

LEG. FINANCE - BILLS 1983 - 1984 1864

HB 232 - HB 241 1864

Introduced: 3/2/83
Referred: Resources and Finance

1 IN THE HOUSE

BY McBRIDE AND WENDTE

2

HOUSE BILL NO. 232

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act authorizing the Chester Lake Hydroelectric
7 Project and approving the project construction cost
8 under AS 44.83.185(c); and providing for an effective
9 date."

10

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

11

* Section 1. The Chester Lake hydroelectric project is authorized, and

12

a construction cost of \$13,200,000 is approved, under the provisions of

13

AS 44.83.185(c).

14

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

15

10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 232

Title Authorizing Chester Lake Hydro. approving project costs: efd

Requested by Rep Ringstad

Date May 2 1983

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development - Alaaka Power Auth

Program Category Affected _____

ERU, 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-		

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE May 2, 1983

PREPARED BY Rep. 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 may testify on HB 232:

Representative McBride (or staff), prime sponsor

A representative of Metlakatla

Alaska State Legislature

How - w

REPRESENTATIVE
JACK MCBRIDE



BOX 7563
KETCHIKAN, ALASKA 99901

COMMITTEES
COMMUNITY & REGIONAL AFFAIRS
TRANSPORTATION
SPECIAL COMMITTEE ON FISHERIES

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4919

House of Representatives

MEMORANDUM

To: Representative Al Adams Date: May 19, 1983
Chairman House Finance Committee

From: Representative Jack McBride *Jack* Subject: Chester Lake Hydro
Representative Ron Wendte

This memo is to request a hearing before House Finance on HB 232, regarding the Chester Lake Hydro project in Metlakatla. As Sol Atkinson of Metlakatla may have explained to you, this bill does not require an appropriation at this time. It is merely authorizing legislation and would enable Alaska Power Authority to spend an existing \$650,000 (left over from a previous appropriation) for engineering and design of the project.

We feel that this project is a high priority as it will solve two serious problems of the Metlakatla Indian Community: replacement of a very dilapidated dam which is now the only water source for the community and construction of a much-needed source of energy. A copy of the bill and summary of the project are attached.

We appreciate whatever consideration you can give to this.

SUMMARY OF CHESTER LAKE HYDRO - METLAKATLA

The proposed Chester Lake Dam and hydro project would solve two problems for the Metlakatla Indian Community: replacement of a very dilapidated dam which is now the only water source for the community, and provide a much-needed source of energy.

The existing Chester Lake Dam has been labeled "hazardous, dangerous, and dilapidated" and is essential for storage and distribution of the Community's water source.

The community's power is currently provided by Purple Lake Dam which is rated at a capacity of 3 megawatts with an additional 3 megawatts provided by the Quarry Diesel Plant which has two generators rated at 1.5 megawatts each. This combination of hydro and diesel does not meet the criteria known as "prime power" and particularly during times of draught and low water flow, the community comes dangerously close to running short of power. As a matter of fact, due to a recent dry spell, Metlakatla is presently experiencing a severe problem. Purple Lake is dry and one of their two generators is off-line due to repairs. With an additional 45 houses projected to be added to the community as well as the community college, trailer park, swimming pool, and church, power needs are going to become critical in the near future during periods of low water flow. Metlakatla is a community which is not easily connected to power supplies from other communities.

In 1981, the legislature appropriated one million dollars for a feasibility study with the understanding that Metlakatla would enter into an agreement with the Alaska Power Authority to take over the contract.

Of the one million dollars, \$350,000 has been expended by APA to produce a report entitled "Chester Lake Project Feasibility Report" which recommends development of Chester Lake for hydro and water supply.

\$650,000 remains to be used for design and engineering work. State law, however, precludes the expenditure of funds for design work until authorizing legislation is passed for the entire project. HB 232 would accomplish this. In addition, Metlakatla has been awarded a 5 1/2 million dollar REA loan for 35 years at 5 1/2% interest. Alternatives for financing the remaining portion of the project are being prepared by the APA.

Introduced: 3/2/83
Referred: Resources and Finance

1 IN THE HOUSE

BY McBRIDE AND WENDTE

2

HOUSE BILL NO. 232

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - FIRST SESSION

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12 a construction cost of \$13,200,000 is approved, under the provisions of
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* Sec. 2. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).

Introduced: 3/2/83
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12 a construction cost of \$13,200,000 is approved, under the provisions of
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15 10.070(c).

Original sponsors: Cowdery, Pestinger,
Flood and Hayes

Funding Information

General Fund	\$2,500,000
Other Funds	-0-
	<u>\$2,500,000</u>

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 240 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act repealing an appropriation made to the City
7 of Anchorage for the Potter Valley Access Road and
8 making special appropriations to the Department of
9 Transportation and Public Facilities and for payment
10 as grants to the Municipality of Anchorage; and
11 providing for an effective date."

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

13 * Section 1. Section 80, ch. 101, SLA 1982, page 100, line 11 is re-
14 pealed.

15 * Sec. 2. The sum of \$1,040,000 is appropriated from the general fund
16 to the Department of Transportation and Public Facilities for construction
17 of the Lake Otis extension to O'Malley Road in Anchorage.

18 * Sec. 3. The sum of \$960,000 is appropriated from the general fund for
19 payment as a grant to the Municipality of Anchorage for design and con-
20 struction of the South Anchorage water quality and storm drainage project.

21 * Sec. 4. The sum of \$500,000 is appropriated from the general fund for
22 payment as a grant to the Municipality of Anchorage for road improvements
23 to be allocated between limited life road service districts in election
24 district seven in Anchorage based on the road mileage in each limited life
25 road service district and subject to a 50 percent match by each limited
26 life road service district.

27 * Sec. 5. The appropriation made by sec. 2 of this Act is for a capital
28 project and is subject to AS 37.25.020.

29 * Sec. 6. The appropriations made by secs. 3 and 4 of this Act shall be

1 disbursed in accordance with AS 37.05.315 - 37.05.319.

