-
11 funds allowed to be set off under this chapter shall be in the order in
12 time a claimant agency has notified the commissioner under AS 44.78.-
13 050(a). The department has priority over other claimant agencies when
14 it has a claim against a refund.

15 Sec. 44.78.100. REGULATIONS. The commissioner may adopt regula-
16 tions under the Administrative Procedure Act (AS 44.62) to implement
17 this chapter.

18 Sec. 44.78.110. ADDITIONAL REMEDIES. The remedy established under
19 this chapter is in addition to any other remedy available by law.

20 Sec. 44.78.120. DEFINITIONS. As used in this chapter,

21 (1) "claimant agency" means a department or agency of the
22 executive or judicial branch of the state government which believes that
23 a debt is owed to it by the debtor;

24 (2) "claimed debt" means a sum of money due by a certain and
25 express agreement or by operation of law which a claimant agency indi-
26 cates is owed to it by the debtor;

27 (3) "commissioner" means the commissioner of revenue;

28 (4) "debtor" means a person owing money or having a delin-
quent account with a claimant agency which obligation has not been

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adjudicated as satisfied by a judgment of court, set aside by a judgment of court, or discharged in bankruptcy;

(5) "department" means the Department of Revenue;

(6) "refund" means a claim for refund under AS 43.20.

* Sec. 3. This Act takes effect July 1, 1980.