

BILLS 1981 - 1982

CSHB 313 cont. - CSHB 321

*LAG: Finance*

1499

*1499*

1 (c) At least five members of the board shall be state residents.

2 (d) The board shall elect a chairman and other necessary officers  
3 from among its members. The chairman shall be a resident of the state.

4 Sec. 16.12.040. TERM OF OFFICE. (a) The members of the board  
5 serve three-year terms and may be reappointed.

6 (b) The officers of the board elected under AS 16.12.030(d) serve  
7 a term of three years.

8 Sec. 16.12.050. REMOVAL AND VACANCIES. (a) The governor may  
9 remove a board member from office.

10 (b) A vacancy on the board shall be filled by appointment by the  
11 governor. An appointee to fill a vacancy shall hold office for the  
12 balance of the term for which his predecessor on the board was  
13 appointed.

14 (c) A vacancy on the board does not impair the authority of a  
15 quorum of the board to exercise all the powers and perform all the  
16 duties of the board.

17 Sec. 16.12.060. QUORUM. Five members of the board constitute a  
18 quorum for the transaction of business and the exercise of the powers  
19 and duties of the board.

20 Sec. 16.12.070. COMPENSATION OF BOARD MEMBERS. (a) A board  
21 member who is not an official of the state or federal government may  
22 receive \$150 a day while in attendance at and traveling to and from  
23 meetings of the board.

24 (b) Board members may receive a per diem allowance and trans-  
25 portation expenses in carrying out the duties under this chapter.

26 Sec. 16.12.080. CONFLICTS OF INTEREST. Members of the board are  
27 subject to AS 39.50.

28 Sec. 16.12.090. EMPLOYMENT OF PERSONNEL. (a) The board shall  
29 employ and determine the salary of an executive director. The salary

1 of the executive director need not conform to the pay plan in AS 39.-  
2 27.011.

3 (b) The executive director may, with approval of the board,  
4 select and employ additional staff as necessary.

5 (c) The executive director and all employees of the board are in  
6 the exempt service under AS 39.25.

7 Sec. 16.12.100. POWERS. In carrying out the powers of the center,  
8 the board may

9 (1) adopt, alter, and use a corporate seal;

10 (2) prescribe, adopt, and amend, and repeal bylaws;

11 (3) sue and be sued in the name of the center;

12 (4) enter into any agreements necessary to the exercise of  
13 its powers and functions;

14 (5) accept grants from and contract with the federal govern-  
15 ment and the state and its political subdivisions, and comply with the  
16 provisions of federal, state, or local programs when necessary;

17 (6) accept grants and loans from and contract with entities  
18 other than those in (5) of this section for the purposes of the work of  
19 the center;

20 (7) appear on behalf of the center before boards, commis-  
21 sions, departments, or other agencies of municipal, state, or federal  
22 government;

23 (8) acquire, hold, use, lease, sell, or otherwise dispose of  
24 property of any kind, real, personal, or mixed, or an interest in it;

25 (9) establish and maintain one or more bank accounts for the  
26 transaction of the center's business;

27 (10) conduct or sponsor research, and prepare, publish, and  
28 distribute technical studies, reports, bulletins, and other materials  
29 it considers appropriate;

1           (11) hold patents, copyrights, trademarks, royalties or other  
2 evidences of protection or exclusivity issued under the laws of the  
3 United States or any state or nation obtained by persons receiving  
4 assistance from the center;

5           (12) adopt regulations governing the exercise of its powers;

6           (13) do everything necessary or desirable to carry out the  
7 purposes of the center.

8           Sec. 16.12.110. DUTIES. (a) The primary functions of the center  
9 shall be research and information services.

10          (b) The center shall conduct both general and applied research,  
11 including but not limited to,

12           (1) stock enumeration research;

13           (2) habitat surveys;

14           (3) research on methods and strategies of resource manage-  
15 ment;

16           (4) fishery technology research;

17           (5) fishery food sciences research;

18           (6) fishery marketing and economic research; and

19           (7) research on the social and economic effects and impli-  
20 cations of resource management decisions and options.

21          (c) The center shall provide information services to interested  
22 organizations and individuals, including but not limited to,

23           (1) library services;

24           (2) catch and status-of-stock reports; and

25           (3) marketing reports.

26          (d) The center shall provide support services to cooperating  
27 organizations and agencies, including but not limited to,

28           (1) computer services;

29           (2) audio-visual facilities;

- 1 (3) research laboratories and special equipment;
- 2 (4) research vessels; and
- 3 (5) secretarial and publication services.

4 (e) The center and its facilities shall be available to under-  
5 graduate and graduate students of the University of Alaska and other  
6 accredited universities engaged in fisheries and fisheries-related  
7 studies, and to visiting scientists and professors for research.

8 Sec. 16.12.120. USER COMMITTEE. (a) The board shall establish a  
9 user committee by appointing one representative from each of the follow-  
10 ing organizations and agencies from a list of nominees submitted by  
11 each of the following organizations and agencies:

- 12 (1) Alaska Commercial Fisheries Entry Commission;
- 13 (2) Board of Fisheries;
- 14 (3) Department of Commerce and Economic Development;
- 15 (4) Department of Fish and Game;
- 16 (5) University of Alaska;
- 17 (6) United States Department of the Interior;
- 18 (7) United States Department of Commerce;
- 19 (8) United States Department of Agriculture;
- 20 (9) North Pacific Fishery Management Council;
- 21 (10) regional aquaculture associations; and
- 22 (11) fishermen's organizations.

23 (b) In developing center programs, the board shall consult with  
24 the user committee.

25 (c) The board shall meet with representatives of the organizations  
26 and agencies listed in (a) of this section at least twice each year.

27 Sec. 16.12.130. TECHNICAL ADVISORY COMMITTEES. The board may  
28 establish technical advisory committees to aid in carrying out the  
29 purposes and duties in AS 16.12.020 and 16.12.110.

1           Sec. 16.12.140. BUDGET AND APPROPRIATIONS. (a) The center is  
2 subject to the Executive Budget Act AS 37.07.

3           (b) The research budget for the center shall include a statement  
4 of the goals and objectives and the amount of money proposed for each  
5 research project.

6           Sec. 16.12.150. ANNUAL REPORT. The board shall prepare an annual  
7 report of its activities and submit it to the legislature at the  
8 beginning of each regular session. The report shall include

9           (1) a description of the research and programs conducted or  
10 supported by the center;

11           (2) a summary of the business conducted at user group com-  
12 mittee meetings;

13           (3) a description of the use of the support facilities; and

14           (4) other information which the board determines should be  
15 included to describe the work of the center.

16           Sec. 16.12.160. PRINCIPAL OFFICE. The principal office of the  
17 center shall be located at a place determined by law. The board may  
18 authorize the establishment of other offices of the center in the  
19 state.

20           Sec. 16.12.170. COOPERATION WITH OTHER STATE AGENCIES AND THE  
21 UNIVERSITY OF ALASKA. All departments, agencies, and public corpora-  
22 tions of the state, including the University of Alaska, shall provide  
23 information, services, and facilities to the center on its request.  
24 The center shall reimburse the department, agency, or corporation for  
25 expenses reasonably incurred on the center's behalf.

26           Sec. 16.12.180. DEFINITIONS. In this chapter;

27           (1) "board" means the Board of Trustees of the Alaska  
28 Fisheries Center;

29           (2) "center" means the Alaska Fisheries Center;

1 (3) "fishery resources" means the renewable resources from  
2 fish and other aquatic life including groundfish, aquatic plants,  
3 shellfish and salmon.

4 \* Sec. 3. AS 37.25 is amended by adding a new section to read:

5 Sec. 37.25.035. APPROPRIATIONS FOR THE ALASKA FISHERIES CENTER.  
6 An appropriation to the Alaska Fisheries Center for research or for a  
7 project under AS 16.12 is valid for the duration of the research or  
8 project. The unexpended and unobligated balance of the appropriation  
9 shall be carried forward to subsequent fiscal years.

10 \* Sec. 4. AS 39.25.110 is amended by adding a new paragraph to read:

11 (26) employees of the Alaska Fisheries Center.

12 \* Sec. 5. AS 39.50.200(b) is amended by adding a new paragraph to read:

13 (44) Alaska Fisheries Center (AS 16.12)

14 \* Sec. 6. APPOINTMENT OF FIRST BOARD OF TRUSTEES OF ALASKA FISHERIES  
15 CENTER. The governor shall designate the terms of the members of the Board  
16 of Trustees of the Alaska Fisheries Center first appointed under AS 16.12.-  
17 030, and shall appoint the first members of the board within 30 days of the  
18 effective date of this Act. Of the nine members first appointed

19 (1) three shall serve a term of one year;

20 (2) three shall serve a term of two years;

21 (3) three shall serve a term of three years.

22 \* Sec. 7. TRANSITIONAL DUTIES OF FIRST BOARD OF TRUSTEES. (a) The  
23 Board of Trustees of the Alaska Fisheries Center first appointed under sec.  
24 6 of this Act shall recruit for and within 90 days after the effective date  
25 of this Act employ an executive director.

26 (b) By January 20, 1982, the Board of Trustees of the Alaska Fisheries  
27 Center and its executive director shall report to the legislature,

28 (1) a proposed organization for the Alaska Fisheries Center;

29 (2) a proposed budget for the Alaska Fisheries Center, with

1 recommendations for proposed short-term and long-term research projects

2 (3) any internal agreements or working agreements entered into by  
3 the board of trustees or the executive director in establishing the Alaska  
4 Fisheries Center; and

5 (4) a suggested location for the principal office for the Alaska  
6 Fisheries Center, and a recommended design for the principal office of the  
7 Alaska Fisheries Center and related improvements at that location.

8 \* Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-  
9 070(c).

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Introduced: 3/10/81  
Referred: Resources and Finance

BY GARDINER, GRUSSENDORF, ZHAROFF,  
SUTCLIFFE, BUCHHOLDT, CLOCKSIN,  
COTTEN, MALONE, MEEKINS AND ROGERS

1 IN THE HOUSE

2 HOUSE BILL NO. 313

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Fisheries Center and to  
7 appropriations to that center."

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

9 \* Section 1. POLICY AND FINDINGS. (a) It is the policy of the state to  
10 provide facilities, improvements, and services to use, develop, and conserve  
11 fishery resources for the maximum benefit of the people of the state.

12 (b) The legislature finds

13 (1) that long-term research is essential to the wise use, develop-  
14 ment, and conservation of Alaska fishery resources; investments are not now  
15 made in long-term fishery research because of the common property nature of  
16 fishery resources and because of the structure of the United States fishing  
17 industry; the Alaska Fisheries Center will fulfill the need for long-term  
18 research of fishery resources;

19 (2) that there are at least 19 organizations involved in research  
20 and management of Alaska fisheries; a center to gather, coordinate, and  
21 disseminate research and information produced by these organizations is  
22 needed;

23 (3) that the establishment of a center for fishery resource  
24 research and information in Alaska will reduce reliance on out-of-state  
25 sources in the management of Alaska fisheries.

26 \* Sec. 2. AS 16 is amended by adding a new chapter to read:

27 CHAPTER 12. ALASKA FISHERIES CENTER.

28 Sec. 16.12.010. ALASKA FISHERIES CENTER ESTABLISHED. There is  
29 established the Alaska Fisheries Center. The center is a public

1 corporation of the state. It is an instrumentality of the state in the  
2 Department of Administration, but has a legal existence independent of  
3 and separate from the state. Exercise by the center of the powers  
4 conferred by this chapter is an essential governmental function of the  
5 state.

6 Sec. 16.12.020. PURPOSE. The purposes of this chapter are

7 (1) to establish a center in the state to gather, conduct,  
8 organize, and disseminate research and information on Alaska fishery  
9 resources which will encourage the wise use, development, and conserva-  
10 tion of fishery resources for subsistence, commercial, and recreational  
11 purposes;

12 (2) to provide a center for improved coordination and com-  
13 munications among fishermen, seafood processors, members of the scien-  
14 tific and fishery management communities, and the public; and

15 (3) to provide the principal center in the state for con-  
16 ducting and coordinating research for the long-term improvement of the  
17 Alaska and United States seafood industry and the encouragement of the  
18 development of Alaska fishery resources to help meet the world need for  
19 protein.

