

LEG. FINANCE - BILLS 1983 - 1984 1837

CSHB 130 - HB 142

1837

Offered: 3/30/83  
Referred: Finance

Original sponsors: Uehling, Barnes,  
Cowdery, et al

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 130 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to homesteads; and providing for an  
7 effective date."

8

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

9

\* Section 1. AS 38 is amended by adding a new chapter to read:

10

CHAPTER 09. HOMESTEAD ACT.

11

Sec. 38.09.010. DESIGNATION OF LAND FOR HOMESTEAD ENTRY. (a)

12

The commissioner shall classify and make available for homestead entry  
13 state land. State land made available for homestead entry under  
14 this chapter shall be distributed throughout the state.

15

(b) The commissioner shall complete a cadastral survey of home-  
16 stead entry land that establishes a control point at the intersection  
17 of each exterior boundary line of the parcel of state land before  
18 designating the state land for homestead entry.

19

(c) Notice of the designation and offering of land for homestead  
20 entry shall be given by the commissioner under AS 38.05.345.

21

(d) Land designated for homestead entry is not subject to a  
22 preference right under AS 38.05.

23

Sec. 38.09.020. HOMESTEAD ENTRY PERMITS. (a) A homestead entry  
24 permit entitles an applicant to enter a designated parcel and to  
25 survey, occupy, and improve the parcel in order to qualify for a  
26 patent under this chapter.

27

(b) An applicant for a homestead entry permit shall stake the  
28 corners of the land entered and shall file with the commissioner a  
29 description of the land entered. A parcel shall be described by

1 aliquot parts or survey and may not be less than 40 acres nor exceed  
2 160 acres.

3 (c) The commissioner shall issue homestead entry permits in  
4 order of application.

5 Sec. 38.09.030. QUALIFICATION FOR HOMESTEAD ENTRY. (a) An  
6 applicant for a homestead entry permit shall

7 (1) submit proof acceptable to the commissioner that the  
8 applicant is at least 18 years of age and has been a resident of the  
9 state for not less than one year immediately before the date of appli-  
10 cation;

11 (2) pay a fee of \$5 per acre according to the description  
12 provided by the applicant;

13 (3) agree to comply with the requirements of AS 38.09.050;

14 (4) certify that the corners of the land entered have been  
15 staked;

16 (5) assume full responsibility for the accuracy of the  
17 description of the land filed with the commissioner under AS 38.09.-  
18 020(b).

19 (b) An applicant may not hold more than one homestead entry  
20 permit at one time and may not receive a patent to more than 160 acres  
21 under this chapter.

22 (c) The homestead entry permit may not be assigned, conveyed, or  
23 in any manner transferred except

24 (1) by testate or intestate succession;

25 (2) to a spouse during marriage; or

26 (3) by order of a court as part of a divorce settlement.

27 Sec. 38.09.040. REVOCATION OF ENTRY PERMITS. (a) A homestead  
28 entry permit may be revoked by the commissioner for any substantial  
29 breach of the permit conditions or the requirements of this chapter,

1 including

2 (1) an assignment, conveyance, or other transfer of the  
3 permit;

4 (2) failure of the permit holder to submit a plat of survey  
5 to the commissioner within two years after the issuance of the permit;

6 (3) failure of the permit holder to erect a dwelling in the  
7 time required under AS 38.09.050(a), except that if the commissioner  
8 finds that the dwelling has been nearly completed and progress toward  
9 completion is being made at the expiration of the time required, the  
10 commissioner may extend the time required for completion for not more  
11 than one year;

12 (4) failure to brush the boundaries of the parcel within 30  
13 days after issuance of the homestead entry permit.

14 (b) Upon revocation of a homestead entry permit, improvements or  
15 personal property upon the parcel shall be managed under AS 38.05.090  
16 and the state land remains available for homestead entry under this  
17 chapter.

18 Sec. 38.09.050. ISSUANCE OF PATENT. (a) The commissioner shall  
19 issue a patent to homestead entry land if the permit holder for that  
20 parcel

21 (1) resides and lives on the homestead entry land for not  
22 less than 25 months within five years after the issuance of the home-  
23 stead entry permit;

24 (2) completes an approved survey of the land within two  
25 years after the issuance of the permit;

26 (3) erects a habitable, permanent dwelling on the homestead  
27 within three years after the issuance of the homestead entry permit;

28 (4) brushes the boundaries of the parcel within 30 days  
29 after the issuance of the permit.

1 (b) Nothing in this chapter prohibits a homestead entry permit  
2 holder from residing in a temporary dwelling on the homestead before  
3 erection of the permanent dwelling.

4 (c) The commissioner may reserve or exclude from a patent  
5 easements or rights-of-way for roads, trails, public access ways,  
6 utility corridors, and transportation facilities.

7 Sec. 38.09.060. LAND WITHIN MUNICIPALITIES. (a) Nothing in  
8 this chapter or AS 29.18.201 - 29.18.213 prevents the commissioner  
9 from designating for homestead entry land that would otherwise be  
10 available for borough or city selection under AS 29.18.201 - 29.18.-  
11 213. Land designated for homestead entry is not available for city or  
12 borough selection.

13 (b) The disposal of homestead entry land is subject to local  
14 platting, recording, or subdivision requirements established under  
15 AS 29.33 and AS 40.15.

16 Sec. 38.09.070. REGULATIONS. The commissioner shall adopt  
17 regulations to implement this chapter.

18 Sec. 38.09.900. DEFINITIONS. In this chapter

19 (1) "commissioner" means the commissioner of natural re-  
20 sources;

21 (2) "habitable dwelling" means a dwelling of a permanent  
22 nature, together with fixtures and facilities, including sanitary  
23 facilities, required by law or customary in the vicinity of the land  
24 made available for homestead entry;

25 (3) "permanent dwelling" does not include a mobile home  
26 unless it is placed on and attached to a permanent foundation;

27 (4) "resident" means an individual who has resided in the  
28 state for at least one year, does not claim residence in another  
29 state, and shows by all attending circumstances an intent to make this

1 state the individual's permanent residence.

2 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-

3 10.070(c).

Offered: 6/15/83  
Referred: Judiciary

Original sponsors: Uehling, Tischer,  
Harnes, et al

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 130 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to homesteads; and providing for an  
7 effective date."

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

9 \* Section 1. AS 38 is amended by adding a new chapter to read:

10 CHAPTER 09. HOMESTEAD ACT.

11 Sec. 38.09.010. DESIGNATION OF LAND FOR HOMESTEAD ENTRY. (a)

12 The commissioner shall designate and make available for homestead  
13 entry state land, including land classified for agricultural use.  
14 State land made available for homestead entry under this chapter shall  
15 be distributed throughout the state.

16 (b) The commissioner shall complete a cadastral survey of home-  
17 stead entry state land before designating the state land for homestead  
18 entry. No portion of land made available for homestead entry may be  
19 located more than a mile from a survey control monument.

20 (c) Notice of the designation and offering of land for homestead  
21 entry shall be given by the commissioner under AS 38.05.345.

22 (d) Land designated for homestead entry is not subject to a  
23 preference right under AS 38.05.

24 (e) The commissioner shall prescribe a homestead entry procedure  
25 for each area designated under (a) of this section. The homestead  
26 entry procedure shall establish

27 (1) the minimum distance between homestead entries in the  
28 area;

29 (2) the dimensions, configuration, orientation or other

1 design requirements for a homestead entry in the area;

2 (3) a description of land within the area that may not be  
3 included in a homestead entry;

4 (4) a requirement that a landmark, monument or other point  
5 be used as a point of reference for the measurement of distances  
6 within an area;

7 (5) a specification of the type of stakes to be used to  
8 mark the corners of a homestead entry;

9 (6) the time within which a homestead entry must be staked.

10 (f) The commissioner shall establish the maximum size of a  
11 homestead entry that may be selected in each area designated under (a)  
12 of this section except that the commissioner may not permit an entry  
13 on more than

14 (1) 160 acres of land classified for agricultural use; or

15 (2) 40 acres of land not classified for agricultural use.

16 (g) The commissioner may limit the number of persons permitted  
17 to stake homestead entries within an area designated under (a) of this  
18 section by a lottery of qualified applicants.

19 Sec. 38.09.020. HOMESTEAD ENTRY PERMITS. (a) A homestead entry  
20 permit entitles an applicant to enter land within an area designated  
21 under AS 38.09.010 and to survey, occupy, and improve the land in  
22 order to qualify for a patent under this chapter.

23 (b) An applicant for a homestead entry permit shall personal-  
24 ly stake the corners and flag the boundaries of the land entered  
25 under this chapter and shall personally file with the commissioner  
26 a description of the land entered. A homestead entry shall be de-  
27 scribed by aliquot parts unless otherwise permitted by the commis-  
28 sioner.

29 Sec. 38.09.030. QUALIFICATION FOR HOMESTEAD ENTRY. (a) An

1 applicant for a homestead entry permit shall

2 (1) submit proof acceptable to the commissioner that the  
3 applicant is at least 18 years of age and has been a resident of the  
4 state for not less than one year immediately before the date of appli-  
5 cation;

6 (2) pay a fee of \$5 per acre according to the description  
7 provided by the applicant;

8 (3) agree to comply with the requirements of AS 38.09.050;

9 (4) certify that the corners of the land entered have been  
10 staked and the boundaries have been flagged;

11 (5) assume full responsibility for the accuracy of the  
12 description of the land filed with the commissioner under AS 38.09.-  
13 020(b).

14 (b) Except as provided in (c) of this section, an applicant may  
15 not hold more than one homestead entry permit at one time and may not  
16 receive a patent to more than one homestead entry in a lifetime.

17 (c) The homestead entry permit may not be assigned, conveyed, or  
18 in any manner transferred except

19 (1) by testate or intestate succession;

20 (2) to a spouse during marriage;

21 (3) by order of a court as part of a divorce settlement;

22 (4) to either a member of the immediate family or a grantee  
23 of the applicant in the case of an extreme emergency or illness which  
24 disables the applicant.

25 Sec. 38.09.040. REVOCATION OF ENTRY PERMITS. (a) A homestead  
26 entry permit may be revoked by the commissioner for any substantial  
27 breach of the permit conditions or the requirements of this chapter,  
28 including

29 (1) an assignment, conveyance, or transfer of the permit

1 not authorized under AS 38.09.030(c);

2 (2) failure of the permit holder to submit a plat of survey  
3 to the commissioner within two years after the issuance of the permit  
4 or under (b) of this section;

5 (3) failure of the permit holder to erect a dwelling in the  
6 time required under AS 38.09.050(a), except that if the commissioner  
7 finds that the dwelling has been nearly completed and progress toward  
8 completion is being made at the expiration of the time required, the  
9 commissioner may extend the time required for completion for not more  
10 than one year;

11 (4) failure to brush the boundaries of the land within 90  
12 days after issuance of the homestead entry permit;

13 (5) failure to clear and either put into production or  
14 prepare for cultivation 25 percent of the land classified for agricul-  
15 tural use within five years after the issuance of the permit.