2 * Sec. 7. This Act takes effect immediately in accordance with AS 01.-
3 10.070(c).
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The following individuals are expected to testify on HB 240:

Representative John Cowdery, prime sponsor

Representative Mike Syzmanski (may testify)

STATE OF ALASKA
FISCAL NOTE

Revision Date: April 7, 1983

I. REQUEST

Bill/Resolution No.: CS HB 240
Title: An Act Repealing an Appropriation
Sponsor: Finance Committee
Requestor: _____

II. FISCAL DETAIL

Agency Affected: Administration
Program Category Affected: Municipal Grants
BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	7.3					
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC	1460.0					
TOTAL OPERATING	1467.3					
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	1467.3					
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: *for Robert Statuabier*
Kenneth R. Ryals
Division: Administrative Services

Phone: 465-2277
Date: 4/5/83

Approved by Commissioner: Lisa Rudd
Department: ADMINISTRATION

Date: 4/5/83

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)

3/8/83

Municipality
of
Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 263-8401

TONY KNOWLES,
MAYOR

RECEIVED MAR 4 1983

OFFICE OF PUBLIC SERVICES

March 2, 1983

Rep. John Cowdery
Pouch V
Juneau, Alaska 99811

Dear Rep. *John* Cowdery:

This letter is being written to confirm our conversation this morning regarding several items of road policy which affect your district.

First, with respect to a change in wording for the former Potter Valley Road appropriation, the administration strongly desires that the money be made available for use on the Lake Otis Extension. While the State project for construction of the Minnesota Bypass Extension can and should be accelerated, contracts for that project cannot be bid until September of this year. On the other hand, I have a real need to accomplish major engineering work on Lake Otis immediately if we are to have the road completed in time for the opening of the school. As you know, both the school and the road will serve a very broad area of South Anchorage. There are no funds available for Lake Otis at the present time.

With respect to potential appropriations for road improvements in District 8, I can assure you that the administration is supportive of such an approach. Further, an appropriation of that nature would be used within the boundaries of District 8 primarily for road and drainage improvements on local neighborhood and subdivision streets within both full-service and limited-service areas. The State grant funds would be utilized to supplement the standard road improvement district process and to provide homeowners with a 50% reduction in any assessable costs for the project. Since storm drainage improvements are areawide assessments and only actual road work is assessed directly to homeowners, this would be a very favorable project which would both stretch state dollars and provide substantial assistance to those neighborhoods wishing to improve their streets.

I look forward to continuing cooperation in addressing the road improvement needs of Anchorage and your district.

Sincerely,

Chip Dennerlein
Executive Manager, Public Services

1 GRANTS TO MUNICIPALITIES (AS 37.05.315) (CONT.)

2	3	4	5		6	
			ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS
4		AREAWIDE TRAFFIC SIGNAL REPAIR		200,000	200,000	
5		PAVE LUNAR DRIVE SOUTH FROM LASER COURT		120,000	120,000	
6		PAVE BURLWOOD TERRACE SUBDIVISION		300,000	300,000	
7		LAKE OTIS & ABBOTT ROAD SIGNALS		125,000	125,000	
8		LAKE OTIS & DOWLING ROAD SIGNALS		125,000	125,000	
9		O'MALLEY & BIRCH ROAD SIGNALS		125,000	125,000	
10		CROSS & BRANDON ROADS COMPLETION		100,000	100,000	
11		POTTER VALLEY ACCESS ROAD		2,500,000	2,500,000	
12		UPPER O'MALLEY LIMITED ROAD SERVICE AREA		50,000	50,000	
13		TALUS WEST LIMITED ROAD SERVICE AREA		50,000	50,000	
14		GLEN ALPS LIMITED ROAD SERVICE AREA		50,000	50,000	
15		SKY RANCH ESTATES HOME OWNERS' ASSOCIATION		50,000	50,000	
16		ANCHORAGE ROADS AND PROJECTS		5,737,900	5,737,900	
17		TRAFFIC SIGNAL REPAIR		100,000	100,000	
18		9TH AVENUE L STREET EAST TO INGRA		150,000	150,000	
19		15TH AVENUE - MERRILL DRIVE TO "I" STREET		160,000	160,000	
20		ED 13 KENAI - SOLDOTNA - HOMER				
21		HOMER - STREET PROJECTS		760,000	760,000	
22		KENAI - STREETS		2,690,000	2,690,000	
23		SOLDOTNA - STREETS		1,000,000	1,000,000	
24		ED 15 ALEUTIAN ISLANDS - KODIAK				
25		KING COVE - ROAD EXTENSION		400,000	400,000	

1 GRANTS TO MUNICIPALITIES (AS 37.05.315) (CONT.)

2	3	4	5		6	
			ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS
4		ED 16 DILLINGHAM - BRISTOL BAY				
5		DILLINGHAM - MAIN STREET SURFACING		750,000	750,000	
6		ALEKNAGIK - DREDGING EQUIPMENT		100,000	100,000	
7		DILLINGHAM - ROAD IMPROVEMENTS		600,000	600,000	
8		GOODNEWS BAY - EROSION CONTROL		55,000	55,000	
9		ED 17 BETHEL - LOWER KUSKOKWIM				
10		BETHEL - ROAD RESURFACING		500,000	500,000	
11		ANJAK - MORGANS ROAD IMPROVEMENTS		140,000	140,000	
12		ANJAK - EMERGENCY DIKE EXTENSION		200,000	200,000	
13		AKIAK - GRAVEL ROADS		499,600	499,600	
14		CHEFORNAK - BOARDWALK TO WASTE DISPOSAL SITE		100,000	100,000	
15		CHEFORNAK - RIVERFRONT IMPROVEMENTS		400,000	400,000	
16		BETHEL - AIRPORT FIRETRUCK		225,000	225,000	
17		ED 18 GALENA - MCGRATH - HOOPER BAY				
18		ALLAKAKET - LOCAL ROAD EXTENSION		84,000	84,000	
19		RUBY - DOCK FACILITY		200,000	200,000	
20		SAINT MARYS - EQUIPMENT STORAGE BUILDING		70,000	70,000	
21		PILOT STATION - MAINTENANCE STORAGE BUILDINGS		80,000	80,000	
22		HOOPER BAY - MAINTENANCE SHOP		50,000	50,000	
23		HOLY CROSS - STREETLIGHTS		10,000	10,000	
24		ANVIK - STREETLIGHTS		5,000	5,000	
25		GRAYLING - MAINTENANCE GARAGE		40,000	40,000	



Official Business

Alaska State Legislature

House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Jack Fuller, Chairman
House Rules Committee

RE: Reappropriation

DATE: March 26, 1983

Please consider the attached amendment for House Bill 240.

In 1980 the legislature allocated to the Department of Transportation \$1,950,000 for construction of airport terminals in 26 villages. The department was able to purchase the terminals in bulk and spent approximately \$75,000 for each.

There is approximately \$280,000 and \$400,000 left from the original appropriation. In order for DOT to construct airport terminals in the villages of Chevak, Gambell, and Savoonga the present statute needs to be amended.

The department has indicated that there is enough money left in the account to take care of the three villages.

