

BILLS 1981 - 1982

HB 610 - HB 637

1537

Law Firm

1537

Introduced: 6/10/81
Referred: Finance

1 IN THE HOUSE

BY GARDINER

2 HOUSE BILL NO. 610

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending the rate of levy of the corporate
7 income tax; and providing for an effective date."

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

9 * Section 1. AS 43.20.011(e) is repealed and reenacted to read:

10 (e) There is imposed for each taxable year upon the entire tax-
11 able income of every corporation derived from sources within the state
12 a tax computed as follows:

| 13 If the taxable income is: | Then the tax is: |
|------------------------------------|--|
| 14 Less than \$10,000 | 1 percent of the taxable income |
| 15 \$10,000 but less than \$20,000 | \$100 plus 2 percent of the tax- 16 able income over \$10,000 |
| 17 \$20,000 but less than \$30,000 | \$300 plus 3 percent of the tax- 18 able income over \$20,000 |
| 19 \$30,000 but less than \$40,000 | \$600 plus 4 percent of the tax- 20 able income over \$30,000 |
| 21 \$40,000 but less than \$50,000 | \$1,000 plus 5 percent of the 22 taxable income over \$40,000 |
| 23 \$50,000 but less than \$60,000 | \$1,500 plus 6 percent of the 24 taxable income over \$50,000 |
| 25 \$60,000 but less than \$70,000 | \$2,100 plus 7 percent of the 26 taxable income over \$60,000 |
| 27 \$70,000 but less than \$80,000 | \$2,800 plus 8 percent of the 28 taxable income over \$70,000 |
| 29 \$80,000 but less than \$90,000 | \$3,600 plus 9 percent of the |

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taxable income over \$80,000
\$90,000 or more \$4,500 plus 9.4 percent of the
taxable income over \$90,000.

* Sec. 2. AS 43.20.011 is amended by adding a new subsection to read:

(g) The tax on a corporation engaged in the production or transportation of crude oil or natural gas shall be determined and paid in accordance with AS 43.21.

* Sec. 3. This Act takes effect January 1, 1982, and applies to tax years beginning after December 31, 1981.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 610
 Title Amending the Rate of Levy of the Corporate Income Tax
 Requested by House Finance Committee Date June 22, 1981

II. FISCAL DETAIL

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

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Millions of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|-----------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | (2.0) | (4.8) | (5.7) | (6.7) | |
| 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)

The loss to the State is based on the procedure of applying the new rates to a sample of 1978 corporate tax returns. The loss on average is 11% to the general fund and when assessed against the projected corporate taxes generates the numbers above.

The effective date of January 1, 1982 results in only a one-half year loss for FY82.

IV. DATE June 22, 1981 PREPARED BY Vincent D. Wright
 AGENCY Revenue
 PHONE 465-2391
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 610
 Title An Act amending the rate of levy of the corporate income tax
 Requested by House Finance Committee Date 6/11/81

II. FISCAL DETAIL

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

EXPENDITURES (Thousands of Dollars) NONE

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

TOTAL

FUNDING (Thousands of Dollars) NONE

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

POSITIONS NONE

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

IV. DATE June 12, 1981 PREPARED BY Gary L. Jenkins
 AGENCY Audit Division
 PHONE 465-2320
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

Chenoweth
12-1838

Introduced: 6/10/81
Referred: Finance

1 IN THE HOUSE

BY GARDINER

2 HOUSE BILL NO. 610

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending the rate of levy of the corporate
7 income tax; and providing for an effective date."

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

9 * Section 1. AS 43.20.011(e) is repealed and reenacted to read:

10 (e) There is imposed for each taxable year upon the entire tax-
11 able income of every corporation derived from sources within the state
12 a tax computed as follows:

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5 (g) The tax on a corporation engaged in the production or trans-
6 portation of crude oil or natural gas shall be determined and paid in
7 accordance with AS 43.21.

8 * Sec. 3. This Act takes effect January 1, 1982, and applies to tax
9 years beginning after December 31, 1981.

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE .. BILL..... NO. ...610.
By GARDINER

"An Act amending the rate of levy of the corporate income tax; and providing for an effective date."

Amend. rate of levy/corporate income tax

Introduced in the House 6/10, 19... 61

HISTORY IN THE HOUSE

| | | | | | | | | | | | | | |
|-----------------|--|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 31 | Read first time and referred to Committee on Finance | | | | | | | | | | | | |
| June 10 | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | <table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | Reconsideration | | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| Reconsideration | | | | | | | | | | | | | |
| PASS | Effective Date | | | | | | | | | | | | |
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| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed | | | | | | | | | | | | |
| | Signed by Speaker | | | | | | | | | | | | |
| | Sent to Senate | | | | | | | | | | | | |
| | CHIEF CLERK OF THE HOUSE | | | | | | | | | | | | |

HISTORY IN THE SENATE

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

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

Funding Information
General Fund \$2,000,000,000
Other Funds -0-
\$2,000,000,000

Introduced: 6/21/81
Referred: Finance

1 IN THE HOUSE

BY MARTIN AND FREEMAN

2

HOUSE BILL NO. 617

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Alaska permanent fund; and providing for an effective date."

7

8

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

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* Section 1. The sum of \$2,000,000,000 is appropriated from the general fund to the Alaska permanent fund (art. IX, sec. 15, Constitution of the State of Alaska, AS 37.13.010).

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* Sec. 2. This Act takes effect July 1, 1982.

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Request
12-1894

| | |
|---------------------|------------------------|
| Funding Information | |
| General Fund | \$2,000,000,000 |
| Other Funds | -0- |
| | <u>\$2,000,000,000</u> |

Introduced: 6/21/81
Referred: Finance

1 IN THE HOUSE

BY MARTIN AND FREEMAN

2 HOUSE BILL NO. 617

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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7 permanent fund; and providing for an effective date."

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

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10 fund to the Alaska permanent fund (art. IX, sec. 15, Constitution of the
11 State of Alaska, AS 37.13.010).

12 * Sec. 2. This Act takes effect July 1, 1982.

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ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE BILL..... NO. 617...

By ...MARTIN AND FREEMAN.....

An Act making a special appropriation to the Alaska permanent fund; and providing for an effective date."

Spec appro, AK permanent fund

Introduced in the House ...6/21..., 19. 81

HISTORY IN THE HOUSE

19 81 Read first time and referred to Committee on

June 21 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.

Referred
to
Ct RIA
committee
4/5/82

Original sponsor: Metcalfe

Offered: 3/12/82
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 618 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A RILL

6 For an Act entitled: "An Act relating to state aid to municipalities for
7 capital projects, and providing for an effective date."

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

9 * Section 1. AS 29 is amended by adding a new chapter to read:

10 CHAPTER 96. STATE AID FOR CAPITAL PROJECTS.

11 Sec. 29.96.010. AID FOR CAPITAL PROJECTS. (a) During each fiscal
12 year the department shall compute and pay an entitlement to each eligible
13 municipality. Payments shall be made from the capital projects aid
14 account established under AS 29.96.050. The entitlement shall be com-
15 puted in accordance with (b) and (c) of this section.

16 (b) The amount of a base entitlement to a municipality shall be
17 computed in accordance with the following formula:

18
$$\frac{TA}{TP} \times P = \text{base entitlement}$$

19 where

20 TA = the total amount of money available for distribution as base
21 entitlements during the fiscal year;

22 TP = the total population of all municipalities that qualify for
23 an entitlement during the fiscal year; and

24 P = the population of the municipality for which the base entitle-
25 ment is being computed.

26 (c) An entitlement to a municipality shall reflect an area cost-of-
27 living differential. The amount of the entitlement shall be based on
28 the amount of the base entitlement computed under (b) of this section
29 multiplied by the area cost-of-living differential for that municipality.

1 The area cost-of-living differential for each municipality shall be
2 determined annually by election district under the provisions of AS 39.-
3 27.030. Application of the area cost-of-living differential may not
4 result in distribution of an amount less than the amount of the base
5 entitlement determined without application of this section.

6 (d) Subject to (e) of this section, an entitlement shall be used
7 for capital projects and a municipality may provide a grant of money
8 from an entitlement to a nonprofit corporation for any capital project
9 of the nonprofit corporation that serves a public purpose. However,
10 money from an entitlement may not be obligated for a capital project
11 until it has been received by the municipality from the department.

12 (e) Before money from an entitlement under this section may be
13 used for a capital project with a total cost of \$500,000 or more, the
14 qualified voters of the municipality must approve the proposed capital
15 project at a regular or special election held for the purpose. Each
16 proposed capital project with a total cost of \$500,000 or more shall be
17 submitted to the voters and voted on separately from other proposed
18 capital projects, except that construction of more than one facility to
19 be used for identical purposes may be submitted to the voters as one
20 capital project.