20 Sec. 16.12.030. BOARD OF DIRECTORS. (a) A board of directors of  
21 the center is established as its governing body.

22 (b) The board consists of nine members, appointed by the governor  
23 as follows:

24 (1) three members shall be appointed from state and federal  
25 fisheries agencies;

26 (2) three members shall have recognition as persons knowleg-  
27 able about fishery resources, based on experience and achievement in  
28 their profession; and

29 (3) three other public members.

1 (c) At least five members of the board shall be state residents.

2 (d) The board shall elect a chairman and other necessary officers  
3 from among its members.

4 Sec. 16.12.040. TERM OF OFFICE. (a) The members of the board  
5 serve three-year terms and may be reappointed.

6 (b) The officers of the board elected under AS 16.12.030(d) serve  
7 a term of three years.

8 Sec. 16.12.050. REMOVAL AND VACANCIES. (a) The governor may  
9 remove a board member from office.

10 (b) A vacancy on the board shall be filled by appointment by the  
11 governor. An appointee to fill a vacancy shall hold office for the  
12 balance of the term for which his predecessor on the board was  
13 appointed.

14 (c) A vacancy on the board does not impair the authority of a  
15 quorum of the board to exercise all the powers and perform all the  
16 duties of the board.

17 Sec. 16.12.060. QUORUM. Five members of the board constitute a  
18 quorum for the transaction of business and the exercise of the powers  
19 and duties of the board.

20 Sec. 16.12.070. COMPENSATION OF BOARD MEMBERS. (a) A board  
21 member who is not an official of the state or federal government may  
22 receive \$350 a day while in attendance at and traveling to and from  
23 meetings of the board.

24 (b) Board members may receive a per diem allowance and trans-  
25 portation expenses in carrying out the duties under this chapter.

26 Sec. 16.12.080. CONFLICTS OF INTEREST. Members of the board are  
27 subject to AS 39.50.

28 Sec. 16.12.090. EMPLOYMENT OF PERSONNEL. (a) The board shall  
29 employ and determine the salary of an executive director. The salary

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3 of the executive director need not conform to the pay plan in AS 39.-  
4 27.011.

5 (b) The executive director may, with approval of the board,  
6 select and employ additional staff as necessary.

7 (c) The executive director and all employees of the board are in  
8 the exempt service under AS 39.25.

9 Sec. 16.12.100. POWERS. In carrying out the powers of the center,  
10 the board may

11 (1) adopt, alter, and use a corporate seal;

12 (2) prescribe, adopt, and amend, and repeal bylaws;

13 (3) sue and be sued in the name of the center;

14 (4) enter into any agreements necessary to the exercise of  
15 its powers and functions;

16 (5) accept grants from and contract with the federal govern-  
17 ment and the state and its political subdivisions, and comply with the  
18 provisions of federal, state, or local programs when necessary; however,  
19 the center may not enter into an agreement if, under the agreement,  
20 employment of a person in a permanent position is financed or partially  
21 financed in connection with a project;

22 (6) accept grants and loans from and contract with entities  
23 other than those in (5) of this section for the purposes of the work of  
24 the center;

25 (7) appear on behalf of the center before boards, commis-  
26 sions, departments, or other agencies of municipal, state, or federal  
27 government;

28 (8) acquire, hold, use, lease, sell, or otherwise dispose of  
29 property of any kind, real, personal, or mixed, or an interest in it;

(9) establish and maintain one or more bank accounts for the  
transaction of the center's business;

1           (10) conduct or sponsor research, and prepare, publish, and  
2 distribute technical studies, reports, bulletins, and other materials  
3 it considers appropriate;

4           (11) hold patents, copyrights, trademarks, royalties or other  
5 evidences of protection or exclusivity issued under the laws of the  
6 United States or any state or nation obtained by persons receiving  
7 assistance from the center;

8           (12) adopt regulations governing the exercise of its powers;

9           (13) do everything necessary or desirable to carry out the  
10 purposes of the center.

11           Sec. 16.12.110. DUTIES. (a) The primary function of the center  
12 shall be research. The center shall conduct both general and applied  
13 research, including but not limited to,

14           (1) stock enumerations;

15           (2) habitat surveys;

16           (3) management research;

17           (4) fishery industry technology research;

18           (5) fishery food sciences research;

19           (6) market and economic research;

20           (7) aid to fisheries education; and

21           (8) research on the allocation and impact of fisheries  
22 resources.

23           (b) The facilities of the center shall be available to graduate  
24 students of accredited universities and to visiting professors for  
25 research.

26           (c) The center shall provide services available to interested  
27 organizations, including but not limited to,

28           (1) data processing;

29           (2) library, audio-visual facilities, and communication

1 services; and

2 (3) research vessels.

3 Sec. 16.12.120. CONSULTATION WITH USER GROUP COMMITTEE. (a) In  
4 developing center programs, the board shall consult with a user group  
5 committee, comprised of representatives from Alaska fishery research  
6 and management organizations, including but not limited to,

7 (1) Alaska Commercial Fisheries Entry Commission;

8 (2) Board of Fisheries;

9 (3) Department of Commerce and Economic Development;

10 (4) Department of Fish and Game;

11 (5) University of Alaska;

12 (6) United States Department of the Interior;

13 (7) United States Department of Commerce;

14 (8) United States Department of Agriculture;

15 (9) North Pacific Fishery Management Council;

16 (10) regional aquaculture associations; and

17 (11) fishermen's organizations.

18 (b) The board shall meet with representatives of the organizations  
19 and agencies listed in (a) of this section at least twice each year.

20 Sec. 16.12.130. TECHNICAL ADVISORY COMMITTEES. The board shall  
21 establish technical advisory committee to aid in carrying out the  
22 purposes and duties in AS 16.12.020 and 16.12.110.

23 Sec. 16.12.140. BUDGET AND APPROPRIATIONS. (a) The center is  
24 subject to the Executive Budget Act AS 37.07.

25 (b) The budget of the center shall include a description of and  
26 amount of proposed financing for projects to be conducted or supported  
27 by the center. A request in the budget for money for research shall  
28 include a statement of the objectives and goals of the research. The  
29 operating budget for the center shall be separate from the budget for

1 proposed research.

2 Sec. 16.12.150. ANNUAL REPORT. The board shall prepare an annual  
3 report of its activities and submit it to the legislature at the  
4 beginning of each regular session. The report shall include

5 (1) a description of the research and programs conducted or  
6 supported by the center;

7 (2) a summary of the business conducted at user group com-  
8 mittee meetings;

9 (3) a description of the use of the support facilities; and

10 (4) other information which the board determines should be  
11 included to describe the work of the center.

12 Sec. 16.12.160. PRINCIPAL OFFICE. The location of the principal  
13 office of the center shall be determined by the board. The board may  
14 authorize the establishment of other offices of the center in the  
15 state.

16 Sec. 16.12.170. COOPERATION WITH OTHER STATE AGENCIES AND THE  
17 UNIVERSITY OF ALASKA. All departments, agencies, and public corpora-  
18 tions of the state, including the University of Alaska, shall provide  
19 information, services, and facilities to the center on its request.  
20 The center shall reimburse the department, agency, or corporation for  
21 expenses reasonably incurred on the center's behalf.

22 Sec. 16.12.180. DEFINITIONS. In this chapter;

23 (1) "board" means the Board of Directors of the Alaska  
24 Fisheries Center;

25 (2) "center" means the Alaska Fisheries Center;

26 (3) "fishery resources" means the renewable resources from  
27 fish and other aquatic life including groundfish, aquatic plants,  
28 shellfish and salmon.

29 \* Sec. 3. AS 37.25 is amended by adding a new section to read:

1           Sec. 37.25.035. APPROPRIATIONS FOR THE ALASKA FISHERIES CENTER.

2           An appropriation to the Alaska Fisheries Center for research or for a  
3           project under AS 16.12 is valid for the duration of the research or  
4           project. The unexpended and unobligated balance of the appropriation  
5           shall be carried forward to subsequent fiscal years.

6           \* Sec. 4. AS 39.25.110 is amended by adding a new paragraph to read:

7                     (26) employees of the Alaska Fisheries Center.

8           \* Sec. 5. AS 39.50.200(b) is amended by adding a new paragraph to read:

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10          \* Sec. 6. APPOINTMENT OF FIRST BOARD OF DIRECTORS OF ALASKA FISHERIES  
11 CENTER. The governor shall designate the terms of the members of the Board  
12 of Directors of the Alaska Fisheries Center first appointed under AS 16.12.-  
13 030. Of the nine members first appointed

14                     (1) three shall serve a term of one year;

15                     (2) three shall serve a term of two years;

16                     (3) three shall serve a term of three years.

HB 315/316

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HB316, HB315  
 Title Special Appropriations for Capital Projects: Defeasance of G.O. Bonds  
 Requested by \_\_\_\_\_ Date 03/12/81

II. FISCAL DETAIL  
 Agency Affected Fish and Game  
 Program Category Affected NRMEC  
 BRU, Program, or Subprogram(s) Affected F.R.E.D.  
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
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

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

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

No problems are envisioned if the appropriated general funds are available immediately after the prohibition of bond sales.

Two bond funds are affected:

Ch 91 SLA 80, \$7,718.8 which includes completion of Ship Creek, Trail Lakes, and Beaver Falls hatcheries; and Ch 140, SLA 80, \$3,855.0 for development of Ship Creek, Snettisham, Kotzebue, and Main Bay hatcheries.

IV. DATE 03/27/81 PREPARED BY Janet B. Green  
 AGENCY Department of Fish and Game  
 PHONE 465-4120  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

# MEMORANDUM

State of Alaska

TO: Hon. C.R. Webber, Chairman  
State Bond Committee.

DATE: March 23, 1981

Hon. W.R. Hudson, Member  
Hon. T.K. Williams, Member

FILE NO: J-66-367-81

TELEPHONE NO: 465-3666

FROM: WILSON L. CONDON  
ATTORNEY GENERAL

RECEIVED  
SUBJECT: Cancellation of bond  
authorization

By:

Rodger W. Pegues  
Assistant Attorney General  
OFFICE OF THE  
COMMISSIONER

MAR 24 1981

You have asked in what manner, if any, duly authorized general obligation bonds may be cancelled effectively so as to remove them entirely from the books.

As a general rule, in the absence of legislation authorizing the bond committee or other officers of the executive to cancel the bonds, the only way to remove them entirely from the books is to repeal the authorizing statute. However, under certain conditions, the appropriation becomes void by operation of the law, and when the conditions occur, the bonds are voided and can be removed from the books administratively.

The relevant constitutional language provides that bonds may be issued only as "authorized by law . . . and ratified by a majority of the qualified voters . . ." Alaska Const., art. IX, § 8. "Unobligated appropriations outstanding at the end of the period of time specified by law shall be void." Id., § 13. The answer to your questions lies in these two provisions of the constitution, and the provisions of AS 37.25.020 which read as follows:

An appropriation made for a capital project is valid for the life of the project and the unexpended balance shall be carried forward to subsequent fiscal years. Between July 1 and August 31 of each fiscal year, a statement supporting the amount of the unexpended balance required to complete the projects for which the initial appropriation was made and the amount that may be lapsed shall be recorded with the Department of Administration.

The upshot is that bond issues are authorized by law and, absent authorizing legislation for executive cancellation, can -- as with any other law -- only be cancelled by a subsequent law which repeals them. Voter ratification is

required to issue bonds, but it is not required to repeal them, and we see no reason to imply such a restriction. Ordinarily, restrictions on the legislature's power to legislate must be express or necessarily implied.

However, the constitution also provides for appropriations to become void at the time specified by law, and the law here provides for that to occur at the completion or other end of the life of the construction project. AS 37.15.-020. When that occurs, the amount of the lapse shall be recorded with the Department of Administration, and that amount is then cancelled. And when that occurs, the amount should also be removed entirely from the books for the purposes of the bond committee. It appears that most, if not all, of the situations you describe fall within the coverage of this statute.

