

LEG. FINANCE - BILLS 1981 - 1982 1673

SB 351 - SB 362

1673

Diana -

copies for the
original bill file,
even though it's
already been
reported out.

Pat

(Bennett's ofc. might
still have the
file)

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

April 15, 1981

MEMORANDUM

TO: Senator Arliss Sturgulewski

FROM: J. M. Hogan, Director
Legislative Finance Division

SUBJECT: SB 351

You have requested additional information pertaining to the history of SB 351. From my personal knowledge, there have been four different employees of the Legislature who have exhausted their leave and been unable to be assisted by fellow employees with any transfer of leave to their account. This occurred in the middle 1970's in Legislative Finance, somewhat later in Legislative Audit, and fairly recently similar circumstances occurred in Legislative Affairs Agency and again in Legislative Finance. The most recent occurrence prompted me on my own initiative to seek an amendment to the Alaska statutes that would allow employees of the Legislature to donate leave to the account of a fellow employee who was absent from work for bonafide medical reasons and had no leave on account.

As "precedent" for this request I used the example of two of the state's larger bargaining units both of which cover employees whose jobs are similar to ours, namely, the General Government Unit Employees Contract, 1980-1982, and the Supervisory Unit Employees Contract, 1980-1982. The provisions for each are somewhat different. General Government employees fill out a leave slip for the amount of leave they wish to donate and indicate the name of the employee to whom they wish the leave donated. The leave is transferred as follows:

"5. The Employer will, for purposes of computation, convert the leave donated to dollars at the hourly rate of the donor. The dollars will then be converted to leave at the hourly rate of the recipient of the donation and the appropriate hours of sick leave will be added to the recipients sick leave account for use as sick leave."

Supervisory unit employees work from what is called a Sick Leave Bank. Employees donate leave to the bank and member employees are allowed to withdraw up to forty days in any one calendar year or a total of 180 days during his or her entire employment with the State. These two units of government workers cover 7,369 State employees.

In 1978 the statutes affecting leave for "officers and employees of the state", which includes legislative employees, were changed. Under the prior system, we had separate annual and sick leave accounts. As a result of the 1978 amendments, sick leave was abolished and by statute we were "entitled" to personal leave. AS 39.20.225(a) and (b), attached, set out the approved use of personal leave. The first use mentioned is: "An officer or employee may take personal leave for medical reasons, regardless of whether business permits. . ." So, the use of personal leave in lieu of sick leave is perfectly consistent with AS 39.20.225. Should not its donation be the same?

One final point--AS 39.20.245 provides these same officers and employees may donate leave to the memorial scholarship revolving loan fund, and that "The Commissioner of Administration shall pay to the account. . .an amount equal to the value of the day or days of personal leave contributed by the officer or employee." This is the same accounting procedure prescribed in the General Government contract and in SB 351. I submit, if it's a proper to donate the cash value of personal leave to the scholarship revolving loan fund, it's proper to donate the cash value of personal leave to another employee's sick leave account.

JHH/pw

Attachments: Statute sections

Sec. 39.20.185. State employees who are members of certain boards. A state official or employee who is a member of the judicial council or a state official or employee appointed by the governor to a state board, commission, or committee established under the authority of law is not entitled to per diem when the meeting or other business takes place in the community of which the member is a resident. (§ 1 ch 139 SLA 1968)

Sec. 39.20.190. Definitions. In AS 39.20.110 — 39.20.170

(1) "employee" or "state employee" means a person employed by a state agency;

(2) "official" or "state official" means the appointive head of a state agency;

(3) "official travel" means travel inside or outside the state on official business of the state, for which payment or reimbursement is expected or authorized;

(4) "per diem allowance" means a daily flat rate of payment instead of actual expenses;

(5) "state agency," "agency," or "department" means department, office, institution, board, commission, bureau, division, or other administrative unit forming the state government;

(6) "subsistence" means lodging, meals, and other necessary expenses incidental to the personal sustenance or comfort of the traveler;

(7) "traveler" means the official or employee engaged in official travel for the state. (§ 3 ch 60 SLA 1957)

Article 3. Leaves of Absence.

Section	Section
200. Computation of personal leave	270. Court leave
210. Determining years of service	280. [Repealed]
220. Requirement that employment be continuous	290. Definition of days of leave
225. Use of personal leave	295. Special regulations on leave period
230. [Repealed]	300. Personal and banked medical leave transfers with officer or employee
240. Accumulation of personal leave	310. Exceptions
245. Donation of personal leave	320. Adoption of regulations
250. Terminal leave	330. Departments to keep leave records
255. Conversion of accrued annual leave to personal leave	340. Leave of absence for reserve or auxiliary members of armed forces
256. Transfer of accrued medical leave	350. Restoration of reserve members to former positions
260. [Repealed]	

Sec. 39.20.200. Computation of personal leave. Officers and employees of the state are entitled to personal leave with pay which accrues as follows:

(1) two days for each full monthly pay period in the case of officers and employees with less than two years of service;

(2) two and one-quarter days for each full monthly pay period in the case of officers and employees with two but less than five years of service;

(3) two and one-half days for each full monthly pay period in the case of officers and employees with five but less than 10 years of service;

(4) three days for each full monthly pay period in the case of officers and employees with 10 years or more service. (§ 11-5-6 a ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 10 ch 148 SLA 1976; am § 1 ch 136 SLA 1978)

Effect of amendments. — The 1976 amendment rewrote this section.

The 1978 amendment rewrote this section.

Cited in *State v. Worden*, 7 Alas. L.J. No. 9, p. 641 (Sept., 1969).

Am. Jur. 2d reference. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 158, 403.

Sec. 39.20.210. Determining years of service. In determining years of service for the purpose of computing personal leave, all service with the Territory and State of Alaska is included. A change in the rate of accrual of personal leave by an officer or employee takes effect upon the beginning of the monthly pay period following the monthly pay period in which the officer or employee completes the prescribed period of service. (§ 11-5-6 b ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 2 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" in the first and second sentences.

Sec. 39.20.220. Requirement that employment be continuous. Notwithstanding AS 39.20.200, an officer or employee is entitled to personal leave only after having been employed currently for a continuous period of 30 days under one or more appointments without break in service. When an officer or employee completes a period of continuous employment of 30 days, an amount of personal leave is credited to him equal to the amount which, but for this section, would have accrued under AS 39.20.200 during the period. (§ 11-5-6 c ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 3 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" and "30 days" for "90 days" in the first and second sentences.

Sec. 39.20.225. Use of personal leave. (a) An officer or employee may take personal leave at any time business permits upon permission by the head of the department or agency for which he works.

(b) An officer or employee may take personal leave for medical reasons, regardless of whether business permits, upon permission by the head of the department or agency for which he works. A

department or agency head shall grant personal leave for medical reasons if he is satisfied that the officer or employee is absent for medical reasons. The taking of personal leave for medical reasons shall be reduced by the amount of wage continuation payments made under the Alaska Workers' Compensation Act (AS 23.30). The following constitute "medical reasons" and are subject to the conditions noted.

(1) Medical disability of an officer or employee is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(2) Medical disability of a member of an officer's or employee's immediate family is a medical reason for taking personal leave if the disability is such that the attendance of the officer or employee is required. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(3) A medical condition of an officer or employee which makes his presence at work a danger to the health of his fellow employees is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the condition if the absence exceeds three consecutive working days.

(4) Pregnancy and childbirth is a medical reason for a female officer or employee to take personal leave. A female officer or employee, otherwise qualified for a leave of absence, is entitled to take a maximum of nine weeks leave immediately preceding and following childbirth. If the officer's or employee's accrued personal leave is insufficient for this purpose, she is entitled to take leave without pay for the balance of the nine-week period.

(5) Death of a member of an officer's or employee's immediate family is a medical reason for taking personal leave. No more than five days of personal leave may be taken for this purpose.

(c) Each officer and employer shall, during each 12-month period, take at least five days of personal leave. If the officer or employee does not take at least five days of personal leave during a 12-month period, the difference between five days and the amount of personal leave he did take shall be cancelled without pay unless his department or agency head certifies in writing that he was denied the opportunity to take five days of personal leave during the 12-month period. (§ 4 ch 136 SLA 1978; am § 60 ch 94 SLA 1980)

Effect of amendment. — The 1980 Compensation Act" in the introductory amendment substituted "Workers' paragraph of subsection (b). Compensation Act" for "Workmen's

Sec. 39.20.230. When annual leave may be taken.

Repealed by § 15 ch 136 SLA 1978.