21 Sec. 29.96.020. DETERMINATION OF POPULATION. (a) For purposes of
22 this chapter, the population of a municipality shall be determined by
23 using the concept of residence used by the United States Bureau of the
24 Census and determined by methods that, in the judgment of the department,
25 are reliable, including use of a census conducted under the direction of
26 and certified by the Alaska Department of Labor.

27 (b) For purposes of determining the population of a home rule or
28 general law borough, the population of each city located within the
29 boundaries of the borough shall be subtracted from the population of the

1 borough.

2 Sec. 29.96.030. ELIGIBILITY. A municipality is eligible to receive
3 money as an entitlement under this chapter if it provides to the depart-
4 ment a copy of an ordinance or resolution adopted by it that

5 (1) authorizes the municipality to receive and spend the
6 money to be provided by the entitlement;

7 (2) identifies the capital projects for which the money will
8 be spent; and

9 (3) indicates the total amount of money from the entitlement
10 that will be used for each capital project.

11 Sec. 29.96.040. ACCUMULATION OF ENTITLEMENTS. A municipality may
12 accumulate entitlements under this chapter for use on one capital
13 project. A municipality that chooses to accumulate entitlements shall
14 establish a capital account for the entitlements or shall direct the
15 department to provide for retaining the entitlements in an account for
16 the municipality. Money earned on entitlements accumulated by a muni-
17 cipality shall accrue to the municipality.

18 Sec. 29.96.050. CAPITAL PROJECTS AID ACCOUNT. The capital projects
19 aid account is established in the department. Appropriations to the
20 account shall be distributed as authorized in AS 29.96.010.

21 Sec. 29.96.060. DEFINITIONS. In this chapter,

22 (1) "capital project" means

23 (A) a public facility; or

24 (B) equipment that is necessary to construct, operate,
25 or maintain a public facility or service;

26 (2) "department" means the Department of Community and
27 Regional Affairs;

28 (3) "municipality" means a city, borough, or unified muni-
29 cipality incorporated under state law and includes home rule and general

1 law municipalities.

2 * Sec. 2. This Act takes effect July 1, 1982.

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Introduced: 6/23/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY METCALFE

2 HOUSE BILL NO. 618

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 state aid to municipalities for
7 capital projects; and providing for an effective
8 date."

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

10 * Section 1. AS 29 is amended by adding a new chapter to read:

11 CHAPTER 96. STATE AID FOR CAPITAL PROJECTS.

12 Sec. 29.96.010. AID FOR CAPITAL PROJECTS. (a) During each
13 fiscal year the Department of Administration shall compute and pay an
14 entitlement to each qualified municipality. The entitlement shall be
15 used for capital projects at the discretion of the municipality. The
16 entitlement shall be computed in accordance with (b) of this section,
17 and is payable by the Department of Administration in accordance with
18 (c) of this section.

19 (b) The amount of an entitlement to a municipality under this
20 section shall be computed in accordance with the following formula:

21
$$\frac{TA}{TP} \times P = \text{entitlement}$$

22 where

23 TA = the total amount of money available for distribution as
24 entitlements during the fiscal year;

25 TP = the total population of all municipalities that qualify for
26 an entitlement during the fiscal year; and

27 P = the population of the municipality for which the entitlement
28 is being computed.

29 (c) A municipality qualifies to receive money as an entitlement

1 under this section if it provides to the Department of Administration a
2 copy of an ordinance or resolution adopted by it that

3 (1) authorizes the municipality to receive and spend the
4 money to be provided by the entitlement;

5 (2) identifies the capital projects for which the money will
6 be spent; and

7 (3) indicates the total amount of money from the entitlement
8 that will be used for each capital project.

9 (d) A municipality may provide a grant of money received under
10 this section to a nonprofit corporation for any capital project of the
11 nonprofit corporation that serves a public purpose.

12 Sec. 29.96.020. DETERMINATION OF POPULATION. (a) For purposes
13 of this chapter, the population of a municipality shall be determined
14 from the latest figures of the United States Bureau of the Census.

15 (b) For purposes of determining the population of a home rule or
16 general law borough, the population of each city located within the
17 boundaries of the borough shall be subtracted from the population of
18 the borough.

19 Sec. 29.96.030. CAPITAL PROJECTS AID ACCOUNT. The capital
20 projects aid account is established in the Department of Administration.
21 Each fiscal year the legislature may appropriate the proceeds of an
22 increase effective after January 1, 1981, in a tax imposed under AS 43.-
23 55.011 or 43.55.016, to the account for distribution as authorized in
24 AS 29.96.010.

25 Sec. 29.96.040. DEFINITIONS. In this chapter,

26 (1) "capital project" means

27 (A) a public facility; or

28 (B) equipment that may be necessary to construct,
29 operate, or maintain a public facility or service;

1 (2) "municipality" means a city, borough, or unified muni-
2 cipality incorporated under state law and includes home rule and general
3 law municipalities.

4 * Sec. 2. AS 29.96.030 is amended to read:

5 Sec. 29.96.030. CAPITAL PROJECTS AID ACCOUNT. The capital
6 projects aid account is established in the Department of Administration.
7 Each fiscal year the legislature shall [MAY] appropriate the proceeds
8 of an increase effective after January 1, 1981, in a tax imposed under
9 AS 43.55.011 or 43.55.016, to the account for distribution as authorized
10 in AS 29.96.010.

11 * Sec. 3. Section 1 of this Act takes effect July 1, 1982.

12 * Sec. 4. Section 2 of this Act takes effect on the effective date of an
13 amendment to the Constitution of the State of Alaska authorizing the dedica-
14 tion of proceeds of an increase in a severance tax on oil and gas production
15 for municipal purposes.

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

HB 618

FISCAL NOTE

I. REQUEST HB 618
 Bill/Resolution No. HB 618
 Title State Aid to Municipalities for Capital Projects
 Requested by House State Affairs Committee Date February 2, 1982

II. FISCAL DETAIL
 Agency Affected Department of Administration - Administrative Services
 Program Category Affected Centralized Administrative Services
 BRU, Program, Or Subprogram(s) Affected Fiscal/Personnel
 (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 | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

FUNDING (Thousands of Dollars)

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

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 HB 618 would have no fiscal impact on the Department of Administration

IV. DATE February 2, 1982 PREPARED BY Robert L. Rehfeld *RLR*
 AGENCY Administration
 Original: Legislative Finance PHONE 465-2200
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Rep. Metcalfe
 33-001 (Rev. 12/81) the Governor Keith Specking

H/B 612
219 811

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS House Bill 618
 Title "An Act relating to State Aid to Municipalities for Capital Projects"
 Requested by State Affairs Committee Date March 10, 1982

II. FISCAL DETAIL
 Agency Affected Community and Regional Affairs
 Program Category Affected Community Development
 BRU, Program, Or Subprogram(s) Affected Local Government Assistance
 (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 | | 147.7 | | | | |
| 200 TRAVEL | | 17.0 | | | | |
| 300 CONTRACTUAL | | 24.1 | | | | |
| 400 COMMODITIES | | 8 | | | | |
| 500 EQUIPMENT | | 4.5 | | | | |
| 600 LAND & STRUCTURES | | -0- | | | | |
| 700 GRANTS, CLAIMS, ETC. | | -0- | | | | |
| TOTAL | | 194.1 | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|-------|--|--|--|--|
| GENERAL FUND | | 194.1 | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|---|--|--|--|--|
| FULL TIME | | 4 | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

See Attached.

IV. DATE March 10, 1982 PREPARED BY W.F. "Bill" Williams
 AGENCY Dept. of Community and Regional Affairs
 Original: Legislative Finance PHONE 465 4735
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FISCAL NOTE - HOUSE BILL 618

| <u>EXPENDITURE CATAGORY</u> | <u>Sub-total</u> | <u>Catagory Total</u> | <u>Program Total</u> |
|---------------------------------|-------------------|-----------------------|----------------------|
| <u>Personal Service</u> | | | |
| Local Government Specialist III | 45.1 | | |
| Local Government Specialist III | 45.1 | | |
| Accounting Tech II | 33.6 | | |
| Clerk Typist III | 23.9 | | |
| | <u> </u> | 147.7 | |
| <u>Travel</u> | | 17.0 | |
| <u>Contractual Services</u> | | 24.1 | |
| <u>Commodities</u> | | .8 | |
| <u>Equipment</u> | | <u>4.5</u> | |
| | | | <u>\$194.1</u> |

FISCAL NOTE

House Bill 618, "An Act relating to State Aid to Municipalities for Capital Projects"

Section III. Analysis (Attachments)

Two field staff positions will be necessary to assist the municipalities of the State in their participation in this program. The two field positions, Local Government Specialist III's will be required to provide technical expertise in the preparation of documentation for eligibility of applicant and capital project.

