

BILLS 1981 - 1982

HB 578 - HB 586

1532

1532

Introduced: 5/15/81
Referred: Judiciary

BY THE RULES COMMITTEE
BY REQUEST (for the Task
Force on Violent Crime)

1 IN THE HOUSE

2 HOUSE BILL NO. 578

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 release after conviction of a
7 criminal offense."

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

9 * Section 1. AS 12.30.040(b) is repealed and reenacted to read:

10 (b) Notwithstanding the provisions of (a) of this section, a
11 person convicted of any of the following offenses may not be released
12 on bail either before sentencing or pending appeal:

- 13 (1) murder in the first degree (AS 11.41.100);
- 14 (2) murder in the second degree (AS 11.41.110);
- 15 (3) manslaughter (AS 11.41.120);
- 16 (4) criminally negligent homicide (AS 11.41.130);
- 17 (5) assault in the first degree (AS 11.41.200);
- 18 (6) assault in the second degree (AS 11.41.210);
- 19 (7) assault in the third degree (AS 11.41.220);
- 20 (8) kidnapping (AS 11.41.300);
- 21 (9) sexual assault in the first degree (AS 11.41.410);
- 22 (10) sexual assault in the second degree (AS 11.41.420);
- 23 (11) robbery in the first degree (AS 11.41.500);
- 24 (12) robbery in the second degree (AS 11.41.510);
- 25 (13) burglary in the first degree (AS 11.46.300);
- 26 (14) arson in the first degree (AS 11.46.400);
- 27 (15) escape in the first degree (AS 11.56.300);
- 28 (16) riot (AS 11.61.100).

29

#

REVISED

POSITION PAPER

HOUSE BILL NO. 578

"An Act relating to release after conviction of a criminal offense."

House Bill No. 578, by decreasing categories of those who may be released on bond after conviction, will have some impact on the Division of Adult Corrections in terms of numbers of prisoners being held. There is not, however, data available to tell how many of those in the affected categories are presently being released. Experience does indicate that few were so released, and that in the cases where such release did occur, it was for less than the entire period of eligibility. Therefore, it would seem that the impact will not be substantial.

Recommended by:

Walter B. Jones, Jr.
Walter B. Jones, Jr.
Acting Director
Division of Adult Corrections

Date:

1-25-82

Approved by:

Helen D. Beirne
Helen D. Beirne
Commissioner

Date:

1/26/82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 578
 Title An Act relating to release after conviction of a criminal offense.
 Requested by Senator Bennett Date Date 5, 1981

II. FISCAL DETAIL

Agency Affected Division of Adult Corrections, Department of Health & Social Services
 Program Category Affected Offender Confinement, Reformation and Supv.
 BRU, Program, Or Subprogram(s) Affected Adult Confinement
 (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						
300 CONTRACTUAL		8.9	9.7	10.6	11.6	12.6
400 COMMODITIES		13.9	14.9	16.2	17.6	19.2
500 EQUIPMENT						
600 LAND & STRUCTURES		683.3				
700 GRANTS, CLAIMS, ETC.						
TOTAL		705.8	24.6	26.8	29.2	31.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		705.8	24.6	26.8	29.2	31.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

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

* Security personnel will be required. See B. Z. a. below.
 III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. Assumptions

1. Very few persons convicted of unclassified, Class A or Class B felonies are now granted bail or make bail when granted.
2. There is only a relatively short period of time between conviction and sentencing.
2. Historical data has not been gathered regarding the number of persons released on bail after conviction for offenses specified, or how long such persons were out on bail before sentencing or pending appeal.

IV. DATE January 26, 1982 PREPARED BY Roger C. Lange
 AGENCY Division of Adult Corrections
 PHONE 465-3376

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

4. It is assumed that approximately five additional person years per year of incarceration will result if this statute amendment is adopted.
5. Since the Alaskan correctional centers are currently operating at emergency capacity levels, five additional beds would be necessary in the Alaska correctional system.

B. Cost Estimate

1. Capital Expenditures

Core facility bed prices are used here rather than bed additions to existing or planned facilities because if HB 180 and HB 293 or SB 327 pass, in effect we have another institution and a core facility is needed to support the total number of beds. A core facility includes heating and electrical plants, kitchen, administration, recreation and program areas. The estimated cost per bed in the FY 1983 Capital Budget Request for a core facility is \$136,667. That figure is used here to compute construction costs. It is:

$$\begin{aligned} \text{Capital Expenditures} &= 5 \times \$136,667 \\ &= \underline{\underline{\$683,335}} \end{aligned}$$

2. Operating Costs

a. Personal Services

No personal services are requested. It is assumed the five beds would be added to the design of a new facility after all legislation requiring new beds was analyzed. Personnel requested for larger bed increases would probably cover the staff requirements for these beds.

b. Inmate related costs (FY 1982 level)

1.) Contractual (utilities, medical services, etc.)	8,200
2.) Commodities (food, clothing, etc.)	12,500

3. A 9% inflation rate is assumed for subsequent fiscal years.

POSITION PAPER

HOUSE BILL NO. 578

"An Act relating to release after conviction of a criminal offense."

House Bill No. 578, by decreasing categories of those who may be released on bond after conviction, will have some impact on the Division of Adult Corrections in terms of numbers of prisoners being held. There is not, however, data available to tell how many of those in the affected categories are presently being released. Experience does indicate that few were so released, and that in the cases where such release did occur, it was for less than the entire period of eligibility. Therefore, it would seem that the impact will not be substantial.

Recommended by:

Walt Jones / Charles Campbell
Charles F. Campbell, Director
Division of Adult Corrections

Date:

5/21/81

Approved by:

Helen D. Beirne
Helen D. Beirne, Commissioner

Date:

5/22/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 578
Title An Act relating to release after conviction of a criminal offense.
Requested by Senator Bennett Date May 5, 1981

II. FISCAL DETAIL

Agency Affected Division of Adult Corrections, Department of Health & Social Services
Program Category Affected Offender Confinement, Reformation and Supervision
BRU, Program, or Subprogram(s) Affected Adult Confinement
(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	- 0 -	83.1	90.6	98.7	107.6	117.3
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	- 0 -	83.1	90.6	98.7	107.6	117.3

FUNDING (Thousands of Dollars)

GENERAL FUND	- 0 -	83.1	90.6	98.7	107.6	117.3
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)

A. Assumptions

- Very few persons convicted of unclassified, Class A or Class B felonies are now granted bail or make bail when granted.
- There is only a relatively short period of time between conviction and sentencing.
- Historical data has not been gathered regarding the number of persons released on bail after conviction for offenses specified, or how long such persons were out on bail before sentencing or pending appeal.

IV. DATE May 21, 1981 PREPARED BY Roger C. Lange
AGENCY Division of Adult Corrections
PHONE 465-3376

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) M. Hubbard M&B Approval M. Hubbard Date 5/22/81

4. It is assumed that approximately five additional person years of incarceration will result if this statute amendment is adopted.
5. Since the Alaskan correctional centers are currently operating at emergency capacity levels, it is assumed that the prisoner increase would have to be housed in the Federal Bureau of Prisons until such time as an additional state facility would be planned and constructed.

B. Cost Estimate

1. FY 1982

5 prisoners x 365 days x \$45.53 per day

$$5 \times 365 \times \$45.53 = \$83,092.25$$

2. A 9% inflation rate is assumed for subsequent fiscal years.

Conceded
Final
Pt F

Introduced: 5/15/81
Referred: Judiciary

BY THE RULES COMMITTEE
BY REQUEST (for the Task
Force on Violent Crime)

1 IN THE HOUSE

2 HOUSE BILL NO. 578

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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29

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COMMITTEE REPORT

HOUSE

1/27

FURTHER:

~~Rule~~
Fin

5/15/81

(7)

Date:

Jan 26, 82

Mr. Speaker:

The Committee on JUDICIARY has had HB 578

"An Act relating to release after conviction of a criminal offense."

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 ~~it do pass~~
- AND attaches a "~~Letter of Intent~~" ~~New~~ Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Charles Anderson

Robert D. Manuel

Barbara L. Barnes

Russell Wilson

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Freeman No Rec

Reese Bell No Rec

Barbara L. Barnes
CHAIRMAN

as per
12-1366

Introduced: 5/15/81
Referred: Judiciary

BY THE RULES COMMITTEE
BY REQUEST (for the Task
Force on Violent Crime)

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29 # COMMITTEE COPY

-1-

HB 578

9 note

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 578
Title An Act relating to release after conviction of a criminal offense.
Requested by Senator Bennett Date Date 5, 1981

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Program Category Affected Offender Confinement, Reformation and Supv.
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FULL TIME		*	*	*	*	*
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IV. DATE January 26, 1982 PREPARED BY Roger C. Lange
AGENCY Division of Adult Corrections
Original: Legislative Finance PHONE 465-3376
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

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b. Inmate related costs (FY 1982 level)

- | | |
|---|--------|
| 1.) Contractual (utilities, medical services, etc.) | 8,200 |
| 2.) Commodities (food, clothing, etc.) | 12,500 |

3. A 9% inflation rate is assumed for subsequent fiscal years

ALASKA STATE LEGISLATURE

TWELFTH. Legislature .FIRST. Session

HOUSE ...BILL..... NO.578

By RULES COMMITTEE BY REQUEST
(FOR THE TASK FORCE ON
VIOLENT CRIME)

"An Act relating to release after
conviction of a criminal offense."

Release after conviction

Introduced in the House ..5/15...., 19...81

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on										
May 15	Judiciary										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
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PASS	Effective Date										
Yeas	Yeas										
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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										
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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.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 581 (Resources)

Title An Act relating to the mining loan fund.

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development

Program Category Affected Development

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

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

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		76.9	84.6	93.1	102.4	112.6
200 TRAVEL		10.2	11.2	12.3	13.5	14.9
300 CONTRACTUAL		23.4	25.7	28.3	31.1	34.2
400 COMMODITIES		.8	.9	1.0	1.1	1.2
500 EQUIPMENT		2.8	-0-			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		114.1	122.4	134.7	148.1	162.9

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		114.1	122.4	134.7	148.1	162.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

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

Fiscal Note detail attached.