The opinion of the court in Thomas v. Rosen, 569 P.2d 793 (Alaska 1977), raises some question whether the appropriations in legislation authorizing bonds to be issued are appropriations either under article IX, section 13, of the Alaska Constitution or under AS 39.25.020. One would have thought that they were, but the Delphic opinion in Thomas suggests otherwise. There, the court stated that it was "oversimplified" to say that appropriating money in bond legislation made the legislation an appropriation bill, and the court said that "valid reasons for differentiating between debt financing and other appropriations from public revenue." (It did not give any, but that is beside the point.) Nevertheless, Thomas probably stands only for its result: The chief executive cannot veto items in a bond-appropriation bill. That being so, the appropriations made from bond proceeds lapse in accordance with the terms of AS 37.25.020 and article IX, section 13, of the constitution.

Accordingly, upon certification to the Department of Administration that a project is complete, dead, or altered and that the appropriation for it is no longer needed to complete the project, the appropriation will lapse and the authorization can be removed from the books by the committee.

RWP/pjg

Introduced: 3/11/81  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY ADAMS

2 HOUSE BILL NO. 315

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting the sale of certain general obliga-  
7 tion bonds; and providing for an effective date."

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

9 \* Section 1. Notwithstanding the provisions of AS 37.15.020 the state  
10 bond committee may not sell the following amounts of bonds authorized by the  
11 following laws:

12	(1) ch. 91, SLA 1980	\$ 7,718,800
13	(2) ch. 97, SLA 1980	33,000,000
14	(3) ch. 99, SLA 1980	28,350,000
15	(4) ch. 118, SLA 1980	156,992,700
16	(5) ch. 121, SLA 1980	63,651,000
17	(6) ch. 95, SLA 1978	29,690,000
18	(7) ch. 96, SLA 1978	4,350,000
19	(8) ch. 122, SLA 1978	12,000,000
20	(9) ch. 137, SLA 1978	16,446,000
21	(10) ch. 138, SLA 1978	41,450,000
22	(11) ch. 139, SLA 1978	10,440,000
23	(12) ch. 140, SLA 1978	3,865,000
24	(13) ch. 145, SLA 1978	21,140,000
25	(14) ch. 131, SLA 1976	600,000
26	(15) ch. 247, SLA 1976	2,500,000
27	(16) ch. 271, SLA 1976	19,000,000
28	(17) ch. 86, SLA 1974	4,500,000
29	(18) ch. 118, SLA 1974	900,000

1	(19) ch. 132, SLA 1974	2,000,000
2	(20) ch. 201, SLA 1972	1,000,000
3	(21) ch. 202, SLA 1972	6,900,000

4 \* Sec. 2. This Act takes effect on the day following the date of enact-  
5 ment of a version of an Act entitled "An Act making special appropriations  
6 for capital projects for which general obligation bonds have been authorized  
7 but not issued and for defeasance of outstanding general obligation bonds;  
8 and providing for an effective date." if that Act is enacted after this Act.  
9 If that Act is enacted before the enactment of this Act, then this Act takes  
10 effect immediately in accordance with AS 01.10.070(c).

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COMMITTEE REPORT

HOUSE

4/15

FURTHER: FINANCE

3/11/81

(5)

Date: 4-13-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 315

"An Act prohibiting the sale of certain general obligation bonds; and providing for an effective date."

under consideration and reports it back as follows:

- 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 with <sup>individual</sup> ~~an~~ recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Miller

John G. Julian

[Signature]

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

[Signature] No Rec

[Signature] No Rec

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Miller  
CHAIRMAN

Barrier  
12-0969

Introduced: 3/11/81  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY ADAMS

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COMMITTEE COPY

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**ALASKA STATE LEGISLATURE**

TWELFTH Legislature FIRST... Session

HOUSE ..BILL..... NO. ...315.

By ..ADAMS.....

"An Act prohibiting the sale of certain general obligation bonds; and providing for an effective date.."

Prohibiting sale/certain gen. obligation bonds

Introduced in the House ...3/11.., 19..81

**HISTORY IN THE HOUSE**

19	81	Read first time and referred to Committee on										
Mar	11	State Affairs and Finance 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
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Yeas	Yeas											
Nays	Nays											
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		Reconsideration										
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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
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PASS	Effective Date											
Yeas	Yeas											
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Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by President										
		Returned to House										
SECRETARY OF THE SENATE												

**HISTORY IN THE HOUSE**

19		Received from Senate
		Concurred in Senate amendment thus adopting: 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. ....

A Bi-Monthly Report on Government Finance Issues in the States



# THE FISCAL LETTER

An Information Service of the National Conference of State Legislatures — Earl S. Mackey, Executive Director

EDITORS: Nancy Hauswald  
Ken Kirkland

Vol. III, No. 2  
March 1981

## State Debt Management

To meet the capital construction needs of their constituents, states must finance capital facilities either by expenditures from current revenue or by borrowing in the bond market. A policy of financing capital investments out of current taxes and charges can hinder states from using their limited fiscal resources for other essential purposes. Because most capital investments have useful lives that exceed more than one budget period and may in fact benefit future generations of taxpayers, a large proportion of capital financing is done through long-term borrowing.

Long-term financing of capital projects can, however, lead to consequences that necessitate states developing debt management policies. Any debt sold to finance a project will result in liabilities which must be repaid, with interest, in future years. These repayments create a fixed obligation or annual debt service in the states' future year budgets. No new expenditure commitments can be made that would result in a state's inability to retire its bonds. In addition to retiring their debts, states must recognize that any new facility will generate future additional operating costs that will have to be met. Therefore, debt management policies must include long-term capital planning and budgeting that examines the state's future fiscal and economic capacity to pay.

The two major classifications of bonded indebtedness at the state level are guaranteed, or general obligation, which carries with it the full faith and credit of the state and is secured by the state's general revenues, and nonguaranteed, or revenue, which is secured by the revenues of the activity for which the debt is sold.

The volume of the nonguaranteed debt has been growing much more rapidly than general obligation debt. State debt management policies should recognize that the growing use of revenue bonds to support a variety of programs such as industrial development, housing finance and pollution control has added to the size and complexity of the tax-exempt bond market.

To protect taxpayers and the credit condition of the state against overborrowing, most states place limitations on the state legislature's borrowing authority. A survey of constitutional limits on long-term state debt indicates that:

- 13 states require a voter-approved referendum for the issuance of all debt;
- 12 states have imposed dollar limitations on the amount of debt that can be issued ranging from \$50,000 to \$2,000,000, and require an approved referendum to exceed these limits;
- 6 states limit debt on a percentage of assessed valuation ranging from 1 percent to 5 percent;
- 6 states limit debt on a percentage of state revenues; and,
- 13 states limit debt only by approved legislative authorization, ranging from a simple majority to a three-fourths majority.

These debt limitations usually apply to general obligation debt and not to nonguaranteed debt.

The securities market is primarily concerned with the state's capacity to support debt-service payments along with its other expenditures, and its overall economic-fiscal condition. The security of the revenue base supporting a bond issue and the state's long-term economic future are probably the most important determinants of the state's wealth and tax base.

Because states compete in the municipal bond market it may be worthwhile to survey the states' ranking in some debt burden statistics. Such statistics are a basic part of agency rankings of the credit quality of bond issues. (These statistics were updated from a study on "Bonded Indebtedness in Kentucky" by the Kentucky Legislative Research Commission. Data for these updates came from State Government Finances in 1979, published by the U.S. Bureau of the Census.)

The table lists the states by region with four debt-burden statistics. The number in parentheses is the ranking from one to fifty by that statistic. Several interesting patterns emerge from this table. New England and Mideastern states rank much higher on all four indicators than other regions, with no state lower than twentieth on any of the statistics. The Great Plains and Southeastern states have the lowest debt levels, with the exceptions of South Dakota, Kentucky and West Virginia. The Southwestern and Rocky Mountain states also have low debt levels. In the Far West, the pattern is mixed with California, Nevada and Washington all having low debt levels, but Alaska, Hawaii and Oregon having some of the highest debt levels in the nation. Oregon's rating comes from its veterans home loan program, the largest of its kind in the country. Although their debt level is high, much of it is secured by first mortgages. This table incorporates all state general obligation and state-guaranteed debt, but does not reflect the total volume of public authority or moral obligation bonding.

It must be emphasized that bond rating agencies do not base their opinions solely on the level of debt burden of the states. There are a variety of other factors that are involved, including the state's overall fiscal and economic trends. Thus, a state displaying high debt burden statistics but experiencing favorable economic growth can receive a high credit quality rating. Factors that can adversely affect a state's rating include mismanagement, improper use of debt financing, unusually high short-term borrowing, vulnerability to national economic fluctuations and changes in tax structure.

The most important aspect of the quality rating is its impact on interest costs. While differences among the quality grades fluctuate depending on market conditions, the highest rated bonds sell at interest rates lower than the lowest rated. This difference can be a percentage point or more of interest and can result in large savings to states over the full life of the bonds.

## STATE DEBT: AN OVERVIEW (FY 1979)

	Debt Per Capita	Total Debt Outstanding as a Percentage of Own-Source Revenues	Debt Interest as a Percentage of State Expenditures	Debt Per \$1000 of Personal Income
<b>NEW ENGLAND</b>				
Connecticut	\$1153 (7)	169.8% (3)	8.9% (3)	\$130 (9)
Maine	634 (17)	99.0% (16)	5.2% (15)	101 (15)
Massachusetts	939 (9)	116.1% (11)	6.6% (8)	118 (12)
New Hampshire	833 (13)	187.6% (2)	6.9% (6)	115 (13)
Rhode Island	1268 (6)	160.9% (5)	5.9% (11)	169 (5)
Vermont	1036 (8)	140.7% (8)	5.9% (10)	160 (6)
<b>MIDEAST</b>				
Delaware	\$1469 (4)	134.2% (9)	7.1% (4)	\$172 (4)
Maryland	890 (10)	107.6% (15)	5.5% (14)	106 (14)
New Jersey	734 (15)	115.0% (12)	5.9% (9)	84 (18)
New York	1302 (5)	165.4% (4)	16.2% (1)	158 (7)
Pennsylvania	550 (18)	81.0% (19)	5.5% (12)	71 (20)
<b>GREAT LAKES</b>				
Illinois	\$ 509 (22)	77.9% (20)	4.7% (17)	\$ 57 (27)
Indiana	108 (48)	16.3% (48)	1.2% (44)	14 (48)
Michigan	272 (36)	33.5% (37)	2.6% (29)	32 (38)
Ohio	349 (28)	65.5% (23)	3.9% (23)	44 (32)
Wisconsin	473 (24)	57.2% (26)	3.9% (21)	63 (23)
<b>PLAINS</b>				
Iowa	\$ 128 (46)	19.4% (47)	0.8% (46)	16 (47)
Kansas	194 (41)	31.3% (40)	1.5% (42)	25 (42)
Minnesota	462 (25)	50.5% (28)	4.1% (20)	59 (25)
Missouri	146 (45)	28.9% (42)	1.8% (40)	20 (44)
Nebraska	33 (50)	5.7% (49)	0.3% (50)	4 (40)
North Dakota	199 (39)	24.7% (44)	0.7% (48)	28 (40)
South Dakota	842 (12)	152.3% (6)	4.6% (18)	122 (10)
<b>SOUTHEAST</b>				
Alabama	\$ 279 (35)	47.9% (30)	2.5% (32)	\$ 45 (31)
Arkansas	112 (47)	21.2% (46)	0.8% (47)	19 (46)
Florida	301 (33)	55.1% (27)	3.9% (22)	41 (34)
Georgia	268 (37)	48.8% (49)	2.3% (34)	40 (35)
Kentucky	797 (14)	112.6% (13)	5.4% (13)	122 (11)
Louisiana	656 (16)	89.4% (17)	4.1% (19)	99 (16)
Mississippi	347 (29)	58.2% (25)	3.1% (25)	63 (22)
North Carolina	198 (40)	33.5% (38)	2.2% (35)	30 (39)
South Carolina	542 (19)	85.6% (18)	1.6% (41)	87 (17)
Tennessee	317 (32)	59.6% (24)	3.3% (24)	49 (28)
Virginia	320 (31)	44.7% (33)	2.5% (31)	42 (33)
West Virginia	872 (11)	119.6% (10)	4.7% (16)	133 (8)
<b>SOUTHWEST</b>				
Arizona	39 (49)	5.4% (50)	0.5% (49)	6 (49)
New Mexico	414 (26)	41.3% (34)	2.2% (36)	64 (21)
Oklahoma	522 (21)	76.4% (21)	2.8% (26)	74 (19)
Texas	173 (43)	30.7% (41)	1.9% (39)	23 (43)
<b>ROCKY MOUNTAIN</b>				
Colorado	\$ 154 (44)	22.5% (45)	1.2% (45)	\$ 20 (45)
Idaho	244 (38)	37.1% (36)	2.1% (37)	36 (37)
Montana	187 (42)	28.8% (48)	1.3% (43)	28 (41)
Utah	288 (34)	32.1% (39)	2.0% (38)	46 (30)
Wyoming	480 (23)	47.3% (31)	2.4% (33)	59 (26)
<b>FAR WEST</b>				
California	\$ 338 (30)	40.1% (35)	2.8% (27)	\$ 39 (36)
Nevada	533 (20)	69.5% (22)	2.8% (27)	60 (24)
Oregon	1507 (3)	199.9% (1)	10.4% (2)	193 (3)
Washington	386 (29)	46.6% (32)	2.5% (30)	48 (29)
Alaska	3356 (1)	109.2% (14)	6.9% (5)	309 (1)
Hawaii	1854 (2)	150.6% (7)	6.7% (7)	227 (2)

In developing debt management policies it is not possible to determine a specific limit on debt which may be applicable to all states, nor is it possible to determine an exact amount of debt which all states would be able to issue and manage efficiently. However, debt management policies that include debt limits, analyses of the state's capacity to retire their debt and pay for operating costs associated with it in future years, and overall capital planning and budgeting can benefit the state by improving and strengthening its position in the bond market with the result being greater savings to the state.