This fiscal note provides for two support positions to process the application budget and project narrative. In addition, an increase in accounting requirements for program administration is anticipated with the passage of this Bill. Incremental closing of the grant is a process whereby the State may monitor the progress of the projects, this function requires a review of the use of funds already spent and a projection of funds being requested by the grantee. This incremental reporting of the grant's financial status is supported by a narrative of grantee achievements.

The Department anticipates that the four positions included in this fiscal note will be adequate staffing for the passage of this legislation, House Bill 618.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS House Bill 618
Title "An Act relating to State Aid to Municipalities for Capital Projects"
Requested by State Affairs Committee Date March 10, 1982

II. FISCAL DETAIL

Agency Affected Community and Regional Affairs
Program Category Affected Community Development
BRU, Program, Or Subprogram(s) Affected Local Government Assistance
(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* | | | | |
| 200 TRAVEL | | 0* | | | | |
| 300 CONTRACTUAL | | 0* | | | | |
| 400 COMMODITIES | | 0* | | | | |
| 500 EQUIPMENT | | 0* | | | | |
| 600 LAND & STRUCTURES | | 0* | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 0* | | | | |
| TOTAL | | 0* | | | | |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | 0* | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | 0* | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

NOTE: CS HB 618, as enabling legislation only, has no fiscal impact to the Department, assuming there is no accompanying bill of appropriation or funding through the budgetary process. However, if CS HB 618 is funded in whatever manner, in whatever State fiscal year, and regardless of funding level, the attached represents the minimum fiscal impact to the Department of Community and Regional Affairs to implement CS HB 618. If funding is authorized after the State's FY 83 budget, the amounts shown on the attached must necessarily be modified to accommodate inflation.

IV. DATE March 10, 1982

PREPARED BY W.F. "Bill" Williams

AGENCY Dept. of Community & Regional Affairs

Original: Legislative Finance

PHONE 465-4735

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

FISCAL NOTE - CS HOUSE BILL 618

| <u>EXPENDITURE CATAGORY</u> | <u>Sub-total</u> | <u>Catagory Total</u> | <u>Program Total</u> |
|---------------------------------|------------------|-----------------------|----------------------|
| <u>Personal Service</u> | | | |
| Local Government Specialist III | 45.1 | | |
| Local Government Specialist III | 45.1 | | |
| Accounting Tech II | 33.6 | | |
| Clerk Typist III | <u>23.9</u> | | |
| | | 147.7 | |
| <u>Travel</u> | | 17.0 | |
| <u>Contractual Services</u> | | 24.1 | |
| <u>Commodities</u> | | .8 | |
| <u>Equipment</u> | | <u>4.5</u> | |
| | | | <u>\$194.1</u> |

FISCAL NOTE

House Bill 618, "An Act relating to State Aid to Municipalities for Capital Projects"

Section III. Analysis (Attachments)

Two field staff positions will be necessary to assist the municipalities of the State in their participation in this program. The two field positions, Local Government Specialist III's will be required to provide technical expertise in the preparation of documentation for eligibility of applicant and capital project.

This fiscal note provides for two support positions to process the application, budget and project narrative. In addition, an increase in accounting requirements for program administration is anticipated with the passage of this bill. Progress reports and funding requests would be received, processed and payments requested by these individuals. Additionally, they would calculate the original allocation amounts communities would receive based on the formula set out in the bill.

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

2/24/82

Date: 3-16-82

Mr. Speaker: (Taken from Rules 2/24/82)

The Committee on FINANCE has had HB 624

"An Act relating to judicial retention elections; and providing for an effective date."

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

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note ^{2.3-82}
PROVIDES 60.0
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

W. B. Stewart

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Copy of Report - No Rec

John ...

[Signature]

CHAIRMAN

Introduced: 1/11/82
Referred: Judiciary

1 IN THE HOUSE

BY GRUSSENDORF

2 HOUSE BILL NO. 624

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 judicial retention elections; and
7 providing for an effective date."

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

9 * Section 1. AS 22 is amended by adding a new chapter to read:

10 CHAPTER 18. RETENTION ELECTIONS.

11 Sec. 22.18.010. APPROVAL OR REJECTION OF SUPREME COURT JUSTICES.

12 Each supreme court justice is subject to approval or rejection as pro-
13 vided in the Alaska Election Code (AS 15). The judicial council shall
14 conduct an evaluation of each justice before his retention election and
15 shall provide to the public information about that justice and may
16 provide a recommendation regarding his retention or rejection. The
17 information and any recommendation shall be made public at least 60 days
18 before the retention election. The judicial council shall also provide
19 the information and any recommendation to the office of the lieutenant
20 governor in time for publication in the election pamphlet under AS 15.-
21 58.050. If a majority of those voting on the question rejects his
22 candidacy, the former justice may not be appointed to fill a vacancy in
23 the supreme court, court of appeals, superior court, or district courts
24 of the state for a period of four years after the rejection.

25 Sec. 22.18.020. APPROVAL OR REJECTION OF COURT OF APPEALS JUDGES.

26 Each judge of the court of appeals is subject to approval or rejection
27 as provided in the Alaska Election Code (AS 15). The judicial council
28 shall conduct an evaluation of each judge before his retention election
29 and shall provide to the public information about the judge and may

1 provide a recommendation regarding his retention or rejection. The
2 information and any recommendation shall be made public at least 60 days
3 before the retention election. The judicial council shall also provide
4 the information and any recommendation to the office of the lieutenant
5 governor in time for publication in the election pamphlet under AS 15.-
6 58.050. If a majority of those voting on the question rejects his
7 candidacy, the former judge may not for a period of four years after the
8 rejection be appointed to fill a vacancy in the supreme court, court of
9 appeals, superior court, or district courts of the state.

10 Sec. 22.18.030. APPROVAL OR REJECTION OF SUPERIOR COURT JUDGES.
11 Each superior court judge is subject to approval or rejection as pro-
12 vided in AS 22.18.050 and the Alaska Election Code (AS 15). The judi-
13 cial council shall conduct an evaluation of each judge before his
14 retention election and shall provide to the public information about the
15 judge and may provide a recommendation regarding his retention or rejec-
16 tion. The information and any recommendation shall be made public at
17 least 60 days before the retention election. The judicial council shall
18 also provide the information and any recommendation to the office of the
19 lieutenant governor in time for publication in the election pamphlet
20 under AS 15.58.050. If a majority of those voting on the question
21 rejects his candidacy, the former judge may not for a period of four
22 years after the rejection be appointed to fill a vacancy in the supreme
23 court, court of appeals, superior court, or district courts of the
24 state.

25 Sec. 22.18.040. APPROVAL OR REJECTION OF DISTRICT COURT JUDGES.
26 Each district court judge is subject to approval or rejection as pro-
27 vided in AS 22.18.050 and the Alaska Election Code (AS 15). The judi-
28 cial council shall conduct an evaluation of each judge before his
29 retention election and shall provide to the public information about the

1 judge and may provide a recommendation regarding his retention or rejec-
2 tion. The information and any recommendation shall be made public at
3 least 60 days before the retention election. The judicial council shall
4 also provide the information and any recommendation to the office of the
5 lieutenant governor in time for publication in the election pamphlet
6 under AS 15.58.050. If a majority of those voting on the question
7 rejects his candidacy, the former district judge may not for a period of
8 four years after the rejection be appointed to fill a vacancy in the
9 supreme court, court of appeals, superior court, or district courts of
10 the state.

11 Sec. 22.18.050. JUDICIAL RETENTION ELECTION DISTRICTS FOR THE
12 SUPERIOR AND DISTRICT COURTS. (a) Except as provided in (c) and (d) of
13 this section, if a judge of the superior or district court seeks reten-
14 tion in office, the judge shall be voted on by the voters in the judi-
15 cial retention election district in which the judge is a resident.

16 (b) For purposes of this section, the judicial retention election
17 districts of the state are the election districts as they are described
18 in art. XIV of the state constitution as it existed on March 19, 1959.

19 (c) If the judicial council certifies to the director of elections
20 that the judge seeking retention has routinely and frequently heard
21 cases that arise in a district outside of the district in which the
22 judge is resident, the judge will also be voted on for retention by the
23 voters in that district.

24 (d) If the judicial council certifies to the director of elections
25 that most of the cases heard by a judge seeking retention in office do
26 not arise in the district in which the judge is resident, then the judge
27 shall be voted on for retention only by the voters in the district or
28 districts in which he routinely and frequently hears cases.