IV. DATE May 28, 1981

PREPARED BY

D.A. Hostak
D. A. Hostak, Acting Director

AGENCY Commerce & Economic Dev., Div. of Business Loans

PHONE 465-2510

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE DETAIL

CSHB 581 - Mining Loan Fund

100	1 Loan Examiner III, Fairbanks @ \$3,260/mo.		\$ 39.1
	1 Accounting Technician I @ \$1,761/mo.		<u>21.1</u>
	Total Wages		\$ 60.2
	Standard Benefits (Wages x .1555)		9.4
	Supplemental Benefits (Wages x .061)		3.7
	Health Insurance (Man months x \$150)		<u>3.6</u>
	Total Personal Services		\$ 76.9
200	Trips to inspect collateral and close loans:		
	16 trips @ \$500	\$ 8.0	
	32 days per diem @ \$70	<u>2.2</u>	10.2
300	Telephone and Postage	\$ 6.6	
	Printing of Applications, Advertising	1.0	
	Office Space (1 @ \$3,067, 1 @ \$2,700)	5.8	
	Consultant Fees	<u>10.0</u>	23.4
400	Office Supplies		<u>.8</u>
	Twelve Months Operating Cost		\$111.3
500	Equipment:		
	2 Desks @ \$300	.7	
	2 Side Tables @ \$165	.3	
	1 Executive Chair	.2	
	1 Secretarial Chair	.2	
	3 Side Chairs @ \$100	.3	
	2 File Cabinets @ \$325	.7	
	2 Calculators @ \$200	<u>.4</u>	<u>2.8</u>
	TOTAL		\$114.1

Note: If some existing positions phased out per budget, no new equipment would be required.

10% inflation for succeeding years



Alaska State Legislature

House of Representatives

Committee on Resources

Terry Gardiner, Co-Chairman
Fred F. Zharoff, Co-Chairman
465-3715

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Representative Sam Cotten, Chairman
House Finance Committee

FROM: Representative Terry Gardiner, Co-Chairman
Representative Fred Zharoff, Co-Chairman
House Resources Committee

RE: Technical Amendment to CSHB 581 (Res.)

May 22, 1981

It has come to our attention that an error was made in the drafting of CSHB 581 (Res.) and that the following technical amendment is required:

Page 1, line 28 - change 62.5 to 67.5
Page 2, line 10 - change 62.5 to 67.5

This amendment would correct the bill and bring it into line with the Resources Committee intent.

It was the intent of the Committee that loans granted from the Mining Loan Fund be limited to not more than 90 percent State participation. In addition the Committee intended that the State loan may not exceed 67.5% of the collateral used to secure the loan.

Original sponsor: Resources Committee

Offered: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 581 (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 mining loan fund; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 27.09.010 is amended to read:

10 Sec. 27.09.010. MINING LOAN FUND. There is established in the
11 Department of Commerce and Economic Development the mining loan fund.
12 Subject to the limitations of AS 27.09.040, the [THE] department may
13 make loans from the fund to underwrite advanced mineral exploration,
14 development, or mining in the state. A loan may not be made under this
15 chapter unless the loan applicant demonstrates to the satisfaction of
16 the commissioner that a private lending institution has made or is
17 committed to make a loan to the applicant in an amount of at least 10
18 percent of the principal amount which the applicant seeks to borrow.

19 * Sec. 2. AS 27.09.030(f) is amended to read:

20 (f) Information acquired under this section is confidential and
21 may not be disclosed except to the person who supplied the information,
22 or to a private lending institution considering or making a loan for
23 advanced mineral exploration in conjunction with an application for a
24 loan under this chapter, or except by order of the court.

25 * Sec. 3. AS 27.09.040(a)(1) is amended to read:

26 (1) may not exceed \$1,000,000 [\$5,000,000];

27 * Sec. 4. AS 27.09.040(a)(4) is amended to read:

28 (4) may not exceed 62.5 [75] percent of the appraised value
29 of the collateral used to secure the loan.

1 * Sec. 5. AS 27.09.040(b) is amended to read:

2 (b) A loan may not be made under this chapter if it would result
3 in an outstanding debt of the borrower to the fund in excess of
4 \$1,000,000 [\$5,000,000].

5 * Sec. 6. AS 27.09.040(c)(2) is amended to read:

6 (2) a second priority lien or mortgage which is subordinate
7 to a valid first priority lien or mortgage in favor of a private lend-
8 ing institution if the total of the financing by the private lending
9 institution and by the loan made under this chapter does not exceed
10 62.5 [75] percent of the appraised value of the collateral used to
11 secure the loan.

12 * Sec. 7. This Act takes effect July 1, 1981.
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Introduced: 5/18/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 581

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 mining loan fund; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 27.09.010 is amended to read:

10 Sec. 27.09.010. MINING LOAN FUND. There is established in the
11 Department of Commerce and Economic Development the mining loan fund.
12 Subject to the limitations of AS 27.09.040, the [THE] department may
13 make loans from the fund in an amount equal to an amount loaned by a
14 private lending institution to underwrite advanced mineral exploration,
15 development, or mining in the state.

16 * Sec. 2. AS 27.09.030(f) is amended to read:

17 (f) Information acquired under this section is confidential and
18 may not be disclosed except to the person who supplied the information,
19 to a private lending institution making a loan for advanced mineral
20 exploration in conjunction with an application for a loan under this
21 chapter, or except by order of the court.

22 * Sec. 3. AS 27.09.040(a)(1) is amended to read:

23 (1) may not exceed \$1,000,000 [\$5,000,000];

24 * Sec. 4. AS 27.09.040(a)(4) is amended to read:

25 (4) may not exceed 37.5 [75] percent of the appraised value
26 of the collateral used to secure the loan.

27 * Sec. 5. AS 27.09.040(b) is amended to read:

28 (b) A loan may not be made under this chapter if it would result
29 in an outstanding debt of the borrower to the fund in excess of

1 \$1,000,000 [\$5,000,000].

2 * Sec. 6. AS 27.09.040(c)(2) is amended to read:

3 (2) a second priority lien or mortgage which is subordinate
4 to a valid first priority lien or mortgage in favor of a private lend-
5 ing institution if the total of the financing by the private lending
6 institution and by the loan made under this chapter does not exceed
7 37.5 [75] percent of the appraised value of the collateral used to
8 secure the loan.

9 * Sec. 7. This Act takes effect July 1, 1981.

COMMITTEE REPORT

5/20

HOUSE

5/18/81

FURTHER: FINANCE

(11)

Date: MAY 18, 1981

Mr. Speaker:

The Committee on RESOURCES has had HB 581

"An Act relating to the mining loan fund; 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 HB 581 (Res) [] 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

Tony Guadagni
Frank P. Johnson
Paul ...
Derron ...
Ben ...
D. Smith

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom ... No Rec
Eric ... No Rec
R. B. ... No Rec
Rick ... No Rec
R. Barnes ... No Rec

Tony Guadagni
CO-CHAIRMAN
Frank P. Johnson

Chenoweth
12-1733

Original sponsor: Resources Committee

Offered: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 581 (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 mining loan fund; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 27.09.010 is amended to read:

10 Sec. 27.09.010. MINING LOAN FUND. There is established in the
11 Department of Commerce and Economic Development the mining loan fund.
12 Subject to the limitations of AS 27.09.040, the [THE] department may
13 make loans from the fund to underwrite advanced mineral exploration,
14 development, or mining in the state. A loan may not be made under this
15 chapter unless the loan applicant demonstrates to the satisfaction of
16 the commissioner that a private lending institution has made or is
17 committed to make a loan to the applicant in an amount of at least 10
18 percent of the principal amount which the applicant seeks to borrow.

19 * Sec. 2. AS 27.09.030(f) is amended to read:

20 (f) Information acquired under this section is confidential and
21 may not be disclosed except to the person who supplied the information,
22 or to a private lending institution considering or making a loan for
23 advanced mineral exploration in conjunction with an application for a
24 loan under this chapter, or except by order of the court.

25 * Sec. 3. AS 27.09.040(a)(1) is amended to read:

26 (1) may not exceed \$1,000,000 [\$5,000,000];

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29 of the collateral used to secure the loan.

1 * Sec. 5. AS 27.09.040(b) is amended to read:

2 (b) A loan may not be made under this chapter if it would result
3 in an outstanding debt of the borrower to the fund in excess of
4 \$1,000,000 [\$5,000,000].

5 * Sec. 6. AS 27.09.040(c)(2) is amended to read:

6 (2) a second priority lien or mortgage which is subordinate
7 to a valid first priority lien or mortgage in favor of a private lend-
8 ing institution if the total of the financing by the private lending
9 institution and by the loan made under this chapter does not exceed
10 62.5 [75] percent of the appraised value of the collateral used to
11 secure the loan.

12 * Sec. 7. This Act takes effect July 1, 1981.
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Chenoweth
12-1733

Introduced: 5/16/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 581

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 mining loan fund; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 27.09.010 is amended to read:

10 Sec. 27.09.010. MINING LOAN FUND. There is established in the
11 Department of Commerce and Economic Development the mining loan fund.
12 Subject to the limitations of AS 27.09.040, the [THE] department may
13 make loans from the fund in an amount equal to an amount loaned by a
14 private lending institution to underwrite advanced mineral exploration,
15 development, or mining in the state.

16 * Sec. 2. AS 27.09.030(f) is amended to read:

17 (f) Information acquired under this section is confidential and
18 may not be disclosed except to the person who supplied the information,
19 to a private lending institution making a loan for advanced mineral
20 exploration in conjunction with an application for a loan under this
21 chapter, or except by order of the court.

22 * Sec. 3. AS 27.09.040(a)(1) is amended to read:

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28 (b) A loan may not be made under this chapter if it would result
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1 \$1,000,000 [\$5,000,000].

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3 (2) a second priority lien or mortgage which is subordinate
4 to a valid first priority lien or mortgage in favor of a private lend-
5 ing institution if the total of the financing by the private lending
6 institution and by the loan made under this chapter does not exceed
7 37.5 [75] percent of the appraised value of the collateral used to
8 secure the loan.

9 * Sec. 7. This Act takes effect July 1, 1981.
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ALASKA STATE LEGISLATURE

TWELFTH... Legislature FIRST... Session

HOUSEBILL..... NO. ...581.

By THE RESOURCES COMMITTEE...