## Taxing Nongovernmental Exempt Property

Taxing exempt property does not appear to be an idea whose time has come--yet. Despite recurring calls to tighten the granting of exemptions or place user charges on exempt property, states and cities have done very little to significantly increase the taxes or charges on presently-exempt nongovernmental property. But, if governments continue to undergo fiscal strains, it is possible that during the next decade major changes will occur in the treatment of exempt property.

A widely-used estimate is that one-third of all U.S. property is tax exempt; but, the great majority of this property is government-owned. Thus, the potential revenue that could be obtained from nongovernmental exempt property is far less than the one-third figure would suggest.

This generalization must be qualified in several respects. The amount of tax exempt property varies widely from place to place. The largest concentration of exempt property is usually found in the central cities of metropolitan areas; therefore, exempt property may be much greater in certain places than in others. Moreover, substantial evidence exists showing that the value of exempt property is growing faster than that of taxable property, so exempt property may become an increasingly attractive source of revenue for financially hard-pressed cities.

States differ widely in their definitions of tax-exempt property. The best recent survey of state laws in this regard is a report published by the Greater Hartford Chamber of Commerce, Property Tax Exemptions for Non-Profit Institutions: Problems and Proposals. This study describes how all 50 states treat each of the major types of totally-exempt property (schools, churches, hospitals, and cemeteries), and many of the minor types, such as YMCAs, Chambers of Commerce, camps, lodges, fraternal organizations, and so forth.

Several years ago, Connecticut broke new ground by providing payments in lieu of taxes from the state government to local governments in areas where private institutions of higher education and private hospitals are located. Approximately 38 states compensate localities for certain types of exempt government property, but Connecticut initiated the first program to provide payments for nongovernmental property. While some localities support such programs because of the additional aid received, these programs must be compared with other mechanisms of providing state aid, and the presence of exempt property may not be the most appropriate indicator to use in distributing aid. With many states suffering from extreme budgetary pressures, funds for payment in lieu of taxes programs are often scarce. Ruling out state payments, states must find ways to obtain money from tax exempt organizations themselves.

Recent experiences in Virginia and New York suggest that the forces in favor of obtaining revenue from exempt organizations are usually not sufficient to overcome resistance from the organizations themselves. For at least five years, Virginia has allowed localities to levy service charges on state governmental property and some types of nongovernmental property. Among the types of nongovernmental property that may be subject to service charges are cemeteries, colleges and other schools, and certain properties of benevolent or charitable associations. While many local governments have levied service charges on state property to reflect the cost of police and fire protection and refuse collection, hardly any localities have assessed such charges on nongovernmental exempt property.

In New York, local governments may deny exemptions to certain types of organizations on a local option basis. While the largest holders of exempt property--schools and churches--are exempt from this law, many other types of property could have their exemptions removed. Nevertheless, relatively few localities have availed themselves of the opportunity to remove such exemptions.

Across the country there are many examples of exempt property for which service charges are being paid voluntarily. Private institutions of higher education frequently make such payments, although they are generally for much less than the tax they would pay if taxable. Mandatory service charges for private exempt property, however, are very rare.

Many other reforms can be implemented to obtain increased revenue. In certain states, it is reportedly common practice for assessors to grant more generous exemptions than are prescribed by law. Vigorous enforcement of existing statutes could pay off in such cases. Along similar lines, New York state has recently instituted a program requiring owners of exempt property to file applications to verify their qualifications for exemption.

Perhaps the day is not far off when large amounts of revenue will be obtained from tax exempt property. But that day has not yet arrived.

(NOTE: This article draws on materials presented at a workshop on tax exempt property sponsored by NCSL in Albany, New York in February 1981. For more information about tax exempt property, contact Steven Gold, NCSL-Denver, (303) 623-6600.)

## State Tax Trends

With the recession restraining revenue growth, only nine states had tax increases in excess of the inflation rate during fiscal 1980, according to a recent Census Bureau report. Except for North Dakota, all of the states with the fastest tax increases were in the rapidly-growing West and South.

These statistics do not, however, include local tax revenue, which rose more slowly than state taxes. Property taxes, which constitute the majority of local tax revenue, rose only 5.5 percent.

Total state tax revenue rose 9.6 percent, much less than the 12½ percent rise of consumer prices during this period. There was great variation among the states. As the attached table shows, Alaska and California had the largest increases, while Michigan and Vermont ranked at the bottom, with decreases in their tax revenue.

These findings may call into question one of the arguments for indexing state income taxes. While inflation causes disproportionate increases of income tax revenue when tax rates are progressive, yields from other taxes are much less responsive to inflation. Thus, state taxes claimed a smaller proportion of personal income in fiscal 1980 than previously. With federal aid other than grants for payments to individuals rising less than 6 percent, many state governments experienced serious budgetary problems.

Other significant trends in state taxes include the following:

- Five states--Alaska, Hawaii, Oklahoma, Utah and Wyoming--were among the fastest growers for the second consecutive year. At the other extreme, Indiana, Tennessee and Wisconsin repeated in the lowest quartile.
- Several states, such as Arkansas, California, North Dakota and Texas, swung from very low increases in 1979 to very large ones in 1980. Colorado, Nevada and Rhode Island moved in the other direction, experiencing abnormally small increases.

GROWTH OF STATE TAX REVENUE, 1978-79 AND 1979-80

State	Percentage change 1979-80		Percentage change 1978-79		Per Capita 1980	
	Level	Rank	Level	Rank	Level	Rank
Alaska	76.0%	1	44.9%	1	\$3,540.90	1
California	18.4	2	8.9	38	853.31	5
Texas	17.8	3	6.5	45	504.95	43
Oklahoma	17.2	4	15.2	11	614.12	19
Arkansas	16.5	5	7.5	44	532.46	39
North Dakota	14.5	6	4.9	50	566.00	29
Hawaii	14.0	7	16.1	9	1,091.13	2
Wyoming	13.2	8	18.4	5	862.50	4
Utah	13.1	9	14.7	12	574.80	26
New Mexico	12.0	10	8.7	40	746.21	7
Florida	12.0	11	14.0	14	542.25	33
Illinois	11.9	12	9.5	35	629.84	17
Maine	11.7	13	5.1	49	564.41	30
Georgia	11.5	14	12.1	20	533.31	38
Arizona	11.1	15	15.9	10	687.51	11
North Carolina	10.3	16	11.8	21	573.55	27
South Carolina	10.2	17	11.6	23	572.32	28
South Dakota	10.2	18	9.8	32	392.62	49
New Jersey	10.1	19	8.4	41	559.78	31
Nebraska	10.0	20	9.2	37	518.91	41
New York	9.3	21	6.4	46	720.54	9
Montana	9.1	22	18.1	6	554.39	32
Louisiana	9.1	23	11.0	25	594.34	22
Pennsylvania	8.8	24	8.2	42	617.24	18
Mississippi	8.7	25	5.8	47	517.88	42
Massachusetts	8.5	26	9.6	34	680.76	12
Washington	7.3	27	11.0	24	743.11	8
Connecticut	7.1	28	10.8	26	590.59	24
Virginia	7.0	29	9.8	33	527.87	40
Kansas	6.9	30	13.0	16	535.95	27
Alabama	6.3	31	10.0	30	492.65	45
Iowa	6.2	32	12.8	18	601.73	21
West Virginia	6.0	33	17.3	8	649.36	15
Oregon	5.2	34	19.5	2	575.92	25
Idaho	5.1	35	10.8	27	541.82	34
Delaware	4.8	36	9.4	36	886.11	3
Maryland	4.3	37	10.1	29	665.42	14
Missouri	4.1	38	12.8	17	430.28	48
Colorado	3.5	39	18.9	3	537.83	36
Kentucky	3.3	40	12.7	19	608.15	20
Wisconsin	3.2	41	5.5	48	713.20	10
Ohio	3.2	42	11.7	22	444.20	46
Nevada	3.0	43	18.5	4	678.92	13
Rhode Island	2.4	44	17.4	7	592.88	23
Tennessee	2.3	45	8.2	43	430.82	47
Minnesota	2.2	46	13.6	15	788.81	6
New Hampshire	1.3	47	9.9	31	301.57	50
Indiana	1.0	48	8.7	39	499.21	44
Vermont	-0.4	49	14.4	13	540.20	35
Michigan	-1.3	50	10.6	23	645.92	16
United States	9.6		10.2		623.91	

SOURCE: U.S. Census Bureau, State Government Tax Collections in 1980.



COMMITTEE REPORT

HOUSE

4/15

3/11/81

FURTHER: FINANCE

(5)

Date: 4-13-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 316

"An Act making special appropriations for capital projects for which general obligation bonds have been authorized but not issued and for defeasance of outstanding general obligation bonds; and providing for an effective date."

under consideration and reports it back as follows:

- [ ] 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
[X] reports it back without <sup>individual</sup> recommendation
[ ] referred to the Committee

MEMBERS SIGNING DO PASS

Handwritten signatures: Miller, Jay B. Miller, [unclear]

MEMBERS HAVING OTHER RECOMMENDATIONS:

Handwritten signatures: [unclear] Nabeo, [unclear] No Rec

Handwritten signature: Miller CHAIRMAN

Bevrie  
12-0970

Funding Information  
General Fund \$818,284,145  
Other Funds -0-  
\$818,284,145

Introduced: 3/11/81  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY ADAMS

2 HOUSE BILL NO. 316

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations for capital  
7 projects for which general obligation bonds have been  
8 authorized but not issued and for defeasance of out-  
9 standing general obligation bonds; and providing for  
10 an effective date."