29 * Sec. 2. AS 15.35.090 is amended to read:

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Sec. 15.35.090. PLACING NAME OF SUPERIOR COURT JUDGE ON BALLOT.
The director shall place the name of a superior court judge who has properly filed a declaration of candidacy for retention on the judicial ballot in the [JUDICIAL] district or districts as provided under AS 22.18.050 [DESIGNATED IN HIS DECLARATION OF CANDIDACY FOR THE GENERAL ELECTION AT WHICH APPROVAL IS SOUGHT].

* Sec. 3. AS 15.35.130 is amended to read:

Sec. 15.35.130. PLACING NAME OF DISTRICT JUDGE ON BALLOT. The director shall place the name of a district judge who has properly filed a declaration of candidacy for retention on the judicial ballot in the [JUDICIAL] district or districts as provided under AS 22.18.050 [DESIGNATED IN HIS DECLARATION OF CANDIDACY FOR THE GENERAL ELECTION AT WHICH APPROVAL IS SOUGHT].

* Sec. 4. AS 22.05.100, AS 22.07.060, AS 22.10.150, and AS 22.15.195 are repealed.

* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

HB 624

FISCAL NOTE

I. REQUEST
Bill/Resolution No. House Bill No. 624 - "An Act relating
Title to judicial retention elections; and providing for an effective
Requested by House Judiciary Date 2/2/82 date."

II. FISCAL DETAIL
Agency Affected Office of the Governor
Program Category Affected Division of Elections
BRU, Program, Or Subprogram(s) Affected Division of Elections
(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 | | 66.0 | | 81.8 | | 101.4 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | 66.0 | -0- | 81.8 | -0- | 101.4 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | -0- | 66.0 | -0- | 81.8 | -0- | 101.4 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

No additional positions required.

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

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

- The passage of this legislation will initially affect the 1982 Election ballots.
- There would be 24 election districts as were designated in 1959.
- Necessity of 24 separate ballots--one for each of the judicial election districts.
- Additional 12% inflation for each of the subsequent election years affected (x2 since the Division of Elections operates on a two-year budget cycle).

No additional funds are required beyond the Contractual Services area. Additional postage, printing and advertising costs will be required for the printing of 24 separate ballots, the printing of additional Official Election Pamphlet pages, advertising costs and additional postage for the Pamphlet.

IV. DATE 2/3/82 PREPARED BY Danith D. Arnoldt
AGENCY Division of Elections
PHONE 586-6181
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

HB 624

FISCAL NOTE

I. REQUEST
Bill/Resolution No. House Bill No. 624 - "An Act relating
Title to judicial retention elections; and providing for an effective
Requested by House Judiciary Date 2/2/82 date."

II. FISCAL DETAIL
Agency Affected Office of the Governor
Program Category Affected Division of Elections
BRU, Program, Or Subprogram(s) Affected Division of Elections
(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 | | 66.0 | | 81.8 | | 101.4 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | 66.0 | -0- | 81.8 | -0- | 101.4 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | -0- | 66.0 | -0- | 81.8 | -0- | 101.4 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

No additional positions required.

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

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

ASSUME:

1. The passage of this legislation will initially affect the 1982 Election ballots.
2. There would be 24 election districts as were designated in 1959.
3. Necessity of 24 separate ballots—one for each of the judicial election districts.
4. Additional 12% inflation for each of the subsequent election years affected (x2 since the Division of Elections operates on a two-year budget cycle).

No additional funds are required beyond the Contractual Services area. Additional postage, printing and advertising costs will be required for the printing of 24 separate ballots, the printing of additional Official Election Pamphlet pages, advertising costs and additional postage for the Pamphlet.

IV. DATE 2/3/82 PREPARED BY Danith D. Arnoldt
AGENCY Division of Elections
Original: Legislative Finance PHONE 586-6181
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

HB 624

I. REQUEST

Bill/Resolution No. HB624

Title "An Act relating to judicial retention elections; and providing for
Requested by Rep. Barnes, House Judiciary Committee Date 2/2/82
an effective date."

II. FISCAL DETAIL

Agency Affected Department of Law

Program Category Affected _____

BRU, Program, Or Subprogram(s) Affected _____

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

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

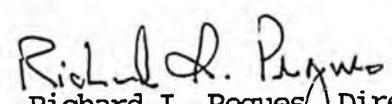
POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

The only agencies impacted by the provisions of this bill are the Alaska Court System and the Division of Elections.

IV. DATE February 3, 1982


 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.
 AGENCY Department of Law

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

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 624
Title An act relating to judicial retention elections
Requested by House Judiciary Date 2/3/82

II. FISCAL DETAIL

Agency Affected Alaska Court System/Judicial Council
Program Category Affected _____
BRU, Program, Or Subprogram(s) Affected _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

H. B. 624 will have no fiscal impact on the Alaska Court System or on the Judicial Council.

IV. DATE 2/4/82 PREPARED BY Richard P. Barrier
AGENCY Alaska Court System
Original: Legislative Finance PHONE 264-0545
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Introduced: 1/11/82
Referred: Judiciary

1 IN THE HOUSE

BY GRUSSENDORF

2 HOUSE BILL NO. 624

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 judicial retention elections; and
7 providing for an effective date."

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

9 * Section 1. AS 22 is amended by adding a new chapter to read:

10 CHAPTER 18. RETENTION ELECTIONS.

11 Sec. 22.18.010. APPROVAL OR REJECTION OF SUPREME COURT JUSTICES.

12 Each supreme court justice is subject to approval or rejection as pro-
13 vided in the Alaska Election Code (AS 15). The judicial council shall
14 conduct an evaluation of each justice before his retention election and
15 shall provide to the public information about that justice and may
16 provide a recommendation regarding his retention or rejection. The
17 information and any recommendation shall be made public at least 60 days
18 before the retention election. The judicial council shall also provide
19 the information and any recommendation to the office of the lieutenant
20 governor in time for publication in the election pamphlet under AS 15.-
21 58.050. If a majority of those voting on the question rejects his
22 candidacy, the former justice may not be appointed to fill a vacancy in
23 the supreme court, court of appeals, superior court, or district courts
24 of the state for a period of four years after the rejection.

25 Sec. 22.18.020. APPROVAL OR REJECTION OF COURT OF APPEALS JUDGES.

26 Each judge of the court of appeals is subject to approval or rejection
27 as provided in the Alaska Election Code (AS 15). The judicial council
28 shall conduct an evaluation of each judge before his retention election
29 and shall provide to the public information about the judge and may

1 provide a recommendation regarding his retention or rejection. The
2 information and any recommendation shall be made public at least 60 days
3 before the retention election. The judicial council shall also provide
4 the information and any recommendation to the office of the lieutenant
5 governor in time for publication in the election pamphlet under AS 15.-
6 58.050. If a majority of those voting on the question rejects his
7 candidacy, the former judge may not for a period of four years after the
8 rejection be appointed to fill a vacancy in the supreme court, court of
9 appeals, superior court, or district courts of the state.

10 Sec. 22.18.030. APPROVAL OR REJECTION OF SUPERIOR COURT JUDGES.
11 Each superior court judge is subject to approval or rejection as pro-
12 vided in AS 22.18.050 and the Alaska Election Code (AS 15). The judi-
13 cial council shall conduct an evaluation of each judge before his
14 retention election and shall provide to the public information about the
15 judge and may provide a recommendation regarding his retention or rejec-
16 tion. The information and any recommendation shall be made public at
17 least 60 days before the retention election. The judicial council shall
18 also provide the information and any recommendation to the office of the
19 lieutenant governor in time for publication in the election pamphlet
20 under AS 15.58.050. If a majority of those voting on the question
21 rejects his candidacy, the former judge may not for a period of four
22 years after the rejection be appointed to fill a vacancy in the supreme
23 court, court of appeals, superior court, or district courts of the
24 state.

25 Sec. 22.18.040. APPROVAL OR REJECTION OF DISTRICT COURT JUDGES.
26 Each district court judge is subject to approval or rejection as pro-
27 vided in AS 22.18.050 and the Alaska Election Code (AS 15). The judi-
28 cial council shall conduct an evaluation of each judge before his
29 retention election and shall provide to the public information about the

1 judge and may provide a recommendation regarding his retention or rejec-
2 tion. The information and any recommendation shall be made public at
3 least 60 days before the retention election. The judicial council shall
4 also provide the information and any recommendation to the office of the
5 lieutenant governor in time for publication in the election pamphlet
6 under AS 15.58.050. If a majority of those voting on the question
7 rejects his candidacy, the former district judge may not for a period of
8 four years after the rejection be appointed to fill a vacancy in the
9 supreme court, court of appeals, superior court, or district courts of
10 the state.