Additional back-up from the Department of Transportation will be forthcoming on Monday, March 28th. They are telecopying the actual amount left in their account.

AMENDMENT

OFFERED IN THE HOUSE FINANCE CMTE, BY: Rep. ADAMS
To: _____ HOUSE BILL No. 240
SENATE BILL No. _____
PAGE: _____ LINE: _____

Add a new section to read as follows:

*Section 1. Section 286, ch. 50, SLA 1980, page 86, line 9
is amended to read:

Chevak, Gambell, Savoonga

*Section 2. This act takes effect immediately in accordance
with AS 01.10.070(c).

Municipality of Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 263-8401

TONY KNOWLES,
MAYOR

RECEIVED MAR 4 1983

OFFICE OF PUBLIC SERVICES

March 2, 1983

Rep. John Cowdery
Pouch V
Juneau, Alaska 99811

Dear Rep. *John* Cowdery:

This letter is being written to confirm our conversation this morning regarding several items of road policy which affect your district.

First, with respect to a change in wording for the former Potter Valley Road appropriation, the administration strongly desires that the money be made available for use on the Lake Otis Extension. While the State project for construction of the Minnesota Bypass Extension can and should be accelerated, contracts for that project cannot be bid until September of this year. On the other hand, I have a real need to accomplish major engineering work on Lake Otis immediately if we are to have the road completed in time for the opening of the school. As you know, both the school and the road will serve a very broad area of South Anchorage. There are no funds available for Lake Otis at the present time.

With respect to potential appropriations for road improvements in District 8, I can assure you that the administration is supportive of such an approach. Further, an appropriation of that nature would be used within the boundaries of District 8 primarily for road and drainage improvements on local neighborhood and subdivision streets within both full-service and limited-service areas. The State grant funds would be utilized to supplement the standard road improvement district process and to provide homeowners with a 50% reduction in any assessable costs for the project. Since storm drainage improvements are areawide assessments and only actual road work is assessed directly to homeowners, this would be a very favorable project which would both stretch state dollars and provide substantial assistance to those neighborhoods wishing to improve their streets.

I look forward to continuing cooperation in addressing the road improvement needs of Anchorage and your district.

Sincerely,

Chip Dennerlein
Executive Manager, Public Services

ALASKA

STATE LEGISLATURE

MEMORANDUM

TO: Representative Al Adams
Finance Committee Chairman

FROM: Representative John J. Cowdery *J.C.*

DATE: March 26, 1983

RE: PROPOSED CSHB 240-REAPPROPRIATION OF POTTER VALLEY
ROAD FUNDS

CSHB 240 repeals a 1982 grant to the City of Anchorage for the Potter Valley Access Road (contained in Sec. 80, Ch. 101, SLA 1982, pg. 100, line 11) and reappropriates the money as follows:

--\$1,040,000 to the Dept. of Transportation and Public Facilities for construction of the Lake Otis extension from Abbott Loop Rd. to O'Malley Rd. in Anchorage; and

--\$960,000 as a grant to the Municipality of Anchorage for design and construction of the South Anchorage water quality and storm drainage project.

--\$500,000 as a grant to the Municipality of Anchorage for road improvements in District 7.

The unsolicited grant from the Legislature during the last legislative session to the Municipality of Anchorage for construction of an access road in the Potter Valley area has been refused by the Municipality.

The Municipality believes that there is no pressing need for constructing a road into a valley where no one lives, and that there is a greater need to improve Lake Otis Parkway, other roads in House District 8 and water quality in South Anchorage. (see enclosed letters from the Municipality).

Therefore, HB240 will reallocate these funds to other projects that will benefit all areas in South Anchorage. The original appropriation was for old District 11. Because of reapportionment, we now have Districts 7, 8, 9. I believe HB240 will distribute as equal as possible thru out these newly formed districts the aforementioned Potter Valley funds. Thus, benefiting the areas that it was originally designated for.

Enclosed is backup from the Municipality of Anchorage on both the Lake Otis project and the water quality/storm drain project.



Project: LAKE OTIS PARKWAY, ABBOTT ROAD TO O'MALLEY

Project Cost: \$3,790,000

Description/Justification:

This project consists of the construction of Lake Otis Parkway south to O'Malley Road. The proposed improvements will consist of a 45 foot wide street with barrier curbs. A 5 foot separated sidewalk is planned for the west side and an 8 foot separated bike trail on the east. The project would also include storm drain improvements, street lighting and necessary traffic control devices. This road will be the primary access to the new Junior High School now under design. It will also provide access to the proposed Section 16 Recreation Development and the rapidly developing hillside area. Construction of these improvements is expected to be complete by the end of 1984 and will provide 65 man years of work. The Municipality anticipates annual maintenance costs of approximately \$26,000. This would be paid for through revenue sharing funds and local taxes. Construction of these improvements will significantly reduce existing safety and environmental hazards. Heavy truck traffic has caused high dust concentrations and severe erosion has damaged water quality in adjacent streams and wetlands. Acquisition of additional right-of-way for this project is anticipated. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