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

12 \* Section 1. (a) The sum of \$466,493,500 is appropriated from the  
13 general fund to the following funds in the amount set out after each for  
14 capital projects for which general obligation bonds have been authorized but  
15 not issued:

- |    |  |              |
|----|--|--------------|
| 16 | (1) 1980 Fisheries Facilities Construc-  |              |
| 17 | tion Fund                                | \$ 7,718,800 |
| 18 | (2) 1980 Water Supply and Sewer Systems, |              |
| 19 | Solid Waste Facilities, and Village      |              |
| 20 | Safe Water Construction Fund             | 33,000,000   |
| 21 | (3) 1980 Correctional Facilities         |              |
| 22 | Construction Fund                        | 28,350,000   |
| 23 | (4) 1980 Transportation Construction     |              |
| 24 | Fund                                     | 156,992,700  |
| 25 | (5) 1980 Education, Library, and         |              |
| 26 | University of Alaska Facilities          |              |
| 27 | Construction Fund                        | 63,651,000   |
| 28 | (6) 1978 Erosion and Flood Control, Port |              |
| 29 | Facilities Development, and Small Boat   |              |

COMMITTEE COPY

1	Landings and Harbors Fund	29,690,000
2	(7) 1978 Recreational Facilities Construc-	
3	tion Fund	4,350,000
4	(8) 1978 Health Facilities, Senior Citizen	
5	Centers and Pioneers' Home Construction	
6	Fund	12,000,000
7	(9) 1978 Educational Facilities Construc-	
8	tion Fund	16,446,000
9	(10) 1978 Transportation Facilities Con-	
10	struction Fund	41,450,000
11	(11) 1978 Correctional and Public Safety	
12	Facilities Construction Fund	10,440,000
13	(12) 1978 Fish Facilities Construction Fund	3,865,000
14	(13) 1978 Water Supply and Sewerage Systems	
15	Fund	21,140,000
16	(14) 1976 School Construction Fund	600,000
17	(15) 1976 Transportation Construction Fund	2,500,000
18	(16) 1976 Water Supply and Sewerage Systems	
19	Construction Fund	19,000,000
20	(17) 1974 Port Facilities Development Fund	4,500,000
21	(18) 1974 Trunk and Secondary Airport Con-	
22	struction Fund	900,000
23	(19) 1974 Health Care Facilities Capital	
24	Improvements Fund	2,000,000
25	(20) 1972 Flood Control and Small Boat	
26	Harbor Projects Fund	1,000,000
27	(21) 1972 Water Supply and Sewerage System	
28	Construction Fund	6,900,000

(b) Appropriations in (a) of this section may be used to repay loans

1 made from the general fund to funds listed in (a) of this section.

2 \* Sec. 2. The sum of \$351,527,000 is appropriated from the general fund  
3 to the state bond committee for the purpose of defeasing outstanding general  
4 obligation bonds which were issued before May 1978 under the provisions of  
5 the State Bonding Act (AS 37.15.010 - 37.15.220).

6 \* Sec. 3. The amount of \$263,645 or as much of that amount as is found  
7 necessary is appropriated from the general fund to the state bond committee  
8 to carry out the provisions of sec. 2 of this Act and to pay fees and ex-  
9 penses incident to the defeasance of outstanding general obligation bonds.

10 \* Sec. 4. This Act takes effect on the effective date of a version of an  
11 Act entitled "An Act prohibiting the sale of certain general obligation  
12 bonds; and providing for an effective date."  
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**ALASKA STATE LEGISLATURE**

TWELFTH. Legislature FIRST.. Session

HOUSE ..BILL..... NO. ...316.

By .ADAMS.....

"An Act making special appropriations for capital projects for which general obligation bonds have been authorized but not issued and for defeasance of outstanding general obligation bonds; and providing for an effective date."

Spec. appro, capital projects

Introduced in the House .....3/11, 19....81

**HISTORY IN THE HOUSE**

19		Read first time and referred to Committee on																												
Mar	11	State Affairs and Finance 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> <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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Signed by Speaker																														
Sent to Senate																														
CHIEF CLERK OF THE HOUSE																														

**HISTORY IN THE SENATE**

19		Read first time and referred to Committee on																												
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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. ....

Funding Information

General Fund \$818,284,145  
Other Funds -0-  
\$818,284,145

Introduced: 3/11/81  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY ADAMS

2 HOUSE BILL NO. 316

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations for capital  
7 projects for which general obligation bonds have been  
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24 Fund 156,992,700
- 25 (5) 1980 Education, Library, and  
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27 Construction Fund 63,651,000
- 28 (6) 1978 Erosion and Flood Control, Port  
29 Facilities Development, and Small Boat

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THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

HB 315, 316

HB 315 / 316

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 315 & 316

Title Prohibiting the sale of certain general obligation (GO) bonds, special appropriation

Requested by for GO bonds that have been authorized but not Date 3/11/81

issued and for defeasance of outstanding GO bonds.

Requested by House State Affairs Committee

II. FISCAL DETAIL

Agency Affected Department of Revenue, State Bond Committee

Program Category Affected General Fund

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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	MILLIONS					
(1) GENERAL FUND	818.3					
(2) Debt Service Cost Reduction	( 63.9)	(63.3)	(60.8)	(58.6)	(57.9)	
(3) Defeasance Savings	(155.7)					
(4) Opportunity Cost New Debt	8.0	17.6	23.4	27.2	30.9	
Not Issued						
(5) PV Opp. Cost of Defeasance	5.8	11.0	15.1	18.6	22.0	
<u>POSITIONS</u>						
FULL TIME						
PART TIME						
TEMPORARY						

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

- Appropriated funds to "cash-out" all remaining authorized but unissued bonds, defeasance of all pre-May, 1978 issued GO bonds. Defeasance portion based on interest rate yields of third week in February, 1981. There would remain \$211 million in bonds issued after May, 1978.
- This is the annual debt service related to the \$507.2 million in bonds that would be subject to defeasance that would be due in the years indicated, would no longer be part of the operating budget as defeasance takes care of these costs; the cash flow of the escrow set aside makes these payments when they become due.
- The savings in principal due to investments allowed on escrow set-aside as part of defeasance.
- Opportunity cost of not using the favorable low interest rate obtainable on issuing GO bonds for new projects, rather using all cash up front.
- Because debt can be paid later with "cheaper dollars" this is the additional cost due to early payment of annual debt service.

IV. DATE March 16, 1981 PREPARED BY Anselm C. Staack, Treasury Comptroller  
AGENCY Dept. of Revenue/Treasury Division  
PHONE 465-2351

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

COMMITTEE REPORT  
SENATE

FURTHER: None

4/20/81

Date: 6/21/81

Mr. President:

The Committee on FINANCE has had CSHB 317 (C&RA)  
emergency services communications

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 CSHB 317 (C&RA)  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

William Hargreaves  
John P. ...  
...  
...  
...  
...  
...  
...  
...

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

...  
...  
...  
...  
...  
...

John P. ...  
CHAIRMAN  
Do Pass

Original sponsor: Malone

Offered: 4/20/81  
Referred: Finance

1 IN THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 317 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to emergency services communications."

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

8 \* Section 1. AS 29.48.020 is amended by adding a new paragraph to read:

9 (8) establish an emergency communications center under  
10 AS 29.73.080.

11 \* Sec. 2. AS 29.73 is amended by adding a new section to read:

12 Sec. 29.73.080. EMERGENCY SERVICES COMMUNICATIONS CENTERS. (a)

13 A municipality may establish an emergency services communications  
14 center with one or more other municipalities and one or more state,  
15 federal, or private agencies which provide emergency service communica-  
16 tions to the same geographic area. An emergency services communications  
17 center established under this section may be organized and operated as  
18 a public nonprofit corporation under AS 10.20.

19 (b) An emergency services communications center under this section  
20 may be governed by a board of directors. A member of a board of direc-  
21 tors of an emergency service communications center serves without  
22 compensation but is entitled to per diem and travel expenses. If an  
23 emergency service communications center is organized as a nonprofit  
24 corporation, a member of its board of directors may not be employed by  
25 the nonprofit corporation.

26 (c) An emergency services communications center may assess the  
27 feasibility and desirability of providing emergency services communi-  
28 cations for the geographic area in which it is located through one  
29 central office. An emergency services communications center may

1 (1) combine or coordinate the existing emergency services  
2 communications programs of the participating municipalities and agen-  
3 cies;

4 (2) operate a dispatch center to receive all requests for  
5 emergency services and dispatch those services;

6 (3) study the need for improvement in the timely delivery of  
7 emergency services to residents of the participating municipalities;

8 (4) hold public hearings to obtain information concerning  
9 the timely delivery of emergency services;

10 (5) apply for and accept federal, state, municipal, and pri-  
11 vate money, property, or assistance for use in providing the timely  
12 delivery of emergency services;

13 (6) enter into contracts to carry out the provisions of this  
14 chapter;

15 (7) employ personnel necessary to carry out the provisions  
16 of this chapter.

17 (d) In this section

18 (1) "emergency services" means services provided by law  
19 enforcement agencies, fire departments, ambulance services, and other  
20 organizations which are intended to respond to emergency situations of  
21 imminent danger to life or property;

22 (2) "emergency service agency" means an agency which provides  
23 emergency services;

24 (3) "state agency" means a department, division, or office  
25 in the executive branch of state government.  
26  
27  
28  
29

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

*passed w/ bill  
6/21/81*

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SCS CSHB 317 (C&RA)  
 Title Act relating to emergency services communications  
 Requested by Senate Finance Committee Date 6/21/81

II. FISCAL DETAIL  
 Agency Affected AST, HSPA, FM of DPS, DIV. of COMMUNICATIONS of DOT and PF  
 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			0			
300 CONTRACTUAL			0			
400 COMMODITIES			0			
500 EQUIPMENT			0			
600 LAND & STRUCTURES			0			
700 GRANTS, CLAIMS, ETC.			0			
TOTAL			0			

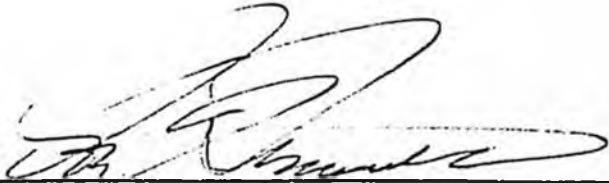
FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE June 21, 1981 PREPARED BY   
 AGENCY Co-chairman  
 PHONE Senate Finance Committee  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

Department <b>PUBLIC SAFETY</b>	Senator (Print, Full) <b>MALONE</b>	Bill Number <b>SCS CSHB 317</b>
Department Position		
Division Director	Date <b>04/23/81</b>	Commissioner

GOVERNOR'S OFFICE USE		
Comments		
<input type="checkbox"/> Position Noted	By	Date

SUMMARY	
1. a) Related Bills (Similar or Conflicting)	1. b) Other Agencies Affected by Bill
2. a) Organizational Support for Bill  Support in concept, (see comments).	2. b) Organizational Opposition to Bill
3. Program Effects of Bill  To provide localized coordination of emergency communications and services.	
4. Fiscal Impact: <input type="checkbox"/> None <input checked="" type="checkbox"/> Fiscal Note Attached	
5. Amendments Proposed:  See comments.	
6. Comments:  See attached.	

Bill Analysis - SCS CSHB 317  
Charles A. Smith

COMMENTS:

The concept of the bill is good in that it establishes coordinating groups for emergency communications and services, which would allow for more comprehensive programs in these two critical areas.

Since the members of the Board of Directors would not receive pay for their efforts, but they are entitled to travel and per diem under the bill. Most of the members, with some exceptions, such as isolated coastal or island communities, would likely be fairly close to the areas where meetings would likely be held. In this case, fiscal impact should be minimal once the centers are established and operating. Initially, meetings may be more frequent, which would necessitate more travel and per diem.

Concerning staff hired by the centers, since most of the areas they will be "coordinating" currently have personnel such as dispatchers, clerks, etc., capable of doing this work, little, if any, fiscal impact is anticipated.

Legislative intent should be clear in making sure that this is not a new level of bureaucracy that would create new positions for its operation, although there may be some centers that may not now have any of the above mentioned staff. It should also be clear that the only staff will be "workers" and that the boards will not have staffs to coordinate.

It is assumed that the board members, in most cases, will be individuals working for, and paid by an existing agency having a vested interest in this area, such as state troopers, fire chiefs, police, etc., although some unpaid volunteers, such as emergency medical technicians, paramedics and firemen, will likely be involved.

There should also be some legislative direction to appropriate agencies, such as, the Division of Communications and other appropriate State and Municipal Agencies to make sure legislative intent is carried out.

Finally, existing regional groups, such as, Emergency Medical Boards, must play an active role to make sure this works.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SCS CSHB 317 (C & RA)  
 Title AN ACT RELATING TO EMERGENCY SERVICES COMMUNICATIONS  
 Requested by LEGISLATIVE FINANCE Date 04/22/81

II. FISCAL DETAIL  
 Agency Affected AST, HSPA, FM of DPS, DIV. of COMMUNICATIONS of DOT and PF  
 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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		45.0	35.0	25.0	15.0	15.0
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		45.0	35.0	25.0	15.0	15.0

FUNDING (Thousands of Dollars)

GENERAL FUND		45.0	35.0	25.0	15.0	15.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Assuming fifteen (15) centers at one (1) meeting every two (2) months initially would be six (6) meetings each, or ninety (90) meetings. Further if each board has an average of five (5) members, (figuring AST, local police, local fire, local ambulance service, hospital or clinic). This would compute to 450. Figuring an average travel and per diem cost of \$100 each, assuming some will cost little because of no travel involved, and possibly only some meals, makes a total of \$45,000.00. Subsequent years should reduce as organization gets established.