11 Sec. 22.18.050. JUDICIAL RETENTION ELECTION DISTRICTS FOR THE
12 SUPERIOR AND DISTRICT COURTS. (a) Except as provided in (c) and (d) of
13 this section, if a judge of the superior or district court seeks reten-
14 tion in office, the judge shall be voted on by the voters in the judi-
15 cial retention election district in which the judge is a resident.

16 (b) For purposes of this section, the judicial retention election
17 districts of the state are the election districts as they are described
18 in art. XIV of the state constitution as it existed on March 19, 1959.

19 (c) If the judicial council certifies to the director of elections
20 that the judge seeking retention has routinely and frequently heard
21 cases that arise in a district outside of the district in which the
22 judge is resident, the judge will also be voted on for retention by the
23 voters in that district.

24 (d) If the judicial council certifies to the director of elections
25 that most of the cases heard by a judge seeking retention in office do
26 not arise in the district in which the judge is resident, then the judge
27 shall be voted on for retention only by the voters in the district or
28 districts in which he routinely and frequently hears cases.

29 * Sec. 2. AS 15.35.090 is amended to read:

1 Sec. 15.35.090. PLACING NAME OF SUPERIOR COURT JUDGE ON BALLOT.

2 The director shall place the name of a superior court judge who has
3 properly filed a declaration of candidacy for retention on the judicial
4 ballot in the [JUDICIAL] district or districts as provided under AS 22.-
5 18.050 [DESIGNATED IN HIS DECLARATION OF CANDIDACY FOR THE GENERAL
6 ELECTION AT WHICH APPROVAL IS SOUGHT].

7 * Sec. 3. AS 15.35.130 is amended to read:

8 Sec. 15.35.130. PLACING NAME OF DISTRICT JUDGE ON BALLOT. The
9 director shall place the name of a district judge who has properly filed
10 a declaration of candidacy for retention on the judicial ballot in the
11 [JUDICIAL] district or districts as provided under AS 22.18.050 [DESIG-
12 NATED IN HIS DECLARATION OF CANDIDACY FOR THE GENERAL ELECTION AT WHICH
13 APPROVAL IS SOUGHT].

14 * Sec. 4. AS 22.05.100, AS 22.07.060, AS 22.10.150, and AS 22.15.195 are
15 repealed.

16 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

Alaska State Legislature

House of Representatives



Rep. Bette Cato, Chairman

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

HOUSE TRANSPORTATION COMMITTEE LETTER OF INTENT


TO ACCOMPANY HB 628

"An Act making a special appropriation to the Department of Transportation and Public Facilities for the construction of dock and warehouse facilities in Yakutat; and providing for an effective date."

The House Transportation Committee has had HB 628 under consideration.

The total project cost under this special appropriation is \$4,800,000 in General Fund dollars. The committee is aware that \$2,000,000 is allocated in the Governors Capital Budget.

***It is the intent of the House Transportation Committee that if \$2,000,000 remains in the Capital Budget that this special appropriation be reduced to \$2,800,000. Therefore the amount in Section 1, Line 11, would need to be reduced and the total amount from Capital Budget and Special appropriation should not exceed \$4,800,000.


Rep. Bette Cato, Chairman
House Transportation Committee

Funding Information

General Fund \$4,800,000
Other Funds -0-
\$4,800,000

Introduced: 1/11/82
Referred: Community &
Regional Affairs,
Transportation and Finance

1 IN THE HOUSE

BY GRUSSENDORF

2 HOUSE BILL NO. 628

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Transportation and Public Facilities for the
8 construction of dock and warehouse facilities in
9 Yakutat; and providing for an effective date."

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

11 * Section 1. The sum of \$4,800,000 is appropriated from the general fund
12 to the Department of Transportation and Public Facilities for construction of
13 dock and warehouse facilities at Ocean Cape on Monti Bay in Yakutat.

14 * Sec. 2. The appropriation made by this Act is for a capital project and
15 is subject to AS 37.25.020.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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COMMITTEE REPORT

HOUSE

1/29

FURTHER:

FINANCE

(7)

1/13/82

Date:

January 27, 1982

Mr. Speaker: (C&RA referral waived 1/13/82)

The Committee on TRANSPORTATION has had HB 628

"An Act making a special appropriation to the Department of Transportation and Public Facilities for the construction of dock and warehouse facilities in Yakutat; and providing for an effective date."

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

- do pass [] do not pass
- [] do pass with attached amendments(s)
- [] replace with CS for _____ [] same title [] new title

and recommends _____

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

MEMBERS SIGNING
DO PASS

Bette Cato CR

Eric Dutcliffe

James M. W.

Walter Hood

MEMBERS HAVING
OTHER RECOMMENDATIONS:

~~Walter Hood~~ (same)

Bette Cato

CHAIRMAN

12-2012
calvin

| | |
|----------------------------|--------------------|
| <u>Funding Information</u> | |
| General Fund | \$4,800,000 |
| Other Funds | -0- |
| | <u>\$4,800,000</u> |

Introduced: 1/11/82
Referred: Community &
Regional Affairs,
Transportation and Finance

1 IN THE HOUSE

BY GRUSSENDORF

2 HOUSE BILL NO. 628

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Transportation and Public Facilities for the
8 construction of dock and warehouse facilities in
9 Yakutat; and providing for an effective date."

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13 dock and warehouse facilities at Ocean Cape on Monti Bay in Yakutat.

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15 is subject to AS 37.25.020.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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See text

Alaska State Legislature

House of Representatives



Rep. Bette Cato, Chairman

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

HOUSE TRANSPORTATION COMMITTEE
LETTER OF INTENT


TO ACCOMPANY HB 628

"An Act making a special appropriation to the Department of Transportation and Public Facilities for the construction of dock and warehouse facilities in Yakutat; and providing for an effective date."

The House Transportation Committee has had HB 628 under consideration.

The total project cost under this special appropriation is \$4,800,000 in General Fund dollars. The committee is aware that \$2,000,000 is allocated in the Governors Capital Budget.

***It is the intent of the House Transportation Committee that if \$2,000,000 remains in the Capital Budget that this special appropriation be reduced to \$2,800,000. Therefore the amount in Section 1, Line 11, would need to be reduced and the total amount from Capital Budget and Special appropriation should not exceed \$4,800,000.


Rep. Bette Cato, Chairman
House Transportation Committee

ALASKA STATE LEGISLATURE

TWENTY-THIRD Legislature SECOND... Session

HOUSE BILL NO. 626

By CRUSSENDORF

"An Act making a special appropriation to the Department of Transportation and Public Facilities for the construction of dock and warehouse facilities in Yakutat; and providing for an effective date."

Dock/warehouse facilities Yakutat

Introduced in the House 1/11, 1982

HISTORY IN THE HOUSE

| | | | | | | | | | | | | | |
|-----------------|--|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 82 | Read first time and referred to Committee on | | | | | | | | | | | | |
| JAN. 11 | C&RA, Transportation and Finance, Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
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| 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

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|-----------------|--|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 | Read first time and referred to Committee on | | | | | | | | | | | | |
| | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
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| PASS | Effective Date | | | | | | | | | | | | |
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| Absent | Absent | | | | | | | | | | | | |
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| Reconsideration | | | | | | | | | | | | | |
| PASS | Effective Date | | | | | | | | | | | | |
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| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed | | | | | | | | | | | | |
| | Signed by President | | | | | | | | | | | | |
| | Returned to House | | | | | | | | | | | | |

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

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

Funding Information
General Fund \$12,000,000
Other Funds -0-
\$12,000,000

Introduced: 1/11/82
Referred: Community & Regional
Affairs, Transportation and
Finance

1 IN THE HOUSE

BY CHUCKWUK

2 HOUSE BILL NO. 631

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the City of
7 Dillingham for dock and harbor improvements and addi-
8 tions; and providing for an effective date."

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

10 * Section 1. The sum of \$12,000,000 is appropriated from the general fund
11 to the City of Dillingham for dock and harbor improvements and additions.

12 * Sec. 2. The appropriation made by this Act is for a capital project and
13 is subject to AS 37.25.020.

14 * Sec. 3. This Act takes effect July 1, 1982.

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12-2139
Cook

Funding Information
General Fund \$12,000,000
Other Funds -0-
\$12,000,000

Introduced: 1/11/82
Referred: Community & Regional
Affairs, Transportation and
Finance

1 IN THE HOUSE

BY CHUCKWUK

2 HOUSE BILL NO. 631

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the City of
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12 * Sec. 2. The appropriation made by this Act is for a capital project and
13 is subject to AS 37.25.020.