An Act relating to the mining loan fund; and providing for an effective date."

Mining loan fund

Introduced in the House ..5/18..., 19.81

HISTORY IN THE HOUSE

19 81

May 18

Read first time and referred to Committee on

Resources and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
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.

Introduced: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 583

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 housing authorities."

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

8 * Section 1. AS 18.55.020 is amended to read:

9 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. (a) There is
10 created in [WITHIN] the Department of Commerce and Economic Development
11 the Alaska State Housing Authority consisting of the commissioner of
12 commerce and economic development or his designee and four residents of
13 the state.

14 (b) The term of office of a board member, other than the commis-
15 sioner of commerce and economic development or his designee, is three
16 years. The terms of office are staggered, with two terms expiring
17 every third year beginning with 1968, and one term expiring each remain-
18 ing year.

19 * Sec. 2. AS 18.55.140 is amended to read:

20 Sec. 18.55.140. ISSUANCE OF BONDS, NOTES, AND REFUNDING BONDS.
21 The authority may issue bonds and notes from time to time in its dis-
22 cretion for any of its corporate purposes and may issue refunding bonds
23 for the purpose of paying or retiring bonds previously issued by it.

24 * Sec. 3. AS 18.55.180 is amended to read:

25 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds
26 and notes of the authority are authorized by adoption of a resolution
27 prescribing the date of issuance and maturity, interest rate, denomina-
28 tion, form, conversion privilege, rank or priority, execution, terms of
29 redemption, medium and place of payment. Bonds and notes may be sold

1 whether or not they are financed in whole or in part with the proceeds
2 of the bonds or notes, or (3) in whole or in part from taxes allocated
3 to, and paid into a special fund by a city, borough, or other taxing
4 agency under the provisions of AS 18.55.695 - 18.55.700. The bonds
5 or notes may be further secured by a pledge of all or any part of a
6 loan, grant or contribution from the federal government or from another
7 source, or by a mortgage of a redevelopment project of the authority.

8 (b) The members of the authority or a person executing the bonds
9 or notes shall not be liable personally on the bonds or notes by reason
10 of the issuance of them. The bonds, notes, and other obligations of the
11 authority are not a debt of the municipality, the state or the United
12 States, and neither the municipality, the state nor the United States
13 is liable on them, nor are the bonds, notes, or obligations payable out
14 of funds or properties other than those of the authority acquired for
15 the purposes of AS 18.55.480 - 18.55.960 and each bond and note shall
16 state this on its face. A bond or note does not constitute an indebted-
17 ness within the meaning of any constitutional or statutory debt limita-
18 tion or restriction. Bonds and notes of the authority issued under
19 AS 18.55.480 - 18.55.960 are declared to be issued for an essential
20 public and governmental purpose and, together with interest on them and
21 income from them shall be exempt from all taxes.

22 (c) Bonds and notes of the authority issued under AS 18.55.480 -
23 18.55.960 shall be authorized by its resolution and may be issued in
24 one or more series and shall bear the date or dates, be payable upon
25 demand or mature at the time or times, bear interest at the rate or
26 rates provided for bonds and notes of the authority under AS 18.55.190,
27 be in the denomination or denominations, be in the form either coupon
28 or registered, carry the conversion or registration privileges, have
29 the rank or priority, be executed in the manner, be payable in the

Introduced: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 583

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 housing authorities."

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

8 * Section 1. AS 18.55.020 is amended to read:

9 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. (a) There is
10 created in [WITHIN] the Department of Commerce and Economic Development
11 the Alaska State Housing Authority consisting of the commissioner of
12 commerce and economic development or his designee and four residents of
13 the state.

14 (b) The term of office of a board member, other than the commis-
15 sioner of commerce and economic development or his designee, is three
16 years. The terms of office are staggered, with two terms expiring
17 every third year beginning with 1968, and one term expiring each remain-
18 ing year.

19 * Sec. 2. AS 18.55.140 is amended to read:

20 Sec. 18.55.140. ISSUANCE OF BONDS, NOTES, AND REFUNDING BONDS.
21 The authority may issue bonds and notes from time to time in its dis-
22 cretion for any of its corporate purposes and may issue refunding bonds
23 for the purpose of paying or retiring bonds previously issued by it.

24 * Sec. 3. AS 18.55.180 is amended to read:

25 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds
26 and notes of the authority are authorized by adoption of a resolution
27 prescribing the date of issuance and maturity, interest rate, denomina-
28 tion, form, conversion privilege, rank or priority, execution, terms of
29 redemption, medium and place of payment. Bonds and notes may be sold

CORRECTION

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

Introduced: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 583

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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9 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. (a) There is
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12 commerce and economic development or his designee and four residents of
13 the state.

14 (b) The term of office of a board member, other than the commis-
15 sioner of commerce and economic development or his designee, is three
16 years. The terms of office are staggered, with two terms expiring
17 every third year beginning with 1968, and one term expiring each remain-
18 ing year.

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20 Sec. 18.55.140. ISSUANCE OF BONDS, NOTES, AND REFUNDING BONDS.
21 The authority may issue bonds and notes from time to time in its dis-
22 cretion for any of its corporate purposes and may issue refunding bonds
23 for the purpose of paying or retiring bonds previously issued by it.

24 * Sec. 3. AS 18.55.180 is amended to read:

25 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds
26 and notes of the authority are authorized by adoption of a resolution
27 prescribing the date of issuance and maturity, interest rate, denomina-
28 tion, form, conversion privilege, rank or priority, execution, terms of
29 redemption, medium and place of payment. Bonds and notes may be sold

1 in the manner, on the terms, and at the price the authority determines.

2 [BONDS MAY BE SOLD AT PUBLIC OR PRIVATE SALE AT NOT LESS THAN PAR.]

3 Each bond and note is negotiable. The signature of a member or an
4 officer upon a bond or note or coupon is not invalidated by his ceasing
5 to hold office before the delivery of the bond or note. The recitation
6 of a bond or note that it has been issued in the financing of a housing
7 or public building project under AS 18.55.010 - 18.55.290 is conclusive
8 as to the issuance of the bond or note and the character of the project
9 in a challenge of the validity of the bond or note or the security for
10 it.

11 * Sec. 4. AS 18.55.185 is repealed and reenacted to read:

12 Sec. 18.55.185. INDEPENDENT FINANCIAL ADVISOR. In negotiating
13 the private sale of bonds or bond anticipation notes to an underwriter,
14 the corporation shall retain a financial advisor who is independent
15 from the underwriter. The financial advisor may not bid on the bonds
16 or notes if offered at public sale or negotiate for their purchase if
17 sold at private sale.

18 * Sec. 5. AS 18.55.570 is amended to read:

19 Sec. 18.55.570. ISSUANCE OF BONDS AND NOTES. (a) The authority
20 may issue bonds and notes from time to time for any of its corporate
21 purposes including the payment of principal and interest upon advances
22 for surveys and plans for redevelopment projects. The authority may
23 issue refunding bonds for the purpose of the payment or retirement or
24 in exchange for bonds previously issued by it. The authority may issue
25 the types of bonds and notes it determines, including bonds and notes
26 on which the principal and interest are payable (1) exclusively from
27 the income, proceeds, and revenues of the redevelopment project financed
28 with the proceeds of the bonds or notes, or (2) exclusively from the
29 income, proceeds, and revenues of any of its redevelopment projects

1 whether or not they are financed in whole or in part with the proceeds
2 of the bonds or notes, or (3) in whole or in part from taxes allocated
3 to, and paid into a special fund by a city, borough, or other taxing
4 agency under the provisions of AS 18.55.695 - 18.55.700. The bonds
5 or notes may be further secured by a pledge of all or any part of a
6 loan, grant or contribution from the federal government or from another
7 source, or by a mortgage of a redevelopment project of the authority.

8 (b) The members of the authority or a person executing the bonds
9 or notes shall not be liable personally on the bonds or notes by reason
10 of the issuance of them. The bonds, notes, and other obligations of the
11 authority are not a debt of the municipality, the state or the United
12 States, and neither the municipality, the state nor the United States
13 is liable on them, nor are the bonds, notes, or obligations payable out
14 of funds or properties other than those of the authority acquired for
15 the purposes of AS 18.55.480 - 18.55.960 and each bond and note shall
16 state this on its face. A bond or note does not constitute an indebted-
17 ness within the meaning of any constitutional or statutory debt limita-
18 tion or restriction. Bonds and notes of the authority issued under
19 AS 18.55.480 - 18.55.960 are declared to be issued for an essential
20 public and governmental purpose and, together with interest on them and
21 income from them shall be exempt from all taxes.

22 (c) Bonds and notes of the authority issued under AS 18.55.480 -
23 18.55.960 shall be authorized by its resolution and may be issued in
24 one or more series and shall bear the date or dates, be payable upon
25 demand or mature at the time or times, bear interest at the rate or
26 rates provided for bonds and notes of the authority under AS 18.55.190,
27 be in the denomination or denominations, be in the form either coupon
28 or registered, carry the conversion or registration privileges, have
29 the rank or priority, be executed in the manner, be payable in the

1 medium of payment, at the place or places, and be subject to the terms
2 of redemption, with or without premium, which the resolution, its trust
3 indenture or mortgage provides.

4 (d) Bonds and notes may be sold in the manner, on the terms, and
5 at the price the authority determines [THE BONDS MAY BE SOLD AT PUBLIC
6 OR PRIVATE SALE AT NOT LESS THAN PAR].

7 (e) If a member or officer of the authority whose signature
8 appears on a bond, note, or coupon ceases to be a member or officer
9 before the delivery of the bonds or notes, the signature is nevertheless
10 valid and sufficient for all purposes [THE SAME] as if he had remained
11 in office until delivery. Any provision of [ANY] law to the contrary
12 notwithstanding, bonds and notes issued under [PURSUANT TO] AS 18.55.-
13 480 - 18.55.960 are negotiable.

14 (f) In an action or proceeding involving the validity or enforce-
15 ability of a bond or note or security for a bond or note issued under
16 AS 18.55.480 - 18.55.960, where the bond or note recites in substance
17 that it has been issued by the authority to aid in financing a redevelop-
18 ment project, the bond or note is conclusive proof that it has been
19 issued for that purpose and the project is conclusively considered to
20 have been planned, located and carried out in accordance with the
21 purposes and provisions of AS 18.55.480 - 18.55.960.
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COMMITTEE REPORT

HOUSE

5/20

5/14/81

FURTHER: Finance

(5)

Date: 5-14-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 583

"An Act relating to housing authorities."