16 (b) If the commissioner determines that a permit holder has made  
17 a good faith effort to obtain a plat of survey, the commissioner may  
18 extend the time required for completion of the plat of survey for not  
19 more than three years after the issuance of the permit.

20 (c) If a homestead entry permit is revoked under (a) of this  
21 section, improvements or personal property upon the land shall be  
22 managed under AS 38.05.090 and the state land remains available for  
23 homestead entry under this chapter.

24 Sec. 38.09.050. ISSUANCE OF PATENT. (a) The commissioner shall  
25 issue a patent to homestead entry land if the permit holder

26 (1) resides and lives on the homestead entry land for not  
27 less than 25 months within five years after the issuance of the home-  
28 stead entry permit;

29 (2) completes an approved survey of the land within two

1 years after the issuance of the permit or under AS 38.09.040(b);

2 (3) erects a habitable, permanent dwelling on the homestead  
3 within three years after the issuance of the homestead entry permit;

4 (4) brushes the boundaries of the land within 90 days after  
5 the issuance of the permit;

6 (5) clears and either puts into production or prepares for  
7 cultivation 25 percent of the land classified for agricultural use  
8 within five years after issuance of the permit.

9 (b) Nothing in this chapter prohibits a homestead entry permit  
10 holder from residing in a temporary dwelling on the homestead before  
11 erection of the permanent dwelling.

12 (c) The commissioner may reserve or exclude from a patent ease-  
13 ments or rights-of-way for roads, trails, trap lines, public access  
14 ways, utility corridors, and transportation facilities.

15 Sec. 38.09.060. MARKING BOUNDARIES. If it is impractical to  
16 brush the boundaries of a homestead entry, an applicant shall flag the  
17 boundaries.

18 Sec. 38.09.070. PRIORITY OF APPLICATIONS. The commissioner  
19 shall issue a homestead entry permit to the first applicant for land  
20 to comply with AS 38.09.020(b).

21 Sec. 38.09.080. LAND WITHIN MUNICIPALITIES. (a) If a munic-  
22 ipality has filed a selection of state lands under AS 29.18.201 -  
23 29.18.213 with the commissioner, the state lands selected may not be  
24 designated for homestead entry; if the commissioner determines that  
25 land selected by a municipality is not available for patent to the  
26 municipality under AS 29.18.201 - 29.18.213, the state land is avail-  
27 able for designation by the commissioner for homestead entry under  
28 AS 38.09.010.

29 (b) The disposal of homestead entry land is subject to local

1 platting, recording, or subdivision requirements established under  
2 AS 29.33 and AS 40.15.

3 Sec. 38.09.090. PURCHASE. If an applicant complies with the  
4 requirements of AS 38.09.050(a)(2), (4), and (5) and pays to the com-  
5 missioner an amount equal to five percent of the fair market value  
6 within two years of the issuance of an entry permit, an applicant may  
7 purchase the land under AS 38.05.065. The purchase price is the fair  
8 market value of the land at the issuance of the entry permit as de-  
9 termined by the commissioner. A patent for land purchased under this  
10 section and issued under AS 38.09.050 shall provide that within five  
11 years after the date of the patent the land may not be subdivided or  
12 sold, leased, or otherwise conveyed except under AS 38.09.030(c).

13 Sec. 38.09.100. LESSEES OF REMOTE PARCELS. (a) A lessee of a  
14 remote parcel under AS 38.05.077 may elect to obtain title to the  
15 remote parcel under AS 38.09.050. If a lessee of a remote parcel  
16 elects to obtain title under AS 38.09.050, the effective date of this  
17 Act shall be considered the date of the issuance of the homestead  
18 entry permit.

19 (b) Except as provided in (a) of this section, nothing in this  
20 chapter affects the rights and obligations of lessees of remote  
21 parcels under AS 38.05.077.

22 Sec. 38.09.110. REGULATIONS. The commissioner shall adopt  
23 regulations to implement this chapter.

24 Sec. 38.09.900. DEFINITIONS. In this chapter

25 (1) "brush" means to clear a swath along the boundary lines  
26 of a homestead entry so that the boundary lines may be identified from  
27 the ground;

28 (2) "commissioner" means the commissioner of natural re-  
29 sources;

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(3) "habitable dwelling" means a dwelling of a permanent nature, together with fixtures and facilities, including sanitary facilities, required by law or customary in the vicinity of the land made available for homestead entry;

(4) "permanent dwelling" does not include a mobile home unless it is placed on and attached to a permanent foundation;

(5) "resident" means an individual who has resided in the state for one year, does not claim residence in another state, and shows by all attending circumstances an intent to make this state the individual's permanent residence.

\* Sec. .. AS 38.04.020(d)(1) is amended to read:

(1) land suitable for homestead [REMOTE PARCEL] disposal;

\* Sec. 3. AS 38.04.020(e)(1) is amended to read:

(1) for survey and disposal of land proposed to be made available for homestead [REMOTE PARCEL] staking, with the general location of the land;

\* Sec. 4. AS 38.04.020(g)(1) is amended to read:

(1) Land designated as suitable for homestead [REMOTE PARCEL] disposal shall be classified and surveyed under this chapter and AS 38.05 and made available for staking and lease under AS 38.09 [AS 38.05.077].

\* Sec. 5. AS 38.05.057(f) is amended to read:

(f) If only one application for a parcel is received, the commissioner shall offer the parcel to the applicant who applied for the parcel if the applicant is qualified to participate in the lottery. If more than one application is received for a parcel, [OR IF MORE APPLICATIONS ARE RECEIVED FOR THE RIGHT TO SELECT A REMOTE PARCEL OFFERED UNDER AS 38.05.077 THAN THE NUMBER OF REMOTE PARCELS

1 AUTHORIZED,] the commissioner shall select the applicant who is  
2 entitled to receive a conveyance of the land by lottery. If the  
3 commissioner does not receive an application for a parcel of state  
4 land or if a purchaser fails to sign a lease agreement or contract of  
5 sale, the parcel shall be offered to the first eligible person to  
6 apply for the parcel. If the parcel was designated as a homesite and  
7 offered to the public under AS 38.05.047(f), the parcel shall be  
8 disposed of under the terms required by AS 38.08.

9 \* Sec. 6. AS 38.05.067(e) is amended to read:

10 (e) This section does not apply to the sale of state land under  
11 AS 38.04.020(g)(2) and AS 38.09 [, AS 38.05.077, and 38.05.078].

12 \* Sec. 7. AS 38.05.077 and 38.05.078 are repealed.

13 \* Sec. 8. Section 1 of this Act takes effect immediately in accordance  
14 with AS 01.10.070(c).

15 \* Sec. 9. Sections 2 - 7 of this Act take effect July 1, 1984.

Offered: 4/14/83  
Referred: Rules

Original sponsors: Uehling, Barnes,  
Cowdery, et al

1 IN THE HOUSE BY THE FINANCE COMMITTEE  
2 CS FOR HOUSE BILL NO. 130 (Finance) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to homesteads; and providing for an  
7 effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
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10 CHAPTER 09. HOMESTEAD ACT.  
11 Sec. 38.09.010. DESIGNATION OF LAND FOR HOMESTEAD ENTRY. (a)  
12 The commissioner shall classify and make available for homestead entry  
13 state land. State land made available for homestead entry under this  
14 chapter shall be distributed throughout the state.  
15 (b) The commissioner shall complete a cadastral survey of home-  
16 stead entry land that establishes a control point at the intersection  
17 of each exterior boundary line of the parcel of state land before  
18 designating the state land for homestead entry.  
19 (c) Notice of the designation and offering of land for homestead  
20 entry shall be given by the commissioner under AS 38.05.345.  
21 (d) Land designated for homestead entry is not subject to a  
22 preference right under AS 38.05.  
23 Sec. 38.09.020. HOMESTEAD ENTRY PERMITS. (a) A homestead entry  
24 permit entitles an applicant to enter land within a designated parcel  
25 and to survey, occupy, and improve the land in order to qualify for a  
26 patent under this chapter.  
27 (b) An applicant for a homestead entry permit shall stake the  
28 corners and flag the boundaries of the land entered and shall file  
29 with the commissioner a description of the land entered. A homestead

1 entry may not exceed 10 percent of the total acreage of a parcel of  
2 state land made available for disposal after the effective date of  
3 this Act. A homestead entry shall be described by aliquot parts and  
4 may not be less than 2 1/2 acres or greater than 160 acres.

5 Sec. 38.09.030. QUALIFICATION FOR HOMESTEAD ENTRY. (a) An  
6 applicant for a homestead entry permit shall

7 (1) submit proof acceptable to the commissioner that the  
8 applicant is at least 18 years of age and has been a resident of the  
9 state for not less than one year immediately before the date of appli-  
10 cation;

11 (2) pay a fee of \$5 per acre according to the description  
12 provided by the applicant;

13 (3) agree to comply with the requirements of AS 38.09.050;

14 (4) certify that the corners of the land entered have been  
15 staked and the boundaries have been flagged;

16 (5) assume full responsibility for the accuracy of the  
17 description of the land filed with the commissioner under AS 38.09.-  
18 020(b).

19 (b) An applicant may not hold more than one homestead entry  
20 permit at one time and may not receive a patent or patents to more  
21 than 160 acres under this chapter.

22 (c) The homestead entry permit may not be assigned, conveyed, or  
23 in any manner transferred except

24 (1) by testate or intestate succession;

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26 (3) by order of a court as part of a divorce settlement;

27 (4) to either a member of the immediate family or a grantee  
28 of the applicant in the case of an extreme emergency or illness which  
29 disables the applicant.

1           Sec. 38.09.040. REVOCATION OF ENTRY PERMITS. (a) A homestead  
2 entry permit may be revoked by the commissioner for any substantial  
3 breach of the permit conditions or the requirements of this chapter,  
4 including

5           (1) an assignment, conveyance, or other transfer of the  
6 permit;

7           (2) failure of the permit holder to submit a plat of survey  
8 to the commissioner within two years after the issuance of the permit;

9           (3) failure of the permit holder to erect a dwelling in the  
10 time required under AS 38.09.050(a), except that if the commissioner  
11 finds that the dwelling has been nearly completed and progress toward  
12 completion is being made at the expiration of the time required, the  
13 commissioner may extend the time required for completion for not more  
14 than one year;

15           (4) failure to brush the boundaries of the parcel within 90  
16 days after issuance of the homestead entry permit.