14 * Sec. 3. This Act takes effect July 1, 1982.

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ALASKA STATE LEGISLATURE
TWELFTH **SECOND**
..... Legislature Session

HOUSE ..BILL..... NO. 631
By ...**CHUCKWUK**.....

"An Act making a special appropriation to the City of Dillingham for dock and harbor improvements and additions; and providing for an effective date."

Dock/harbor improve. Dillingham

Introduced in the House1/11, 19.82

| HISTORY IN THE HOUSE | | | | | | | | | | | | | |
|--------------------------|--|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 82 | Read first time and referred to Committee on C&RA, Transportation and Finance | | | | | | | | | | | | |
| JAN. 11 | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">PASS</td> <td style="text-align: center;">Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
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| Nays | Nays | | | | | | | | | | | | |
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| 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 | | | | | | | | | | | | |
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| 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: 1/11/82
Referred: Judiciary

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 632

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for waiver of jurisdiction under
7 AS 47.10 over a minor if there is probable cause for
8 believing that the minor committed a violent crime and
9 the minor is over 16 years of age or that the minor
10 committed murder regardless of the minor's age."

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

12 * Section 1. AS 47.10.060(a) is amended to read:

13 (a) If the court finds at a hearing on a petition that there is
14 probable cause for believing that a minor is delinquent and finds that
15 the minor is not amenable to treatment under this chapter, it shall
16 order the case closed. After a case is closed under this subsection, the
17 minor may be prosecuted as if he were an adult. The court shall order
18 the case closed if it finds at a hearing on a petition that there is
19 probable cause for believing that the minor

20 (1) is delinquent because the minor committed murder in the
21 first degree (AS 11.41.100) or murder in the second degree (AS 11.41.-
22 110); or

23 (2) is over 16 years of age and delinquent because the minor
24 committed

25 (A) manslaughter (AS 11.41.120);

26 (B) criminally negligent homicide (AS 11.41.130);

27 (C) assau't in the first degree (AS 11.41.200);

28 (D) assault in the second degree (AS 11.41.210);

29 (E) assault in the third degree (AS 11.41.220);

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- (F) kidnapping (AS 11.41.300);
- (G) sexual assault in the first degree (AS 11.41.410);
- (H) sexual assault in the second degree (AS 11.41.420);
- (I) robbery in the first degree (AS 11.41.500);
- (J) robbery in the second degree (AS 11.41.510);
- (K) burglary in the first degree (AS 11.46.300);
- (L) arson in the first degree (AS 11.46.400);
- (M) escape in the first degree (AS 11.56.300);
- (N) riot (AS 11.61.100).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 632

Title "An Act...for waiver of ...minor (status)...(for)...violent crime..."

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Alaska State Troopers

(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 | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| POSITIONS | -0- | -0- | -0- | -0- | -0- | -0- |

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |
| | -0- | -0- | -0- | -0- | -0- | -0- |

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

No fiscal impact is anticipated.

IV. DATE January 19, 1982

PREPARED BY Francis C. Allan

AGENCY Alaska State Troopers

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

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 632
 Title "An Act. . .waiver of jurisdiction...minor over 16...violent or crime."
 Requested by House Judiciary Date April 1, 1982

II. FISCAL DETAIL
 Agency Affected Department of Administration
 Program Category Affected Due Process
 BRU, Program, or Subprogram(s) Affected Public Defender Agency
 (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 | | | 290.2 | | | |
| 200 TRAVEL | | | 20.0 | | | |
| 300 CONTRACTUAL | | | 50.8 | | | |
| 400 COMMODITIES | | | 6.0 | | | |
| 500 EQUIPMENT | | | 8.5 | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | -0- | 375.5 | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|-----|-------|--|--|--|
| GENERAL FUND | | -0- | 375.5 | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

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|-----------|--|--|-----|--|--|--|
| FULL TIME | | | 4.0 | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 This bill, if passed, will cause a substantial number of juvenile cases in this office to be prosecuted as adult felony offenses. The bill would increase the number of adult felony prosecutions for crimes ranging from burglary in the first degree and assault in the third degree to the more serious felonies of manslaughter and sexual assault. All juveniles charged with murder in either degree, regardless of their age, would be prosecuted as adults.
 Since our offices in each judicial district handle these types of cases, an additional attorney for each district would be necessary. While cases in juvenile court are often negotiated or disposed of without formal trial proceedings, adult felony cases require the greatest amount of attorney time of any cases handled by this agency. Since this bill affects a wide range of clients who may have committed any one of 16 felony offenses, an experienced attorney for each (cont.)

IV. DATE April 1, 1982 PREPARED BY Dana Fabe, Public Defender
 AGENCY Public Defender Agency
 Original: Legislative Finance PHONE 279-7541
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Dana Fabe

HB 632 Fiscal Note (continued)

judicial district will be required. These attorneys would work out of the Anchorage, Fairbanks, Nome and Juneau offices, but would handle the additional juvenile cases throughout the state.

Budgetary Breakdown

| | | | | | |
|------------------|-----|-------------|------------|--------------|--------------|
| First District- | 100 | Attorney IV | 64.4 | | |
| | 200 | Travel | 5.0 | | |
| | 300 | Contractual | 12.7 | | |
| | 400 | Supplies | 1.5 | | |
| | 500 | Equipment | <u>2.0</u> | | |
| | | | | Total | 85.6 |
| Second District- | 100 | Attorney IV | 87.6 | | |
| | 200 | Travel | 5.0 | | |
| | 300 | Contractual | 12.7 | | |
| | 400 | Supplies | 1.5 | | |
| | 500 | Equipment | <u>2.5</u> | | |
| | | | | Total | 109.3 |
| Third District | 100 | Attorney IV | 64.4 | | |
| | 200 | Travel | 5.0 | | |
| | 300 | Contractual | 12.7 | | |
| | 400 | Supplies | 1.5 | | |
| | 500 | Equipment | <u>2.0</u> | | |
| | | | | Total | 85.6 |
| Fourth District | 100 | Attorney IV | 73.8 | | |
| | 200 | Travel | 5.0 | | |
| | 300 | Contractual | 12.7 | | |
| | 400 | Supplies | 1.5 | | |
| | 500 | Equipment | <u>2.0</u> | | |
| | | | | Total | 95.0 |
| | | | | Agency Total | <u>375.5</u> |

COMMITTEE REPORT

HOUSE

1/25

(7)

FURTHER:

Alt 179
Zinn
1/29

1/11/82

Date:

Jan. 25, 81

Mr. Speaker:

The Committee on JUDICIARY has had HB 632

"An Act providing for waiver of jurisdiction under AS 47.10 over a minor if there is probable cause for believing that the minor committed a violent crime and the minor is over 16 years of age or that the minor committed murder regardless of the minor's age."

under consideration and ~~(xxxxxx)~~ reports it back with the following recommendations:

- do pass do not pass p. 134
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation NO
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

James Anderson

Patrick O'Connell

Meekins

J. Barnes, ch

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Buchholdt - No Rec.

Freeman No Rec.

Tamara Barnes

CHAIRMAN

12-2037

Lead

Introduced: 1/11/82
Referred: Judiciary

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 632

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for waiver of jurisdiction under
7 AS 47.10 over a minor if there is probable cause for
8 believing that the minor committed a violent crime and
9 the minor is over 16 years of age or that the minor
10 committed murder regardless of the minor's age."

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

12 * Section 1. AS 47.10.060(a) is amended to read:

13 (a) If the court finds at a hearing on a petition that there is
14 probable cause for believing that a minor is delinquent and finds that
15 the minor is not amenable to treatment under this chapter, it shall
16 order the case closed. After a case is closed under this subsection, the
17 minor may be prosecuted as if he were an adult. The court shall order
18 the case closed if it finds at a hearing on a petition that there is
19 probable cause for believing that the minor

20 (1) is delinquent because the minor committed murder in the
21 first degree (AS 11.41.100) or murder in the second degree (AS 11.41.-
22 110); or

23 (2) is over 16 years of age and delinquent because the minor
24 committed

25 (A) manslaughter (AS 11.41.120);

26 (B) criminally negligent homicide (AS 11.41.130);

27 (C) assault in the first degree (AS 11.41.200);

28 (D) assault in the second degree (AS 11.41.210);

29 (E) assault in the third degree (AS 11.41.220);

- 1 (F) kidnapping (AS 11.41.300);
2 (G) sexual assault in the first degree (AS 11.41.410);
3 (H) sexual assault in the second degree (AS 11.41.420);
4 (I) robbery in the first degree (AS 11.41.500);
5 (J) robbery in the second degree (AS 11.41.510);
6 (K) burglary in the first degree (AS 11.46.300);
7 (L) arson in the first degree (AS 11.46.400);
8 (M) escape in the first degree (AS 11.56.300);
9 (N) riot (AS 11.61.100).
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ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND... Session

HOUSE ..BILL..... NO. 632...