Cross reference. — For present provisions covering the subject matter of the repealed section, see AS 39.20.225.

Editor's note. — The repealed section derived from § 11-5-6 d. ACLA 1949; § 1, ch. 182, SLA 1957; § 1, ch. 145, SLA 1960.

Sec. 39.20.240. Accumulation of personal leave. Except as provided in AS 39.20.225(c) personal leave which is not taken by an officer or employee during a 12-month period accumulates for use in succeeding 12-month periods. (§ 11-5-6 e ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 1 ch 37 SLA 1967; am § 1 ch 31 SLA 1971; am § 1 ch 151 SLA 1972; am § 5 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment rewrote this section.

Sec. 39.20.245. Donation of personal leave. An officer or employee may donate one or more days of personal leave a year to the memorial scholarship revolving loan fund, or to a scholarship account in the fund, under AS 14.40.810 — 14.40.345. The commissioner of administration shall pay to the account of the memorial scholarship revolving loan fund, or to a scholarship account in the fund, an amount equal to the value of the day or days of personal leave contributed by the officer or employee. (§ 2 ch 33 SLA 1969; am § 23 ch 136 SLA 1974; am § 6 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "An officer or" for "A state" in the first sentence, substituted

"personal leave" for "annual leave" in the first and second sentences, and inserted "officer or" in the second sentence.

Sec. 39.20.250. Terminal leave. (a) Terminal leave for unused personal leave shall be allowed upon separation from service. The payment equals the compensation that the officer or employee would have received if he had remained in the service until the expiration of the period of unused personal leave. A payment of terminal leave to an employee shall be made as a lump sum payment or in installments over a period of time, as the employee elects.

(b) If the officer or employee is re-employed in the state service before the expiration of the period covered by the balance of the unused leave payment, he shall refund to the state an amount equal to the leave payment covering the period between the date of re-employment and the expiration of the unused leave period which has been paid to him. The leave represented by a refund shall be recredited to the officer or employee by the employing department or agency.

(c) The payment authorized by this section is not considered salary or compensation except for purposes of taxation. (§ 11-5-6 f ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 7 ch 136 SLA 1978; am § 1 ch 16 SLA 1979)

Original sponsor: Dankworth

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 321 (Finance)

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 ch. 50, SLA 1980, and transferring
7 among certain appropriations made by that Act; and
8 providing for an effective date."

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

10 * Section 1. (a) Section 286, ch. 50, SLA 1980, page 94, line 20 is
11 amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Anchorage - Roads		
and Projects	<u>7,900,000</u>	<u>7,900,000</u>
	[5,000,000]	[5,000,000]

17 (b) Section 286, ch. 50, SLA 1980, page 55, line 21 (Anchorage carri-
18 age house purchase) is repealed.

19 (c) Section 286, ch. 50, SLA 1980, page 89, line 6 (pilot rail
20 "Buddcar" transportation project) is repealed.

21 * Sec. 2. (a) Section 286, ch. 50, SLA 1980, page 41, line 5 is
22 amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
EDA Skill Center Shop		
Building	<u>1,370,000</u>	<u>770,000</u>
	[1,400,000]	[800,000]

28 (b) Section 286, ch. 50, SLA 1980, page 41, lines 9 and 10 are amended
29 to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND
Skill Center			
Programs		<u>590,000</u>	<u>590,000</u>
		[560,000]	[560,000]
Oil Rig Encls-			
Sore-Seward	<u>290,000</u>		
	[260,000]		

* Sec. 3. (a) Section 286, ch. 50, SLA 1980, page 43, line 10 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Aniak - Elementary-High		
School Classrooms	<u>4,283,000</u>	<u>4,283,000</u>
	[2,840,000]	[2,840,000]

(b) Section 286, ch. 50, SLA 1980, page 43, line 11 and line 14 (Aniak preschool and White Alice renovation) are repealed.

* Sec. 4. (a) Section 286, ch. 50, SLA 1980, page 97, line 19 (grant to Fairbanks for paving Van Horn east of Cushman) is repealed.

(b) Section 286, ch. 50, SLA 1980, page 92 is amended by adding the following after line 5:

	APPROPRIATION ITEMS	GENERAL FUND
Van Horn paving east of		
Cushman	104,800	104,800

* Sec. 5. (a) Section 286, ch. 50, SLA 1980, page 61, line 20 (grant to Fairbanks for historic trails) is repealed.

(b) Section 286, ch. 50, SLA 1980, page 62 is amended by adding the following after line 6:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Historic Trails	110,000	110,000

* Sec. 6. Section 208, ch. 50, SLA 1980, is amended to read:

Sec. 208. The sum of \$150,000 is appropriated from the general fund [TO THE MUNICIPAL GRANT ACCOUNT] for payment as a grant to the Bristol Bay Borough for a feasibility study and implementation of the utilization of waste heat by the Naknek Electric Association.

* Sec. 7. Section 286, ch. 50, SLA 1980, page 68, line 20 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
<u>Rabbit Creek Fire Hall</u> [Indian-Bird Creek - Fire Engine (ED 7)]	59,000	59,000

* Sec. 8. The appropriation made from the general fund for the rural airport runway improvements in Section 286, ch. 50, SLA 1980, page 80 lines 5, 8, 9, 11, 14 and 16 are amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Kotzebue (ED 21)	<u>275,000</u>	<u>275,000</u>
	[900,000]	[900,000]
Kivalina (ED 21)	<u>50,000</u>	<u>50,000</u>
	[750,000]	[750,000]
Selawik (ED 22)	<u>50,000</u>	<u>50,000</u>
	[950,000]	[950,000]
White Mountain (ED 22)	<u>1,576,000</u>	<u>1,576,000</u>
	[670,000]	[670,000]
Deering (ED 22)	<u>1,396,000</u>	<u>1,396,000</u>

1		[896,000]	[896,000]
2	Buckland (ED 22)	<u>3,230,000</u>	<u>3,230,000</u>
3		[1,670,000]	[1,670,000]

4 * Sec. 9. The sum of \$191,000 is appropriated from the 1972 Airport
5 Construction Fund in sec. 2, ch. 194, SLA 1972 to the Department of Trans-
6 portation and Public Facilities for the airport runway improvement project
7 shortfall in Section 286, ch. 50, SLA 1980, page 80, line 16.

8 * Sec. 10. The sum of \$550,000 is appropriated from the 1968 Airport
9 Construction Fund in sec. 1, ch. 202, SLA 1970 to the Department of Trans-
10 portation and Public Facilities for the airport runway improvement project
11 shortfall in Sec. 286, ch. 50, SLA 1980, page 80, line 16.

12 * Sec. 11. The unexpended and unappropriated part of the appropriation
13 of \$407,000.00 to the Department of Health and Social Services for payment
14 as a grant to the Tanana Chiefs Conference for the hospital residential care
15 program, in sec. 119, page 16 of this Act, lapses into the general fund June
16 30, 1980.

17 * Sec. 12. Section 286, ch. 50, SLA 1980, page 66, line 7 is amended to
18 read:

19	APPROPRIATION	GENERAL	OTHER
20	ITEMS	FUND	FUNDS
21	<u>Line Village photovoltaic</u>		
22	[wind] power system	90,000	90,000

23 * Sec. 13. Section 286, ch. 50, SLA 1980, page 70, line 4 is amended to
24 read:

25	APPROPRIATION	GENERAL
26	ITEMS	FUND
27	<u>Ruby - local roads</u>	
28	<u>improvements - MG</u>	130,000
29	[Chistochina generator] (ED 19)	130,000

1 * Sec. 14. Section 236, ch. 50, SLA 1980, page 96, line 23 is amended to

2 read:

APPROPRIATION

GENERAL

3 ITEMS

FUND

4 Ruby - local road improve-

5 ments - MG

110,000 .

110,000

6 [Galena transportation] (ED 18)

7 * Sec. 15. This Act takes effect immediately in accordance with AS 01.-

8 10.070(c).

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Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 351 (Finance)

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 donations of personal leave; and
7 providing for an effective date."

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

9 * Section 1. AS 39.20.245 is amended by adding a new subsection to read:

10 (b) An employee of the legislature or of a legislative agency may
11 donate accrued personal leave to another state employee. The commis-
12 sioner of administration or other official responsible for employee
13 leave accounts shall debit the donor's personal leave account and
14 credit the donee's personal leave account by converting the donated
15 leave into cash value at the donor's rate of pay and reconvertng the
16 cash value to hours of leave at the donee's rate of pay. Leave donated
17 under this subsection is not leave taken for purposes of AS 39.20.-
18 225(c).