Intro HB 583
Lofatt
Committee
Report

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 without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Willie
Wood
John P. ...
...

Willie
 CHAIRMAN

Berrie
12-1740

Introduced: 5/20/81
Referred: Finance

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE BILL NO. 583
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 housing authorities."

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

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9 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. (a) There is
10 created in [WITHIN] the Department of Commerce and Economic Development
11 the Alaska State Housing Authority consisting of the commissioner of
12 commerce and economic development or his designee and four residents of
13 the state.

14 (b) The term of office of a board member, other than the commis-
15 sioner of commerce and economic development or his designee, is three
16 years. The terms of office are staggered, with two terms expiring
17 every third year beginning with 1968, and one term expiring each remain-
18 ing year.

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25 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds
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27 prescribing the date of issuance and maturity, interest rate, denomina-
28 tion, form, conversion privilege, rank or priority, execution, terms of
29 redemption, medium and place of payment. Bonds and notes may be sold

1 in the manner, on the terms, and at the price the authority determines.

2 [BONDS MAY BE SOLD AT PUBLIC OR PRIVATE SALE AT NOT LESS THAN PAR.]

3 Each bond and note is negotiable. The signature of a member or an
4 officer upon a bond or note or coupon is not invalidated by his ceasing
5 to hold office before the delivery of the bond or note. The recitation
6 of a bond or note that it has been issued in the financing of a housing
7 or public building project under AS 18.55.010 - 18.55.290 is conclusive
8 as to the issuance of the bond or note and the character of the project
9 in a challenge of the validity of the bond or note or the security for
10 it.

11 * Sec. 4. AS 18.55.185 is repealed and reenacted to read:

12 Sec. 18.55.185. INDEPENDENT FINANCIAL ADVISOR. In negotiating
13 the private sale of bonds or bond anticipation notes to an underwriter,
14 the corporation shall retain a financial advisor who is independent
15 from the underwriter. The financial advisor may not bid on the bonds
16 or notes if offered at public sale or negotiate for their purchase if
17 sold at private sale.

18 * Sec. 5. AS 18.55.570 is amended to read:

19 Sec. 18.55.570. ISSUANCE OF BONDS AND NOTES. (a) The authority
20 may issue bonds and notes from time to time for any of its corporate
21 purposes including the payment of principal and interest upon advances
22 for surveys and plans for redevelopment projects. The authority may
23 issue refunding bonds for the purpose of the payment or retirement or
24 in exchange for bonds previously issued by it. The authority may issue
25 the types of bonds and notes it determines, including bonds and notes
26 on which the principal and interest are payable (1) exclusively from
27 the income, proceeds, and revenues of the redevelopment project financed
28 with the proceeds of the bonds or notes, or (2) exclusively from the
29 income, proceeds, and revenues of any of its redevelopment projects

1 whether or not they are financed in whole or in part with the proceeds
2 of the bonds or notes, or (3) in whole or in part from taxes allocated
3 to, and paid into a special fund by a city, borough, or other taxing
4 agency under the provisions of AS 18.55.695 - 18.55.700. The bonds
5 or notes may be further secured by a pledge of all or any part of a
6 loan, grant or contribution from the federal government or from another
7 source, or by a mortgage of a redevelopment project of the authority.

8 (b) The members of the authority or a person executing the bonds
9 or notes shall not be liable personally on the bonds or notes by reason
10 of the issuance of them. The bonds, notes, and other obligations of the
11 authority are not a debt of the municipality, the state or the United
12 States, and neither the municipality, the state nor the United States
13 is liable on them, nor are the bonds, notes, or obligations payable out
14 of funds or properties other than those of the authority acquired for
15 the purposes of AS 18.55.480 - 18.55.960 and each bond and note shall
16 state this on its face. A bond or note does not constitute an indebted-
17 ness within the meaning of any constitutional or statutory debt limita-
18 tion or restriction. Bonds and notes of the authority issued under
19 AS 18.55.480 - 18.55.960 are declared to be issued for an essential
20 public and governmental purpose and, together with interest on them and
21 income from them shall be exempt from all taxes.

22 (c) Bonds and notes of the authority issued under AS 18.55.480 -
23 18.55.960 shall be authorized by its resolution and may be issued in
24 one or more series and shall bear the date or dates, be payable upon
25 demand or mature at the time or times, bear interest at the rate or
26 rates provided for bonds and notes of the authority under AS 18.55.190,
27 be in the denomination or denominations, be in the form either coupon
28 or registered, carry the conversion or registration privileges, have
29 the rank or priority, be executed in the manner, be payable in the

1 medium of payment, at the place or places, and be subject to the terms
2 of redemption, with or without premium, which the resolution, its trust
3 indenture or mortgage provides.

4 (d) Bonds and notes may be sold in the manner, on the terms, and
5 at the price the authority determines [THE BONDS MAY BE SOLD AT PUBLIC
6 OR PRIVATE SALE AT NOT LESS THAN PAR].

7 (e) If a member or officer of the authority whose signature
8 appears on a bond, note, or coupon ceases to be a member or officer
9 before the delivery of the bonds or notes, the signature is nevertheless
10 valid and sufficient for all purposes [THE SAME] as if he had remained
11 in office until delivery. Any provision of [ANY] law to the contrary
12 notwithstanding, bonds and notes issued under [PURSUANT TO] AS 18.55.-
13 480 - 18.55.960 are negotiable.

14 (f) In an action or proceeding involving the validity or enforce-
15 ability of a bond or note or security for a bond or note issued under
16 AS 18.55.480 - 18.55.960, where the bond or note recites in substance
17 that it has been issued by the authority to aid in financing a redevelop-
18 ment project, the bond or note is conclusive proof that it has been
19 issued for that purpose and the project is conclusively considered to
20 have been planned, located and carried out in accordance with the
21 purposes and provisions of AS 18.55.480 - 18.55.960.
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28
29

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE ..BILL..... NO. ...583.

By THE STATE AFFAIRS COMMITTEE

"An Act relating to housing authorities."

Housing authorities

Introduced in the House5/20., 19...81

HISTORY IN THE HOUSE

19	81	Read first time and referred to Committee on
May	20	Finance
		Reported back with recommendation that
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by Speaker
		Sent to Senate
CHIEF CLERK OF THE HOUSE		

HISTORY IN THE SENATE

19		Read first time and referred to Committee on
		Reported back with recommendation that
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by President
		Returned to House
SECRETARY OF THE SENATE		

HISTORY IN THE HOUSE

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

COMMITTEE REPORT
SENATE

4/23/82

FURTHER: None

Date: 4/23/82

Mr. President:

The Committee on FINANCE has had CSHB 586(Fin)
permits for overweight and oversize vehicles

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 ^{House} a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

SENATE AMENDMENT

By FINANCE COMMITTEE

To: _____ SENATE BILL No. _____

To: CS for _____ HOUSE BILL No. 586 (Finance)

PAGE: 1 LINE: 15

After "relating to" insert "pilot car services and the"

HOUSE JOURNAL

HOUSE FINANCE COMMITTEE
LETTER OF INTENT
FOR
CSHB 586 (Finance)

It is the intent of the Legislature that when the weights and measures functions transfer from the Bureau of Vehicle Enforcement within the Department of Public Safety to Weights and Measures within the Department of Commerce and Economic Development, that the physical equipment associated with those functions also transfer.



Al Adams, Chairman
House Finance Committee

Original sponsor: Rogers

Offered: 4/2/82
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 586 (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 permits for overweight and oversize
7 vehicles; and providing for an effective date."

8

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

9

* Section 1. AS 44.33.020 is amended by adding a new paragraph to read:

10

(25) operate motor vehicle weighing stations, issue special

11

written permits authorizing the operation of overweight and oversize

12

vehicles, establish fees for the overweight and oversize vehicle special

13

permits, enforce the size, weight, and load limitations adopted by the

14

Department of Transportation and Public Facilities under AS 19.10.060,

15

and establish regulations relating to ^{"pilot car services and the"} enforcement of the size, weight,

16

and load limitations adopted under AS 19.10.060.

17

* Sec. 2. AS 19.10.060(1) is amended to read:

18

(1) establish limitations on weight, size, and load of

19

vehicles;

20

* Sec. 3. AS 28.05.011(8) is repealed.

21

* Sec. 4. This Act takes effect July 1, 1982.

22

23

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26

27

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29

Dec'd 4/21/22.
After 10:00 AM HFC

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 586 (Fin)
 Title An Act relating to permits for overweight and oversize vehicles.
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Weights and Measures
 (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	0	1366.0				
200 TRAVEL	0	28.8				
300 CONTRACTUAL	0	119.2				
400 COMMODITIES	0	19.6				
500 EQUIPMENT	0	7.8				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	0	1541.4				

FUNDING (Thousands of Dollars)

GENERAL FUND	0	869.4				
FEDERAL FUNDS	0	672.0				
OTHER (Specify Source)	0	0				

POSITIONS

FULL TIME	0	40				
PART TIME	0	0				
TEMPORARY	0	0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 The transfer of the Bureau of Vehicle Enforcement personnel to the Department of Commerce and Economic Development does not include the program's management and supervisory personnel. The reorganization of this program within the Department of Commerce and Economic Development provides for a total of 40 full time positions which include the required management positions.

The budget figure presented for equipment assumes that all office equipment (including desks, typewriters, file cabinets, computer, etc.) currently being used by the Bureau of Vehicle Enforcement will be transferred to Commerce with the program. The increased contractual expenditure over the current BRU figure is for office space to house the Anchorage personnel being transferred to Commerce.

A further fiscal note is attached which provides for an accounting clerk in the Administrative Services budget.