By ...ANDERSON.....

"An Act providing for waiver of jurisdiction under AS 47.10 over a minor if there is probable cause for believing that the minor committed a violent crime and the minor is over 16 years of age or that the minor committed murder regardless of the minor's age."

Violent crime, minors

Introduced in the House 1/11, 1982

HISTORY IN THE HOUSE

19 82

JAN. 11

Jan 25

Read first time and referred to Committee on Judiciary

Reported back with recommendation that

*Reconsideration, & do pass
2 yeas - 3 nays*

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

HOUSE

(11)

FURTHER:

3/26/82

Date: 4/16/82

Mr. Speaker: (From Rules to Finance 3/26)

The Committee on FINANCE has had HB 635

"An Act relating to the operation of implements of husbandry upon the highway."

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 635 (T/SP) same title new title

and recommends it do pass

AND attaches a "Letter of Intent" New Fiscal Note (350)

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]
CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

HB 635

I. REQUEST
 Bill/Resolution No. CSHB 635 Re operation of implements of husbandry
 Title upon the highway.
 Requested by House Transportation Date 3/17/82

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

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 35.0 | | | | |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | 35.0 | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

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

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 An estimate of 500 miles of roadway requiring signing was used, with a sign being required each 10 miles, one each side of the road.

500 miles ÷ 10 x 2 = 100 signs - estimated cost installed per sign = \$350
 Total cost = \$35,000

The desire to remove the need for a separate permit for each move, especially when they are in same area each time is understood. Removing the requirement for pilot cars on any move of less than 30 miles would in some cases cause a serious hazard to the traveling public and subject the state to liabilities. Under this bill, an operator of an implement of husbandry could, without pilot cars, move a vehicle down the road which entirely blocked the traveling surface as well as the shoulders. A vehicle traveling in the opposite direction could round a corner and find the entire roadway blocked.

This fiscal note does not attempt to estimate any costs involved with these risks.

IV. DATE 3/19/82 PREPARED BY RON KING
 AGENCY DOTPE
 PHONE 465-3900

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

Original sponsor: Fanning

Offered: 3/24/82
Referred: Rules

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 635 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of implements of
7 husbandry upon the highway."

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

9 * Section 1. AS 28.10.011(1) is amended to read:

10 (1) driven or moved on a highway only for the purpose of
11 crossing the highway from one private property to another [, INCLUDING
12 AN IMPLEMENT OF HUSBANDRY AS DEFINED BY REGULATION];

13 * Sec. 2. AS 28.10.011 is amended by adding a new paragraph to read:

14 (12) an implement of husbandry.

15 * Sec. 3. AS 28.35 is amended by adding a new section to read:

16 Sec. 28.35.046. OPERATION OF OVERSIZED IMPLEMENTS OF HUSBANDRY.

17 (a) The department may require a special permit to drive or move an
18 implement of husbandry upon a highway more than 30 miles in a single
19 movement if the implement exceeds the size limitation for vehicles
20 established by the Department of Transportation and Public Facilities .

21 (b) The owner or operator of an implement of husbandry that exceeds
22 the size limitation for vehicles established by the Department of Trans-
23 portation and Public Facilities shall display flags, signs, or other
24 warning devices on the implement when the implement is driven or moved
25 upon a highway.

26 (c) The Department of Transportation and Public Facilities shall
27 post appropriate signs along each highway located in an agricultural
28 area warning of the possible use of the highway by oversized implements
29 of husbandry.

1 * Sec. 4. AS 28.35.260 is amended by adding a new paragraph to read:

2 (19) "implement of husbandry" means a vehicle designed or
3 adapted and used primarily for agricultural, horticultural or livestock-
4 raising operations and only incidentally moved upon a highway.
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ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

March 23, 1982

MEMORANDUM

TO: Representative Ken Fanning
FROM: Jonathan *Jmf* Sherwood
Research Staff
RE: Research Request 82-88
HB 635 Farm Implement Bill

One of the provisions of the Transportation Committee Substitute for House Bill 635 would permit the operation of implements of husbandry that exceed the State's restriction of vehicle size to travel on the highway for distances of less than thirty miles without obtaining a permit. Gail Thibodeau of your staff requested that we determine what policies other states have regarding the operation of farm implements on highways, and she also requested that we provide information concerning any liability that states might incur as a result of allowing farm implements to travel on the highways. We have contacted highway officials in Idaho, Iowa, Minnesota, North Dakota, and Oregon and obtained information on these states' policies regarding this matter.

All of the states we contacted allow implements of husbandry to travel on the highway without permits in some or most instances. None of the states requires a pilot car for oversized vehicles, and no state posts signs along the highway warning of the possible use of the highway by oversized implements of husbandry. In addition, none of the officials contacted in the five states were aware of any instances where the state had been held liable for accidents resulting from the use of highways by oversized farm implements.

In Idaho, implements of husbandry are allowed to travel on the highway in daylight hours without a permit, provided that a red flag is displayed on the left front of the implement and the orange warning triangle indicating a slow moving vehicle on the back of the implement. Implements of husbandry are not permitted to operate on the highways at speeds greater than 30 miles per hour. Ray Lawer, of the Idaho Highway Permit Section of the Idaho Department of Transportation, was not aware of any instances where Idaho was held liable for accidents involving implements of husbandry on the highway.

Iowa does not require a permit for implements of husbandry to travel on the highway. Implements may not travel at speeds above 30 miles

Representative Fanning
March 23, 1982
Page Two

per hour and must display an orange slow-moving vehicle triangle. Only daylight operation is permitted on state highways.

In Minnesota, implements of husbandry can travel on the highway for distances of up to 50 miles without a permit, provided they display an orange slow-moving vehicle triangle. Implements are also permitted to operate at night if they have proper lights for night operation. According to Gene Ofstead, legislative liason for the Department of Transportation in Minnesota, the state has never had any problems with liability as a result of accidents involving farm implements on the highway, although such accidents are fairly common.

In North Dakota, farm implements may travel on the highway during daylight hours and must display the orange slow-moving vehicle triangle. No permit or pilot vehicle is required. In North Dakota, the state has sovereign immunity, and therefore cannot be held liable for accidents involving farm implements.

Oregon is the only state we contacted that has separate regulations for the movement of farm implements on the Interstate. In Oregon, a permit is required for an implement of husbandry to travel on the Interstate, but permits are not required for other highways unless the implement exceeds the State's vehicle weight limits. Implements of husbandry are required to display the slow-moving vehicle triangle. Farm implements are not required to have pilot vehicles; however, according to Carla Owens, Asst. Permit Supervisor with the Oregon Department of Transportation, many farmers use pilot vehicles anyway.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact us.

JS

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

HB 635

I. REQUEST
 Bill/Resolution No. CSHB 635 Re operation of implements of husbandry
 Title upon the highway.
 Requested by House Transportation Date 3/17/82

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

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 35.0 | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|------|--|--|--|--|
| GENERAL FUND | | 35.0 | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 An estimate of 500 miles of roadway requiring signing was used, with a sign being required each 10 miles, one each side of the road.

$$500 \text{ miles} \div 10 \times 2 = 100 \text{ signs} - \text{estimated cost installed per sign} = \$350$$

$$\text{Total cost} = \$35,000$$

The desire to remove the need for a separate permit for each move, especially when they are in same area each time is understood. Removing the requirement for pilot cars on any move of less than 30 miles would in some cases cause a serious hazard to the traveling public and subject the state to liabilities. Under this bill, an operator of an implement of husbandry could, without pilot cars, move a vehicle down the road which entirely blocked the traveling surface as well as the shoulders. A vehicle traveling in the opposite direction could round a corner and find the entire roadway blocked.

This fiscal note does not attempt to estimate any costs involved with these risks.

IV. DATE 3/19/82 PREPARED BY RON LIND
 AGENCY DOTPE
 PHONE 465-3900

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

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

HB 635

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 635
 Title "An Act relating to the operation of implements of husbandry..."
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Administration of Justice
 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 | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| POSITIONS | -0- | -0- | -0- | -0- | -0- | -0- |

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |
| | -0- | -0- | -0- | -0- | -0- | -0- |

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

No fiscal impact is anticipated.

IV. DATE January 20, 1982 PREPARED BY Francis C. Allan, AST
 AGENCY Department of Public Safety
 Original: Legislative Finance PHONE 269-5691
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Original sponsor: Fanning

Offered: 3/24/82
Referred: Rules

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 635 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of implements of
7 husbandry upon the highway."