19 * Sec. 2. This Act is retroactive to January 1, 1981.

20 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

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Introduced: 3/31/81
Referred: State Affairs and
Finance

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 351

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 donations of personal leave; and
7 providing for an effective date."

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

9 * Section 1. AS 39.20.245 is amended by adding a new subsection to read:

10 (b) An employee of the legislative finance division or the legis-
11 lative audit division may donate accrued personal leave to another
12 state employee. The commissioner of administration shall debit the
13 donor's personal leave account and credit the donee's personal leave
14 account by converting the donated leave into cash value at the donor's
15 rate of pay and reconverting the cash value to hours of leave at the
16 donee's rate of pay. Leave donated under this subsection is not leave
17 taken for purposes of AS 39.20.225(c).

18 * Sec. 2. This Act is retroactive to January 1, 1981.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

April 1, 1981

MEMORANDUM

TO: Chairmen & Members
Senate Finance Committee

FROM: J. H. Hogan, Director
Legislative Finance Division

SUBJECT: SB 351 - Suggested Amendment

Since both Legislative Finance and Legislative Audit leave accounts are not handled through the accounts of the Department of Administration, I would recommend that on line 12 the phrase "the commissioner of administration" be deleted and in its place substitute the phrase "each agency."

At the time the bill was drafted, Legislative Affairs had not had time to check with the Council chairman to see if language should be included allowing the same donation of personal leave for employees of the Legislative Affairs Agency. You may wish to see if the Council Chairman desires such coverage.

The concept of donating personal leave is based upon the practice provided in several bargaining units affecting various state agencies within the executive branch. (See page 96 from the 1980-82 general government unit employees agreement). Since personal leave is a monetary benefit of an employee, the transfer of this leave from one person to another does not cost the State anything other than the cost of processing the paperwork. The dollar cost of the exchange is born by the donating employee through his or her own loss of leave.

JHH:pw
Attachment

D. The parties recognize that it is desirable from time to time to have a means for employees to assist other employees in time of need. The following shall be the vehicle for that purpose:

1. Each employee wishing to donate annual leave will fill out, date and sign a leave slip showing the amount of annual leave he or she wishes to donate in increments of not less than four (4) hours and deliver said leave slip to APEA.
2. Each leave slip will have written or typed along the bottom, "Leave donated to (employee name)."
3. The Employer will not be responsible for the collection, or any statements made in relation to the collection, of said donations.
4. APEA or their representatives will deliver all leave slips for the employee named as the donee to the Director at one time. Such leave accumulated shall not exceed forty (40) days or as mutually extended by the parties.
5. The Employer will, for purposes of computation, convert the leave donated to dollars at the hourly rate of the donor. The dollars will then be converted to leave at the hourly rate of the recipient of the donation and the appropriate hours of sick leave will be added to the recipient's sick leave account for use as sick leave.
6. Such leave donated will not reduce the mandatory leave usage provided in this Article.

Section 3 - Extended Absence for Disability, Illness or Injury

Upon application by an employee who has ex-



From The
**SENATE
FINANCE COMMITTEE**

4/3/81

Jay Hogan would like
to testify when this
bill comes up.

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 07-21

Mr. Speaker:

The Committee on 1988 has had 1988

under consideration and reports it back as follows:

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

AMENDMENT ¹

OFFERED IN THE HOUSE:

By: Phillips & Beirne

To: _____ HOUSE BILL No. _____

CS SENATE BILL No. 351 (fin) am

PAGE: 1

LINE: 6

Replace all language with text
of proposed finance HCS.

Berr

Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 351 (Finance)

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 terms of members of the Legislativ
7 Council; and providing for an effective date."

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

9 * Section 1. AS 24.20.030(a) is amended to read:

10 (a) Members serve for the duration of the legislature during
11 which they are appointed and, if they are reelected to or their term of
12 office extends into the next succeeding legislature, continue to serve
13 until reappointed or their successors are appointed, except the terms
14 of all members appointed by a president of the senate or a speaker of
15 the house expire if the president or speaker who made the appointments
16 ceases to hold office during the legislature in which the appointment
17 was made. The resulting vacancies shall be filled by appointment by
18 the successor president or speaker.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10
20 070(c).

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COMMITTEE REPORT

HOUSE

1/23/81

FURTHER:

(11)

Date: 1/23/81

Mr. Speaker:

The Committee on EDUCATION has had SSB 351/PH/100

"An Act relating to provisions of personal leave, and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SSB 351/PH/100 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: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 351 (Finance)

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 terms of members of the Legislative
7 Council; and providing for an effective date."

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12 office extends into the next succeeding legislature, continue to serve
13 until reappointed or their successors are appointed, except the terms
14 of all members appointed by a president of the senate or a speaker of
15 the house expire if the president or speaker who made the appointments
16 ceases to hold office during the legislature in which the appointment
17 was made. The resulting vacancies shall be filled by appointment by
18 the successor president or speaker.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.
20 070(c).

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Original sponsor: Finance Committee

Offered: 4/16/81
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

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CS FOR SENATE BILL NO. 351 (Finance) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to donations of personal leave; and
7 providing for an effective date."

8

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

9

* Section 1. AS 39.20.245 is amended by adding a new subsection to read:

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(b) An employee of the legislature or of a legislative agency with

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the approval of the person authorizing their employment may donate

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accrued personal leave to another employee of the legislature or of a

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legislative agency only for use as leave for medical reasons. The

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official responsible for legislative employee accounts shall debit the

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donor's personal leave account and credit the donee's personal leave

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account, for medical reasons only, by converting the donated leave into

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cash value at the donor's rate of pay and reconverting the cash value to

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hours of leave at the donee's rate of pay. Leave donated under this

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subsection is not leave taken by the donor for purposes of AS 39.20.-

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225(c).

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* Sec. 2. This Act is retroactive to January 1, 1981.

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* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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Alaska State Legislature

JUNEAU ALASKA

June 19, 1981

TO: House Finance Members
FROM: Representative Mike Beirne *MB*
REGARDING: Senate Bill 351

Due to the recent change in the House Leadership, it has become necessary to make some statutory revisions so as to complete the transferring of power. The attached CS for Senate Bill 351 accomplishes this change by adding some new language to the statutes which relate to "Term of Membership" on the Legislative Council.

This bill would allow new members to be appointed to the Council if and when a new Speaker of the House or President of the Senate is elected, thereby ensuring that Legislative Council reflects the will of the majority.

Leg Council Bill

Attached is a copy of Senate Bill 351, which is probably the best way of resolving the situation. I checked with Senator Dankworth's office and was told that we could gut the bill since they weren't really pushing it. I've gone ahead and requested a CS for House Finance. (copy attached)

Assuming we take this course of action, someone needs to get together with Al Adams and see if it can't be scheduled for Finance tomorrow. The question then becomes whether the Senate will concur with the amended version? Either the whole caucus or whomever needs to talk with the Senate leadership and make sure there are no problems. I did talk with Senator Ferguson and he was already aware of the situation. He told me that SB 351 is probably the best way to go.

There are of course other options available. I checked with House Rules and there really aren't any Senate Bills we can use without creating some problems. Another option is using a House bill in the Rules committee. While this may be easier, it doesn't address the urgency of the situation. Any House bill going over would have to go through all the committees thereby giving the opposition plenty of time to screw things up.

Chapter 20. Agencies of the Legislature.

Article

1. Legislative Council (§§ 24.20.010 — 24.20.140)
2. Legislative Budget and Audit Committee (§§ 24.20.151 — 24.20.311)
3. Administrative Regulation Review Committee (§§ 24.20.400 — 24.20.460)
4. Legislative Board of Retirement Benefits (§§ 24.20.500 — 24.20.570)

Article 1. Legislative Council.

Section

10. Legislative council established
20. Membership
30. Term of membership
40. Vacancies
50. Executive director and staff
60. Powers
65. Examination of regulations and opinions
70. Revision of statutes

Section

75. Code Revision Commission
80. Intergovernmental cooperation
90. Assignment of projects
100. Requests for service
110. Meetings
120. Reports
130. Budgets
140. Appropriations

Sec. 24.20.010. Legislative council established. The Alaska Legislative Council is established as a permanent interim committee and service agency of the legislature. The establishment of the council recognizes the need of the legislature for full-time technical assistance in accomplishing the research, reporting, bill drafting, and examination and revision of statutes, and general administrative services essential to the development of sound legislation in the public interest. (§ 1 ch 17 SLA 1960)

Am. Jur., ALR and C.J.S. references. — 49 *Am. Jur.*, States, Territories, and Dependencies, §§ 40 to 44.