17           (b) Upon revocation of a homestead entry permit, improvements or  
18 personal property upon the parcel shall be managed under AS 38.05.090  
19 and the state land remains available for homestead entry under this  
20 chapter.

21           Sec. 38.09.050. ISSUANCE OF PATENT. (a) The commissioner shall  
22 issue a patent to homestead entry land if the permit holder

23           (1) resides and lives on the homestead entry land for not  
24 less than 25 months within five years after the issuance of the home-  
25 stead entry permit;

26           (2) completes an approved survey of the land within two  
27 years after the issuance of the permit;

28           (3) erects a habitable, permanent dwelling on the homestead  
29 within three years after the issuance of the homestead entry permit;

1           (4) brushes the boundaries of the parcel within 90 days  
2 after the issuance of the permit.

3           (b) Nothing in this chapter prohibits a homestead entry permit  
4 holder from residing in a temporary dwelling on the homestead before  
5 erection of the permanent dwelling.

6           (c) The commissioner may reserve or exclude from a patent ease-  
7 ments or rights-of-way for roads, trails, registered trap lines,  
8 public access ways, utility corridors, and transportation facilities.

9           Sec. 38.09.060. MARKING BOUNDARIES. If it is impractical to  
10 brush the boundaries of a homestead entry, an applicant shall flag the  
11 boundaries.

12           Sec. 38.09.070. PRIORITY OF APPLICATIONS. The commissioner  
13 shall issue a homestead entry permit to the first applicant for land  
14 to comply with AS 38.09.020(b).

15           Sec. 38.09.080. LAND WITHIN MUNICIPALITIES. (a) If a munic-  
16 ipality has filed a selection of state lands under AS 29.18.201 -  
17 29.18.213 with the commissioner, the state lands selected may not be  
18 designated for homestead entry; if the commissioner determines that  
19 land selected by a municipality is not available for patent to the  
20 municipality under AS 29.18.201 - 29.18.213, the state land is avail-  
21 able for designation by the commissioner for homestead entry under  
22 AS 38.09.010.

23           (b) The disposal of homestead entry land is subject to local  
24 platting, recording, or subdivision requirements established under  
25 AS 29.33 and AS 40.15.

26           Sec. 38.09.090. REGULATIONS. The commissioner shall adopt  
27 regulations to implement this chapter.

28           Sec. 38.09.900. DEFINITIONS. In this chapter

29           (1) "brush" means to clear a swath along the boundary lines

1 of a homestead entry so that the boundary lines may be identified from  
2 the ground;

3 (2) "commissioner" means the commissioner of natural re-  
4 sources;

5 (3) "habitable dwelling" means a dwelling of a permanent  
6 nature, together with fixtures and facilities, including sanitary  
7 facilities, required by law or customary in the vicinity of the land  
8 made available for homestead entry;

9 (4) "permanent dwelling" does not include a mobile home  
10 unless it is placed on and attached to a permanent foundation;

11 (5) "registered trap lines" means trap lines registered  
12 under law;

13 (6) "resident" means an individual who has resided in the  
14 state for one year, does not claim residence in another state, and  
15 shows by all attending circumstances an intent to make this state the  
16 individual's permanent residence.

17 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
18 10.070(c).

*ed*

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CSHB 130 Date on Bill: 24 March 1983  
Title: An act relating to homesteads  
Sponsor: Uehling  
Requestor: Resources Committee

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital		-0-	-0-	-0-
Operating		-0-	-0-	-0-
TOTAL		-0-	-0-	-0-
			-0-	-0-
b. Revenues:				
Revenue		-0-	-0-	-0-

2. Source of funds to offset fiscal impact of bill:

Existing program budget for land offering program.

3. Assumptions:

Given the anticipated high cost of implementing and administering this program, due to potential difficulties with adjudication and inspection of staking programs, the Department's other land offering programs will be reduced.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Ned Farquhar Phone: 465-2400  
Division: Commissioner's Office Date: 28 March 1983  
Approved by Commissioner: AMS D Arnold, Deputy Date: 28 March 1983  
Department: Natural Resources

5. Distribution:

COMMITTEE REPORT

SENATE

FURTHER:

JUDICIARY  
FINANCE

4/26/83

Date: 6-13-83

Mr. President:

The Committee on RESOURCES has had CS HB 130(Fin) am

Relating to homesteads; eff. date.

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

do pass [ ] do not pass

[ ] do pass with attached amendments(s)

replace with SCS for CS HB 130(Res)  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

3  
Paul Frank  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

2 V. Fisher no rec  
2 Arthur Jurgenski no rec  
2 Bob Mulcahy no rec  
\_\_\_\_\_  
\_\_\_\_\_

1 Tschentz Do Pass  
CHAIRMAN

COMMITTEE REPORT

SENATE

6/15/83

FURTHER: Finance

of

Date: 6/17/83

Mr. President:

The Committee on Judiciary has had CSHB 130(Fin)am  
Relating to homesteads;efd.

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) *rec the Res @ 5*
- ~~replace with SIS for CSHB 130(Res)~~  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

*23*  
*[Signature]*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*1*  
*[Signature]* *no rec.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*1*  
*Bill Ray*  
CHAIRMAN  
*No Rec*



Introduced: 1/28/83  
Referred: State Affairs  
and Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE LEGISLATIVE  
COUNCIL (for the Blue  
Ribbon Commission on the  
State Personnel Act)

1 IN THE HOUSE

2

HOUSE BILL NO. 135

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to court leave for nonpermanent and  
7 temporary employees of the state."

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

9 \* Section 1. AS 39.20.270 is amended to read:

10 Sec. 39.20.270. COURT LEAVE. Notwithstanding AS 39.20.310(7),  
11 court [COURT] leave shall be granted to an employee who is classified  
12 as full time, whether permanent, nonpermanent, or temporary. An  
13 officer or employee called to serve as a juror or subpoenaed as a  
14 witness is entitled to administrative leave with pay, but compensation  
15 received by the employee [HIM] or to which the employee [HE] is en-  
16 titled, whichever is greater, for service as a juror or witness shall  
17 be deducted from pay to which the employee [HE] is entitled as a state  
18 officer or employee.

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

AFC

Revision Date: November 28, 1983

I. REQUEST  
 Bill/Resolution No.: HB135 (SB 83)  
 Title: Court leave for nonperms & temps  
 Sponsor: Rules/Legislative Council  
 Requestor: House State Affairs  
 Date of Request: January 1983

II. FISCAL DETAIL  
 Agency Affected: Personnel  
 Program Category Affected: Cent. Adm. Serv.  
 BRU, Program of Subprogram(s) Affected: Personnel

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Frank Raye *Frank Raye* Phone: 465-4430  
 Division: Personnel Date: ~~November 28, 1983~~ 12/6/83

Approved by Commissioner: Lisa Rudd *Lisa Rudd* Date: 12/20/83  
 Department: ADMINISTRATION

Distribution:

Original to Legislative Finance  
 Copy to Office of Management and Budget (for Legislature introduced bills)  
 Copy to Department (for Governor introduced bills)  
 Copy to Sponsor  
 Copy to Requestor (if different from Sponsor)

9/14/83

OPENING REMARKS FOR HB 135:

HB 135, introduced by the 1983 Blue Ribbon Commission on the State Personnel Act, would allow nonpermanent classified employees of the court system to receive leave with pay when they have jury duty. Nonpermanent classified employees are those who work for less than six months who are not in the partially exempt or exempt categories.

The purpose of the bill is to treat these employees in the same fashion as permanent and temporary court employees when they have jury duty. Currently, only permanent and temporary employees are allowed leave time for jury duty. If HB 135 passes, all court employees will be entitled to take leave for jury duty. However, according to the terms of the statute their compensation for serving on the jury is deducted from their pay check. Therefore, the only leave they get is what is left over after their jury compensation is subtracted.

There is a zero fiscal note on this bill. This is because the current collective bargaining agreement with nonpermanent employees does not provide for leave for jury duty. This was apparently bargained away in return for another contract term.

The statute change would make it clear that nonpermanent court employees are entitled to leave time for jury duty. However, this is subject to the terms of the final collective bargaining agreement and may be bargained away.



JUNEAU, ALASKA

# Alaska State Legislature

BLUE RIBBON COMMISSION ON THE  
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG  
Mail Stop 3123  
Juneau, Alaska 99811  
(907) 465-4442

MEMORANDUM

March 24, 1983

TO: House Finance Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*  
Administrative Assistant

SUBJECT: House Bill 135 - Granting Court Leave to Nonpermanent Employees

The Blue Ribbon Commission received a request that it consider whether nonpermanent employees should receive court leave benefits. Nonpermanent employees are short-term classified service employees. By statute their period of service is limited to 120 calendar days or to the duration of a program or project. Nonpermanent employees are not entitled to receive state leave, health or retirement benefits. Short-term employees in the partially exempt and exempt services are called temporary employees.

Most state employees continue to receive their regular salaries while serving as jurors or when they are subpoenaed to serve as a witness in a court proceeding. In return, the employee gives the state his or her jury service fee (currently \$25 a day) or witness fee. Nonpermanent and temporary employees are not entitled to this benefit. They must take leave without pay since they do not earn annual, sick or personal leave, and their only compensation is the jury service or witness fee provided by the court.

Collective bargaining agreements set out the leave provisions for their members. The statutory leave benefits set out in AS 39.20 do not apply to state employees covered by contracts. AS 39.20.810(8) and (9). Amending the law to permit nonpermanents and temporaries to receive court leave would therefore apply only to short-term employees in the exempt and partially exempt services and to those few classified service nonpermanent employees who are not members of collective bargaining units. Extending leave benefits to unionized employees would remain the subject of possible negotiation between the state and employee representatives.

House Finance Committee  
March 24, 1983  
Page Two

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Jury service is a civic duty. All state employees should be treated equally while meeting this obligation. The Blue Ribbon Commission strongly recommends that the Alaska Statutes be amended to provide that nonpermanent and temporary employees are entitled to receive the same court leave benefits as other state employees.

Bill Analysis

Paragraph (7) of AS 39.20.310 exempts temporary employees from all leave benefits granted to other state employees by statute. The proposed legislation amends the court leave statute to nullify the general exclusion. Temporary and nonpermanent employees would therefore be eligible to receive the court leave benefits provided other state employees.