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

9 * Section 1. AS 28.10.011(1) is amended to read:

10 (1) driven or moved on a highway only for the purpose of
11 crossing the highway from one private property to another [, INCLUDING
12 AN IMPLEMENT OF HUSBANDRY AS DEFINED BY REGULATION];

13 * Sec. 2. AS 28.10.011 is amended by adding a new paragraph to read:

14 (12) an implement of husbandry.

15 * Sec. 3. AS 28.35 is amended by adding a new section to read:

16 Sec. 28.35.246. OPERATION OF OVERSIZED IMPLEMENTS OF HUSBANDRY.

17 (a) The department may require a special permit to drive or move an
18 implement of husbandry upon a highway more than 30 miles in a single
19 movement if the implement exceeds the size limitation for vehicles
20 established by the Department of Transportation and Public Facilities .

21 (b) The owner or operator of an implement of husbandry that exceeds
22 the size limitation for vehicles established by the Department of Trans-
23 portation and Public Facilities shall display flags, signs, or other
24 warning devices on the implement when the implement is driven or moved
25 upon a highway.

26 (c) The Department of Transportation and Public Facilities shall
27 post appropriate signs along each highway located in an agricultural
28 area warning of the possible use of the highway by oversized implements
29 of husbandry.

1 * Sec. 4. AS 28.35.260 is amended by adding a new paragraph to read:

2 (19) "implement of husbandry" means a vehicle designed or
3 adapted and used primarily for agricultural, horticultural or livestock-
4 raising operations and only incidentally moved upon a highway.
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Introduced: 1/11/82
Referred: Transportation

1 IN THE HOUSE

BY FANNING,

2 HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of implements of
7 husbandry upon the highway."

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

9 * Section 1. AS 28.10.011(1) is amended to read:

10 (1) driven or moved on a highway only for the purpose of
11 crossing the highway from one private property to another [, INCLUDING
12 AN IMPLEMENT OF HUSBANDRY AS DEFINED BY REGULATION];

13 * Sec. 2. AS 28.10.011 is amended by adding a new paragraph to read:

14 (12) an implement of husbandry.

15 * Sec. 3. AS 28.35 is amended by adding a new section to read:

16 Sec. 28.35.246. OPERATION OF OVERSIZED IMPLEMENTS OF HUSBANDRY.
17 (a) The department may require a special permit to drive or move an
18 implement of husbandry upon a highway more than 20 miles in a single
19 movement if the implement exceeds the size limitation for vehicles
20 established by the Department of Transportation and Public Facilities .

21 (b) The owner or operator of an implement of husbandry that
22 exceeds the size limitation for vehicles established by the Department
23 of Transportation and Public Facilities may not be required to display
24 flags, signs or other warning devices on the implement or have the
25 implement preceded or followed by a pilot vehicle when the implement is
26 driven or moved upon a highway not more than one mile.

27 * Sec. 4. AS 28.35.260 is amended by adding a new paragraph to read:

28 (19) "implement of husbandry" means a vehicle designed or
29 adapted and used primarily for agricultural, horticultural or

1 livestock-raising operations and only incidentally moved upon the
2 highway.
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Rec'd 4/19/82
After bill elo HFC

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE
REVENUES

I. REQUEST
Bill/Resolution No. CS HB 637 (Finance)
Title An Act relating to the regulation of the taking, purchase, or sale of
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Public Safety
Program Category Affected Life and Property Protection
BRU, Program, Or Subprogram(s) Affected Driver/Vehicle 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 | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 25.0 | 1.3 | 1.3 | 1.3 | 1.3 | 1.3 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

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

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

Unrestricted Revenue collected from the sale of ID cards deposited into the General Fund.

FY 82 - 5,000 cards @ 5.00 = \$25,000
FY 83 - 250 cards @ 5.00 = 1,250

IV. DATE April 14, 1982 PREPARED BY Bill Brown
AGENCY Public Safety - Motor Vehicles
Original: Legislative Finance PHONE 465-4335
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE
EXPENDITURE

I. REQUEST
Bill/Resolution No. CS HB 637 (Finance)
Title An Act relating to the regulation of the taking, purchase, or sale of
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Public Safety
Program Category Affected Life and Property Protection
BRU, Program, Or Subprogram(s) Affected Driver/Vehicle 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 | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | 3.9 | .2 | .2 | .2 | .3 | .3 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 3.9 | .2 | .2 | .2 | .3 | .3 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 3.9 | .2 | .2 | .2 | .3 | .3 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

Basic assumption of fiscal note is applicants for photographic IDs are required to use existing facilities of the Department.

Fiscal note based on estimate of 50,000 fishermen, of which 10% do not currently have photographic identification. Therefore, 5,000 would have to obtain same. Film for issuance of 5,000 ID cards, at \$.78 each, equals \$3,900.00.

If bill is not effective until FY83, then the \$3,900 would not be required until FY83 instead of FY82.

For FY 83-87, an estimated 250 duplicate or new ID cards will be issued annually.

IV. DATE 4-14-82 PREPARED BY Bill Brown
AGENCY Division of Motor Vehicles
Original: Legislative Finance PHONE Dept of Public Safety 465-4335
cc: Budget and Management
Prime Sponsor (First Legislator Named) *Mike*
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 637 (Fin)
 Title An Act Relating to Limited Entry
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Dept. of Public Safety
 Program Category Affected NRMEC
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | | | | | | |


FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 |

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

IV. DATE 4/12/82 PREPARED BY Colonel Robert J. Stickles
 AGENCY Dept. of Public Safety
 Original: Legislative Finance PHONE 269-5532
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) 
 33-001 (Rev. 12/81)

Rec'd 4/28/82
After bill r.o.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE
FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House bill 637 (Finance)
 Title "An Act relating to limited entry and providing penalties for the taking"
 Requested by Senate Resources Date 4/23/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Labor Standards and Safety

(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 | 1.0 | 0 | 0 | 0 | 0 | 0 |
| 400 COMMODITIES | .2 | 0 | 0 | 0 | 0 | 0 |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 1.2 | 0 | 0 | 0 | 0 | 0 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 1.2 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

Assumes effective date of June 1, 1982.
 Assumes requirement for mass mailing is one-time only.
 Contractual includes printing of 1,600 notices and letters and postage for mailing - \$995.
 Commodities include envelopes and mailing labels - \$195.

IV. DATE 4/23/82 PREPARED BY Nico Bus
 AGENCY Department of Labor
 PHONE 455-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

4/1/82

Date: 4/5/82

(Finance referral added 4/1/82)

Mr. Speaker:

The Committee on FINANCE has had HB 637

"An Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit, interim-use permit, or emergency transfer slip, and an identification card."

under consideration and reports it back as follows:

- [] do pass [] do not pass
[] do pass with attached amendments(s)
[X] replace with CS for HB 637 (FIN) [] same title
[] new title
and recommends do pass
[] AND attaches a "Letter of Intent" [] New Fiscal Note
[] reports it back without recommendation
[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CHAIRMAN

CORRECTION

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

COMMITTEE REPORT
HOUSE

FURTHER:

(11)

11/1/82

Date: 11/1/82

(Business Reference Number 4/1/79)

Mr. Speaker:

The Committee on FINANCE has had CE 517

"An Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit, inter-usage permit, or emergency transfer slip, and an identification card."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HE 651 (F-0) 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**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

CHAIRMAN

Original sponsor: Chuckwuk

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 637 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of the taking,
7 purchase, or sale of certain fishery resources; and
8 providing for an effective date."

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

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

11 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) It is
12 unlawful for an individual while acting as a fish processor or primary
13 fish buyer, or as an agent, director, officer, member, or employee of a
14 fish processor, of a primary fish buyer, or of a cooperative corporation
15 organized under AS 10.15 to intentionally or knowingly purchase raw fish
16 from a seller who does not hold an entry permit or an interim-use permit
17 issued or transferred to the seller in accordance with AS 16.43.

18 (b) An individual who violates (a) of this section is

19 (1) upon a first conviction, guilty of a class B misdemeanor
20 and shall be sentenced to a fine of not less than \$1,000 nor more than
21 \$5,000, and may be sentenced to a definite term of imprisonment of not
22 more than 90 days;

23 (2) upon a second conviction, guilty of a class A misdemeanor
24 and shall be sentenced to a fine of not less than \$5,000 nor more than
25 \$10,000, and may be sentenced to a definite term of imprisonment of not
26 more than one year;

27 (3) upon a third or subsequent conviction, guilty of a
28 class A misdemeanor and shall be sentenced to a fine of not less than
29 \$10,000 nor more than \$25,000, and may be sentenced to a definite term