Formalities and requisites of the creation of legislative committees, 28 ALR 1154.

Power of legislative body or committee to compel attendance of nonmember as witness, 50 ALR 21; 65 ALR 1518.

81 *C.J.S.*, States, § 42.

Sec. 24.20.020. Membership. The legislative council is composed of the president of the senate and six other senators appointed by him, and the speaker of the house of representatives and six other representatives appointed by him. The membership from each house shall include at least one member from each of the two major political parties. The appointing authority in each house shall make and announce the appointment or reappointment of members of the council within 15 days after the convening of the first regular session of each legislature. (§ 2 ch 17 SLA 1960; am § 57 ch 69 SLA 1970; am § 1 ch 1 SLA 1973; am § 1 ch 1 SLA 1975)

Revisor's note (1972). — The election districts referred to in this section are those in existence before the legislative redistricting ordered by the Alaska

Supreme Court, June 14, 1972. *Egan v. Hammond*, Sup. Ct. Op. No. 815 (File No. 1711), 502 P.2d 856 (1972).

Effect of amendment. — The 1975 amendment substituted the language beginning "the president of the senate" for "five voting members of the senate appointed by the president of the senate and five voting members of the house of representatives appointed by the speaker of the house of representatives" at the end

of the first sentence, deleted the former second sentence, and deleted "voting" preceding "member" in the present second sentence.

Legislative committee report. — For report on ch. 69, SLA 1970 (HB 564), see 1970 House Journal Supplement No. 2, p. 7.

Sec. 24.20.030. Term of membership. (a) Members serve for the duration of the legislature during which they are appointed and, if they are reelected to or their term of office extends into the next succeeding legislature, continue to serve until reappointed or their successors are appointed.

(b) When a member of the council files a declaration of candidacy for an elective office other than that of member of either house of the legislature, and he has not resigned from membership on the council, his council membership terminates on the date of filing. (§ 3 ch 17 SLA 1960; am § 1 ch 11 SLA 1975)

Effect of amendment. — The 1975 amendment added subsection (b).

Sec. 24.20.040. Vacancies. When a vacancy occurs in the statutory or appointive membership of the council the presiding officer of the house incurring the vacancy shall fill the vacancy within 30 days. If the office of the president of the senate or speaker of the house of representatives becomes vacant and a vacancy occurs among the appointed members of the council, the remaining council members from the house incurring the vacancy shall appoint a new member. A legislator appointed to fill a vacancy shall be a member of the same political party as the member vacating the seat, when possible. (§ 4 ch 17 SLA 1960; am § 36 ch 53 SLA 1973; am § 2 ch 11 SLA 1975)

Effect of amendment. — The 1975 amendment inserted "statutory or" in the first sentence.

Legislative committee report. — For report on ch. 53, SLA 1973 (CSHB 382), see 1973 House Journal, pp. 793, 885.

Sec. 24.20.050. Executive director and staff. The council hires an executive director and determines his salary. The executive director shall serve as the executive officer for the council in the accomplishment of its functions through the Legislative Affairs Agency. He serves at the direction and at the pleasure of the council. He is authorized to employ and determine the compensation of the members of the professional and clerical staffs of the agency within the limitation of the budget approved by the council. The executive director and the members of the professional staff shall maintain the integrity of the council's functions and services on behalf of the legislative branch by refraining

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Original sponsor: Finance Committee

Offered: 4/16/81
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

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CS FOR SENATE BILL NO. 351 (Finance) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to donations of personal leave; and
7 providing for an effective date."

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

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* Section 1. AS 39.20.245 is amended by adding a new subsection to read:

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(b) An employee of the legislature or of a legislative agency with
the approval of the person authorizing their employment may donate
accrued personal leave to another employee of the legislature or of a
legislative agency only for use as leave for medical reasons. The
official responsible for legislative employee accounts shall debit the
donor's personal leave account and credit the donee's personal leave
account, for medical reasons only, by converting the donated leave into
cash value at the donor's rate of pay and reconverting the cash value to
hours of leave at the donee's rate of pay. Leave donated under this
subsection is not leave taken by the donor for purposes of AS 39.20.-
225(c).

21

* Sec. 2. This Act is retroactive to January 1, 1981.

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* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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Original sponsor: Finance Committee

1 IN THE SENATE BY THE FINANCE COMMITTEE
 2 HOUSE CS FOR CS FOR SENATE BILL NO. 351 (Finance)
 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 terms of members of the Legislative
 7 Council; and providing for an effective date."

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

9 * Section 1. AS 24.20.030(a) is amended to read:

10 (a) Members serve for the duration of the legislature during
 11 which they are appointed and, if they are reelected to or their term of
 12 office extends into the next succeeding legislature, continue to serve
 13 until reappointed or their successors are appointed, except the terms
 14 of all members appointed by a president of the senate or speaker of
 15 the house expire if the president or speaker who made the appointments
 16 ceases to hold office during the legislature in which the appointment
 17 was made. The resulting vacancies shall be filled by appointment by
 18 the successor president or speaker.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.
 20 070(c).

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STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

April 15, 1981

MEMORANDUM

TO: Senator Arliss Sturgulewski

FROM: J. A. Hogan, Director
Legislative Finance Division

SUBJECT: SB 351

You have requested additional information pertaining to the history of SB 351. From my personal knowledge, there have been four different employees of the Legislature who have exhausted their leave and been unable to be assisted by fellow employees with any transfer of leave to their account. This occurred in the middle 1970's in Legislative Finance, somewhat later in Legislative Audit, and fairly recently similar circumstances occurred in Legislative Affairs Agency and again in Legislative Finance. The most recent occurrence prompted me on my own initiative to seek an amendment to the Alaska statutes that would allow employees of the Legislature to donate leave to the account of a fellow employee who was absent from work for bonafide medical reasons and had no leave on account.

As "precedent" for this request I used the example of two of the state's larger bargaining units both of which cover employees whose jobs are similar to ours, namely, the General Government Unit Employees Contract, 1980-1982, and the Supervisory Unit Employees Contract, 1980-1982. The provisions for each are somewhat different. General Government employees fill out a leave slip for the amount of leave they wish to donate and indicate the name of the employee to whom they wish the leave donated. The leave is transferred as follows:

"5. The Employer will, for purposes of computation, convert the leave donated to dollars at the hourly rate of the donor. The dollars will then be converted to leave at the hourly rate of the recipient of the donation and the appropriate hours of sick leave will be added to the recipients sick leave account for use as sick leave."

Supervisory unit employees work from what is called a Sick Leave Bank. Employees donate leave to the bank and member employees are allowed to withdraw up to forty days in any one calendar year or a total of 180 days during his or her entire employment with the State. These two units of government workers cover 7,369 State employees.

In 1978 the statutes affecting leave for "officers and employees of the state", which includes legislative employees, were changed. Under the prior system, we had separate annual and sick leave accounts. As a result of the 1978 amendments, sick leave was abolished and by statute we were "entitled" to personal leave. AS 39.20.225(a) and (b), attached, set out the approved use of personal leave. The first use mentioned is: "An officer or employee may take personal leave for medical reasons, regardless of whether business permits. . ." So, the use of personal leave in lieu of sick leave is perfectly consistent with AS 39.20.225. Should not its donation be the same?

One final point--AS 39.20.245 provides these same officers and employees may donate leave to the memorial scholarship revolving loan fund, and that "The Commissioner of Administration shall pay to the account . . . an amount equal to the value of the day or days of personal leave contributed by the officer or employee." This is the same accounting procedure prescribed in the General Government contract and in SB 351. I submit, if it's a proper to donate the cash value of personal leave to the scholarship revolving loan fund, it's proper to donate the cash value of personal leave to another employee's sick leave account.

JHH/pw

Attachments: Statute sections

Sec. 39.20.185. State employees who are members of certain boards. A state official or employee who is a member of the judicial council or a state official or employee appointed by the governor to a state board, commission, or committee established under the authority of law is not entitled to per diem when the meeting or other business takes place in the community of which the member is a resident. (§ 1 ch 139 SLA 1968)

Sec. 39.20.190. Definitions. In AS 39.20.110 — 39.20.170

- (1) "employee" or "state employee" means a person employed by a state agency;
- (2) "official" or "state official" means the appointive head of a state agency;
- (3) "official travel" means travel inside or outside the state on official business of the state, for which payment or reimbursement is expected or authorized;
- (4) "per diem allowance" means a daily flat rate of payment instead of actual expenses;
- (5) "state agency," "agency," or "department" means department, office, institution, board, commission, bureau, division, or other administrative unit forming the state government;
- (6) "subsistence" means lodging, meals, and other necessary expenses incidental to the personal sustenance or comfort of the traveler;
- (7) "traveler" means the official or employee engaged in official travel for the state. (§ 3 ch 60 SLA 1957)

Article 3. Leaves of Absence.