TBC:lmk

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

HFC

Revision Date: November 28, 1983

I. REQUEST

Bill/Resolution No.: HB135 (SB 83)  
Title: Court leave for nonperms & temps  
Sponsor: Rules/Legislative Council  
Requestor: House State Affairs  
Date of Request: January 1983

II. FISCAL DETAIL

Agency Affected: Personnel  
Program Category Affected: Cent. Adm. Serv.  
BRU, Program of Subprogram(s) Affected: Personnel

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Frank Raye *Frank Raye* Phone: 465-4430  
Division: Personnel Date: November 28, 1983- 12/6/83

Approved by Commissioner: Lisa Rudd *Lisa Rudd* Date: 12/20/83  
Department: ADMINISTRATION

Distribution:

- Original to Legislative Finance
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- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

9/14/83

*ce*

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 135 (SB 83) Date on Bill: January 28, 1983  
Title: An Act relating to court leave for nonpermanent and temporary employees.  
Sponsor: Rules - Legislative Council (for the Blue Ribbon Commission)  
Requestor: House State Affairs

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	-0-	-0-	-0-	-0-

b. Revenues:

Revenue				

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor

Prepared By: Frank Raye *Frank Raye*  
Division: Personnel

Phone: 465-4430  
Date: \_\_\_\_\_

Approved by Commissioner: Lisa Rudd *Lisa Rudd*  
Department: Administration

Date: 3/10/83

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83



Introduced: 1/28/83  
Referred: Health, Education and  
Social Services and Finance

Funding Information

General Fund \$13,100,000  
Other Funds -0-  
\$13,100,000

BY LARSON, DAVIS, DUNCAN,  
FRITZ, FURNACE, KOPONEN,  
MALONE, M.M.MILLER, M.W.MILLER,  
SZYMANSKI AND ZHAROFF

1 IN THE HOUSE

2

HOUSE BILL NO. 137

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the  
7 Department of Education for the retirement of school  
8 construction debts; and providing for an effective  
9 date."

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

11 \* Section 1. The sum of \$13,100,000 is appropriated from the general  
12 fund to the Department of Education for the retirement of school construc-  
13 tion debts in accordance with AS 43.18.100 for the fiscal year ending  
14 June 30, 1983.

15 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
16 10.070(c).

The following individuals are expected to testify on HB 137:

Representative Ron Larson, prime sponsor

Steve Hole, Department of Education

FEB 28 1983



# Matanuska-Susitna Borough

BOX B. PALMER, ALASKA 99645 • PHONE 745-4801

DEPARTMENT OF ADMINISTRATION

February 24, 1983

Mae Tischer, Chairman  
House Committee on Health & Social Services  
Pouch V  
Juneau, AK 99811

RE: HB 137 Supplemental Appropriation for School Debt  
Reimbursement

Dear Ms. Tischer:

I appreciate the opportunity to spend time with you on HB 137 providing for a supplemental appropriation for debt reimbursement. Would you share this letter with the members of your committee.

The Matanuska-Susitna Borough will have a school bond election on April 12, 1983 for a \$20 million bond issue for construction of a new elementary school north and west of Wasilla and for renovation of the Palmer Junior High School, which was constructed in 1954.

We want to tell the voters how much this bond issue will cost them assuming that they have a \$100,000 house, assuming a 10 or 20 year term, assuming present day interest rates, and assuming State reimbursement of school debt principal and interest at 90% as provided in HB 279, passed by the last session of the Legislature.

We believe that the voters are entitled to know how much the State will be paying for construction of schools in organized school districts and how much local taxpayers will be paying. We have always given voters this type of information with the expectation that it could be relied upon and, up until this last year, we have given voters information upon the basis of which they could make an informed choice. We thought we gave the voters reliable information on the last bond issue of about \$15 million, but as it turned out we were pretty far off.

There was a sudden unexpected and unprecedented change in State policy toward school construction for this current fiscal year, which I think was based upon mistaken projections of school debt reimbursement requirements. The effect of this short-funding with respect to the recently incurred \$15 million of school bonded indebtedness is \$605,249 and the effect on previously incurred debt is \$705,820 for a total shortfall of \$1,311,069. The new debt, which will cause an unexpected increase in mill levy of about .6 mills, was funded at approximately 64% instead of the statutory 90%, and the old debt was funded at about 70% instead of the statutory 80%. The total effect of the short-funding on

our mill levy is approximately 1.3 mills since 1 mill raises about one million dollars in this Borough. Our current areawide mill levy is 4.9 so an unexpected 1.3 mill increase due to shortfunding affects our mill levy by about 25%.

I think that we were honest and reasonable in telling the voters what to expect when the last bond issue was put to a vote. I have been familiar with a history of state support for education going back into territorial days. Even though new State programs and other State programs have been phased out or reduced, there has been a consistency of support for education among the territorial legislatures and the State legislatures which I think we can be very proud of. I have seen the number of Anchorage schools increase from four in 1951 to 64 today, with very little double shifting over the years. In this Borough, we are going to have to build an average of about 1.5 schools a year if we are going to continue to see an 800 plus increase in students per year. We don't want to complain about the rapid increase in population in students that we have been experiencing. We want to solve these problems of growth in a responsible and consistent manner and we want to know what the ground rules are. We have not asked for 100% financing of new school buildings, because we are willing to shoulder a portion of the burden ourselves. So we are not asking for special treatment, or, for that matter, even treatment equal to that received by those who obtain 100% financing of new schools. We are asking for consistency and predictability in State school financing and believe that this ought to be a bedrock of State fiscal policy.

So, we do believe that HB 137 is a bill that fiscal conservatives ought to support as a matter of principle. We want to make good on our word because we think property taxpayers are entitled to accurate information.

I hope that the State HESS Committee will report out the bill with a strong and unanimous yes vote. Please let me know if you will have a teleconference on the bill.

Sincerely,

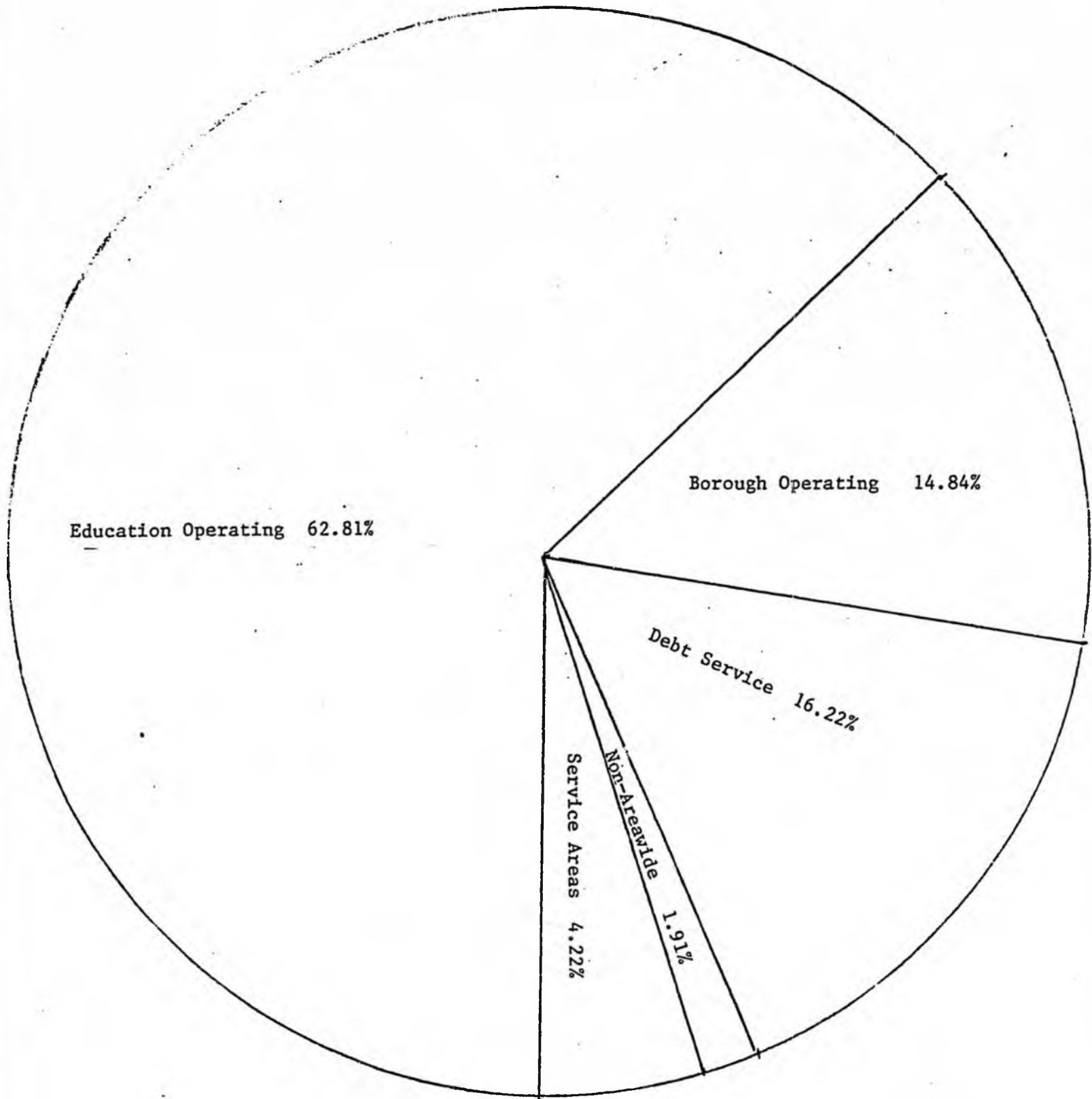


Gary Thurlow  
Borough Manager

GT/clm

BUDGETED EXPENDITURES

FISCAL YEAR 1983



*Alaska*  
MUNICIPAL  
*League*

TELEPHONES  
(907) 586-1325  
586-6526

204 N. FRANKLIN ST.  
JUNEAU, ALASKA 99801

March 2, 1983

to: House HESS Committee  
from: Ginny Chitwood, AML Executive Director G.C.  
re: HB 137 - School Debt Supplemental Funding

The Alaska Municipal League supports HB 137 - Supplemental Appropriation for State Aid for the Retirement of School Construction Debt.

Several years ago the Legislature developed this program to reduce the inequities between the REAA's, where the state pays 100% of school construction costs and the municipal school districts, where the local taxpayers were footing the bill. The original program provided for a 80% reimbursement on a two-year time delay. Over the years, changes have been made, including giving the Department of Education plan approval authority and raising the percentage of reimbursement to 100% for payments on debt issued before July 1, 1977.

Last session, two other changes were made to the program. In order to partially alleviate the cash flow problems in rapidly growing areas that were caused by the two-year time delay in reimbursements, the program was modified last year to phase in a current year reimbursement program, providing for current year reimbursements of payments on debt issued after December 31, 1981. The other change made last year raised the percentage of reimbursement from 80% to 90% on debt issued after July 1, 1977.