Municipal Staff Contact

Name: Everett P. Diener
 Title: Director of Public Works
 Phone: 263-8160

Lee Browning
 Municipal Engineer
 263-8109

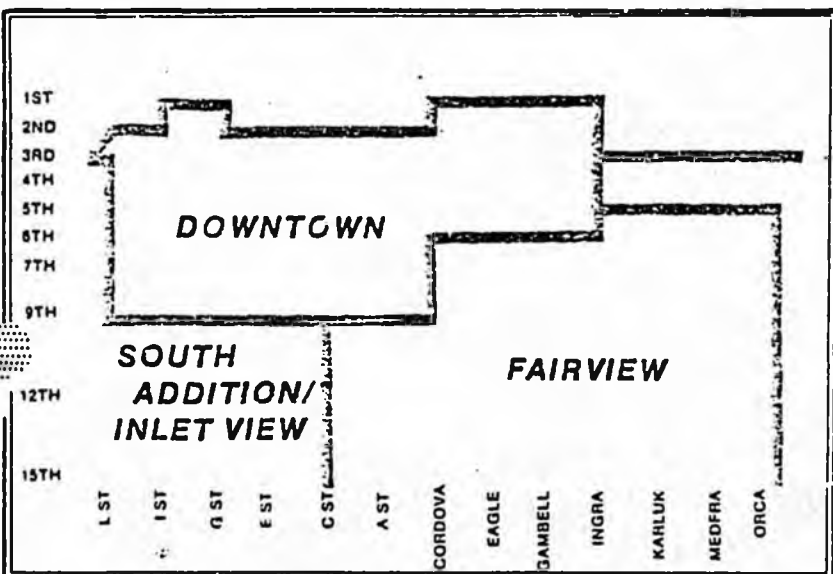
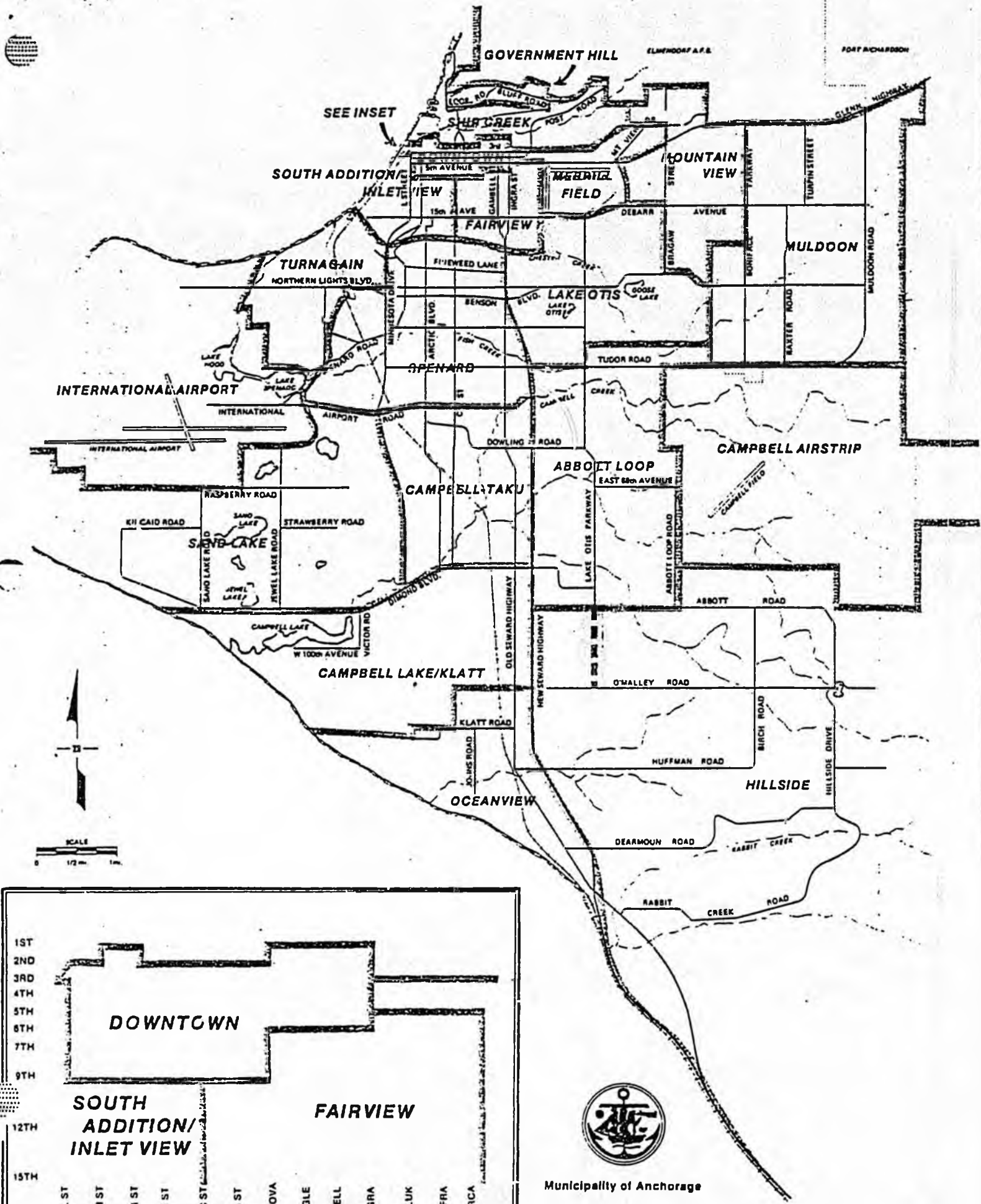
Legislative District E-8

House Representative: Cowdery, Pestinger

Senator: Pettyjohn, Faiks

SUB-AREAS

LAKE OTIS PARKWAY,
ABBOTT ROAD TO O'MALLEY



Municipality of Anchorage

Municipality
of
Anchorage



POUCH 6550
ANCHORAGE, ALASKA 99502-0650
(907) 263-6401

TONY R. NORLES,
MAYOR

OFFICE OF PUBLIC SERVICES

March 25, 1982

Honorable Sam Pestinger
House of Representatives
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Sam,

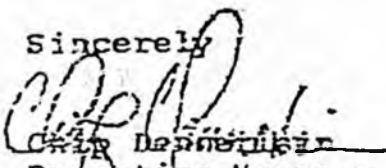
You have requested additional information concerning specific cost breakdowns for various elements in the Lake Otis extension project. Below is a brief summary of those costs.

If you have any further questions please feel free to discuss the project directly with Paul Diener, Director of Public Works, or Lee Browning, the Municipal Engineer, on my staff.

As you know, these costs represent our best estimate based upon available engineering information. Naturally, the final exact cost of the project will be determined by the bid. However, we feel our estimates do represent an accurate estimate of the project.

Thank you for your continued interest and support of this high priority project.

Sincerely,


Chris DePinto
Executive Manager
Public Services

CD/bmco
pswl/cd51

MUNICIPALITY OF ANCHORAGE
 DEPARTMENT OF PUBLIC WORKS
 1983 PROJECT COST ESTIMATE FOR
 LAKE OTIS PARKWAY FROM ABBOTT ROAD
 TO O'MALLEY ROAD, STREET AND
 DRAINAGE IMPROVEMENTS
 PROJECT NO. 83-E-07

1. Right-of-Way and Easement Acquisition:

L.S. \$ 300,000

Total 300,000

2. Construction Costs

a. 45-foot wide paved street with curb,
 gutter, and striping: 5280 LF @ \$240/LF 1,267,200

b. Channelization and signalization
 (as required) at 5 locations: L.S. 405,000

c. 5-foot wide P.C.C. sidewalk on
 west side 5280 LF @ \$40/LF 211,200

d. 5-foot wide paved bike trail
 on east side: 5280 LF @ \$48/LF 253,440

e. Street lighting: 27 ea. @ \$4,000 ea. 108,000

f. Storm drainage: L.S. 200,000

g. Landscaping: L.S. 200,000

Subtotal \$2,644,840

10% Contingency 264,484

1983 Total Estimated Construction Cost \$2,909,324

3. Professional Services & Miscellaneous 580,676

TOTAL \$ 580,676

1983 Total Project Cost (1+2+3) \$3,790,000

* This estimate does not include:

1. Underground electric and/or gas
2. Water improvements
3. Sewer improvements
4. Any other improvements not specifically mentioned herein.