Section	Section
200. Computation of personal leave	270. Court leave
210. Determining years of service	280. [Repealed]
220. Requirement that employment be continuous	290. Definition of days of leave
225. Use of personal leave	295. Special regulations on leave period
230. [Repealed]	300. Personal and banked medical leave transfers with officer or employee
240. Accumulation of personal leave	310. Exceptions
245. Donation of personal leave	320. Adoption of regulations
250. Terminal leave	330. Departments to keep leave records
255. Conversion of accrued annual leave to personal leave	340. Leave of absence for reserve or auxiliary members of armed forces
256. Transfer of accrued medical leave	350. Restoration of reserve members to former positions
260. [Repealed]	

Sec. 39.20.200. Computation of personal leave. Officers and employees of the state are entitled to personal leave with pay which accrues as follows:

- (1) two days for each full monthly pay period in the case of officers and employees with less than two years of service;

(2) two and one-quarter days for each full monthly pay period in the case of officers and employees with two but less than five years of service;

(3) two and one-half days for each full monthly pay period in the case of officers and employees with five but less than 10 years of service;

(4) three days for each full monthly pay period in the case of officers and employees with 10 years or more service. (§ 11-5-6 a ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 10 ch 148 SLA 1976; am § 1 ch 136 SLA 1978)

Effect of amendments. — The 1976 amendment rewrote this section.

The 1978 amendment rewrote this section.

Cited in *State v. Worden*, 7 Alas. L.J. No. 9, p. 641 (Sept., 1969).

Am. Jur. 2d reference. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 158, 403.

Sec. 39.20.210. Determining years of service. In determining years of service for the purpose of computing personal leave, all service with the Territory and State of Alaska is included. A change in the rate of accrual of personal leave by an officer or employee takes effect upon the beginning of the monthly pay period following the monthly pay period in which the officer or employee completes the prescribed period of service. (§ 11-5-6 b ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 2 ch 135 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" in the first and second sentences.

Sec. 39.20.220. Requirement that employment be continuous. Notwithstanding AS 39.20.200, an officer or employee is entitled to personal leave only after having been employed currently for a continuous period of 30 days under one or more appointments without break in service. When an officer or employee completes a period of continuous employment of 30 days, an amount of personal leave is credited to him equal to the amount which, but for this section, would have accrued under AS 39.20.200 during the period. (§ 11-5-6 c ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 3 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" and "30 days" for "90 days" in the first and second sentences.

Sec. 39.20.225. Use of personal leave. (a) An officer or employee may take personal leave at any time business permits upon permission by the head of the department or agency for which he works.

(b) An officer or employee may take personal leave for medical reasons, regardless of whether business permits, upon permission by the head of the department or agency for which he works. A

department or agency head shall grant personal leave for medical reasons if he is satisfied that the officer or employee is absent for medical reasons. The taking of personal leave for medical reasons shall be reduced by the amount of wage continuation payments made under the Alaska Workers' Compensation Act (AS 23.30). The following constitute "medical reasons" and are subject to the conditions noted.

(1) Medical disability of an officer or employee is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(2) Medical disability of a member of an officer's or employee's immediate family is a medical reason for taking personal leave if the disability is such that the attendance of the officer or employee is required. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(3) A medical condition of an officer or employee which makes his presence at work a danger to the health of his fellow employees is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the condition if the absence exceeds three consecutive working days.

(4) Pregnancy and childbirth is a medical reason for a female officer or employee to take personal leave. A female officer or employee, otherwise qualified for a leave of absence, is entitled to take a maximum of nine weeks leave immediately preceding and following childbirth. If the officer's or employee's accrued personal leave is insufficient for this purpose, she is entitled to take leave without pay for the balance of the nine-week period.

(5) Death of a member of an officer's or employee's immediate family is a medical reason for taking personal leave. No more than five days of personal leave may be taken for this purpose.

(c) Each officer and employee shall, during each 12-month period, take at least five days of personal leave. If the officer or employee does not take at least five days of personal leave during a 12-month period, the difference between five days and the amount of personal leave he did take shall be cancelled without pay unless his department or agency head certifies in writing that he was denied the opportunity to take five days of personal leave during the 12-month period. (§ 4 ch 136 SLA 1978; am § 60 ch 94 SLA 1980)

Effect of amendment. — The 1980 amendment substituted "Workers' Compensation Act" for "Workmen's Compensation Act" in the introductory paragraph of subsection (b).

Sec. 39.20.230. When annual leave may be taken.

Repealed by § 15 ch 136 SLA 1978.

Cross reference. — For present provisions covering the subject matter of the repealed section. see AS 39.20.225.

Editor's note. — The repealed section derived from: § 11-5-6 e ACLA 1949; § 1 ch. 182 SLA 1957; § 1 ch. 145 SLA 1960.

Sec. 39.20.240. Accumulation of personal leave. Except as provided in AS 39.20.225(c) personal leave which is not taken by an officer or employee during a 12-month period accumulates for use in succeeding 12-month periods. (§ 11-5-6 e ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 1 ch 37 SLA 1967; am § 1 ch 31 SLA 1971; am § 1 ch 151 SLA 1972; am § 5 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment rewrote this section.

Sec. 39.20.245. Donation of personal leave. An officer or employee may donate one or more days of personal leave a year to the memorial scholarship revolving loan fund, or to a scholarship account in the fund, under AS 14.40.810 — 14.40.845. The commissioner of administration shall pay to the account of the memorial scholarship revolving loan fund, or to a scholarship account in the fund, an amount equal to the value of the day or days of personal leave contributed by the officer or employee. (§ 2 ch 33 SLA 1969; am § 23 ch 136 SLA 1974; am § 6 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "An officer or" for "A state" in the first sentence, substituted

"personal leave" for "annual leave" in the first and second sentences, and inserted "officer or" in the second sentence.

Sec. 39.20.250. Terminal leave. (a) Terminal leave for unused personal leave shall be allowed upon separation from service. The payment equals the compensation that the officer or employee would have received if he had remained in the service until the expiration of the period of unused personal leave. A payment of terminal leave to an employee shall be made as a lump sum payment or in installments over a period of time, as the employee elects.

(b) If the officer or employee is re-employed in the state service before the expiration of the period covered by the balance of the unused leave payment, he shall refund to the state an amount equal to the leave payment covering the period between the date of re-employment and the expiration of the unused leave period which has been paid to him. The leave represented by a refund shall be reccredited to the officer or employee by the employing department or agency.

(c) The payment authorized by this section is not considered salary or compensation except for purposes of taxation. (§ 11-5-6 f ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 7 ch 136 SLA 1978; am § 1 ch 16 SLA 1979)

Introduced: 3/31/81
Referred: State Affairs and
Finance

1 IN THE SENATE

BY FERGUSON AND KERTTULA

2 SENATE BILL NO. 352

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 Department
7 of Public Safety for emergency medical services; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$7,200,000 is appropriated from the general fund
11 to the Department of Public Safety for emergency medical services.

12 * Sec. 2. The unexpended and unobligated portion of the appropriation
13 made by this Act lapses into the general fund June 30, 1983.

14 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.
15 070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature . FIRST Session

SENATE BILL NO. 352.

By FERGUSON

"An Act making a special appropriation to the Department of Public Safety for emergency medical services; and providing for an effective date."

Introduced in the Senate 3/31/19 81

HISTORY IN THE SENATE

19 81 Read first time and referred to Committee on

3 31 STATE AFFAIRS and FINANCE
 Reported back with *La waived -*
TO SEN
 recommendation that

4 27

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
 Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

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 Speaker
 Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

POSITION PAPER

Senate Bill No. 352

"An Act making a special appropriation to the Department of Public Safety for emergency medical services; and providing for an effective date."

SB No. 352 provides \$7,200,000 to the Department of Public Safety for emergency medical services.

The Department notes that many of the items included on the list attached to this bill include fire and police equipment. The Department of Health and Social Services is not in a position to comment on the need for these items.