IV. DATE April 8, 1982 PREPARED BY Joseph Swanson
 AGENCY Commerce and Economic Development
 PHONE 345 3886
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

DIRECTOR'S OFFICE

		<u>Cost</u>
1	Director, Range 26	64.0
1	Secretary, Range 10	28.2
1	Administrative Assistant I, Range 12	29.2
<u>1</u>	Accounting Clerk, Range 8	<u>27.4</u>
4		148.8

WEIGH STATIONS

1	Chief, Range 22	52.1
1	Data Control Clerk, Range 8	27.1
1	Senior Weigh Station Supervisor, Range 18	41.7
3	Weigh Station Supervisor, Range 16	130.7
<u>23</u>	Weigh Station Operator, Range 12	<u>829.5</u>
29		1,081.1

PERMITS

1	State Permit Officer, Range 14	37.9
<u>6</u>	Permit Clerk, Ranges 8 and 9	<u>170.1</u>
7		208.0

<u>40</u>	Total	1,437.9
	Underfunding -5%	<u>71.9</u>
	Program Personal Services Costs	<u>1,366.0</u>

* Currently permits are issued at 25 locations throughout the State, the majority of which are funded by contractual services through other State agencies and local police departments.

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

Deputy Commissioner

Director
Div. of Measurement Standards

Administration
R 12
R 8

Secretary
R 10

Chief
Weights & Measures
R 22

Chief
Weigh Stations &
Permits
R 22

Adm. R 8

Data Cont.
R 8 Clerk

Senior
Inspector
R 18

Metrology
Laboratory
R 18

Mobile Homes
R 18

Permits
R 14

Weigh Stations
R 18

Anchorage

Fairbanks

Kenai

Juneau

Anchorage

Fairbanks

Kenai

Juneau

Anchorage

Fairbanks

Sterling

Haines

Valdez

Tok

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 586 (Fin) No. 1
 Title Relating to permits for overweight and oversize vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.1	26.9	28.8	30.8	33.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		25.1	26.9	28.8	30.8	33.0

FUNDING (Thousands of Dollars)

GENERAL FUND		25.1	26.9	28.8	30.8	33.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		1				
PART TIME						
TEMPORARY						

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

Personal Services: Accounting Clerk III, Range 10

No support personnel are being transferred from Public Safety with the program.

IV. DATE 4/1/82 PREPARED BY Lois Cook
 AGENCY Commerce and Economic Development
 PHONE 465-2505
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Lois Cook / cej

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CSHB 586 (FIN) am S
Title "An Act relating to permits for overweight and oversized vehicles..."
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Public Safety
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(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		(1252.1)				
200 TRAVEL		(14.9)				
300 CONTRACTUAL		(68.3)				
400 COMMODITIES		(17.1)				
500 EQUIPMENT		(2.9)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(1355.3)				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		(683.3)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		(33.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(44.0)				

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

The Bill effectively moves the oversized/overweight permit and fixed scalehouse operation functions from the Department of Public Safety, Division of Alaska State Troopers to the Department of Commerce, Division of Weights and Measures. The fifteen commissioned positions and their associated costs which provide the enforcement function of the Bureau are retained under the Department of Public Safety. Additionally, due to the changes which will result from this Bill, it is likely that the Federal Demonstration Program will be discontinued by the Federal Department of Transportation, which would eliminate a further twenty-four positions and the corresponding \$672.0 in funding.

See attached schedule illustrating the impact of fiscal notes submitted by concerned agencies.

IV. DATE May 17, 1982 PREPARED BY Francis C. Allan
AGENCY Department of Public Safety
PHONE 269-5691

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Schedule 1

FUNDING AVAILABLE FOR TRANSFER

		<u>Governors Request</u>	<u>Needed by AST</u>	<u>Available for Transfer</u>
100	Personal Svc.	\$2,012.1	\$ 760.0	\$1,252.1
200	Travel	28.8	13.9	14.9
300	Contractual	185.3	117.0	68.3
400	Commodities	28.8	11.7	17.1
500	Equipment	7.8	4.9	2.9
	TOTAL	<u>\$2,262.8</u>	<u>\$ 907.5</u>	<u>\$1,355.3</u>

Schedule 2

FY'83 FISCAL NOTES

	<u>Funding Available (Sched. 1)</u>	<u>Consumer Protection Fiscal Note</u>	<u>Weights & Measures (Revised) Fiscal Note</u>	<u>Shortage</u>
100 - Personal Svc.	1,252.1	25.1	1,366.0	(139.0)
200 - Travel	14.9		28.8	(13.9)
300 - Contractual	68.3		119.2	(50.9)
400 - Commodities	17.1		19.6	(2.5)
500 - Equipment	2.9		7.8	(4.9)
	<u>1,355.3</u>	<u>25.1</u>	<u>1,541.4</u>	<u>(211.2)*</u>

* If the \$211.2 is taken from the Department of Public Safety to fund the Department of Commerce operation, it is virtually assured that the Federal Department of Transportation will cancel the Demonstration Program. This will result in the shortage of \$883.2 to perform the same function as is presently being done by the Alaska State Troopers.

Original sponsor: Rogers

Offered: 4/2/82
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 586 (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 permits for overweight and oversize
7 vehicles; and providing for an effective date."

8

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

9

* Section 1. AS 44.33.020 is amended by adding a new paragraph to read:

10

(25) operate motor vehicle weighing stations, issue special

11

written permits authorizing the operation of overweight and oversize

12

vehicles, establish fees for the overweight and oversize vehicle special

13

permits, enforce the size, weight, and load limitations adopted by the

14

Department of Transportation and Public Facilities under AS 19.10.060,

15

and establish regulations relating to enforcement of the size, weight,

16

and load limitations adopted under AS 19.10.060.

17

* Sec. 2. AS 19.10.060(1) is amended to read:

18

(1) establish limitations on weight, size, and load of

19

vehicles;

20

* Sec. 3. AS 28.05.011(8) is repealed.

21

* Sec. 4. This Act takes effect July 1, 1982.

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

*Rec'd after
bill passed
from Committee
4/28/82*

FISCAL NOTE

I. REQUEST
Bill/Resolution No. Committee Substitute for House Bill 586
Title "An Act relating to permits for overweight and oversize vehicles..."
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Public Safety
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(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		(1252.1)				
200 TRAVEL		(14.9)				
300 CONTRACTUAL		(68.3)				
400 COMMODITIES		(17.1)				
500 EQUIPMENT		(2.9)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(1355.3)				

FUNDING (Thousands of Dollars)

GENERAL FUND		(683.3)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						

POSITIONS

FULL TIME		(33.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(44.0)				

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

The Bill effectively moves the oversize/overweight permit and fixed scale-house operation functions from the Department of Public Safety, Division of Alaska State Troopers to the Department of Commerce, Division of Weights and Measures. The fifteen commissioned positions and their associated costs which provide the enforcement function of the Bureau are retained under the Department of Public Safety. Additionally, due to the changes which will result from this Bill, it is likely that the Federal Demonstration Program will be discontinued by the Federal Department of Transportation which would eliminate a further twenty-four positions and the corresponding \$672.0 in funding.

IV. DATE April 7, 1982 PREPARED BY Francis C. Allan
AGENCY Department of Public Safety
PHONE 269-5691

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

*Replaced by
FN 4/2/82 (1541.4)*

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CS HB 586 (Finance) No. 2 (Page 1 of 2)
Title An Act relating to permits for oversize vehicles
Requested by Bettisworth Date 3/31/82

II. FISCAL DETAIL
Agency Affected Dept. of Commerce & Economic Development
Program Category Affected Weights and Measures
BRU, Program, Or Subprogram(s) Affected Vehicle Enforcement (new)
(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		1212.8				
200 TRAVEL		28.8				
300 CONTRACTUAL		84.2				
400 COMMODITIES		19.6				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		1353.2				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		681.2				
FEDERAL FUNDS		672.0				
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		33				
PART TIME		6				
TEMPORARY		5				
		437				

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

Based on Governor's FY 83 request for the Department of Public Safety, Bureau of Vehicle Enforcement less 15 State troopers and associated costs.

(See attached)

IV. DATE 3/31/82 PREPARED BY Elmer Lindstrom
AGENCY Legislative Finance
PHONE 465-3795

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named).
33-001 (Rev. 12/81)

ANALYSIS

CSHB 586(Fin) No. 2

Page 1 of 2

<u>Governor</u>	<u>House</u>	<u>Difference/Description</u>
(Public Safety)	(Commerce)	

Personal Services	2012.1	1212.8	Delete 15 trooper positions, Salary increases and convert variable benefits to Dept. of Commerce rates (799.31)
Travel	28.8	28.8	
Contractual	185.3	84.2	Delete trooper vehicles (101.1)
Commodities	28.8	19.6	Delete uniforms (6.6), Delete Professional Supplies & Ammunition (2.6)
Equipment	7.8	7.8	
Miscellaneous	24.6	-0-	Delete operating costs associated with proposed capital project (24.6)

COMMERCE
Exhibit A

CHAPTER 64.
MOTOR FREIGHT CARRIERS

(3) must specify the period of time for which it applies, which may not be less than 30 days; however, this subparagraph does not apply to vehicle lease agreements between permit holders;

(4) must provide that the lessee have exclusive possession, control, use and complete responsibility for the vehicle and its operation for the duration of the lease, except that,

(A) provision may be made in the lease for considering the lessee as the owner for the purpose of subleasing under this section to other authorized carriers for the duration of the lease;

(B) when entered into by carriers of household goods, for the transportation of household goods, as defined by the Interstate Commerce Commission, the provisions of (A) of this subsection need only apply during the period the vehicle is operated by or for the authorized carrier;

(5) must specify the compensation to be paid by the lessee for the rental of the leased vehicle;

(6) must specify the time and date upon which the possession and control of the vehicle will be taken by the lessee, the conditions upon which the lease begins, the time or the conditions upon which the possession of the vehicle will be returned to the lessor and the conditions upon which the lease otherwise expires; the duration of the lease shall coincide with the time of giving receipts for the vehicle as required by (b) of this section;

(7) must be executed in quadruplicate; the original must be retained by the carrier in whose service the vehicle is to be operated, one copy shall be retained by the owner of the vehicle, one copy must be filed with the commission within seven days of the effective date of the lease, and one copy must be carried on the vehicle specified in the lease during the entire period of the lease; provided that the carrier or its regular employee or agent may prepare a statement certifying that the vehicle is being operated under the terms of a written lease filed with the commission, which certificate must contain the names of the lessor and lessee, a complete description of the vehicle, the effective date and duration of the lease, any restrictions

Article

- 1. Vehicle Leasing
- 2. Applications
- 3. Fees
- 4. Insurance and Bonds
- 5. Tariffs, Schedules and Shipping Documents
- 6. Contracts
- 7. Safety Regulations and Identification
- 8. General Provisions

ARTICLE 1. VEHICLE LEASING.