Project: WATER QUALITY/STORM DRAIN PROJECT (CONSTRUCTION)

Project Cost: \$1,260,000

Description/Justification:

These funds will construct a storm drainage system including water quality control devices in the South Anchorage Area. Recent and planned development in the area is concentrating heavy demands on the present inadequate drain system. This project will improve the safety of the roads in the area by removing potential hazards presented by excessive water on the roadway. In addition the water quality of the surrounding lakes and streams will be greatly improved by the removal of soil, sediment, and other pollutants. Construction is expected to be complete by mid 1984 and will provide 8 man years of work. The Municipality anticipates annual maintenance costs of \$25,000 to be paid by local taxes and revenue sharing funds. Acquisition of necessary drainage easements is anticipated. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

786-8160

Municipal Staff Contact

Name:	Everett P. Diener	Lee Browning
Title:	Director of Public Works	Municipal Engineer
Phone:	263-8160	263-8109

Legislative District D-7, E-8, E-9, F-10

House Representative: Szymanski, Cowdery, Pestinger, Hayes, Flood, Bussell, Lindauer

Senator: P. Fischer, Gilman, Pettyjohn, Faiks, Sturgulewski, Rodey



Project:

WATER QUALITY/STORM DRAIN PROJECT (DESIGN)

Project Cost:

\$200,000

Description/Justification:

These funds will design a storm drainage system as recommended by the South Anchorage Drainage Study. The project will consist of 6,250 lineal feet of pipe and 2,600 feet of culverts and ditches. These improvements are needed to upgrade existing drainage facilities that are unable to accommodate the heavy development now going on in South Anchorage. Water quality devices will also be included in the project in keeping with recommendations made by the Anchorage 208 Water Quality Study. Design is expected to be complete in early 1984. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

Municipal Staff Contact

Name: Everett P. Diener
Title: Director of Public Works
Phone: 263-8160

Lee Browning
Municipal Engineer
263-8109

Legislative District D-7, E-8, E-9, F-10

House Representative: Szymanski, Cowdery, Pestinger, Hayes, Flood, Bussell, Lindauer

Senator: P. Fischer, Gilman, Pettyjohn, Faiks, Sturgulewski, Rodey

Municipality of Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4431

TONY KNOWLES,
MAYOR

OFFICE OF THE MAYOR

December 8, 1982

Representative-elect John Cowdery
8120 Lake Otis Parkway
Anchorage, Alaska 99507

Dear Mr. Cowdery:

As you probably know, during the last legislative session, the Municipality of Anchorage received an unsolicited grant from the Legislature for construction of a road in the Potter Valley area. Currently, there are no residents residing in the area to be served by the proposed road.

While the need for immediate development of the Potter Valley Road is slight, there are needs for the construction of road improvements on Lake Otis Parkway from Abbott Road to O'Malley Road. This road improvement would serve a rapidly developing area which includes a new elementary and junior high school site. This road improvement is considered to be an extremely high priority project within the overall road improvements in the Municipal Capital Improvement Program and the Anchorage Metropolitan Area Transportation Study's Transportation Improvement Program.

At the time of the appropriation for the Potter Valley Road in 1982, both the Lake Otis Parkway improvement area and the Potter Valley Road improvement area were located within the same legislative district.

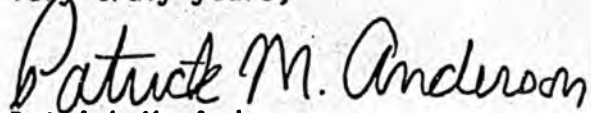
The Mayor has recommended to the Assembly that the funds appropriated for construction of the Potter Valley Road be reappropriated by the 1983 Legislature for construction of the Lake Otis Parkway improvements. Current cost estimates for construction of the improvement indicate that the Lake Otis project will cost approximately \$3,790,000. A copy of Mayor Knowles' Memorandum to the Assembly is enclosed for your information.

Reappropriation of the funds allocated for the Potter Valley Road does not preclude construction of the road in the near future. Under Municipal Ordinances, specifically Article 21.87.025, reimbursement of part of the cost of required public improvements to arterial and collector streets recognized on the Official Streets and Highways Plan is mandated if the improvements are within an area where the Municipality provides road maintenance. Funds to reimburse developers for construction of such roads, including the Potter Valley Road, are currently available as the result of approval of a bond election this past October.

Representative-elect John Cowdery
December 8, 1982
Page 2

We would appreciate your support for reappropriation of the Potter Valley Road grant during this next session. If you have any questions after reading this explanation and the Memorandum, please let me know.

Very truly yours,



Patrick M. Anderson
Legislative Affairs

Enclosure

ALASKA
STATE LEGISLATURE
MEMORANDUM

TO: Representative Al Adams
Finance Committee Chairman

FROM: Representative John J. Cowdery *J.C.*

DATE: March 26, 1983

RE: PROPOSED CSHB 240-REAPPROPRIATION OF POTTER VALLEY
ROAD FUNDS

CSHB 240 repeals a 1982 grant to the City of Anchorage for the Potter Valley Access Road (contained in Sec. 80, Ch. 101, SLA 1982, pg. 100, line 11) and reappropriates the money as follows:

--\$1,040,000 to the Dept. of Transportation and Public Facilities for construction of the Lake Otis extension from Abbott Loop Rd. to O'Malley Rd. in Anchorage; and

--\$960,000 as a grant to the Municipality of Anchorage for design and construction of the South Anchorage water quality and storm drainage project.

--\$500,000 as a grant to the Municipality of Anchorage for road improvements in District 7.

The unsolicited grant from the Legislature during the last legislative session to the Municipality of Anchorage for construction of an access road in the Potter Valley area has been refused by the Municipality.

The Municipality believes that there is no pressing need for constructing a road into a valley where no one lives, and that there is a greater need to improve Lake Otis Parkway, other roads in House District 8 and water quality in South Anchorage. (see enclosed letters from the Municipality).

Therefore, HB240 will reallocate these funds to other projects that will benefit all areas in South Anchorage. The original appropriation was for old District 11. Because of reapportionment, we now have Districts 7, 8, 9. I believe HB240 will distribute as equal as possible thru out these newly formed districts the aforementioned Potter Valley funds. Thus, benefiting the areas that it was originally designated for.