The shortfall in FY 83 funding for this program was the result of two factors: incorrect application of tobacco tax receipts to this program and underestimation of the funding requirements for the current year reimbursement program. These problems should not reoccur because the tobacco tax issue has been clarified and the bugs should be worked out implementing the new section of the program.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 30, 1983

SUBJECT: Use of cigarette tax

TO: Representative Albert P. Adams  
Chairman, House Finance Committee

FROM: Billy G. Berrier *BGB*  
Director  
Division of Legal Services

You have asked whether the "school fund" established in AS 43.50.140 to which the proceeds of the cigarette tax imposed by AS 43.50.010 - 43.50.180 are paid may be used for state aid for retirement of school construction debt under AS 43.18.100.

The dedication established in this section would be constitutionally prohibited except it was established prior to statehood and therefore comes under the exception in section 7, Article IX of the constitution.

The prohibition on dedication of funds has been broadly construed by our Supreme Court. It is my opinion that changing the purpose of a dedication defeats the dedication. The Department of Law has taken that position in a series of opinions.

AS 43.50.140 reads:

DISPOSITION OF PROCEEDS. The proceeds derived from the payment of taxes, fees, and penalties, provided for under secs. 10 - 180 of this chapter, and the license fees received by the department shall be paid into a state fund entitled "School Fund," and shall be used exclusively to rehabilitate, construct, and repair the state's school facilities, and for costs of insurance on buildings comprising school facilities during the rehabilitation, construction, and repair, and for the life of the buildings.

Representative Albert P. Adams  
Page 2  
March 30, 1983

In my opinion a change from use of the funds for the purposes set out in the statute to use of the funds for state aid for school debt requirement could not be accomplished in an appropriation bill and if accomplished in separate legislation amending AS 43.50.140 could defeat the dedication.

BGB:ljb  
12/036

# MEMORANDUM

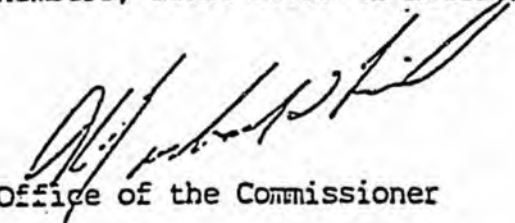
State of Alaska

TO: Members, State Board of Education

DATE: December 30, 1982

FILE NO: 83-89.2

TELEPHONE NO: 465-2800

FROM:   
Office of the Commissioner

SUBJECT: FY 83 Debt Retirement  
Supplemental Request for post  
December 31, 1981 Indebtedness

## ABSTRACT

Funds appropriated by the last legislature are insufficient to cover all claims for reimbursement under AS 43.18.100(a)(4), (current year reimbursement of school construction debt retirement payments).

## ISSUE

Last year the legislature enacted legislation, (Chapter 92, SLA 1982), which provided for reimbursement to municipalities for school construction debt retirement payments in the same year in which they are made, rather than two years after they are made. The appropriation, based on the Alaska Municipal League estimate of FY 83 claims under this new program, was \$13,466.4. Actual claims total \$18,986.4, leaving the account \$5,522.0 short.

## COMMISSIONER'S RECOMMENDATION

It is recommended that the Board concur with this request. *7-6*

# MEMORANDUM

State of Alaska

TO: Members, State Board of Education

DATE: December 30, 1982

FILE NO: 83-89.1

TELEPHONE NO: 465-2800

FROM: Office of the Commissioner

SUBJECT: FY 83 Debt Retirement  
Supplemental Request for pre  
December 31, 1981 Indebtedness

## ABSTRACT

Funds appropriated by the last legislature are insufficient to cover all claims for reimbursement under AS 43.18.100 (school construction debt retirement payments).

## ISSUE

The department requested \$44,103.3 for FY 83 debt retirement reimbursement claims under AS 43.18.100(a)(1)-(3), the two year lag reimbursement program. The legislature appropriated 36,203.3, assuming that that amount, in conjunction with the \$7,000.0 appropriated in the Cigarette Tax category, would comprise a total sufficient to meet all claims. Actual claims for reimbursement for FY 83 total \$43,781.0, and since the Cigarette Tax appropriation must be separate from the debt retirement appropriation, the debt retirement appropriation is \$7,577.7 short.

## BACKGROUND AND/OR PERTINENT INFORMATION

Because Cigarette Tax revenues are dedicated for school rehabilitation and renovation projects, there is a tendency to confuse them with school construction debt service payments reimbursement. However, debt retirement reimbursement is made on the basis of claims for payment, and Cigarette Tax revenues are disbursed on an entitlement basis, e.g., not every city and borough district has bonds eligible for debt retirement reimbursement, but all city and borough districts are entitled to receive Cigarette Tax payments. Therefore, the two appropriations must be distributed separately. Because of this distinction, only the actual appropriation for debt retirement could be used to pay the claims for reimbursement leaving a shortfall of 7,577.7 in that account.

## COMMISSIONER'S RECOMMENDATION

It is recommended that the Board concur with this request. 25

# Alaska MUNICIPAL League

TELEPHONES  
(907) 586-1325  
586-6526

204 N. FRANKLIN ST.  
JUNEAU, ALASKA 99801

April 25, 1983

to: House Finance Committee  
from: Ginny Chitwood  
re: HB 137 - School Debt Supplemental Funding

The Alaska Municipal League supports HB 137 - Supplemental Appropriation for State Aid for the Retirement of School Construction Debt.

Several years ago the Legislature developed this state-aid program to reduce the inequities between REAA's, where the state pays 100% of school construction costs, and the municipal school districts, where the local taxpayers were footing the entire bill. The original program provided for a 50% reimbursement on a two-year time delay and later was changed to 80%. Over the years, other changes have been made, including giving the Department of Education plan approval authority and raising the percentage of reimbursement to 100% for payments on debt issued before July 1, 1977.

Last session, two other changes were made to the program. In order to alleviate cash flow problems that were caused by the two-year time delay in reimbursements, the program was modified to phase in a current year reimbursement program, providing for current year reimbursements of payments on debt issued after December 31, 1981. The other change made last year raised the percentage of reimbursement from 80% to 90% on debt issued after July 1, 1977.

It is our understanding that the Legislature intended to fully fund this entitlement for FY 83. The shortfall was the result of two factors: incorrect application of tobacco tax receipts to this program and underestimation of the funding requirements for the current year reimbursement feature. These problems should not reoccur because the tobacco tax issue has been clarified, and the bugs should be worked out implementing the new section of the program.

# MEMORANDUM

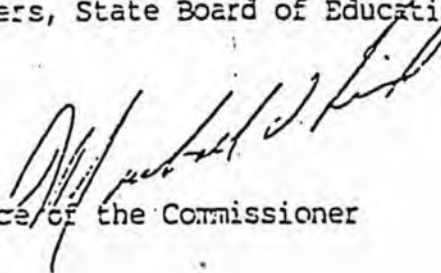
# State of Alaska

TO: Members, State Board of Education

DATE: December 30, 1982

FILE NO: 83-89.1

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Office of the Commissioner

SUBJECT: FY 83 Debt Retirement  
Supplemental Request for pre  
December 31, 1981 Indebtedness

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## COMMISSIONER'S RECOMMENDATION

It is recommended that the Board concur with this request. 25

HB137

# MEMORANDUM

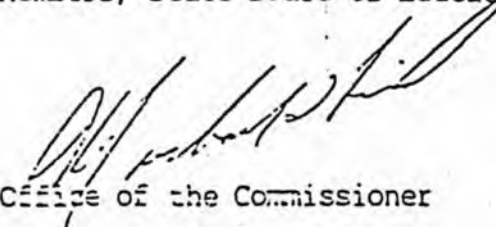
# State of Alaska

TO: Members, State Board of Education

DATE: December 30, 1982

FILE NO: 83-89.2

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FROM:   
Office of the Commissioner

SUBJECT: FY 83 Debt Retirement  
Supplemental Request for post  
December 31, 1981 Indebtedness

## ABSTRACT

Funds appropriated by the last legislature are insufficient to cover all claims for reimbursement under AS 43.18.100(a)(4), (current year reimbursement of school construction debt retirement payments).

## ISSUE

Last year the legislature enacted legislation, (Chapter 92, SLA 1982), which provided for reimbursement to municipalities for school construction debt retirement payments in the same year in which they are made, rather than two years after they are made. The appropriation, based on the Alaska Municipal League estimate of FY 83 claims under this new program, was \$13,466.4. Actual claims total \$18,988.4, leaving the account \$5,522.0 short.

## COMMISSIONER'S RECOMMENDATION

It is recommended that the Board concur with this request.

76

FY-83

HB-137 DISTRIBUTION

	<u>Pre 12-31-81</u>	<u>Post 12-31-81</u>	<u>Total</u>
Anchorage	2,050,317	1,193,412	3,243,729
Bristol Bay	48,050	-0-	48,050
Cordova	17,799	-0-	17,799
Craig	-0-	-0-	-0-
Dillingham	56,046	-0-	56,046
Fairbanks	765,533	837,075	1,602,608
Galena	7,524	-0-	7,524
Haines	13,595	-0-	13,595
Hoonah	-0-	-0-	-0-
Hydaburg	-0-	-0-	-0-
Juneau	115,360	492,411	607,771
Kake	-0-	-0-	-0-
Kenai	962,592	1,244,420	2,207,012
Ketchikan	112,017	-0-	112,017
King Cove	-0-	-0-	-0-
Klawock	-0-	-0-	-0-
Kodiak	79,205	-0-	-0-
Mat-Su	705,820	605,249	1,311,069
Nenana	1,979	-0-	1,979
Nome	4,424	-0-	4,424
North Slope	1,863,579	1,149,461	3,013,040
Pelican	-0-	-0-	-0-
Petersburg	104,312	-0-	104,312
Sand Point	-0-	-0-	-0-
Sitka	127,350	-0-	127,350
Skagway	4,456	-0-	4,456
St. Mary's	-0-	-0-	-0-
Tanana	-0-	-0-	-0-
Unalaska	-0-	-0-	-0-
Valdez	525,363	-0-	525,363
Wrangell	12,341	-0-	12,341
Yakutat	-0-	-0-	-0-
TOTAL	7,577,662	5,522,028	13,099,690

Chapter 92

Expenses	13,466,400	100 000	70 000	Contract		Difference in Thousands
				paid	paid	
Anchorage	4559719	4103747	2910335	2910336	11434	
Fuel	3198250	2878425	2041350		837.1	
Insurance	1881375	1493237	1200826		492.4	
Maintenance	4754612	4279151	3034731	901010	1244.4	
Material	2312500	2081250	1476001	672578	605.2	
Monthly slope	4391798	3952618	2803157		1149.5	
<b>Total</b>	<b>21098254</b>	<b>18988428</b>	<b>13466400</b>	<b>483924</b>		

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STATE OF ALASKA  
DEPARTMENT OF EDUCATION  
STATE AID FOR RETIREMENT OF SCHOOL CONSTRUCTION DEBT  
1982-83