Section

- 10. Leasing requirements
- 15. Interchange of vehicles
- 20. (Repealed)
- 30. (Repealed)
- 40. (Repealed)
- 50. (Repealed)
- 60. (Repealed)
- 70. Compensation
- 80. (Repealed)
- 90. (Repealed)
- 100. (Repealed)
- 110. Unauthorized leasing
- 120. Violations
- 130. Exemptions to leasing requirements
- 140. (Repealed)
- 150. (Repealed)

3 AAC 64.010. LEASING REQUIREMENTS.

(a) Common or contract carriers may lease vehicles, but may not lease any vehicle to any person other than another common or contract carrier and, except for vehicles exchanged between authorized motor carriers in interchange service as provided in sec. 15 of this chapter, authorized carriers may perform transportation with vehicles which they do not own only under the conditions set out in this section. The lease for the use of a vehicle

(1) must be made between the carrier and the owner of the vehicle;

(2) must be in writing and signed by the carrier and the owner of the vehicle, or by their regular employees or agents authorized to act for them in the execution of leases;

(1) Connecting Carriers (considered As Owners. An authorized carrier receiving a vehicle in connection with a through movement under this section is considered the owner of the vehicle for the purpose of leasing the vehicle to other authorized carriers in furtherance of the movement to the destination or of the return of the vehicle after the movement is completed. (Eff. 9/26/76, Reg. 59)

Authority: AS 42.07.141 AS 42.10.070
AS 42.10.010 AS 42.10.080

3 AAC 64.020. WRITTEN LEASE REQUIRED. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.030. WRITTEN LEASE REQUIREMENTS. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.040. PERIOD OF LEASING. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.050. COMMISSION APPROVAL AND AUTHORIZATION. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.060. LEASES BY COMMON OR CONTRACT CARRIERS. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.070 COMPENSATION. *Original*
The amount of compensation to be paid under a lease shall not be based upon a division of revenue, including but not limited to a percentage basis dependent upon gross receipts per trip or period of time. Compensation shall not include any arrangement whereby the lessee shall pay the lessor directly or indirectly for a driver or provide a substitute therefor unless otherwise ordered by the Commission upon application therefor. (Eff. 7/29/64, Reg 15)

Authority AS 42.10.070
AS 42.10.080

3 AAC 64.080. TERMINATION OF LEASE. Repealed. (Eff. 9/26/76, Reg. 59) - .

3 AAC 64.090. DISPOSITION OF LEASE COPIES. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.100. VEHICLE IDENTIFICATION. Repealed. (Eff. 9/26/76, Reg. 59)

3 AAC 64.110. UNAUTHORIZED LEASING.

All leases shall be executed in good faith and entered into without intent to evade the provisions of the law regulating common or contract carriers, or the provisions, rules and regulations of the commission. Where the commission in its discretion deems that a lease is not executed in good faith, such lease shall not be approved, and permit holders are prohibited from entering into the disapproved agreement.

(b) Except as may be specially permitted by the commission upon written application thereto, no common or contract carrier shall seek to extend the scope of his permit rights by leasing his equipment for the transportation of commodities which his permit does not authorize, nor into territory he is not authorized to serve. (Eff. 7/29/64, Reg. 15)

Authority: AS 42.10.070
AS 42.10.080

3 AAC 64.120. VIOLATIONS. Violations of the provisions of secs. 10--150 of this chapter may subject permittee to suspension or cancellation of his permit, in addition to other penalties or remedies provided by law. (Eff. 7/29/64, Reg. 15)

Authority: AS 42.10.230

3 AAC 64.130. EXEMPTIONS TO LEASING REQUIREMENTS. The provisions of secs. 10-120 of this chapter do not apply to the bona fide lease or rental of a vehicle:

(1) by an equipment rental or leasing company to a common, contract, or private carrier where the driver or operator of the leased vehicle is not provided, procured or arranged for, directly or indirectly or by course of dealing, by the leasing company; a vehicle lease under the provisions of this section shall be in compliance with the requirements of secs. 260-290 and secs. 490-500 of this chapter; or

(2) by a construction contractor to another construction contractor when the vehicle is leased for the purpose of transporting construction materials by the lessee in construction work being performed by the lessee. This exemption applies only to vehicles acquired by the lessor as necessary to his performance of previous construction work and which the lesser reasonably expects to use in performance of construction work within the

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS
OF THE ALASKA TRANSPORTATION COMMISSION

Exhibit J

Notice is hereby given that the Alaska Transportation Commission, under the authority vested in AS 42.07.141(a) and (b) proposes to amend regulations in Title 3 of the Alaska Administrative Code to implement AS 42.07.121, AS 42.10.070, AS 42.10.080 and AS 42.10.010 as follows:

3 AAC 64.070 is amended as follows:

Compensation. The amount of compensation to be paid by the authorized carrier for equipment must be clearly stated in the lease and may be expressed as a percentage of gross revenue, a flat rate per mile, a variable rate depending on the direction traveled or the type of commodity transported or by any other method of compensation mutually agreed upon by the parties to the lease. The compensation stated in the lease applies only to equipment and not to the driver's service unless otherwise ordered by the Commission.

(Accepted by Carrier Operators)

Notice is also given that any person interested may present oral or written statements or arguments relevant to the action proposed at a hearing to be held in the Grand Jury Second Floor Room of the Alaska State Court Building, Fairbanks, Alaska, 3:00 p.m. on Thursday, January, 24, 1980.

The Alaska Transportation Commission, upon its own motion or at the instance of any interested person, may at the hearing or after it adopt the above proposals substantially as set out above without further notice.

DATED at ANCHORAGE, ALASKA, this 18th day of December, 1979.

ALASKA TRANSPORTATION COMMISSION

Keith H. Miller

Keith H. Miller, Chairman

Refer to Docket NO. 79-522-RR/A

Exhibit A

3 AAC 64.070 is amended to read:

Compensation. The amount of compensation to be paid by the authorized carrier for equipment must be clearly stated in the lease and may be expressed as a percentage of gross revenue, a flat rate per mile, a variable rate depending on the direction traveled or the type of commodity transported or by any other method of compensation mutually agreed upon by the parties to the lease. The compensation for equipment and a driver, if any is provided by the lessor, must be separately stated, and any deductions, set offs, or charge backs from any compensation must be fully and clearly set forth in the agreement. (Eff. / / Reg ; a.m. / / Reg.)

Authority: AS 42.10.070
AS 42.10.080

*Rejected by numerous letters to
Alaska Transportation Comm. from
the Owner-Operators!*

*Adopted my way. Next page
total payroll and their benefits etc paid
by Owner-Operators.*

Connecting Carriers Considered As
An authorized carrier receiving a vehicle
connection with a through movement under
this section is considered the owner of the
vehicle for the purpose of leasing the vehicle to
other authorized carriers in furtherance of the
movement to the destination or of the return of
the vehicle after the movement is completed.
(9/26/76, Reg. 59)

Authority: AS 42.07.141 AS 42.10.070
AS 42.10.010 AS 42.10.080

3 AAC 64.020. WRITTEN LEASE RE-
QUIRED. Repealed 9/26/76.

3 AAC 64.030. WRITTEN LEASE REQUIRE-
MENTS. Repealed 9/26/76.

3 AAC 64.040. PERIOD OF LEASING.
Repealed 9/26/76.

3 AAC 64.050. COMMISSION APPROVAL
AND AUTHORIZATION. Repealed 9/26/76.

3 AAC 64.060. LEASES BY COMMON OR
CONTRACT CARRIERS. Repealed 9/26/76.

3 AAC 64.070. COMPENSATION. The
amount of compensation to be paid by the
authorized carrier for leased equipment must be
clearly stated in the lease and may be expressed
as a percentage of gross revenue, a flat rate per
mile, a variable rate depending on the direction
traveled or the type of commodity transported,
or by any other method of compensation
mutually agreed upon by the parties to the lease.
Expenses of operating the equipment (including
driver compensation) are to be paid by the
lessee from the lease compensation, the lease
agreement must specify what items of expense are
included. Payment to the lessor must be made
within 15 days after submission of the neces-
sary delivery documents and other paperwork
concerning a lease payment or the termination
of the lease, whichever is applicable. The lease
agreement must clearly specify any delivery documents and
other paperwork that must be submitted before
the lessor can receive payment. (Eff. 7/29/64,
Reg. 15; am. 6/2/80 Reg. 74)

Authority: AS 42.07.121 AS 42.10.080
AS 42.10.070 AS 42.10.110

3 AAC 64.080. TERMINATION OF LEASE.
Repealed 9/26/76.

3 AAC 64.090. DISPOSITION OF LEASE
COPIES. Repealed 9/26/76.

3 AAC 64.100. VEHICLE IDENTIFICATION.
Repealed 9/26/76.

3 AAC 64.110. UNAUTHORIZED LEASING.
(a) All leases shall be executed in good faith and
entered into without intent to evade the
provisions of the law regulating common or
contract carriers, or the provisions, rules and
regulations of the commission. Where the
commission in its discretion deems that a lease is
not executed in good faith, such lease shall not
be approved, and permit holders are prohibited
from entering into the disapproved agreement.