Enclosed is backup from the Municipality of Anchorage on both the Lake Otis project and the water quality/storm drain project.



Project: LAKE OTIS PARKWAY, ABBOTT ROAD TO O'MALLEY

Project Cost: \$3,790,000

Description/Justification:

This project consists of the construction of Lake Otis Parkway south to O'Malley Road. The proposed improvements will consist of a 45 foot wide street with barrier curbs. A 5 foot separated sidewalk is planned for the west side and an 8 foot separated bike trail on the east. The project would also include storm drain improvements, street lighting and necessary traffic control devices. This road will be the primary access to the new Junior High School now under design. It will also provide access to the proposed Section 16 Recreation Development and the rapidly developing hillside area. Construction of these improvements is expected to be complete by the end of 1984 and will provide 65 man years of work. The Municipality anticipates annual maintenance costs of approximately \$26,000. This would be paid for through revenue sharing funds and local taxes. Construction of these improvements will significantly reduce existing safety and environmental hazards. Heavy truck traffic has caused high dust concentrations and severe erosion has damaged water quality in adjacent streams and wetlands. Acquisition of additional right-of-way for this project is anticipated. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

Municipal Staff Contact

Name:	Everett P. Diener	Lee Browning
Title:	Director of Public Works	Municipal Engineer
Phone:	263-8160	263-8109

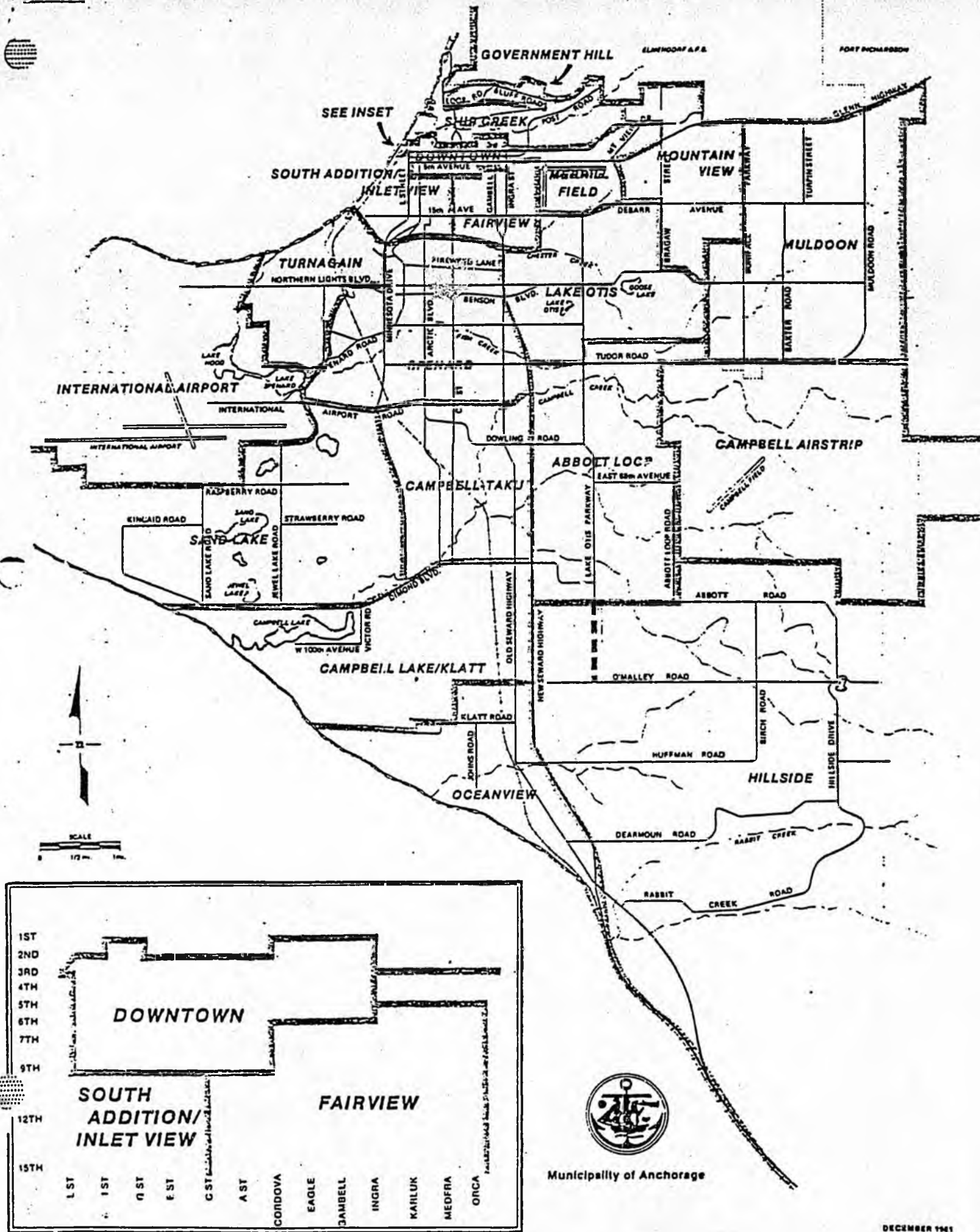
Legislative District E-8

House Representative: Cowdery, Pestinger

Senator: Pettyjohn, Faiks

SUB-AREAS

LAKE OTIS PARKWAY, ABBOTT ROAD TO O'MALLEY



Municipality of Anchorage

Municipality
of
Anchorage



POUCH 6550
ANCHORAGE, ALASKA 99502-0550
(907) 253-6401

TOM V. HOWLES,
MAYOR

OFFICE OF PUBLIC SERVICES

March 25, 1982

Honorable Sam Pestinger
House of Representatives
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Sam,

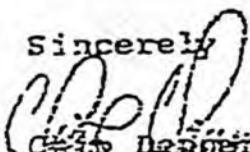
You have requested additional information concerning specific cost breakdowns for various elements in the Lake Otis extension project. Below is a brief summary of these costs.

If you have any further questions please feel free to discuss the project directly with Paul Diener, Director of Public Works, or Lee Browning, the Municipal Engineer, on my staff.

As you know, these costs represent our best estimate based upon available engineering information. Naturally, the final exact cost of the project will be determined by the bid. However, we feel our estimates do represent an accurate estimate of the project.

Thank you for your continued interest and support of this high priority project.