However, AS 18.08.010 designates the Department of Health and Social Services as being "responsible for the development, implementation, and maintenance of a statewide comprehensive emergency medical services system and, accordingly, shall:

- 1) coordinate public and private agencies engaged in the planning and delivery of emergency medical services to plan an emergency medical services system;
- 2) assist public and private agencies to deliver emergency medical services through the award of grants in aid.

To carry out its responsibility under the law, the Department, through its Emergency Medical Services Section, works closely with Regional EMS Councils, Native Health Corporations, and other agencies involved in emergency medical services systems development throughout the state. Regional EMS Councils are funded through grants from the Department. A State Advisory Council for Emergency Medical Services advises the Commissioner, and a long-range EMS plan for Alaska has been developed. EMS Councils assess EMS needs according to the recommendations of the plan. Furthermore, the State Advisory Council for EMS has recommended that all EMS equipment requests be first endorsed in writing by a physician medical advisor as well as the Regional EMS Council.

Through this process, the Regional EMS Councils have submitted requests totalling \$1,365,000 for operating funds, plus an additional \$1,497,715 for EMS equipment, plus \$140,000 to continue the mini-grant program, which provided \$2,500 to all recognized volunteer ambulance services in the state in FY 81. The total of these requests is \$1,357,715 over the amount approved for EMS grants in the Governor's FY 82 budget request.

The Department of Public Safety received some funding for purchase of ambulances and EMS equipment in FY 81. After purchasing ambulances, two-thirds of these funds were transferred to the Department of Health and Social Services, which has authority to give grants to EMS regions.

The Department of Health and Social Services supports the concept of funding for emergency medical services equipment, but strongly recommends that funding for EMS equipment be consistent with the EMS planning process to ensure that individuals and organizations receiving EMS equipment have the necessary training and facilities to appropriately utilize this equipment.

Recommended by: David Bruce
David Bruce, Deputy Director
Division of Public Health

Date: April 30, 1981

Approved by: Helen D. Beirne
Helen D. Beirne
Commissioner

Date: 5-11-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 352
Title "An Act making a special appropriation to the Dept. of Public Safety for
Requested by Commissioner's Office Date 4/15/81

emergency medical services..."

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
Program Category Affected Division of Public Health
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	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

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

POSITIONS

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

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

IV. DATE 4/15/81 PREPARED BY Mark Johnson

AGENCY Dept. of Health & Social Services

Original: Legislative Finance PHONE 465-3027

cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 4/21/81

Introduced: 3/31/81
Referred: State Affairs and
Finance

1 IN THE SENATE

BY FERGUSON AND KERTTULA

2 SENATE BILL NO. 352

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 Department
7 of Public Safety for emergency medical services; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$7,200,000 is appropriated from the general fund
11 to the Department of Public Safety for emergency medical services.

12 * Sec. 2. The unexpended and unobligated portion of the appropriation
13 made by this Act lapses into the general fund June 30, 1983.

14 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.
15 070(c).

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COMMITTEE REPORT
SENATE

4/10/81

FURTHER: None

Date: _____

Mr. President:

The Committee on FINANCE has had SB 353

advance funding to retire outstanding municipal general obligation bonds for schools

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

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Introduced: 3/31/81
Referred: Community & Regional
Affairs and Finance

1 IN THE SENATE

BY GILMAN, DANKWORTH AND KERTTULA

2 SENATE BILL NO. 353

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing advance funding to retire in due
7 course outstanding municipal general obligation bonds
8 for schools; and providing for an effective date."

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

10 * Section 1. Subject to the availability of appropriations made by law,
11 the commissioner of revenue is authorized to provide advance funding to re-
12 tire in due course the outstanding general obligation bonds issued by muni-
13 cipalities for schools.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).

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COMMITTEE COPY

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

SENATE ... BILL ... NO. 353

By ... GILMAN, DANKWORTH, KERTTULA

"An Act authorizing advance funding to retire; in due course outstanding municipal general obligation bonds for schools; and providing for an effective date."

Introduced in the Senate ... 3/30/81

HISTORY IN THE SENATE

19 81	Read first time and referred to Committee on												
3 31	<i>CRRA - Finance</i>												
4/0	Reported back with <i>CRRA - Finance</i> recommendation that <i>do pass to Fin</i>												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Sent to House												

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

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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Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Returned to Senate												

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Received from House
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

STATE OF ALASKA

JAY S. HANMOND, GOVERNOR

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

POUCH 3
JUNEAU, ALASKA 99811

April 7, 1981

The Honorable Donald E. Gilman
Chairman
Senate Community and Regional
Affairs Committee
Room 203 - Behrends Building
Juneau, Alaska

Dear Senator Gilman:

Re: Senate Bill No. 353 and Senate Bill No. 354

Senate Bill No. 353, an Act authorizing advance funding to retire in due course outstanding municipal general obligation bonds for schools, was introduced in the Senate on March 31, 1981 and was referred to the Senate Community and Regional Affairs and Finance Committees.

Senate Bill No. 354, an Act making special appropriation to the Department of Revenue for the retirement of general obligation school bonds and related expenses, was introduced in the Senate on March 31, 1981 and was referred to the Senate Community and Regional Affairs and Finance Committees.

For the consideration of the Senate Community and Regional Affairs Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Anselm Staack, Treasury Comptroller, Department of Revenue concerning both bills.

Sincerely,

R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Don Bennett
The Honorable M. E. Dankworth
Co-Chairmen
Senate Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Anselm Staack
Treasury Comptroller
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

SB 353, 354

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SENATE BILL NO. 353 & 354

Title Authorizing advance funding and making an appropriation for advance funding to

~~Requested by~~ retire in due course outstanding municipal _____ Date 3/31/81

general obligation bonds for schools.

Requested by Senate Community & Regional Affairs and Finance Committees

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected Revenue Collection and Management

BRU, Program, or Subprogram(s) Affected Treasury Management

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

EXPENDITURES (Thousands of Dollars)

	FY 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 
(Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
(1) Defeasance Savings		(73.6)				
(2) Debt Service Cost Reduction		(44.6)	(50.6)	(51.4)	(45.8)	(30.7)

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

SB 353 gives the Commissioner of Revenue powers to provide for advance funding (defeasance) of outstanding school debt. SB 354 appropriates \$266.4 million to accomplish this (debt outstanding as of 6/1/81) and \$354,000 for related fees.

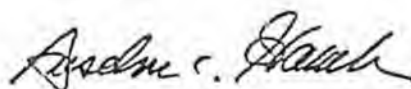
III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Monies to be appropriated in the current FY 82 budget for the current 80% debt service coverage program would have to remain as they are related to debt service already paid and not covered in this bill.

(1) The savings in principal due to investments allowed in escrow set aside.

(2) This is the annual debt service related to the outstanding (6/1/81) in bonds that would be due in the years indicated. The cash flow of the escrow set aside makes these payments as they become due.

THE APPROPRIATION AMOUNT IS BASED ON INTEREST RATES IN EFFECT DURING THE SECOND WEEK OF MARCH 1981. THE ACTUAL AMOUNT FOR DEFEASANCE IS BASED UPON RATES IN EFFECT AT THE TIME THE TRANSACTION CLOSSES. ACCORDINGLY, FOR EACH 10% DROP IN INTEREST RATES THE AMOUNT NECESSARY FOR FULL DEFEASANCE GOES UP APPROX. 6.7%.



IV. DATE April 6, 1981

PREPARED BY Anselm C. Staack, Treasury Comptroller

AGENCY Dept. of Revenue/Treasury Division

Original: Legislative Finance

PHONE 465-2351

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Introduced: 3/31/81
Referred: Community & Regional
Affairs and Finance

1 IN THE SENATE

BY GILMAN, DANKWORTH AND KERTTULA

2 SENATE BILL NO. 353

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing advance funding to retire in due
7 course outstanding municipal general obligation bonds
8 for schools; and providing for an effective date."

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

10 * Section 1. Subject to the availability of appropriations made by law,
11 the commissioner of revenue is authorized to provide advance funding to re-
12 tire in due course the outstanding general obligation bonds issued by muni-
13 cipalities for schools.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).

Introduced: 3/31/81
Referred: Community & Regional
Affairs and Finance

Funding Information
General Fund \$266,411,000
Other Funds -0-
\$266,411,000

BY GILMAN, DANKWORTH,
AND KERTTULA

1 IN THE SENATE

2 SENATE BILL NO. 354

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 Depart-
7 ment of Revenue for the retirement of general obliga-
8 tion school bonds and related expenses; and providing
9 for an effective date."