(b) Except as may be specially permitted by
the commission upon written application
thereto, no common or contract carrier shall
seek to extend the scope of his permit rights by
leasing his equipment for the transportation of
commodities which his permit does not
authorize, nor into territory he is not authorized
to serve. (Eff. 7/29/64, Reg. 15)

Authority: AS 42.10.070
AS 42.10.080

3 AAC 64.120. VIOLATIONS. Violations of
the provisions of secs. 10-150 of this chapter
may subject permittee to suspension or
cancellation of his permit, in addition to other
penalties or remedies provided by law. (Eff.
7/29/64, Reg. 15)

Authority: AS 42.10.230

3 AAC 64.130. EXEMPTIONS TO LEASING
REQUIREMENTS. The provisions of secs.
10-120 of this chapter do not apply to the
bona fide lease or rental of a vehicle:

(1) by an equipment rental or leasing
company to a common, contract, or private
carrier where the driver or operator of the leased
vehicle is not provided, procured or arranged
for, directly or indirectly or by course of
dealing, by the leasing company. A vehicle lease
under the provisions of this section shall be in
compliance with the requirements of secs.
260-290 and secs. 490-500 of this chapter; or

(2) by a construction contractor to another
construction contractor when the vehicle is
leased for the purpose of transporting

MEMORANDUM

State of Alaska

TO: The Honorable Brian D. Rogers
Representative
Alaska State Legislature

DATE: February 18, 1982

FILE NO:

TELEPHONE NO: 465-4322

FROM: William R. Nix *WRN*
Commissioner
Department of Public Safety

SUBJECT: Position Paper -
HB 586

The Department of Public Safety is strongly opposed to HB 586 which will effectively transfer enforcement of vehicle weight and size regulations and the permit function to the Department of Transportation and Public Facilities.

The Bureau of Vehicle Enforcement (BVE) within the Department of Public Safety is part of the Division of Alaska State Troopers which is the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two State agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

This dual enforcement will occur when regulations are enforced by DOT/PF at weigh stations and the State Troopers in the course of routine patrol duties when violations are observed. Inconsistent enforcement could result from this duality of functions.

At present, under BVE, uniform overweight/oversize permit procedures have been developed, and guidelines have been established for the permit program. It should be noted that Public Safety considers the safety of the traveling public first and the highway damage factors second when issuing permits.

The primary purpose of size and weight enforcement is to protect the state's highway system from damage caused by excessively heavy trucks. A July, 1979 report to the United States Congress by the Comptroller General clearly identifies excessive truck weights as a major cause of highway damage and further states that the rate of highway deterioration will slow down if excessively heavy trucks are kept off the highways.

Each year the State of Alaska is required to certify to the United States Government that it is enforcing the State's size and weight regulations. Failure to adequately and consistently enforce the weight and size laws could result in Federal sanctions which could reduce the Federal funds allocated to the State's Highway Program by 10%. This would mean approximately \$10 million to the State of Alaska.

The Honorable Brian D. Rogers
February 18, 1982
Page 2

The DOT/PF, due to its organizational mission and structure, is not equipped at the present time to provide the uniform enforcement necessary. The fact of movement along highways requires an around-the-clock communications and enforcement capability to coordinate oversize moves which can be a hazard to the driving public. The Department of Public Safety has a statewide communications blanket to provide instant, 24-hour information on road and weather conditions or other driving hazards, whereas DOT/PF is basically a daytime office hours operation.

Under the auspices of the Alaska State Troopers, overweight and oversize permits that have been issued can be speedily verified via electronic telecommunications, which helps to eliminate fraudulent or altered permits.

An additional benefit of the current program under the Department of Public Safety has been to the commercial carrier operators directly. The Managing Director of the Alaska Trucking Association has indicated that the Association is seeking a reduction in insurance rates for member firms because of our truck inspection program.

Under the Alaska State Troopers within the Department of Public Safety, the expansion and uniformity of the overweight/oversize permit program's scope of operation has provided a deterrent to the "Gypo" operators who routinely operated in an unsafe and overweight condition. This undercuts the honest trucking firms who consistently comply with the regulations.

In summary, the following results are anticipated if the proposed legislation is enacted into law. Due to dual responsibility and inconsistency in enforcement:

- A. Commercial truck accidents could increase, endangering all vehicle operators. (Note: Commercial carrier insurance rates that have been lowered will rise.)
- B. Damage to our highways could increase, resulting in higher repair and maintenance costs.
- C. With a less effective regulations enforcement program, there is a possibility of reduced Federal highway funding due to sanctions.
- D. Conscientious trucking firms that try to operate at legal weights and maintain their equipment will be "penalized" as "Gypo" firms will consistently operate with overweight and poor equipment and undercut the honest firms.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
 Title "An Act relating to permits for overweight vehicles"
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Transportation
 BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
 (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		(2012.1)				
200 TRAVEL		(28.8)				
300 CONTRACTUAL		(185.3)				
400 COMMODITIES		(28.8)				
500 EQUIPMENT		(7.8)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(2287.4)				

FUNDING (Thousands of Dollars)

GENERAL FUND		(1615.4)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						
TOTAL		(2287.4)				

POSITIONS

FULL TIME		(48.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(59.0)				

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

This Bill would effectively remove the Bureau of Vehicle Enforcement BRU from the Department of Public Safety and place it under the Department of Transportation. The above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY '83, page 849.

IV. DATE February 11, 1982 PREPARED BY Francis C. Allan
 AGENCY Department of Public Safety
 Original: Legislative Finance PHONE 269-5691
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Rogers	Bill Number House Bill 586
Department Position Opposed		
Division Director Colonel T.R. Anderson	Date 2-11-82	Commissioner's Signature Date

GOVERNOR'S OFFICE USE

Comments:

Position Noted By _____ Date _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SB 58	1. b) Other Agencies Affected by Bill DOT/PF
2. a) Organizational Support for Bill	2. b) Organizational Opposition to Bill
3. Program Effects of Bill	
<p>A. The issuance of oversize/overweight permits would be removed from the Department of Public Safety to DOT/PF.</p> <p>B. The operation of the fixed scalehouses on the State highway system and the related enforcement of the size, weight and load limitations will also be removed from Public Safety to DOT/PF.</p>	
4. Fiscal Impact: <input type="checkbox"/> None <input checked="" type="checkbox"/> Fiscal Note Attached	
5. Amendments Proposed:	
6. Comments:	

The State Troopers are the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two state agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

The related enforcement support that Public Safety will not be as ready available to DOT/PF.

The DOT/PF does not have the communications capability at present to communicate with other areas of the state for verification of permit information on trucks that are stopped at a scale for questionable loads. This lack of communication with other areas of the state will

cause delays in the movement of questionable loads until some type of verification can be obtained.

In reference to the issuance of overweight/oversize permits the following comments are offered:

1. More uniform issuing procedures.
 - a. A Statewide Permit Officer attempts to bring about a uniform procedure through permit review and training.
 - b. Under DOT - The various Highway Districts have historically acted in an independant manner from one another adding to large inconsistencies.
 - c. The permit program has established guidelines.
 - d. Public Safety has considered the safety of the traveling public first when issuing permits.
2. Better communications link to coordinate oversize moves.
 - a. With the function in our Department, one area office in the State has better communications access with another to determine road and weather conditions or other hazardous information.
 - b. Trooper Offices are open virtually 24 hours per day while DOT is basically an 8 to 5 operation.
 - c. Errors in policy and procedure can be identified easier and corrective action taken.
 - d. Communicating from one Department to another is most often cumbersome and not very timely.
3. Enforcement of oversize and overweight regulation and the issuance of permits are closely related.
 - a. Permits that have been issued can be verified by Public Safety personnel with relative speed.
 - b. This helps to eliminate fraudulent or altered permits.
 - c. Under DOT control, the speedy verification is not available.
4. Facilities design.
 - a. The new Public Safety Building in Fairbanks was designed to accomodate truck traffic applying for permits; other buildings are being designed for this purpose also.
 - b. The Anchorage Public Safety Office which issues the largest volume of permits in the State has parking and office resources which accomodate the truck traffic constantly coming and going.

HOUSE JOURNAL

HOUSE FINANCE COMMITTEE .
LETTER OF INTENT
FOR
CSHB 586 (Finance)

It is the intent of the Legislature that when the weights and measures functions transfer from the Bureau of Vehicle Enforcement within the Department of Public Safety to Weights and Measures within the Department of Commerce and Economic Development, that the physical equipment associated with those functions also transfer.



Al Adams, Chairman
House Finance Committee

Lear

Original sponsor: Rogers

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 586 (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 permits for overweight and oversize
7 vehicles; and providing for an effective date."

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

9 * Section 1. AS 44.33.020 is amended by adding a new paragraph to read:

10 (25) operate motor vehicle weighing stations, issue special
11 written permits authorizing the operation of overweight and oversize
12 vehicles, establish fees for the overweight and oversize vehicle special
13 permits, enforce the size, weight, and load limitations adopted by the
14 Department of Transportation and Public Facilities under AS 19.10.060,
15 and establish regulations relating to enforcement of the size, weight,
16 and load limitations adopted under AS 19.10.060.

17 * Sec. 2. AS 19.10.060(1) is amended to read:

18 (1) establish limitations on weight, size, and load of
19 vehicles;

20 * Sec. 3. AS 28.05.011(8) is repealed.

21 * Sec. 4. This Act takes effect July 1, 1982.

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Rec'd.
5/22/82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 586 (FIN) am S
 Title "An Act relating to permits for overweight and oversize vehicles..."
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Transportation
 BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
 (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		(1252.1)				
200 TRAVEL		(14.9)				
300 CONTRACTUAL		(68.3)				
400 COMMODITIES		(17.1)				
500 EQUIPMENT		(2.9)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(1355.3)				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		(683.3)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		(33.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(44.0)				

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

The Bill effectively moves the oversize/overweight permit and fixed scalehouse operation functions from the Department of Public Safety, Division of Alaska State Troopers to the Department of Commerce, Division of Weights and Measures. The fifteen commissioned positions and their associated costs which provide the enforcement function of the Bureau are retained under the Department of Public Safety. Additionally, due to the changes which will result from this Bill, it is likely that the Federal Demonstration Program will be discontinued by the Federal Department of Transportation, which would eliminate a further twenty-four positions and the corresponding \$672.0 in funding.

See attached schedule illustrating the impact of fiscal notes submitted by concerned agencies.