Sincerely,


Chip DeSmet
Executive Manager
Public Services

CD/bmco
psw/cd51

MUNICIPALITY OF ANCHORAGE
 DEPARTMENT OF PUBLIC WORKS
 1983 PROJECT COST ESTIMATE FOR
 LAKE OTIS PARKWAY FROM ABBOTT ROAD
 TO O'MALLEY ROAD, STREET AND
 DRAINAGE IMPROVEMENTS
 PROJECT NO. 83-E-07

1. Right-of-Way and Easement Acquisition:

L.S.	\$ 300,000
Total	300,000

2. Construction Costs

a. 45-foot wide paved street with curb, gutter, and striping:	5280 LF @ \$240/LF	1,257,200
b. Channelization and signalization (as required) at 5 locations:	L.S.	405,000
c. 5-foot wide P.C.C. sidewalk on west side:	5280 LF @ \$40/LF	211,200
d. 5-foot wide paved bike trail on east side:	5280 LF @ \$48/LF	253,440
e. Street lighting:	27 ea. @ \$4,000 ea.	108,000
f. Storm drainage:	L.S.	200,000
g. Landscaping:	L.S.	200,000

Subtotal	\$2,644,840
10% Contingency	264,484

1983 Total Estimated Construction Cost: \$2,909,324

3. Professional Services & Miscellaneous: 580,676

TOTAL: \$ 580,676

1983 Total Project Cost (1+2+3): \$3,790,000

* This estimate does not include:

1. Underground electric and/or gas
2. Water improvements
3. Sewer improvements
4. Any other improvements not specifically mentioned herein.



Project: WATER QUALITY/STORM DRAIN PROJECT (CONSTRUCTION)

Project Cost: \$1,260,000

Description/Justification:

These funds will construct a storm drainage system including water quality control devices in the South Anchorage Area. Recent and planned development in the area is concentrating heavy demands on the present inadequate drain system. This project will improve the safety of the roads in the area by removing potential hazards presented by excessive water on the roadway. In addition the water quality of the surrounding lakes and streams will be greatly improved by the removal of soil, sediment, and other pollutants. Construction is expected to be complete by mid 1984 and will provide 8 man years of work. The Municipality anticipates annual maintenance costs of \$25,000 to be paid by local taxes and revenue sharing funds. Acquisition of necessary drainage easements is anticipated. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

786-8160

Municipal Staff Contact

Name:	Everett P. Diener	Lee Browning
Title:	Director of Public Works	Municipal Engineer
Phone:	263-8160	263-8109

Legislative District D-7, E-8, E-9, F-10

House Representative: Szymanski, Cowdery, Pestinger, Hayes, Flood, Bussell, Lindauer

Senator: P. Fischer, Gilman, Pettyjohn, Faiks, Sturgulewski, Rodey



Project: WATER QUALITY/STORM DRAIN PROJECT (DESIGN)

Project Cost: \$200,000

Description/Justification:

These funds will design a storm drainage system as recommended by the South Anchorage Drainage Study. The project will consist of 6,250 lineal feet of pipe and 2,600 feet of culverts and ditches. These improvements are needed to upgrade existing drainage facilities that are unable to accommodate the heavy development now going on in South Anchorage. Water quality devices will also be included in the project in keeping with recommendations made by the Anchorage 208 Water Quality Study. Design is expected to be complete in early 1984. A funding request for this project has been included in the Municipality's 1983 Capital Improvement Budget.

Municipal Staff Contact

Name: Everett P. Diener
Title: Director of Public Works
Phone: 263-8160

Lee Browning
Municipal Engineer
263-8109

Legislative District D-7, E-8, E-9, F-10

House Representative: Szymanski, Cowdery, Pestinger, Hayes, Flood, Bussell, Lindauer

Senator: P. Fischer, Gilman, Pettyjohn, Faiks, Sturgulewski, Rodey

**Municipality
of
Anchorage**



OFFICE OF THE MAYOR

POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4431

TONY KNOWLES,
MAYOR

December 8, 1982

Representative-elect John Cowdery
8120 Lake Otis Parkway
Anchorage, Alaska 99507

Dear Mr. Cowdery:

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The Mayor has recommended to the Assembly that the funds appropriated for construction of the Potter Valley Road be reappropriated by the 1983 Legislature for construction of the Lake Otis Parkway improvements. Current cost estimates for construction of the improvement indicate that the Lake Otis project will cost approximately \$3,790,000. A copy of Mayor Knowles' Memorandum to the Assembly is enclosed for your information.

Reappropriation of the funds allocated for the Potter Valley Road does not preclude construction of the road in the near future. Under Municipal Ordinances, specifically Article 21.87.025, reimbursement of part of the cost of required public improvements to arterial and collector streets recognized on the Official Streets and Highways Plan is mandated if the improvements are within an area where the Municipality provides road maintenance. Funds to reimburse developers for construction of such roads, including the Potter Valley Road, are currently available as the result of approval of a bond election this past October.

Representative-elect John Cowdery
December 8, 1982
Page 2

We would appreciate your support for reappropriation of the Potter Valley Road grant during this next session. If you have any questions after reading this explanation and the Memorandum, please let me know.

Very truly yours,

Patrick M. Anderson

Patrick M. Anderson
Legislative Affairs

Enclosure

1 GRANTS TO MUNICIPALITIES (AS 37.05.315) (CONT.)		APPROPRIATION		APPROPRIATION FUND SOURCES	
2		ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS
3					
4	AREAWIDE TRAFFIC SIGNAL REPAIR		200,000	200,000	
5	PAVE LUNAR DRIVE SOUTH FROM LASER COURT		120,000	120,000	
6	PAVE BURLWOOD TERRACE SUBDIVISION		300,000	300,000	
7	LAKE OTIS & ABBOTT ROAD SIGNALS		125,000	125,000	
8	LAKE OTIS & DOWLING ROAD SIGNALS		125,000	125,000	
9	O'MALLEY & BIRCH ROAD SIGNALS		125,000	125,000	
10	CROES & BRANDON ROADS COMPLETION		100,000	100,000	
11	POTTER VALLEY ACCESS ROAD		2,500,000	2,500,000	
12	UPPER O'MALLEY LIMITED ROAD SERVICE AREA		50,000	50,000	
13	TALUS WEST LIMITED ROAD SERVICE AREA		50,000	50,000	
14	GLEN ALPS LIMITED ROAD SERVICE AREA		50,000	50,000	
15	SKY RANCH ESTATES HOME OWNERS' ASSOCIATION		50,000	50,000	
16	ANCHORAGE ROADS AND PROJECTS		5,737,900	5,737,900	
17	TRAFFIC SIGNAL REPAIR		100,000	100,000	
18	9TH AVENUE L STREET EAST TO INGRA		150,000	150,000	
19	15TH AVENUE - MERRILL DRIVE TO "I" STREET		160,000	160,000	
20	ED 13 KENAI - SOLDOTNA - HOMER				
21	HOMER - STREET PROJECTS		760,000	760,000	
22	KENAI - STREETS		2,690,000	2,690,000	
23	SOLDOTNA - STREETS		1,000,000	1,000,000	
24	ED 15 ALEUTIAN ISLANDS - KODIAK				
25	KING COVE - ROAD EXTENSION		400,000	400,000	