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

11 * Section 1. The sum of \$266,411,000 is appropriated from the general
12 fund to the Department of Revenue to be allocated among the following muni-
13 cipalities in accordance with the following estimates and upon the determina-
14 tion of the commissioner of revenue of the precise amount needed by each
15 municipality, if satisfactory arrangements have been made to use the money
16 to provide advance funding to retire in due course the municipalities'
17 outstanding general obligation bonds for schools:

18 Municipality	Allocations
19 Municipality of Anchorage	\$67,800,000
20 Bristol Bay Borough	4,000,000
21 City of Cordova	560,000
22 Fairbanks North Star Borough	23,900,000
23 Haines Borough	530,000
24 City and Borough of Juneau	3,220,000
25 Kenai Peninsula Borough	28,000,000
26 Ketchikan Gateway Borough	3,010,000
27 Kodiak Island Borough	14,530,000
28 Matanuska-Susitna Borough	19,720,000
29 City of Nenana	146,000

SB 354

1	North Slope Borough	69,055,000
2	City of Petersburg	2,420,000
3	City and Borough of Sitka	2,930,000
4	City of Skagway	90,000
5	City of Valdez	25,000,000
6	City of Wrangell	1,500,000

7 * Sec. 2. The sum of \$345,000 is appropriated from the general fund to
8 the Department of Revenue for fees and expenses related to the advance
9 funding to retire in due course the municipalities' outstanding general
10 obligation bonds for schools.

11 * Sec. 3. The unexpended part of the appropriation made in sec. 1 of
12 this Act lapses into the general fund only on the retirement in each muni-
13 cipality of the general obligation bonds for schools for which money was
14 allocated to the municipality in sec. 1 of this Act.

15 * Sec. 4. The unexpended and unobligated part of the appropriation made
16 in sec. 2 of this Act lapses into the general fund June 30, 1982.

17 * Sec. 5. This Act takes effect July 1, 1981.

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PHOTOCOPY

LB 354

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

SENATE BILL..... NO. 354...

By ... GILMAN, DANKWORTH, KERTTULA

"An Act making a special appropriation to the Department of Revenue for the retirement of general obligation school bonds and related expenses; and providing for an effective date."

Introduced in the Senate 3/30/19 81

HISTORY IN THE SENATE

19	31	Read first time and referred to Committee on
3	21	<i>C&R - FIN</i>
	50	
	4/10	Reported back with recommendation that <i>do pass</i> <i>to Finance</i>
		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
		Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

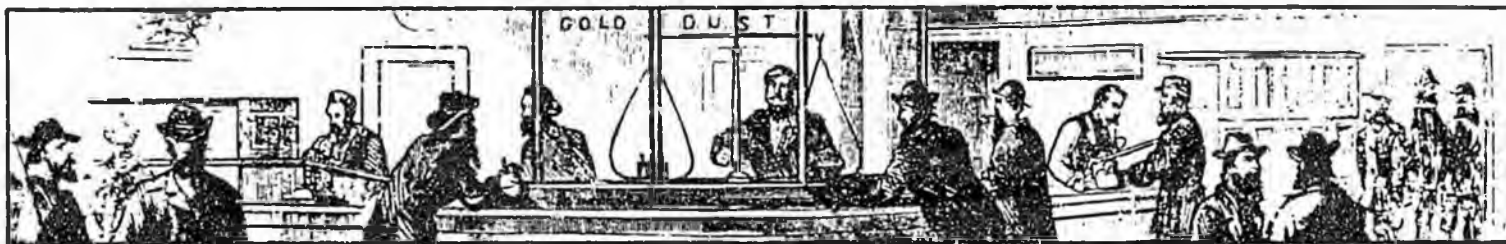
19		Read first time and referred to Committee on
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		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
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		Reported correctly engrossed
		Signed by Speaker
		Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19		Received from House
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

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



THE FISCAL LETTER

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

EDITORS: Nancy Hauswald
Ken Kirkland

Vol. III, No. 2
March 1981

State Debt Management

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

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

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

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

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

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

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

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

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

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

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

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

STATE DEBT: AN OVERVIEW (FY 1979)

	Debt Per Capita	Total Debt Outstanding as a Percentage of Own-Source Revenues	Debt Interest as a Percentage of State Expenditures	Debt Per \$1000 of Personal Income
<u>NEW ENGLAND</u>				
Connecticut	\$1153 (7)	169.8% (3)	8.9% (3)	\$130 (9)
Maine	634 (17)	99.0% (16)	5.2% (15)	101 (15)
Massachusetts	939 (9)	116.1% (11)	6.6% (8)	118 (12)
New Hampshire	833 (13)	187.6% (2)	6.9% (6)	115 (13)
Rhode Island	1268 (6)	160.9% (5)	5.9% (11)	169 (5)
Vermont	1036 (8)	140.7% (8)	5.9% (10)	160 (6)
<u>MIDEAST</u>				
Delaware	\$1469 (4)	134.2% (9)	7.1% (4)	\$172 (4)
Maryland	890 (10)	107.6% (15)	5.5% (14)	106 (14)
New Jersey	734 (15)	115.0% (12)	5.9% (9)	84 (18)
New York	1302 (5)	165.4% (4)	16.2% (1)	158 (7)
Pennsylvania	550 (18)	81.0% (19)	5.5% (12)	71 (20)
<u>GREAT LAKES</u>				
Illinois	\$ 509 (22)	77.9% (20)	4.7% (17)	\$ 57 (27)
Indiana	108 (48)	16.3% (48)	1.2% (44)	14 (48)
Michigan	272 (36)	33.5% (37)	2.6% (29)	32 (38)
Ohio	349 (28)	65.5% (23)	3.9% (23)	44 (32)
Wisconsin	473 (24)	57.2% (26)	3.9% (21)	63 (23)
<u>PLAINS</u>				
Iowa	\$ 128 (46)	19.4% (47)	0.8% (46)	16 (47)
Kansas	194 (41)	31.3% (40)	1.5% (42)	25 (42)
Minnesota	462 (25)	50.5% (28)	4.1% (20)	59 (25)
Missouri	146 (45)	28.9% (42)	1.8% (40)	20 (44)
Nebraska	33 (50)	5.7% (49)	0.3% (50)	4 (40)
North Dakota	199 (39)	24.7% (44)	0.7% (49)	28 (40)
South Dakota	842 (12)	152.3% (6)	4.6% (18)	122 (10)
<u>SOUTHEAST</u>				
Alabama	\$ 279 (35)	47.9% (30)	2.5% (32)	\$ 45 (31)
Arkansas	112 (47)	21.2% (46)	0.8% (47)	19 (46)
Florida	301 (33)	55.1% (27)	3.9% (22)	41 (34)
Georgia	268 (37)	48.8% (49)	2.3% (34)	40 (35)
Kentucky	797 (14)	112.6% (13)	5.4% (13)	122 (11)
Louisiana	656 (16)	89.4% (17)	4.1% (19)	99 (16)
Mississippi	347 (29)	58.2% (25)	3.1% (25)	63 (22)
North Carolina	198 (40)	33.5% (38)	2.2% (35)	30 (39)
South Carolina	542 (19)	95.6% (18)	1.6% (41)	87 (17)
Tennessee	317 (32)	59.6% (24)	3.3% (24)	49 (28)
Virginia	320 (31)	44.7% (33)	2.5% (31)	42 (33)
West Virginia	872 (11)	119.6% (10)	4.7% (16)	133 (8)
<u>SOUTHWEST</u>				
Arizona	39 (49)	5.4% (50)	0.5% (49)	6 (49)
New Mexico	414 (26)	41.3% (34)	2.2% (36)	64 (21)
Oklahoma	522 (21)	76.4% (21)	2.8% (26)	74 (19)
Texas	173 (43)	30.7% (41)	1.9% (39)	23 (43)
<u>ROCKY MOUNTAIN</u>				
Colorado	\$ 154 (44)	22.5% (45)	1.2% (45)	\$ 20 (45)
Idaho	244 (38)	37.1% (36)	2.1% (37)	36 (37)
Montana	187 (42)	28.8% (48)	1.3% (43)	28 (41)
Utah	288 (34)	32.1% (39)	2.0% (38)	46 (30)
Wyoming	480 (23)	47.3% (31)	2.4% (33)	59 (26)
<u>FAR WEST</u>				
California	\$ 338 (30)	40.1% (35)	2.8% (27)	\$ 39 (36)
Nevada	533 (20)	69.5% (22)	2.8% (27)	60 (24)
Oregon	1507 (3)	199.9% (1)	10.4% (2)	193 (3)
Washington	386 (29)	46.6% (32)	2.5% (30)	48 (29)
Alaska	3356 (1)	109.2% (14)	6.9% (5)	309 (1)
Hawaii	1854 (2)	150.6% (7)	6.7% (7)	227 (2)

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

Taxing Nongovernmental Exempt Property

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

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

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

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

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

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

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

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

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

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

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

State Tax Trends

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

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

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

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

Other significant trends in state taxes include the following:

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

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

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

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

Funding Information
 General Fund \$266,411,000
 Other Funds -0-
 \$266,411,000

Introduced: 3/31/81
 Referred: Community & Regional
 Affairs and Finance

1 IN THE SENATE

BY GILMAN, DANKWORTH,
 AND KERTTULA

2 SENATE BILL NO. 354

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 Depart-
 7 ment of Revenue for the retirement of general obliga-
 8 tion school bonds and related expenses; and providing
 9 for an effective date."