School District	Debt Service at 100% Prior 7-1-77	Debt Service at 90% After 7-1-77	90% of Debt Service	Cash Payments 1980-81	90% of Cash Payment	Debt Service Plus Cash Payment	Less Cig. Tax FY 80-81	Total Entitlement Due	Prorated @82.6919%
Anchorage	10,978,437	1,595,620	1,436,058	319,027	287,124	12,701,619	855,623	11,845,996	9,795,671
Bristol Bay	-0-	320,071	288,064	-0-	-0-	288,064	10,449	277,615	229,561
Cordova	120,528	-0-	-0-	-0-	-0-	120,528	17,693	102,835	85,030
Craig	-0-	-0-	-0-	-0-	-0-	-0-	9,494	-0-	-0-
Dillingham	-0-	-0-	-0-	377,929	340,136	340,136	16,323	323,813	267,767
Fairbanks	4,663,659	-0-	-0-	-0-	-0-	4,663,659	240,689	4,422,970	3,657,477
Galena	-0-	-0-	-0-	58,766	52,889	52,889	9,420	43,469	35,911
Haines	95,106	-0-	-0-	-0-	-0-	95,106	16,561	78,545	64,950
Hoonah	-0-	-0-	-0-	-0-	-0-	-0-	11,480	-0-	-0-
Ilydaburg	-0-	-0-	-0-	-0-	-0-	-0-	6,451	-0-	-0-
Juneau	774,901	-0-	-0-	-0-	-0-	774,901	108,394	666,507	551,147
Kake	-0-	-0-	-0-	-0-	-0-	-0-	10,047	-0-	-0-
Kenai	2,550,949	2,604,449	2,344,004	923,757	831,381	5,726,334	164,826	5,561,508	4,598,916
Ketchikan	521,722	-0-	-0-	218,513	196,662	718,384	71,198	647,186	535,169
King cove	-0-	-0-	-0-	-0-	-0-	-0-	8,174	-0-	-0-
Klawock	-0-	-0-	-0-	-0-	-0-	-0-	5,793	-0-	-0-
Kodiak	433,521	-0-	-0-	99,863	89,877	523,398	65,784	457,614	378,409
Mat-Su	2,783,850	1,577,127	1,419,414	-0-	-0-	4,203,264	125,290	4,077,974	3,372,154
Nenana	21,980	-0-	-0-	-0-	-0-	21,980	10,547	11,433	9,454
Nome	-0-	-0-	-0-	60,000	54,000	54,000	28,441	25,559	21,135
North Slope	7,656,975	3,508,038	3,157,234	-0-	-0-	10,814,209	47,123	10,767,086	8,903,507
Pellenn	-0-	-0-	-0-	-0-	-0-	-0-	4,779	-0-	-0-
Petersburg	495,114	-0-	-0-	142,089	127,880	622,994	20,322	602,672	498,360
Sand Point	-0-	-0-	-0-	-0-	-0-	-0-	7,684	-0-	-0-
Sitka	436,950	-0-	-0-	388,560	349,704	786,654	50,873	735,781	608,431
Skagway	34,906	-0-	-0-	-0-	-0-	34,906	9,164	25,742	21,286
St. Mary's	-0-	-0-	-0-	-0-	-0-	-0-	8,424	-0-	-0-
Tanana	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Unalaska	-0-	-0-	-0-	-0-	-0-	-0-	9,145	-0-	-0-
Valdez	1,474,175	1,670,546	1,503,491	94,574	85,117	3,062,783	27,425	3,035,358	2,509,995
Wrangell	-0-	98,233	88,410	-0-	-0-	88,410	17,111	71,299	58,958
Yakutat	-0-	-0-	-0-	-0-	-0-	-0-	8,473	-0-	-0-
TOTALS	33,042,773	11,374,084	10,236,675	2,683,078	2,414,770	45,694,218	2,003,200	43,780,962	36,203,300

MEMORANDUM

TO: Rep. Al Adams, Chairman  
House Finance Committee

DATE: March 3, 1983

FROM: Rep. Mae Tischer, Co-Chairperson  
House HESS Committee

*MT*

RE: HB 137

The House HESS Committee has passed out HB 137 with a do pass recommendation. During the discussion in regard to the supplemental appropriation for state aid for the retirement of school construction debt, the Committee focused briefly on the concern of a potential problem in the accelerated rate of reimbursements for indebtedness annually. Presently the payback may range from 10 to 20 years. There is a trend for a shorter payback schedule, possibly 3 to 6 years, which may increase the problem we are attempting to resolve in HB 137. I hasten to point out that interest payments would drop significantly and would therefore save money. However, the same short payback schedule would require larger appropriations in a shorter period of time.

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*Simple Retirement*

STATE OF ALASKA  
DEPARTMENT OF EDUCATION  
STATE AID FOR RETIREMENT OF SCHOOL CONSTRUCTION DEBT  
1982-83

*difference (shortfall) 7,577,662*

	(1)	+	(3)	+	(5)	=	(6)	-	(7)	=	(8)	-	(9)
1 District	Debt Service at 100% Prior 7-1-77	Debt Service After 7-1-77	90% of Debt Service	Cash Payments 1980-81	90% of Cash Payment		Debt Service Plus Cash Payment	Less Cig. Tax FY 80-81	Total Entitlement Due		Prorated @32.6919%		
Age	10,978,437	1,595,620	1,436,058	319,027	287,124		12,701,619	855,623	11,845,996		9,795,671		
ol Bay	-0-	320,071	288,064	-0-	-0-		288,064	10,449	277,615		229,561		
va	120,528	-0-	-0-	-0-	-0-		120,528	17,693	102,835		85,030		
	-0-	-0-	-0-	-0-	-0-		-0-	9,494	-0-		-0-		
ingham	-0-	-0-	-0-	377,929	340,136		340,136	16,323	323,813		267,761		
anks	4,663,659	-0-	-0-	-0-	-0-		4,663,659	240,689	4,422,970		3,657,431		
	-0-	-0-	-0-	58,766	52,889		52,889	9,420	43,469		35,941		
s	95,106	-0-	-0-	-0-	-0-		95,106	16,561	78,545		64,950		
h	-0-	-0-	-0-	-0-	-0-		-0-	11,480	-0-		-0-		
urg	-0-	-0-	-0-	-0-	-0-		-0-	6,451	-0-		-0-		
u	774,901	-0-	-0-	-0-	-0-		774,901	108,394	666,507		551,141		
	-0-	-0-	-0-	-0-	-0-		-0-	10,047	-0-		-0-		
	2,550,949	2,604,449	2,344,004	923,757	831,381		5,726,334	164,826	5,561,508		4,598,910		
ikan	521,722	-0-	-0-	218,513	196,662		718,384	71,198	647,186		535,160		
cove	-0-	-0-	-0-	-0-	-0-		-0-	8,174	-0-		-0-		
ck	-0-	-0-	-0-	-0-	-0-		-0-	5,793	-0-		-0-		
k	433,521	-0-	-0-	99,863	89,877		523,398	65,784	457,614		378,400		
u	2,783,850	1,577,127	1,419,414	-0-	-0-		4,203,264	125,290	4,077,974		3,372,154		
	21,980	-0-	-0-	-0-	-0-		21,980	10,547	11,433		9,454		
	-0-	-0-	-0-	60,000	54,000		54,000	20,441	25,559		21,130		
Slope	7,656,975	3,508,030	3,157,234	-0-	-0-		10,814,209	47,123	10,767,086		8,903,507		
nn	-0-	-0-	-0-	-0-	-0-		-0-	4,779	-0-		-0-		
sburg	495,114	-0-	-0-	142,089	127,880		622,994	20,322	602,672		498,360		
Point	-0-	-0-	-0-	-0-	-0-		-0-	7,684	-0-		-0-		
	436,950	-0-	-0-	388,560	349,704		786,654	50,873	735,781		608,431		
	34,906	-0-	-0-	-0-	-0-		34,906	9,164	25,742		21,286		
	-0-	-0-	-0-	-0-	-0-		-0-	8,424	-0-		-0-		
	-0-	-0-	-0-	-0-	-0-		-0-	-0-	-0-		-0-		
ku	-0-	-0-	-0-	-0-	-0-		-0-	9,145	-0-		-0-		
z	1,474,175	1,670,546	1,503,491	94,574	85,117		3,062,783	27,425	3,035,358		2,509,995		
all	-0-	98,233	88,410	-0-	-0-		88,410	17,111	71,299		58,958		
ut	-0-	-0-	-0-	-0-	-0-		-0-	8,473	-0-		-0-		
S	33,042,773	11,374,084	10,236,675	2,683,078	2,414,770		45,694,218	2,003,200	43,780,962		36,203,300		

*entitlement*

*pymts. made*

*90% of actual pymt.*

*cash pymt*

*90% of pymt*

(1)

(7)

(8)

(9)

FY-83

HB-137 DISTRIBUTION

	<u>Pre 12-31-81</u>	<u>Post 12-31-81</u>	<u>Total</u>
Anchorage	2,050,317	1,193,412	3,243,729
Bristol Bay	48,050	-0-	48,050
Cordova	17,799	-0-	17,799
Craig	-0-	-0-	-0-
Dillingham	56,046	-0-	56,046
Fairbanks	765,533	837,075	1,602,608
Galena	7,524	-0-	7,524
Haines	13,595	-0-	13,595
Hoonah	-0-	-0-	-0-
Hydaburg	-0-	-0-	-0-
Juneau	115,360	492,411	607,771
Kake	-0-	-0-	-0-
Kenai	962,592	1,244,420	2,207,012
Ketchikan	112,017	-0-	112,017
King Cove	-0-	-0-	-0-
Klawock	-0-	-0-	-0-
Kodiak	79,205	-0-	-0-
Mat-Su	705,820	605,249	1,311,069
Nenana	1,979	-0-	1,979
Nome	4,424	-0-	4,424
North Slope	1,863,579	1,149,461	3,013,040
Pelican	-0-	-0-	-0-
Petersburg	104,312	-0-	104,312
Sand Point	-0-	-0-	-0-
Sitka	127,350	-0-	127,350
Skagway	4,456	-0-	4,456
St. Mary's	-0-	-0-	-0-
Tanana	-0-	-0-	-0-
Unalaska	-0-	-0-	-0-
Valdez	525,363	-0-	525,363
Wrangell	12,341	-0-	12,341
Yakutat	-0-	-0-	-0-
<b>TOTAL</b>	<b>7,577,662</b>	<b>5,522,028</b>	<b>13,099,690</b>

↓  
 Shortfall from  
 unavailability of  
 cig. tax revenues

↓  
 FY83 estimate  
 was 13,466,4 -  
 actual was  
 13,988 = difference  
 of 5.522.

(Claims for debt)  
 Retirement

↓  
 Total Request  
 HB 137 = 13.1 mill

SUMMARY: HB 137 "AN Act making a supplemental appropriation to the Department of Education for the retirement of school construction debts; and providing for an effective date."