IV. DATE 04/23/81 PREPARED BY Charles A. Smith  
 AGENCY Highway Safety Planning Agency  
 Original: Legislative Finance PHONE 465-4371 or 4372  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Original sponsor: Malone

Offered: 3/31/81  
Referred: Rules

1 IN THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 317 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to emergency services communications."

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

8 \* Section 1. AS 29.48.020 is amended by adding a new paragraph to read:

9 (8) establish an emergency communications center under

10 AS 29.73.080.

11 \* Sec. 2. AS 29.73 is amended by adding a new section to read:

12 Sec. 29.73.080. EMERGENCY SERVICES COMMUNICATIONS CENTERS. (a)

13 A municipality may establish an emergency services communications  
14 center with one or more other municipalities and one or more state,  
15 federal, or private agencies which provide emergency service communica-  
16 tions to the same geographic area. An emergency services communications  
17 center established under this chapter shall be organized and operated  
18 as a public nonprofit corporation under AS 10.20.

19 (b) A nonprofit corporation organized to operate an emergency  
20 services communications center under this section shall be governed by  
21 a board of directors consisting of the head of each emergency service  
22 agency participating in the operation of the center, a member repre-  
23 senting each participating municipality appointed by the chief executive  
24 officer of the municipality, and a member representing each participat-  
25 ing state agency appointed by the director of that agency. The board  
26 may adopt bylaws which provide for the appointment of additional board  
27 members. Members of a board of directors created under this section  
28 serve without compensation but are entitled to per diem and travel  
29 expenses authorized by law for boards and commissions under AS 39.20.-

1 180. A member of a board of directors under this section may not be  
2 employed by a nonprofit corporation which operates an emergency services  
3 communications center.

4 (c) An emergency services communications center shall assess the  
5 feasibility and desirability of providing emergency services communi-  
6 cations for the geographic area in which it is located through one  
7 central office. An emergency services communications center may

8 (1) combine or coordinate the existing emergency services  
9 communications programs of the participating municipalities and agen-  
10 cies;

11 (2) operate a dispatch center to receive all requests for  
12 emergency services and dispatch those services;

13 (3) study the need for improvement in the timely delivery of  
14 emergency services to residents of the participating municipalities;

15 (4) hold public hearings to obtain information concerning  
16 the timely delivery of emergency services;

17 (5) apply for and accept federal, state, municipal, and pri-  
18 vate money, property, or assistance for use in providing the timely  
19 delivery of emergency services;

20 (6) enter into contracts to carry out the provisions of this  
21 chapter;

22 (7) employ personnel necessary to carry out the provisions  
23 of this chapter.

24 (d) In this section

25 (1) "emergency services" means services provided by law  
26 enforcement agencies, fire departments, ambulance services, and other  
27 organizations which are intended to respond to emergency situations of  
28 imminent danger to life or property;

29 (2) "emergency service agency" means an agency which provides

1 emergency services;

2 (3) "state agency" means a department, division, or office  
3 in the executive branch of state government.

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COMMITTEE REPORT  
SENATE

1/21/82

FURTHER: None

Date: 1/21/82

Mr. President:

The Committee on FINANCE has had CSNB 318 (Resources)  
control of bee disease

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 *1/18/82 #125.1*
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

Malone

12-2335  
Cook ✓

Final

1 IN THE HOUSE

BY MALONE

2 *SCS for* HOUSE BILL NO. 318 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

8 \* Section 1. AS 03 is amended by adding a new chapter to read:

9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION AND EXCEPTION. (a) Except as provided  
11 in (b) of this section, the importation into the state of (1) bees on  
12 bee combs; and (2) used beekeeping equipment is prohibited.

13 (b) Honey may be imported into the state on used beekeeping equip-  
14 ment if the equipment <sup>or honey</sup> is not allowed to come into contact with bees and  
15 <sup>the</sup> <sup>bee</sup> <sup>equipment</sup> is destroyed immediately after the honey is extracted.

16 Sec. 03.47.020. IMPORTATION OF BEES. All bees imported into the  
17 state shall be accompanied by a health certificate that states that the  
18 bees come from an apiary apparently free of bee diseases and that is  
19 signed by an apiary inspector determined to be qualified by the division.

20 Sec. 03.47.030. DUTIES OF THE DIVISION. (a) The division shall  
21 investigate reported cases of diseased bees and cases of diseased bees  
22 discovered by the division.

23 (b) The division shall take action necessary to prevent the spread  
24 of bee diseases. Bees or used beekeeping equipment found to contain the  
25 causative organisms of American foulbrood (bacillus larvae) or European  
26 foulbrood (streptococcus pluton) shall be immediately quarantined and  
27 treated within five days by

28 (1) chamber fumigation using ethylene oxide or other gases  
29 approved by the division;

1 (2) sterilization by boiling in lyewater for at least 15  
2 minutes; or

3 (3) destruction of bees, bee combs, and frames by burning  
4 followed by burying 18 inches deep.

5 (c) Notwithstanding (b) of this section, hive boxes, top and  
6 bottom boards found to contain the causative organisms of American foul-  
7 brood (bacillus larvae) or European foulbrood (streptococcus pluton) may  
8 be salvaged by scorching inside surfaces and edges using a flame to  
9 produce a light brown charring of the wood unless the boxes, top and  
10 bottom boards are in poor condition due to weathering, rotting or ant  
11 tunneling.

12 (d) A quarantine imposed under this section may not be removed  
13 until infected bees and used beekeeping equipment are destroyed or the  
14 division determines through testing that the used beekeeping equipment  
15 is free of the disease.

16 (e) The division shall adopt regulations necessary to carry out  
17 the purposes of this chapter.

18 Sec. 03.47.040. DEFINITIONS. In this chapter

19 (1) "bees" means honey producing insects of the genus Apis  
20 and includes the adults, eggs, larvae, pupae, and other immature stages  
21 of the insects;

22 (2) "division" means the division of agriculture, Department  
23 of Natural Resources;

24 (3) "used beekeeping equipment" means equipment that has been  
25 used to feed or house bees, including hive boxes, frames, pollen traps,  
26 queen excluders, inner covers, supers, tops, bottom boards, slatted  
27 racks, and bee combs, or other wooden or plastic beehive parts that have  
28 been in contact with honeybees.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCSHB 318  
 Title Control of Bee Disease  
 Requested by Senate Resources Date 1-15-82

II. FISCAL DETAIL

Agency Affected Dept of Natural Resources, Div of Agriculture  
 Program Category Affected Economic Development  
 BRU, Program, Or Subprogram(s) Affected Agriculture Management  
 (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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL		2.0	3.0	3.0	3.0	3.0
300 CONTRACTUAL		12.0	46.0	46.0	71.0	71.0
400 COMMODITIES		0.1	0.1	0.1	0.1	0.1
500 EQUIPMENT		1.0	1.0	1.0	1.0	1.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		15.1	50.1	50.1	75.1	75.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

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

Assume regulations and inspections supervised by existing personnel and performed by contract

IV. DATE 1-18-82 PREPARED BY Dominic L. Carney, Director  
AGENCY Natural Resources, Agriculture  
 Original: Legislative Finance PHONE 376-3276  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

March 16, 1982

MEMORANDUM

TO: Senator Don Bennett  
Co-Chairman, Finance Committee

FROM: Senator Don Gilman

SUBJECT: House Bill 318, Beekeeping Bill

I have spent a good deal of time with this bill because of constituent interest; however, there is a substantial number of beekeepers statewide in the Fairbanks, Anchorage and Mat-Su areas. The bill seeks to set up inspection and disease regulations with the importation of bees into the State of Alaska. Information stemming from one of the recent teleconferences supports the conclusion that if this bill is going to be effective, it needs to pass out and be implemented as soon as possible.

There appear to be about 1500 packages of bees to be imported seasonally beginning about the first of April with most of them coming into the state in the next few weeks.

Could you help me get this bill scheduled for a Finance Committee hearing?



Official Business

# Alaska State Legislature

*Senate*

*Committee on Finance*

Pouch V  
State Capitol  
Juneau, Alaska 99811

## BILL SUMMARY

HB 318

This bill seeks to accomplish the control of the bee disease by:

- 1.) Preventing the importation of bees on bee combs and used beekeeping equipment, a common cause of bee disease.
- 2.) Requiring standards for imported bees, to ensure that they are free of disease.
- 3.) Directing the Division to investigate incidents of bee disease, to quarantine, dispose of or cleanse infected equipment, and otherwise control the spread of bee disease as outlined in Section .030 of the bill.
- 4.) Providing money for contractual inspectors.

Original sponsors: Malone, Rogers  
and Phillips

Offered: 5/27/81  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 318 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

8 \* Section 1. AS 03 is amended by adding a new chapter to read:

9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION. The importation into the state of  
11 bees on bee combs and the importation of used beekeeping equipment,  
12 except equipment made exclusively of glass or metal, is prohibited.

13 Sec. 03.47.020. IMPORTATION OF BEES. All bees not on bee combs  
14 imported into the state shall be accompanied by a health certificate  
15 which states that they come from apiaries which are free of all bee  
16 diseases and which is signed by an apiary inspector determined to be  
17 qualified by the department.

18 Sec. 03.47.030. DUTIES OF THE DEPARTMENT. (a) The department  
19 shall investigate reported cases of diseased bees and cases of diseased  
20 bees discovered by the department.

21 (b) The department shall take any action necessary to prevent the  
22 spread of bee diseases, including destroying bees and beekeeping equip-  
23 ment found to be contaminated.

24 (c) The department shall adopt regulations necessary to carry out  
25 the purposes of this chapter.

26 Sec. 03.47.040. DEFINITIONS. In this chapter

27 (1) "bees" means honey producing insects of the genus Apis  
28 and includes the adults, eggs, larvae, pupae, and other immature stages  
29 of the insects;

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(2) "used beekeeping equipment" means equipment which has been used to feed or house bees, including hive boxes, frames, supers, lids, bottom boards, and bee combs.

Original sponsors: Malone, Rogers  
and Phillips

Offered: 1/21/82  
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 318 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

8 \* Section 1. AS 03 is amended by adding a new chapter to read:

9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION. The importation into the State of  
11 Alaska of bees on bee combs and the importation of used beekeeping  
12 equipment is prohibited.

13 Sec. 03.47.020. IMPORTATION OF BEES. All bees not on bee combs  
14 imported into the state shall be accompanied by a health certificate,  
15 which states that they come from an apiary apparently free of disease  
16 and which is signed by a certified apiary inspector.

17 Sec. 03.47.030. DUTIES OF THE DIVISION. (a) The division shall  
18 investigate reported cases of diseased bees and cases of diseased bees  
19 discovered by the division.

20 (b) The division shall take action necessary to prevent the spread  
21 of bee diseases. Colonies or equipment found to contain the causative  
22 organisms of American Foulbrood (bacillus larvae) or European Foulbrood  
23 (streptococcus pluton) shall be immediately quarantined and treated by  
24 one of the following methods within five days:

25 (1) chamber fumigation using ethylene oxide or other approved  
26 gases;

27 (2) sterilization by boiling in lyewater for at least 15  
28 minutes;

29 (3) destruction of bees, combs, and frames by burning followed

1 by burying 18 inches deep; boxes, top and bottom boards may be salvaged  
2 by scorching inside surfaces and edges using flame to produce a light  
3 brown charring of the wood; or

4 (4) equipment considered to be in poor condition through  
5 weathering, rotting, or ant tunnelling shall be destroyed by burning in  
6 its entirety and the ashes buried 18 inches deep.

7 (c) The quarantine shall not be removed until tests prove the  
8 equipment is free of disease or the infected equipment has been de-  
9 stroyed.

10 (d) The division shall adopt regulations necessary to carry out  
11 the purposes of this chapter.