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

11 * Section 1. The sum of \$266,411,000 is appropriated from the general
 12 fund to the Department of Revenue to be allocated among the following muni-
 13 cipalities in accordance with the following estimates and upon the determina-
 14 tion of the commissioner of revenue of the precise amount needed by each
 15 municipality, if satisfactory arrangements have been made to use the money
 16 to provide advance funding to retire in due course the municipalities'
 17 outstanding general obligation bonds for schools:

Municipality	Allocations
Municipality of Anchorage	\$67,800,000
Bristol Bay Borough	4,000,000
City of Cordova	560,000
Fairbanks North Star Borough	23,900,000
Haines Borough	530,000
City and Borough of Juneau	3,220,000
Kenai Peninsula Borough	28,000,000
Ketchikan Gateway Borough	3,010,000
Kodiak Island Borough	14,530,000
Matanuska-Susitna Borough	19,720,000
City of Nenana	146,000

1	North Slope Borough	69,055,000
2	City of Petersburg	2,420,000
3	City and Borough of Sitka	2,930,000
4	City of Skagway	90,000
5	City of Valdez	25,000,000
6	City of Wrangell	1,500,000

7 * Sec. 2. The sum of \$345,000 is appropriated from the general fund to
8 the Department of Revenue for fees and expenses related to the advance
9 funding to retire in due course the municipalities' outstanding general
10 obligation bonds for schools.

11 * Sec. 3. The unexpended part of the appropriation made in sec. 1 of
12 this Act lapses into the general fund only on the retirement in each muni-
13 cipality of the general obligation bonds for schools for which money was
14 allocated to the municipality in sec. 1 of this Act.

15 * Sec. 4. The unexpended and unobligated part of the appropriation made
16 in sec. 2 of this Act lapses into the general fund June 30, 1982.

17 * Sec. 5. This Act takes effect July 1, 1981.

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STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

POUCH 5
JUNEAU, ALASKA 99811

April 7, 1981

The Honorable Donald E. Gilman
Chairman
Senate Community and Regional
Affairs Committee
Room 203 - Behrends Building
Juneau, Alaska

Dear Senator Gilman:

Re: Senate Bill No. 353 and Senate Bill No. 354

Senate Bill No. 353, an Act authorizing advance funding to retire in due course outstanding municipal general obligation bonds for schools, was introduced in the Senate on March 31, 1981 and was referred to the Senate Community and Regional Affairs and Finance Committees.

Senate Bill No. 354, an Act making special appropriation to the Department of Revenue for the retirement of general obligation school bonds and related expenses, was introduced in the Senate on March 31, 1981 and was referred to the Senate Community and Regional Affairs and Finance Committees.

For the consideration of the Senate Community and Regional Affairs Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Anselm Staack, Treasury Comptroller, Department of Revenue concerning both bills.

Sincerely,

R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Don Bennett
The Honorable M. E. Dankworth
Co-Chairmen
Senate Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Anselm Staack
Treasury Comptroller
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

SB 353, 354

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SENATE BILL NO. 353 & 354

Title Authorizing advance funding and making an appropriation for advance funding to

Requested by retire in due course outstanding municipal Date 3/31/81

general obligation bonds for schools.

Requested by Senate Community & Regional Affairs and Finance Committees

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected Revenue Collection and Management

BRU, Program, or Subprogram(s) Affected Treasury Management

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

EXPENDITURES (Thousands of Dollars)

	FY 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

→ MILLIONS ←
FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
(1) Defeasance Savings		(73.6)				
(2) Debt Service Cost Reduction		(44.6)	(50.6)	(51.4)	(45.8)	(30.7)

POSITIONS

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

SB 353 gives the Commissioner of Revenue powers to provide for advance funding (defeasance) of outstanding school debt. SB 354 appropriates \$266.4 million to accomplish this (debt outstanding as of 6/1/81) and \$354,000 for related fees.

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

Monies to be appropriated in the current FY 82 budget for the current 80% debt service coverage program would have to remain as they are related to debt service already paid and not covered in this bill.

(1) The savings in principal due to investments allowed in escrow set aside.

(2) This is the annual debt service related to the outstanding (6/1/81) in bonds that would be due in the years indicated. The cash flow of the escrow set aside makes these payments as they become due.

THE APPROPRIATION AMOUNT IS BASED ON INTEREST RATES IN EFFECT DURING THE SECOND WEEK OF MARCH 1981. THE ACTUAL AMOUNT FOR DEFEASANCE IS BASED UPON RATES IN EFFECT AT THE TIME THE TRANSACTION CLOSES. ACCORDINGLY, FOR EACH 10% DROP IN INTEREST RATES THE AMOUNT NECESSARY FOR FULL DEFEASANCE GOES UP APPROX. 6.7%.

Anselm C. Staack

IV. DATE April 6, 1981

PREPARED BY Anselm C. Staack, Treasury Comptroller

AGENCY Dept. of Revenue/Treasury Division

Original: Legislative Finance

PHONE 465-2351

cc: Budget and Management

Prime Sponsor (First Legislator Named)

COMMITTEE REPORT

SENATE

FURTHER: Finance

3/31/81

Date:

4/17/81

Mr. President:

The Committee on STATE AFFAIRS has had SB 362

supplemental appropriation to the Office of the Governor, State Commission for Human Rights

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

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

MEMBERS SIGNING DO PASS

1 Broad Beach

Terry O. Thompson

J. J. Frischauf

1 Calletta

MEMBERS HAVING OTHER RECOMMENDATIONS:

2 [Signature]

1 [Signature]

CHAIRMAN

Funding Information
General Fund \$93,100
Other Funds -0-
\$93,100

Introduced: 3/31/81
Referred: State Affairs and
Finance

1 IN THE SENATE

BY STIMSON, FISCHER AND HOHMAN

2 SENATE BILL NO. 362

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 supplemental appropriation to the
7 Office of the Governor, State Commission for Human
8 Rights for additional operating expenses for the
9 fiscal year ending June 30, 1981; and providing for an
10 effective date."

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

12 * Section 1. The sum of \$93,100 is appropriated from the general fund to
13 the Office of the Governor, State Commission for Human Rights for additional
14 operating expenses for the fiscal year ending June 30, 1981.

15 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

SENATE BILL NO. 362

By STIMSON, FISCHER, HOJMAN

An Act making a supplemental appropriation to the Office of the Governor, State Commission for Human Rights for additional operating expenses for the fiscal year ending June 30, 1981; and providing for an effective date."

Introduced in the Senate 3/31/81

HISTORY IN THE SENATE

19	81	Read first time and referred to Committee on										
3	31	State Affairs and Finance										
4	15	Reported back with recommendation that <i>St. Aff. 4/15 pass, 1 more, to Finance</i>										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Excused	Excused											
		Reconsideration										
		<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											
		Reported correctly engrossed										
		Signed by President										
		Sent to House										

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by Speaker										
		Returned to Senate										

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19		Received from House
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

Funding Information
General Fund \$93,100
Other Funds -0-
\$93,100

Introduced: 3/31/81
Referred: State Affairs and
Finance

1 IN THE SENATE

BY STIMSON, FISCHER AND HOHMAN

2

SENATE BILL NO. 362

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 supplemental appropriation to the
7 Office of the Governor, State Commission for Human
8 Rights for additional operating expenses for the
9 fiscal year ending June 30, 1981; and providing for an
10 effective date."

10

11

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

12

* Section 1. The sum of \$93,100 is appropriated from the general fund to
13 the Office of the Governor, State Commission for Human Rights for additional
14 operating expenses for the fiscal year ending June 30, 1981.

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* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).

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