Section 1. The supplemental appropriation requested is broken down further as two requests:

1. \$5,522.0 - This amount is the difference between the 'estimated' and 'actual' claims from the municipalities under the new program as enacted last year. HB 279 (Chp. 92 SLA 82) removed the two year lag time for state reimbursement of the municipal debt retirement. It also raised the reimbursement rate from 80% to 90%.

43.18.100 - STATE AID FOR RETIREMENT OF SCHOOL CONSTRUCTION DEBT.(copy attached) This section outlines the formula used for the state reimbursement.

\$7,577.7 - Shortfall due to an attempt by last year's Legislature to utilize the Cigarette Tax Revenues to fund a portion of the entitlement.

Section 2. Immediate effective date clause.

Introduced: 1/28/83  
Referred: Health, Education and  
Social Services and Finance

Funding Information  
General Fund \$13,100,000  
Other Funds -0-  
\$13,100,000

BY LARSON, DAVIS, DUNCAN,  
FRITZ, FURNACE, KOPONEN,  
MALONE, M.M.MILLER, M.W.MILLER,  
SZYMANSKI AND ZHAROFF

1 IN THE HOUSE

2

HOUSE BILL NO. 137

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the  
7 Department of Education for the retirement of school  
8 construction debts; and providing for an effective  
9 date."

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

11 \* Section 1. The sum of \$13,100,000 is appropriated from the general  
12 fund to the Department of Education for the retirement of school construc-  
13 tion debts in accordance with AS 43.18.100 for the fiscal year ending  
14 June 30, 1983.

15 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
16 10.070(c).



Introduced: 1/28/83  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY MALONE AND PHILLIPS

2

HOUSE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act providing a penalty for violation of a law or  
7 regulation relating to bees and beekeeping equip-  
8 ment."

9

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

10

\* Section 1. AS 03.47 is amended by adding a new section to read:

11

Sec. 03.47.035. PENALTY. A person who violates this chapter or

12

a regulation adopted under this chapter is guilty of a class B misde-

13

meanor.

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 139  
 Title Penalty for violation re: bees and beekeeping equipment  
 Requested by House Resources Date 2/22/83

II. FISCAL DETAIL

Agency Affected Department of Natural Resources  
 Program Category Affected Division of Agriculture  
 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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		-				
TOTAL	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

FUNDING (Thousands of Dollars)

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

POSITIONS

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

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

IV. DATE Feb 22, 1983 PREPARED BY John Ringstad  
 AGENCY House Resources  
 Original: Legislative Finance PHONE 465-3715  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/82)

The following individuals are expected to testify on HB 139:

Rep. Hugh Malone, prime sponsor

Bob Arnold, Deputy Commisioner, Department of Natural Resources

slaughtered or destroyed and the name of the inspector who ordered the animal slaughtered or destroyed. The Department of Administration, with the approval of the Department of Environmental Conservation, shall pay the owner of the animal slaughtered or destroyed two-thirds of the difference between the appraised value and the salvage value of the animal slaughtered or destroyed. The appraised valuation of each slaughtered animal may not exceed \$175 in the first judicial district and not more than \$200 in the second and third judicial districts and not more than \$250 in the fourth judicial district. No payment may be made if at the time of inspection, test or destruction, the animal was upon the premises of any person to which it had been sold, shipped or delivered for the purpose of being slaughtered. No payment may be made unless the owner has complied with all lawful quarantine regulations. (§ 33-3-18 ACLA 1949; am Executive Order No. 51, § 14 (1981))

Effect of amendments. — The 1981 amendment substituted "Department of Environmental Conservation" for "Department of Natural Resources" following "approval of the" in the second sentence.

## Chapter 47. Bees and Beekeeping Equipment.

Section	Section
10. Importation	30. Duties of the division
20. Importation of bees	40. Definitions

**Sec. 03.47.010. Importation.** The importation into the state of bees on bee combs and used beekeeping equipment is prohibited. Section comb honey for human consumption may be imported into the state. (§ 1 ch 55 SLA 1982)

**Sec. 03.47.020. Importation of bees.** All bees imported into the state shall be accompanied by a health certificate that states that the bees come from an apiary apparently free of bee diseases and that is signed by an apiary inspector determined to be qualified by the division. (§ 1 ch 55 SLA 1982)

**Sec. 03.47.030. Duties of the division.** (a) The division shall investigate reported cases of diseased bees and cases of diseased bees discovered by the division.

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

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

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

7.030

§ 03.47.040

AGRICULTURE AND ANIMALS

§ 03.53.010

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

(c) Notwithstanding (b) of this section, hive boxes, top and bottom boards found to contain the causative organisms of American foulbrood (*Bacillus larvae*) or European foulbrood (*Streptococcus pluton*) may be salvaged by scorching inside surfaces and edges using a flame to produce a light brown charring of the wood unless the boxes, top and bottom boards are in poor condition due to weathering, rotting or ant tunneling.

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

(e) The division shall adopt regulations necessary to carry out the purposes of this chapter. (§ 1 ch 55 SLA 1982)

**Sec. 03.47.040. Definitions.** In this chapter

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

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

(3) "used beekeeping equipment" means equipment that has been used to feed or house bees, including hive boxes, frames, pollen traps, queen excluders, inner covers, supers, tops, bottom boards, slatted racks, and bee combs, or other wooden or plastic beehive parts that have been in contact with honeybees. (§ 1 ch 55 SLA 1982)

### Chapter 53. Transportation of Animals.

**Section**

10. Transportation of animals on state ferries: Health certificates

**Sec. 03.53.010. Transportation of animals on state ferries: Health certificates.** (a) No animals may be transported into the state aboard a ferry operated by the division of marine transportation of the Department of Transportation and Public Facilities unless the animal's owner, custodian or attendant possesses a valid health certificate for the animal. This certificate shall accompany the animal or be in the possession of the animal's owner, custodian or attendant aboard the ferry and shall be presented when requested by an employee of the state ferry system at the time the owner, custodian or attendant makes arrangements to transport the animal, boards the ferry with the animal, or at any other time.

(b) For the purpose of this section, "health certificate" means a legible certificate executed on an official form of the state or province of

Edmund K Knutsen  
Box 1525  
Soldotna, Ak 99669  
Feb. 4, 1983

Representative Hugh Malone  
Pouch V  
Juneau, Ak 99811

Dear Hugh,

I want to thank you personally for the quick response to the problems in Beekeeping.

I have read the copy of HB 139 and think it is what we need. I also called Dave Tozier and John Cramer and they both were pleased about the bill. Dave was going to call others in the Fairbanks area.

Please let us know when the hearings are scheduled.

Thank you for your interest in Alaska Beekeeping.

Sincerely,

*Ed. Knutsen*  
Ed Knutsen

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

February 21, 1983

SUBJECT: Class B misdemeanors

TO: Representative John Ringstad  
Attn: John Manley

FROM: James H. Lear  
Legislative Counsel



The following list lists references to those crimes in the Alaska Statutes punishable as class B misdemeanors:

AS 08.13.190 -- practicing barbering, hairdressing, or cosmetology without a license; temporary permit or student permit.

AS 08.36.340 -- violation of AS 08.32 (dental hygenists) or 08.36.340 (dentistry) when no specific penalty is provided.

AS 08.68.340 -- violation of nursing license laws (usually without "knowingly or intentionally" doing so).

AS 08.70.170 -- violation of AS 08.70 (nursing home administrators).

AS 08.71.180 -- practicing as a dispensing optician without a license.

AS 08.80.460 -- violation of AS 08.80 (pharmacy act).

AS 08.86.210 -- violation of AS 08.86 (psychologists and psychological associates).

AS 11.31.100(d)(5) -- attempt to commit a class A or class B misdemeanor.

AS 11.31.110(c)(5) -- solicitation to commit a class A or class B misdemeanor.

AS 11.46.150 -- theft in the fourth degree.

AS 11.46.220 -- concealment of merchandise with a value of less than \$50.

AS 11.46.260 -- removal of identification marks with a value of less than \$50.

AS 11.46.270 -- unlawful possession of property with a value of less than \$50.

AS 11.46.280 -- issuing a bad check with a face amount of less than \$50.

AS 11.46.285 -- fraudulent use of a credit card to obtain property or services with a value of less than \$50.

AS 11.46.330 -- criminal trespass in the second degree.

AS 11.46.486 -- criminal mischief in the fourth degree.

AS 11.46.530 -- criminal simulation of object of less than \$50.

AS 11.56.350 -- unlawful evasion in the second degree.

AS 11.56.780 -- hindering prosecution in the second degree.

AS 11.56.830 -- impersonating a public servant.

AS 11.61.110 -- disorderly conduct.

AS 11.61.120 -- harassment.

AS 11.61.145(d)(2) -- second and subsequent offenses of promoting an exhibition of fighting animals by attending exhibition.

AS 11.61.150 -- obstruction of highways.

AS 11.61.220 -- misconduct involving weapons in the third degree.

AS 11.61.240 -- criminal possession of explosives to commit a class A or class B misdemeanor.

AS 11.66.100 -- prostitution.

AS 11.66.200 -- second and subsequent offenses of gambling.

AS 11.71.060 -- misconduct involving controlled substances in the sixth degree.

AS 15.56.020 -- campaign misconduct in the second degree.

AS 15.56.090 -- improper subscription to petition.

AS 16.10.265 -- purchase of fish from seller who does not hold entry permit.

AS 16.10.267 -- failure by fish seller to possess an entry permit and identification.

AS 16.43.360 -- violation of AS 16.43 (regulation of entry into Alaska commercial fisheries).

AS 23.20.115 -- unauthorized disclosure of labor information.

AS 23.20.485 -- false statement to secure benefits under AS 23.20 (Alaska employment security act)

AS 28.10.493 -- transferring vehicle ownership in violation of AS 28.10.271 or 28.10.291.

AS 46.03.790 -- violation of AS 46.03 (environmental conservation) or AS 46.04 (oil pollution control).

AS 46.06.080 -- littering.

AS 47.17.068 -- failure to file report of abuse or neglect of a child as required under AS 47.17.020.

AS 47.25.610 -- violation of AS 47.25.430 - 47.25.615 (old age assistance).

JHL:ljb

Introduced: 1/28/83  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY MALONE AND PHILLIPS

2

HOUSE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act providing a penalty for violation of a law or

7

regulation relating to bees and beekeeping equip-

8

ment."

9

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

10

\* Section 1. AS 03.47 is amended by adding a new section to read:

11

Sec. 03.47.035. PENALTY. A person who violates this chapter or

12

a regulation adopted under this chapter is guilty of a class B misde-

13

meanor.