12 Sec. 03.47.040. DEFINITIONS. In this chapter

13 (1) "bees" means honey producing insects of the genus Apis  
14 and includes the adults, eggs, larvae, pupae, and other immature stages  
15 of the insects;

16 (2) "division" means the division of agriculture, Department  
17 of Natural Resources;

18 (3) "used beekeeping equipment" means equipment which has  
19 been used to feed or house bees, including hive boxes, frames, pollen  
20 traps, queen excluders, inner covers, supers, tops, bottom boards,  
21 slatted racks, and bee combs, or any other wooden or plastic beehive  
22 parts that have been in contact with honeybees.  
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THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCSHB 318  
Title Control of Bee Disease  
Requested by Senate Resources Date 1-15-82

II. FISCAL DETAIL

Agency Affected Dept of Natural Resources, Div of Agriculture  
Program Category Affected Economic Development  
BRU, Program, Or Subprogram(s) Affected Agriculture Management  
(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL		2.0	3.0	3.0	3.0	3.0
300 CONTRACTUAL		12.0	46.0	46.0	71.0	71.0
400 COMMODITIES		0.1	0.1	0.1	0.1	0.1
500 EQUIPMENT		1.0	1.0	1.0	1.0	1.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		15.1	50.1	50.1	75.1	75.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Assume regulations and inspections supervised by existing personnel and performed by contract

IV. DATE 1-18-82

PREPARED BY Dominic L. Carney, Director  
AGENCY Natural Resources, Agriculture

Original: Legislative Finance  
cc: Budget and Management

PHONE 376-3276

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB318  
 Title Control of Bee disease  
 Requested by Malone, Rogers & Phillips Date 3/11/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected Economic Development  
 Budget Request Unit(s) Affected Ag Management

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-0-	40.0	40.0	65.0	65.0	
200 TRAVEL	2.0	3.0	3.0	3.0	3.0	
300 CONTRACTUAL	12.0	6.0	6.0	6.0	6.0	
400 COMMODITIES	0.1	0.1	0.1	0.1	0.1	
500 EQUIPMENT	1.0	1.0	1.0	1.0	1.0	
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

	15.1	50.1	50.1	75.1	75.1	
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	-0-	0.5	0.5	1.0	1.0	
FULL TIME						
PART TIME						
TEMPORARY						

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

- Assumes:
- 1) Regulation and inspection through FY82 done by contract
  - 2) 1/2 time Entomologist in FY83 (1/2 by u of A Exp Station)
  - 3) Full time Entomologist in FY85

IV. DATE March 17, 1981 PREPARED BY Domonic L Carney, Director  
 AGENCY Dept of Natural Resources/Div of Agric  
 PHONE 376-3276

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

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB318  
 Title Control of Bee disease  
 Requested by Malone, Rogers & Phillips Date 3/11/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected Economic Development  
 Budget Request Unit(s) Affected Ag Management

EXPENDITURES (Thousands of Dollars)

	FY 82.	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-0-	40.0	40.0	65.0	65.0	
200 TRAVEL	2.0	3.0	3.0	3.0	3.0	
300 CONTRACTUAL	12.0	6.0	6.0	6.0	6.0	
400 COMMODITIES	0.1	0.1	0.1	0.1	0.1	
500 EQUIPMENT	1.0	1.0	1.0	1.0	1.0	
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	15.1	50.1	50.1	75.1	75.1	
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	-0-	0.5	0.5	1.0	1.0	
FULL TIME						
PART TIME						
TEMPORARY						

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

- Assumes: 1) Regulation and inspection through FY82 done by contract  
 2) 1/2 time Entomologist in FY83 (1/2 by u of A Exp Station)  
 3) Full time Entomologist in FY85

IV. DATE March 17, 1981

PREPARED BY Domonic L Carney, Director

AGENCY Dept of Natural Resources/Div of Agric

PHONE 376-3276

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

COMMITTEE REPORT

HOUSE

6/2/81

FURTHER:

(11)

Date: June 8, 1981

Mr. Speaker: (Taken from Rules 6/1)  
(Finance referral added 6/1)

The Committee on FINANCE has had HB 318

"An Act relating to the control of bee disease."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 318 (Rrs)  same title  
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent"  ~~New Fiscal Note~~
- reports it back without recommendation \$15-1
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Freeman

Buchholtz

[Signature]

[Signature]

[Signature]

[Signature]

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

Albert P. Adams - Do Not Pass

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Freeman  
Vice CHAIRMAN

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB318  
 Title Control of Bee disease  
 Requested by Malone, Rogers & Phillips Date 3/11/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected Economic Development  
 Budget Request Unit(s) Affected Ag Management

EXPENDITURES (Thousands of Dollars)

	FY 82.	FY 83	FY 84	FY 85	FY 86	FY 8
100 PERSONAL SERVICES	-0-	40.0	40.0	65.0	65.0	
200 TRAVEL	2.0	3.0	3.0	3.0	3.0	
300 CONTRACTUAL	12.0	6.0	6.0	6.0	6.0	
400 COMMODITIES	0.1	0.1	0.1	0.1	0.1	
500 EQUIPMENT	1.0	1.0	1.0	1.0	1.0	
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	15.1	50.1	50.1	75.1	75.1
GENERAL FUND					
FEDERAL FUNDS					
OTHER (Specify)					

POSITIONS

	-0-	0.5	0.5	1.0	1.0
FULL TIME					
PART TIME					
TEMPORARY					

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

- Assumes:
- 1) Regulation and inspection through FY82 done by contract
  - 2) 1/2 time Entomologist in FY83 (1/2 by u of A Exp Station)
  - 3) Full time Entomologist in FY85

IV. DATE March 17, 1981 PREPARED BY Dominic L Carney, Director  
 AGENCY Dept of Natural Resources/Div of Agric  
 PHONE 376-3276  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Introduced: 3/11/81  
Referred: Resources

1 IN THE HOUSE

BY MALONE, ROGERS AND  
PHILLIPS

2 HOUSE BILL NO. 318

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

8 \* Section 1. AS 03 is amended by adding a new chapter to read:

9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION. The importation of used beekeeping  
11 equipment and bees on bee combs into the state is prohibited.

12 Sec. 03.47.020. IMPORTATION OF BEES. All bees not on bee combs  
13 imported into the state shall be accompanied by a health certificate  
14 which states that they are free of all bee diseases and which meets  
15 requirements established by regulation of the department.

16 Sec. 03.47.030. DUTIES OF THE DEPARTMENT. (a) The department  
17 shall investigate reported cases of diseased bees and cases of diseased  
18 bees discovered by the department.

19 (b) The department shall take any action necessary to prevent the  
20 spread of bee diseases, including destroying bees and beekeeping equip-  
21 ment found to be contaminated.

22 (c) The department shall adopt regulations necessary to carry out  
23 the purposes of this chapter.

24 Sec. 03.47.040. DEFINITIONS. In this chapter

25 (1) "bees" means honey producing insects of the genus *Apis*  
26 and includes the adults, eggs, larvae, pupae, and other immature stages  
27 of the insects;

28 (2) "beekeeping equipment" means equipment used in connection  
29 with an apiary, including hives, frames, supers, lids, bottom boards,

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bee combs, and any device used to handle bees.

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB318  
 Title Control of Bee disease  
 Requested by Malone, Rogers & Phillips Date 3/11/81

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected Economic Development  
 Budget Request Unit(s) Affected Ag Management

EXPENDITURES (Thousands of Dollars)

	FY 82.	FY 83	FY 84	FY 85.	FY 86	FY 87
100 PERSONAL SERVICES	-0-	40.0	40.0	65.0	65.0	
200 TRAVEL	2.0	3.0	3.0	3.0	3.0	
300 CONTRACTUAL	12.0	6.0	6.0	6.0	6.0	
400 COMMODITIES	0.1	0.1	0.1	0.1	0.1	
500 EQUIPMENT	1.0	1.0	1.0	1.0	1.0	
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	15.1	50.1	50.1	75.1	75.1	
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	-0-	0.5	0.5	1.0	1.0	
FULL TIME						
PART TIME						
TEMPORARY						

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

- Assumes:
- 1) Regulation and inspection through FY82 done by contract
  - 2) 1/2 time Entomologist in FY83 (1/2 by u of A Exp Station)
  - 3) Full time Entomologist in FY85

IV. DATE March 17, 1981 PREPARED BY Domonic L Carney, Director  
 AGENCY Dept of Natural Resources/Div of Agric  
 PHONE 376-3276  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Introduced: 3/11/81  
Referred: Resources

1 IN THE HOUSE

BY MALONE, ROGERS AND  
PHILLIPS

2 HOUSE BILL NO. 318

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

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9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION. The importation of used beekeeping  
11 equipment and bees on bee combs into the state is prohibited.

12 Sec. 03.47.020. IMPORTATION OF BEES. All bees not on bee combs  
13 imported into the state shall be accompanied by a health certificate  
14 which states that they are free of all bee diseases and which meets  
15 requirements established by regulation of the department.

16 Sec. 03.47.030. DUTIES OF THE DEPARTMENT. (a) The department  
17 shall investigate reported cases of diseased bees and cases of diseased  
18 bees discovered by the department.

19 (b) The department shall take any action necessary to prevent the  
20 spread of bee diseases, including destroying bees and beekeeping equip-  
21 ment found to be contaminated.

22 (c) The department shall adopt regulations necessary to carry out  
23 the purposes of this chapter.

24 Sec. 03.47.040. DEFINITIONS. In this chapter

25 (1) "bees" means honey producing insects of the genus Apis  
26 and includes the adults, eggs, larvae, pupae, and other immature stages  
27 of the insects;

28 (2) "beekeeping equipment" means equipment used in connection  
29 with an apiary, including hives, frames, supers, lids, bottom boards,

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bee combs, and any device used to handle bees.

Original sponsors: Malone, Rogers  
and Phillips

Offered: 5/27/81  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 318 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the control of bee disease."

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

8 \* Section 1. AS 03 is amended by adding a new chapter to read:

9 CHAPTER 47. BEES AND BEEKEEPING EQUIPMENT.

10 Sec. 03.47.010. PROHIBITION. The importation into the state of  
11 bees on bee combs and the importation of used beekeeping equipment,  
12 except equipment made exclusively of glass or metal, is prohibited.

13 Sec. 03.47.020. IMPORTATION OF BEES. All bees not on bee combs  
14 imported into the state shall be accompanied by a health certificate  
15 which states that they come from apiaries which are free of all bee  
16 diseases and which is signed by an apiary inspector determined to be  
17 qualified by the department.

18 Sec. 03.47.030. DUTIES OF THE DEPARTMENT. (a) The department  
19 shall investigate reported cases of diseased bees and cases of diseased  
20 bees discovered by the department.

21 (b) The department shall take any action necessary to prevent the  
22 spread of bee diseases, including destroying bees and beekeeping equip-  
23 ment found to be contaminated.

24 (c) The department shall adopt regulations necessary to carry out  
25 the purposes of this chapter.

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27 (1) "bees" means honey producing insects of the genus Apis  
28 and includes the adults, eggs, larvae, pupae, and other immature stages  
29 of the insects;

1           (2) "used beekeeping equipment" means equipment which has  
2           been used to feed or house bees, including hive boxes, frames, supers,  
3           lids, bottom boards, and bee combs.  
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COMMITTEE REPORT

HOUSE

5/7/81

FURTHER:

(11)

Date: 5/21/81

Mr. Speaker:

The Committee on FINANCE has had HB 321

"An Act providing state aid for meals for students."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 321 (FIN)  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

[Signature]

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CHAIRMAN

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HESS CS for HB-321

Title An Act providing state aid for meals for students.

Requested by House HESS

Date May 13, 1981

II. FISCAL DETAIL

Agency Affected Department of Education

Program Category Affected Elementary and Secondary Education

BRU, Program, or Subprogram(s) Affected Financial Support District/Student Lunch Program

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		10.9	12.0	13.2	14.5	16.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		4,023.5	4,425.9*	4,868.5	5,355.4	5,890.9

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		4,034.4	4,437.9*	4,881.7	5,369.9	5,906.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		.5	.5	.5	.5	.5
PART TIME						
TEMPORARY						

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

See Attached

\*10% annual inflation rate

IV. DATE 5/13/81

PREPARED BY Steve Hole

AGENCY Department of Education

PHONE 465-2800

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

This estimate is based upon adjusted FY 80 information at 50 cents per student meal at:

42 Public & Private Schools and  
213 Child & day care food service programs

Personal services increase is due to increasing an Accounting Clerk position from half-time.