IV. DATE May 17, 1982 PREPARED BY Francis G. Allan
 AGENCY Department of Public Safety
 PHONE 269-5691

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Schedule 1

FUNDING AVAILABLE FOR TRANSFER

		<u>Governors Request</u>	<u>Needed by AST</u>	<u>Available for Transfer</u>
100	Personal Svc.	\$2,012.1	\$ 760.0	\$1,252.1
200	Travel	28.8	13.9	14.9
300	Contractual	185.3	117.0	68.3
400	Commodities	28.8	11.7	17.1
500	Equipment	7.8	4.9	2.9
	TOTAL	<u>\$2,262.8</u>	<u>\$ 907.5</u>	<u>\$1,355.3</u>

Schedule 2

FY'83 FISCAL NOTES

	<u>Funding Available (Sched. 1)</u>	<u>Consumer Protection Fiscal Note</u>	<u>Weights & Measures (Revised) Fiscal Note</u>	<u>Shortage</u>
100 - Personal Svc.	1,252.1	25.1	1,366.0	(139.0)
200 - Travel	14.9		28.8	(13.9)
300 - Contractual	68.3		119.2	(50.9)
400 - Commodities	17.1		19.6	(2.5)
500 - Equipment	2.9		7.8	(4.9)
	<u>1,355.3</u>	<u>25.1</u>	<u>1,541.4</u>	<u>(211.2)*</u>

* If the \$211.2 is taken from the Department of Public Safety to fund the Department of Commerce operation, it is virtually assured that the Federal Department of Transportation will cancel the Demonstration Program. This will result in the shortage of \$883.2 to perform the same function as is presently being done by the Alaska State Troopers.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 586 (Fin)

Title An Act relating to permits for overweight and oversize vehicles.

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development

Program Category Affected Consumer Protection

BRU, Program, Or Subprogram(s) Affected Weights and Measures

(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	0	1366.0				
200 TRAVEL	0	28.8				
300 CONTRACTUAL	0	119.2				
400 COMMODITIES	0	19.6				
500 EQUIPMENT	0	7.8				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	0	1541.4				

FUNDING (Thousands of Dollars)

GENERAL FUND	0	869.4				
FEDERAL FUNDS	0	672.0				
OTHER (Specify Source)	0	0				

POSITIONS

FULL TIME	0	40				
PART TIME	0	0				
TEMPORARY	0	0				

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

The transfer of the Bureau of Vehicle Enforcement personnel to the Department of Commerce and Economic Development does not include the program's management and supervisory personnel. The reorganization of this program within the Department of Commerce and Economic Development provides for a total of 40 full time positions which include the required management positions.

The budget figure presented for equipment assumes that all office equipment (including desks, typewriters, file cabinets, computer, etc.) currently being used by the Bureau of Vehicle Enforcement will be transferred to Commerce with the program. The increased contractual expenditure over the current BRU figure is for office space to house the Anchorage personnel being transferred to Commerce.

A further fiscal note is attached which provides for an accounting clerk in the Administrative Services budget.

IV. DATE April 8, 1982

PREPARED BY Joseph Swanson

AGENCY Commerce and Economic Development

PHONE 345 3886

Original: Legislative Finance
cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

DIRECTOR'S OFFICE

		<u>Cost</u>
1	Director, Range 26	64.0
1	Secretary, Range 10	28.2
1	Administrative Assistant I, Range 12	29.2
1	Accounting Clerk, Range 8	27.4
<u>4</u>		<u>148.8</u>

WEIGH STATIONS

1	Chief, Range 22	52.1
1	Data Control Clerk, Range 8	27.1
1	Senior Weigh Station Supervisor, Range 18	41.7
3	Weigh Station Supervisor, Range 16	130.7
<u>23</u>	Weigh Station Operator, Range 12	<u>829.5</u>
<u>29</u>		<u>1,081.1</u>

PERMITS

1	State Permit Officer, Range 14	37.9
<u>6</u>	Permit Clerk, Ranges 8 and 9	<u>170.1</u>
<u>7</u>		<u>208.0</u>

40

Total 1,437.9
Underfunding -5% 71.9

Program Personal Services Costs 1,366.0

* Currently permits are issued at 25 locations throughout the State, the majority of which are funded by contractual services through other State agencies and local police departments.

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

Deputy Commissioner

Director
Div. of Measurement Standards

Administration
R 12
R 8

Secretary
R 10

Chief
Weights & Measures
R 22

Chief
Weigh Stations &
Permits
R 22

Adm. 2
R 8

Data Cont.
R 8 Clerk

Senior
Inspector
R 18

Metrology
Laboratory
R 18

Mobile Homes
R 18

Permits
R 14

Weigh Stations
R 18

Anchorage

Anchorage

Anchorage

Fairbanks

Fairbanks

Fairbanks

Kenai

Kenai

Sterling

Juneau

Juneau

Haines

Valdez

Tok

Rec'd after reported out
4-22-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 586
Title "An Act relating to permits for overweight and oversize vehicles..."
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(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		(1252.1)				
200 TRAVEL		(14.9)				
300 CONTRACTUAL		(68.3)				
400 COMMODITIES		(17.1)				
500 EQUIPMENT		(2.9)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(1355.3)				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		(683.3)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		(33.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(44.0)				

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

The Bill effectively moves the oversize/overweight permit and fixed scale-house operation functions from the Department of Public Safety, Division of Alaska State Troopers to the Department of Commerce, Division of Weights and Measures. The fifteen commissioned positions and their associated costs which provide the enforcement function of the Bureau are retained under the Department of Public Safety. Additionally, due to the changes which will result from this Bill, it is likely that the Federal Demonstration Program will be discontinued by the Federal Department of Transportation which would eliminate a further twenty-four positions and the corresponding \$672.0 in funding.

IV. DATE April 7, 1982

PREPARED BY Francis C. Allan
AGENCY Department of Public Safety
PHONE 269-5691

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

HOUSE JOURNAL

HOUSE FINANCE COMMITTEE
LETTER OF INTENT
FOR
CSHB 586 (Finance)

It is the intent of the Legislature that when the weights and measures functions transfer from the Bureau of Vehicle Enforcement within the Department of Public Safety to Weights and Measures within the Department of Commerce and Economic Development, that the physical equipment associated with those functions also transfer.



Al Adams, Chairman
House Finance Committee

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

2/15/82

Date: 4/1/82

Mr. Speaker: (Taken from Rules 2/15/82)

The Committee on Finance has had HB 586

"An Act relating to permits for overweight vehicles."

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 HB 586 (Fin) same title

and recommends do pass new title

AND attaches a "Letter of Intent" New Fiscal Note (2)

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

W.B. Stinson

Paul Fuller

Matyung

Janice Roper

Robert E. ...

Robert E. ...
CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HB 586 (Finance)
 Title An Act relating to permits for oversize vehicles
 Requested by Bettisworth Date 3/31/82

II. FISCAL DETAIL
 Agency Affected Dept. of Commerce & Economic Development
 Program Category Affected Weights and Measures
 BRU, Program, Or Subprogram(s) Affected Vehicle Enforcement (new)
 (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		1212.8				
200 TRAVEL		28.8				
300 CONTRACTUAL		84.2				
400 COMMODITIES		19.6				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		1353.2				

FUNDING (Thousands of Dollars)

GENERAL FUND		681.2				
FEDERAL FUNDS		672.0				
OTHER (Specify Source)						

POSITIONS

FULL TIME		33				
PART TIME		6				
TEMPORARY		5				
		437				

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

Based on Governor's FY 83 request for the Department of Public Safety, Bureau of Vehicle Enforcement less 15 State troopers and associated costs.

(See attached)

IV. DATE 3/31/82 PREPARED BY Elmer Lindstrom
 AGENCY Legislative Finance
 Original: Legislative Finance PHONE 465-3795
 cc: Budget and Management

Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

ANALYSIS

	<u>Governor</u> (Public Safety)	<u>House</u> (Commerce)	<u>Difference/Description</u>
Personal Services	2012.1	1212.8	Delete 15 trooper positions, Salary increases and convert variable benefits to Dept. of Commerce rates (799.31)
Travel	28.8	28.8	
Contractual	185.3	84.2	Delete trooper vehicles (101.1)
Commodities	28.8	19.6	Delete uniforms (6.6), Delete Professional Supplies & Ammunition (2.6)
Equipment	7.8	7.8	
Miscellaneous	24.6	-0-	Delete operating costs associated with proposed capital project (24.6)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

REQUEST
 Bill/Resolution No. GCSHB 586 (Fin)
 Title Relating to permits for overweight and oversize vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.1	26.9	28.8	30.8	33.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		25.1	26.9	28.8	30.8	33.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		25.1	26.9	28.8	30.8	33.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1				
PART TIME						
TEMPORARY						

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

Personal Services: Accounting Clerk III, Range 10

No support personnel are being transferred from Public Safety with the program.

IV. DATE 4/1/82 PREPARED BY Lois Cook
 AGENCY Commerce and Economic Development
 PHONE 465-2505
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Lois Cook / cej

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. DRAFT CSHB 586 (Fin)
 Title An Act Relating to Permits for Overweight Vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Weights and Measures
 (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		2012.1				
200 TRAVEL		28.8				
300 CONTRACTUAL		185.3				
400 COMMODITIES		28.8				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
		24.6				
TOTAL		2287.4	Assumed to increase with inflation			

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		2287.4				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		48.0				
PART TIME		6.0				
TEMPORARY		5.0				
TOTAL		59.0				

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

This bill would transfer the Bureau of Vehicle Enforcement from the Department of Public Safety to the Department of Commerce and Economic Development. The above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY '83, page 849, except that the entire funding source is general fund. This reflects the end of a three year federal funding program.

It is assumed that all necessary space and any other equipment, and tools and training would either be provided in the BRU or be made available at no cost from other units within Public Safety.

IV. DATE 3/30/82 PREPARED BY Joe Swanson
 AGENCY Commerce and Economic Development
 Original: Legislative Finance PHONE 345-3886
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Introduced: 5/20/81
Referred: Labor & Commerce

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 586

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 permits for overweight vehicles."

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

8 * Section 1. AS 19.10.060 is amended by adding a new paragraph to read:

9 (2) issue special written permits authorizing the operation
10 of overweight vehicles;

11 * Sec. 2. AS 19.10.060 is amended by adding a new paragraph to read:

12 (4) operate motor vehicle weighing stations and establish
13 regulations for the enforcement of size, weight, and load limitations.

14 * Sec. 3. AS 28.05.011(8) is repealed.
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A M E N D M E N T

by Cotten

Offered in the HOUSE Finance Committee

TO: HB 586

Page 1, line 10, after overweight insert "and oversize"

Page 1, line 10, following "vehicles" insert:

"and prescribe fees for the special permits"

Page 1, line 15 add new sec.4

A§ 19.10.060 is amended to read:

- (1) establish limitations on weight ,size
and load of vehicles.