**COMMITTEE REPORT**  
**HOUSE**

(21)

FURTHER:

2/11/93

Date: 2/11/93

Mr. Speaker:

The Committee on FINANCE has had HB 142

An Act making a special appropriation to the Department of Commerce and Economic Development for payment as grant for the Iditarod Trail Commerce, Inc., for expenses of conducting the 1994 Iditarod sled dog race; and providing for an effective date.

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 142 (C)  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_  
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\_\_\_\_\_  
CHAIRMAN

Offered: 3/11/83  
Referred: Finance

Original sponsors: Larson and Fuller

Funding Information  
General Fund \$65,050  
Other Funds -0-  
\$65,050

BY THE LABOR AND  
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 142 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Commerce and Economic Development for payment  
8 as a grant for the Iditarod Trail Committee, Inc.,  
9 for expenses of conducting the 1984 Iditarod sled dog  
10 race; and providing for an effective date."

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

12 \* Section 1. The sum of \$65,050 is appropriated from the general fund  
13 to the Department of Commerce and Economic Development for payment as a  
14 grant for the Iditarod Trail Committee, Inc., for expenses of the 1984  
15 Iditarod sled dog race.

16 \* Sec. 2. The appropriation made by this Act shall be disbursed in  
17 accordance with AS 37.05.315 - 37.05.319.

18 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
19 10.070(c).

The following individual is expected to testify on CS HB 142  
(L&C):

Representative Ron Larson, prime sponsor

IDITAROD REVISED BUDGET

HB 141 - An Act making a special appropriation to the Department of Commerce & Economic Development for payment as a grant for the Iditarod Trail Committee, Inc., for construction of a permanent Iditarod sled dog race headquarters; and providing for an effective date. - \$422,800

Land (26,000)

The Iditarod Trail Commission are optimistic that the land will be donated

Tables, benches, landscaping, artwork, etc. (7,800)

It is expected that many of these will be either donated or worked on by volunteers

Revised appropriation - \$389,000

HB 142

- An Act making a special appropriation to the Department of Commerce & Economic Development for payments as a grant for the Iditarod Trail Committee, Inc., for expenses of conducting the 1984 Iditarod sled dog race; and providing for an effective date. - \$113,050

Eliminate need of Maule M-6 (48,000)

Airplane

Revised appropriation \$ 65,050

IDITAROD TRAIL COMMITTEE, INC.

POUCH X

WASILLA, AK. 99687

GRANT PROPOSAL



# IDITAROD TRAIL COMMITTEE, INC

January 19, 1983

Ronald L. Larson  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, AK. 99811

Dear Mr. Larson:

Iditarod '83 will start our second decade of the longest sled dog race in the world. And, quite frankly, we are proud of our contribution to promoting Alaska and long distance sled dog racing. Our emphasis has always been on strict rules regarding treatment of dogs on the trail and sportsmanship among the mushers. ITC has always wanted to reflect the most positive image possible on both the Iditarod and the State of Alaska.

This race we are expecting a record breaking number of mushers to sign up. In addition to the teams, we have hundreds of volunteers working hundreds of hours seeing to the details of the race from Anchorage to Nome. Our volunteers give of their time and many put expensive equipment, such as HAM radios and airplanes, on the line for us. People from every walk of life, lawyers, veterinarians, pilots, trappers, engineers clerks, subsistence dwellers, all join together in a special camaraderie.

Our news media coverage is international. The race has been filmed and reported by the British, Spaniards, Canadians, Germans, and we are working with STV in Japan on the possibility of filming Iditarod '83. CBS and ABC have covered the race. The thirty minute ABC 20/20 show last spring on the race and Susan Butcher has prompted inquiries from all over the lower 48.

The January issue of GEO Magazine has an article on Iditarod. National Geographic will follow with a story in their March issue. And once again, CBS has international rights to live coverage of Iditarod '83.

Iditarod Sled Dog Race has become a year 'round business. Although we have tremendous sponsors for the race, we must turn to the State again and hope you merit our contributions to tourism and State exposure worthy of support of our two proposals.

The first proposal deals with the race itself. These requests are ones we feel will enhance the quality, safety, and organization of the Iditarod.

Our second proposal is for a much needed permanent headquarters. This building would include our offices, a sales outlet, and a museum.

*add for draft*

IDITAROD '84

MEDICAL CARE AND DRUG TESTING PROGRAM FOR DOGS

Our veterinarians try to be at every checkpoint to check and administer any needed care to the dogs. The vets have the final say on a dog continuing in the race. They also have medical supplies available to treat minor irritations and injuries. And, as our rules state, any dog that expires on the trail must have an autopsy.

Because of the rich purse and intense competition among mushers, ITC makes it a priority to keep drugs from being used on a dog. The vets have a right to randomly check dogs during the race for drugs. Then all dogs are checked at the end of the race. These samples are sent to Cornell University in New York for analysis.

For medical supplies, autopsies, drug testing supplies, sample shipping cost, and analysis.

Cost.....\$9,850.00

IDITAROD AIR FORCE

Our trail Air Force is composed of volunteers who are willing to fly their planes along the trail to move dog food, vets, hams, dropped dogs, race officials, and any other person or object needing to go from checkpoint to checkpoint. Because of the financial restrictions on the Iditarod, we have never been able to provide the full protection the private pilot needs. Airplanes and parts have become so expensive, we can no longer recruit pilots and expect them to "outofpocket" any damage to their plane while flying for the Iditarod.

Full coverage aviation insurance for Iditarod Air Force during March.....\$5,050.00

AIRCRAFT

Each year our trail manager must start earlier flying up the trail. Checkpoints and checkers must be secured. Trail breaking, marking, and maintenance must be coordinated. All of this is done before the race.

During the race, it is becoming essential ITC have a plane at our disposal. Each year brings different emergencies. We must get our Race Marshal to a checkpoint, or a doctor in to treat an injured musher, or a vet to an injured dog. To ensure the safety of our mushers and their teams, the enforcements of our rules, and a organized operation, we are requesting funding for a Maule M-6 airplane.

Cost.....\$48,000.00

RADIOS

For better communications so we are able to respond to problems and emergencies, we need high frequency portable radios. These radios may be used by our pilots or ground crews.

Four (4) HF Radios.....\$4,750.00

SNOWMACHINES

Of course there are times when all air support is grounded by weather. But our race continues. To enable our officials and trail breaking crews to operate we need double track machines. If we have an emergency somewhere a plane cannot land, we need the machines to get to the location. And, just to have the ability to maintain surveillance between checkpoints, the machines would be invaluable.

Two Alpine double track snowmachines.....\$10,400.00

Each year we offer a \$100,000.00 purse to the top twenty mushers. This distinguished the Iditarod as not only the longest sled dog race in the world, but also the richest. This purse also ensures the Iditarod a place in the major athletic events in the world. The purse gives mushers the incentive to train for the race. Consequently we have mushers and teams that are physically and mentally prepared to challenge the Iditarod Trail.

Money for purse.....\$35,000.00

TOTAL OF PROPOSAL #1

\$113,050.00

### PERMANENT IDITAROD HEADQUARTERS

Each year interest in the Iditarod Sled Dog Race grows. According to surveys done with our out of state visitors, the Iditarod fulfills the image and fantasy of Alaska. News media from the world over come to report the "last Great Race." Because of the coverage, more and more tourists want to visit Iditarod Headquarters and see first hand the operation of the race.

After ten years we have collected invaluable paraphernalia connected with each race. These items are a part of our history, but are perilously close to being lost because we have no place to store them. The impression each visitor or reporter leaves our headquarters with reflects on the Iditarod and our great state.

At present we are located above Teeland's Country Store in Wasilla. As our volume of traffic increases, not only is it disruptive to Teelands, but our own space is grossly strained. We have no place to store our race records or paraphernalia. Nor do we have the space to accommodate volunteers working on the race and visitors at the same time.

Because of the problems listed above, the Iditarod Sled Dog Race is requesting funding for a permanent headquarters in Wasilla. We want our building to be in the true spirit of Alaskan history and dog mushing, so our decor would be styled on a log cabin -- Roadhouse theme. To complement our building, we need an acre of land that can be landscaped to encourage visitors to stop and enjoy.

In our headquarters we need office space, storage area, conference room, retail sales outlet and a museum. Maximum exposure for our building is a must to ensure us the tourist and drop in trade we

will amount on to cover operation and maintenance.

Our request is for: a 3350 sq. ft. building at \$100 per foot building .

Cost.....\$335,000.00

One acre land located on Parks Highway in or about Wasilla.

Cost .....\$ 26,000.00

Office equipment, furnishings, display cases, cash register, shelves, hangers, and protective equipment for museum.

Cost.....\$ 44,000.00

Landscaping, artwork, outside tables and benches and plaques.

Cost.....\$ 17,800

TOTAL REQUEST.....\$422,800.00



# IDITAROD TRAIL COMMITTEE, INC

March 16, 1983

Representative Ronald L. Larson  
State of Alaska  
Pouch V  
Juneau, Alaska 99811

Dear Representative Larson:

Enclosed please find the information concerning Iditarod. I have enclosed the actual 1982 race expenses and the 1983 proposed budget.

Thanks again for your support for Iditarod.

Best Regards,

Bob Sept, DVM  
President, Iditarod Trail Committee

RJS:slh



# IDITAROD TRAIL COMMITTEE, INC

IDITAROD TRAIL COMMITTEE, INC.

## EXPLANATION OF DIRECT RACE EXPENSES

**TRAIL** - Expenses related directly to the clearing and marking of the trail from Anchorage to Nome. It includes the expenses relating to the start, restart and finish line. Expenses to consider are:

1. Fees, permits, deposits required by the BLM, Dept. of Revenue or other governmental agencies.
2. Materials such as fencing, snow removal or hauling, port-a-cans at the start and restart.
3. Costs of repairing snowmachines and other equipment used in trail breaking and marking.
4. Expenses, wages and supplies charged by persons clearing and marking the trail.
5. Miscellaneous, such as air support, refrigeration for food and supplies.

**CHECKERS & OFFICIALS** - Expenses relating directly to checkers and the Race Manager, Coordinator, Marshall and Judges. Last year the breakdown was as follows:

1. Wages and contracted expenses for the Race Manager, Coordinator, Marshall and Judges: \$17,000 or 68%
2. Meals and lodging for the above officials: \$7,085 or 27%
3. Miscellaneous supplies used at checkpoints: \$750 or 2%
4. Transportation for checkers: \$500 or 2%

**TOTAL EXPENSES** were \$26,035 or 100%

**HAMS & VETS** - Both groups submitted their own budgets and are normally very accurate.

**AIR TRANSPORTATION** - Cost of air transportation for distributing dog food and supplies along the trail, moving of race officials and other authorized personnel; and pick up and hauling of dropped dogs. Expenses include:

1. Fuel