LUNCHES

Schools	2,341,186
Child Care Centers & Family Day Care Homes	297,257

BREAKFASTS

Schools	166,175
Child Care Centers & Family Day Care Homes	171,082

DINNERS

Schools	0
Child Care Centers & Family Day Care Homes	42,929

SUPPLEMENTS

Schools	0
Child Care Centers & Family Day Care Homes	464,942

TOTAL FY 80 Food Service Costs	3,483,571
+ 5% growth anticipated during FY 81	174,179

FY 81 \$3,657,750

1. FY 82 COST inflated by 10% 4,023,525
2. Increased ADMINISTRATION COSTS  
(Accounting Clerk position increased from  
half-time to full time.) 10,900

Original sponsor: Carney

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 321 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to food service programs for children."

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

8 \* Section 1. AS 14.52 is amended by adding a new section to read:

9 Sec. 14.52.045. SPECIAL STATE ASSISTANCE. In addition to other  
10 aid under this chapter the state shall reimburse school districts and  
11 service institutions 50 cents for each meal served to a child.

12 \* Sec. 2. AS 14.52.050(b) is amended to read:

13 (b) Food service programs operated under this chapter and ap-  
14 plicable federal legislation shall be operated on a nonprofit basis  
15 under the supervision of the governing bodies of participating schools  
16 or service institutions. [PARTICIPATING SCHOOLS AND SERVICE INSTITU-  
17 TIONS SHALL OFFER AT LEAST ONE MEAL A DAY WITHOUT CHARGE TO ALL CHILDREN  
18 IN ATTENDANCE. THE MEAL SHALL CONSIST OF A COMBINATION OF FOODS MEETING  
19 A MINIMUM OF ONE-THIRD OF THE CHILD'S DAILY NUTRITIONAL REQUIREMENTS.  
20 ADDITIONAL MEALS OR SUPPLEMENTAL FOOD SERVICES BEFORE, DURING OR AFTER  
21 THE SCHOOL DAY MAY BE OFFERED TO ALL CHILDREN IN ATTENDANCE BASED ON  
22 ECONOMIC OR NUTRITIONAL NEEDS.]

23 \* Sec. 3. AS 14.52.180(7) is amended to read:

24 (7) "service institution" means private, nonprofit insti-  
25 tutions or public institutions which provide day care or other child  
26 care services for children or handicapped children, including day care  
27 centers and day care homes;

28 \* Sec. 4. AS 14.52.180 is amended by adding a new paragraph to read:

29 (10) "meal" means breakfast, lunch, or supper.



Rep. Don Clocksin, Chairman  
465-3797

# Alaska State Legislature

## House of Representatives

Committee on

Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

Date: May 20, 1981

To: House HESS Members

Fr: Rep. Don Clocksin, Chair  
House HESS Committee

Re: HB 321 - State aid to meals for children

Please find attached the Department of Education's response to the Committee's questions regarding HB 321 - State aid to meals for children. Also attached is a revised fiscal note.

15 copies  
File  
HB 321

# MEMORANDUM

# State of Alaska

TO: Rep. Don Clocksin, Chair  
House HESS Committee  
Alaska State Legislature

DATE: May 13, 1981

THRU: Marshall L. Anderson  
Commissioner

FILE NO:

TELEPHONE NO: 465-2808

FROM: E. Benigno  
School Food Coordinator  
Department of Education

SUBJECT: HB 321 - Meals to Children

In answer to your May 6 request for information, the schools are not required to provide free meals to all students. AS 14.52 has never been funded. Therefore, the Child Nutrition Programs administered by the Department of Education operate under federal regulations only.

The federal regulations require that schools participating in the School Feeding Programs claim reimbursement for meals served to students based on Family Size and Income Guidelines. Students whose family size and income meet the criteria for free meals, and have an approved application on file, are not charged for their meals. Students whose family size and income meet the criteria for Reduced Price Meals, and have an approved application on file, may be charged a maximum of 10¢ for breakfast and 20¢ for lunch. Students whose family income exceeds the federal guidelines are charged an amount set by each individual school district. Reimbursement for Free and Reduced Price Meals may not be used to subsidize meals for paying children.

The Child Care Food Program in which child care centers, Head Start Centers, and family day care homes participate, has prescribed meal pattern requirements for breakfast, lunch, supper and supplements. Since young pre-school children need nutritious foods at frequent intervals, two supplements per day may be offered. 929,883 supplements are estimated to be served to pre-school children during FY 82 (929,883 X \$ .50 = \$464,942.00). A copy of the Supplemental Food Pattern is attached.

Attachment

SUPPLEMENTAL FOOD

The minimum amounts of food components to be served as supplemental food are as follows: Select two of the following four components. (Juice may not be served when milk is served as the only other component).

You may combine foods within a group, but you may not combine foods from more than one group to form a single component.

Food Components	Age 1 Up To 3	Age 3 Up To 6	Age 6 Up To 12 (1)
<u>Milk</u>			
milk, fluid	1/2 cup	1/2 cup	1 cup
<u>Vegetables and Fruits</u>			
vegetable(s) and/or fruit(s)	1/2 cup	1/2 cup	3/4 cup
or full-strength vegetable or fruit juice	1/2 cup	1/2 cup	3/4 cup
or an equivalent quantity of any combination of vegetable(s), fruit(s) and juice			
<u>Bread and Bread Alternates (2)</u>			
bread	1/2 slice	1/2 slice	1 slice
or cornbread, biscuits, rolls, muffins, etc.	1/2 serving	1/2 serving	1 serving
or cold dry cereal (3)	1/4 cup or 1/3 oz.	1/3 cup or 1/2 oz.	3/4 cup or 1 oz.
or cooked cereal	1/4 cup	1/4 cup	1/2 cup
or cooked pasta or noodle products	1/4 cup	1/4 cup	1/2 cup
or cooked cereal grains	1/4 cup	1/4 cup	1/2 cup
or an equivalent quantity of any combination of bread/ bread alternate			
<u>Meat and Meat Alternates</u>			
lean meat or poultry or fish (4)	1/2 oz.	1/2 oz.	1 oz.
or cheese	1/2 oz.	1/2 oz.	1 oz.
or eggs	1/2 egg	1/2 egg	1 egg
or cooked dry beans or peas	1/8 cup	1/8 cup	1/4 cup
or peanut butter	1 Tbsp.	1 Tbsp.	2 Tbsp.
or an equivalent quantity of any combination of meat/meat alternate			

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HESS CS for HB-321  
 Title An Act providing state aid for meals for students.  
 Requested by House HESS Date May 13, 1981

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Elementary and Secondary Education  
 BRU, Program, or Subprogram(s) Affected Financial Support District/Student Lunch Program  
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		10.9	12.0	13.2	14.5	16.0
200 TRAVEL						
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600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		4,023.5	4,425.9*	4,868.5	5,355.4	5,890.9
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

GENERAL FUND		4,034.4	4,437.9*	4,881.7	5,369.9	5,906.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		.5	.5	.5	.5	.5
PART TIME						
TEMPORARY						

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

See Attached

\*10% annual inflation rate

IV. DATE 5/13/81 PREPARED BY Steve Hole  
 AGENCY Department of Education  
 PHONE 465-2800

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

This estimate is based upon adjusted FY 80 information at 50 cents per student meal at:

42 Public & Private Schools and  
213 Child & day care food service programs

Personal services increase is due to increasing an Accounting Clerk position from half-time.

LUNCHES

Schools	2,341,186
Child Care Centers & Family Day Care Homes	297,257

BREAKFASTS

Schools	166,175
Child Care Centers & Family Day Care Homes	171,082

DINNERS

Schools	0
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SUPPLEMENTS

Schools	0
Child Care Centers & Family Day Care Homes	464,942

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TOTAL FY 80 Food Service Costs	3,483,571
+ 5% growth anticipated during FY 81	174,179

---

FY 81 \$3,657,750

1. FY 82 COST inflated by 10% 4,023,525
2. Increased ADMINISTRATION COSTS  
(Accounting Clerk position increased from half-time to full time.) 10,900

A M E N D M E N T

OFFERED IN THE HOUSE:

BY: MALONE

TO: Committee Substitute HOUSE BILL No. 321 (HESS)

SENATE BILL No. -----

PAGE: 1

LINE: 29

\* Section 3. AS 14.52.100 (b) is amended to read:

(b) For the first fiscal year of operations under this chapter, grants, other than grants made under section 70 of this chapter, for the conduct of nutrition education programs for children shall be based on a rate of \$1.00 (50 CENTS) for each child enrolled in schools or service institutions within the state and, for each fiscal year thereafter, grants will be based on a rate of \$1.25 (\$1.00) for each child enrolled. Enrollment data used will be the latest available as certified by the department to the Office of Education of the United States Department of Health, Education, and Welfare. (Sec. 1 ch 187 SLA 1972).

Renumber subsequent sections accordingly.

\*\*\*\*\*

Cost Analysis: Department of Education estimates there are 100,406 students in public, BIA, private, and day care schools affected by this program. The money in past years was provided by Federal grant, cut by the current Federal budgetary proposals. The cost of this amendment is estimated at:

\$100,406 for FY 82

\$125,507 for each fiscal year thereafter

*Please place copies in member  
bill files. H Malone*

# A M E N D M E N T

OFFERED IN THE HOUSE:

By: MALONE

To: Committee Substitute HOUSE BILL No. 321 (HESS)

SENATE BILL No. -----

PAGE: 1

LINE: 29

\* Section 3. AS 14.52.100 (b) is amended to read:

(b) For the first fiscal year of operations under this chapter, grants, other than grants made under section 70 of this chapter, for the conduct of nutrition education programs for children shall be based on a rate of \$1.00 (50 CENTS) for each child enrolled in schools or service institutions within the state and, for each fiscal year thereafter, grants will be based on a rate of \$1.25 (\$1.00) for each child enrolled. Enrollment data used will be the latest available as certified by the department to the Office of Education of the United States Department of Health, Education, and Welfare. (Sec. 1 ch 187 SLA 1972).

Renumber subsequent sections accordingly.

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\$100,406 for FY 82

\$125,507 for each fiscal year thereafter

Original sponsor: Carney

Offered: 5/7/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 321 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to food service programs for children."  
7

8

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

9

\* Section 1. AS 14.52 is amended by adding a new section to read:

10

Sec. 14.52.045. SPECIAL STATE ASSISTANCE. In addition to other

11

aid under this chapter the state shall reimburse school districts and

12

service institutions for the difference between the cost of meals

13

served to a student and the money received from the federal government

14

for those meals, or 50 cents per meal served, whichever is less.

15

\* Sec. 2. AS 14.52.050(b) is amended to read:

16

(b) Food service programs operated under this chapter and ap-

17

licable federal legislation shall be operated on a nonprofit basis

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under the supervision of the governing bodies of participating schools

19

or service institutions. Participating schools and service institu-

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tions shall offer at least one meal a day, served at noontime, [WITHOUT

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CHARGE] to all children in attendance. Meals shall be offered on a

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free, partially subsidized, or unsubsidized cost basis depending on

23

the child's economic circumstances. The meal shall consist of a com-

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ination of foods meeting a minimum of one-third of the child's daily

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nutritional requirements. Additional meals or supplemental food ser-

26

vices before, during or after the school day shall [MAY] be offered to

27

all children in attendance if warranted by their [BASED ON] economic or

28

nutritional needs.

29

\* Sec. 3. AS 14.52.180(7) is amended to read:

Introduced: 3/11/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY CARNEY

2 HOUSE BILL NO. 321

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing state aid for meals for students."

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

8 \* Section 1. AS 14.52 is amended by adding a new section to read:

9       Sec. 14.52.045. SPECIAL STATE ASSISTANCE. In addition to other  
10 aid under this chapter the state shall reimburse school districts and  
11 service institutions for the difference between the cost of each meal  
12 served to a student and the money received from the federal government  
13 for that meal, or 50 cents per meal served, whichever is less.

# **CORRECTION**

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