1 GRANTS TO MUNICIPALITIES (AS 37.05.315) (CONT.)		APPROPRIATION		APPROPRIATION FUND SOURCES	
2		ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS
3					
4	ED 16 DILLINGHAM - BRISTOL BAY				
5	DILLINGHAM - MAIN STREET SURFACING		750,000	750,000	
6	ALEKHAGIK - DREDGING EQUIPMENT		100,000	100,000	
7	DILLINGHAM - ROAD IMPROVEMENTS		600,000	600,000	
8	GODDENS BAY - EROSION CONTROL		55,000	55,000	
9	ED 17 BETHEL - LOWER KUSKOKWIM				
10	BETHEL - ROAD RESURFACING		500,000	500,000	
11	ANJAK - MORGANS ROAD IMPROVEMENTS		140,000	140,000	
12	ANJAK - EMERGENCY DIKE EXTENSION		200,000	200,000	
13	AKJAK - GRAVEL ROADS		499,600	499,600	
14	CHEFORNAK - BOARDWALK TO WASTE DISPOSAL SITE		100,000	100,000	
15	CHEFORNAK - RIVERFRONT IMPROVEMENTS		400,000	400,000	
16	BETHEL - AIRPORT FIRETRUCK		225,000	225,000	
17	ED 18 GALENA - MCGRATH - HOOPER BAY				
18	ALLAKAKET - LOCAL ROAD EXTENSION		84,000	84,000	
19	RUBY - DOCK FACILITY		200,000	200,000	
20	SAINT MARYS - EQUIPMENT STORAGE BUILDING		70,000	70,000	
21	PILOT STATION - MAINTENANCE STORAGE BUILDINGS		80,000	80,000	
22	HOOPER BAY - MAINTENANCE SHOP		50,000	50,000	
23	HOLY CROSS - STREETLIGHTS		10,000	10,000	
24	ANVIK - STREETLIGHTS		5,000	5,000	
25	GRAYLING - MAINTENANCE GARAGE		40,000	40,000	



Official Business

Alaska State Legislature

House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Jack Fuller, Chairman
House Rules Committee

RE: Reappropriation

DATE: March 26, 1983

Please consider the attached amendment for House Bill 240.

In 1980 the legislature allocated to the Department of Transportation \$1,950,000 for construction of airport terminals in 26 villages. The department was able to purchase the terminals in bulk and spent approximately \$75,000 for each.

There is approximately \$280,000 and \$400,000 left from the original appropriation. In order for DOT to construct airport terminals in the villages of Chevak, Gambell, and Savoonga the present statute needs to be amended.

The department has indicated that there is enough money left in the account to take care of the three villages.

Additional back-up from the Department of Transportation will be forthcoming on Monday, March 28th. They are telecopying the actual amount left in their account.

AMENDMENT

OFFERED IN THE HOUSE FINANCE CMTE, BY: Rep. ADAMS
To: _____ HOUSE BILL No. 240
SENATE BILL No. _____
PAGE: _____ LINE: _____

Add a new section to read as follows:

*Section 1. Section 286, ch. 50, SLA 1980, page 86, line 9
is amended to read:

Chevak, Gambell, Savoonga

*Section 2. This act takes effect immediately in accordance
with AS 01.10.070(c).

Introduced: 3/7/83
Referred: Finance

Funding Information
General Fund \$2,500,000
Other Funds -0-
\$2,500,000

BY COWDERY, PESTINGER,
FLOOD AND HAYES

1 IN THE HOUSE

2

HOUSE BILL NO. 240

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act repealing an appropriation made to the City
of Anchorage for the Potter Valley Access Road and
making special appropriations to the Department of
Transportation and Public Facilities and for payment
as a grant to the Municipality of Anchorage; and
providing for an effective date."

7

8

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

9

* Section 1. Section 80, ch. 101, SLA 1982, page 100, line 11 is re-
pealed.

10

11

* Sec. 2. The sum of \$1,040,000 is appropriated from the general fund
to the Department of Transportation and Public Facilities for construction
of the Lake Otis extension to O'Malley Road in Anchorage.

12

13

14

* Sec. 3. The sum of \$1,460,000 is appropriated from the general fund
for payment as a grant to the Municipality of Anchorage for design and
construction of the South Anchorage water quality and storm drainage proj-
ect.

15

16

* Sec. 4. The appropriation made by sec. 2 of this Act is for a capital
project and is subject to AS 37.25.020.

17

18

* Sec. 5. The appropriation made by sec. 3 of this Act shall be dis-
bursed in accordance with AS 37.05.315 - 37.05.319.

19

20

* Sec. 6. This Act takes effect immediately in accordance with AS 01.-
10.070(c).

21

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

6/11/83

Date: 6-17-83

Mr. Speaker:

The Committee on FINANCE has had HB 241

"An Act relating to the creation of the Alaska Athletic Commission and the regulation of combative sports."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 241 (Fin) same title new title
- and recommends INDIVIDUAL RECOMMENDATIONS
- 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:**

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]
CHAIRMAN

Original sponsor: Martin

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 241 (Finance)

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 the creation of the Alaska Boxing
7 Commission and the regulation of professional boxing;
8 and providing for an effective date."

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

10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11 (24) Alaska Boxing Commission (AS 08.15.010).

12 * Sec. 2. AS 08 is amended by adding a new chapter to read:

13 CHAPTER 15. BOXING.

14 Sec. 08.15.010. CREATION OF BOXING COMMISSION. (a) There is
15 created in the Department of Commerce and Economic Development the
16 Alaska Boxing Commission.

17 (b) Members of the commission serve at the pleasure of the
18 governor and shall be selected on the basis of their knowledge of and
19 contribution to professional boxing in the state.

20 Sec. 08.15.020. COMPOSITION AND TERMS OF MEMBERSHIP. (a) The
21 commission consists of five members appointed by the governor for
22 staggered three year terms as follows:

23 (1) a licensed physician, preferably a specialist in sports
24 medicine;

25 (2) one member of the public not connected directly or
26 indirectly with the profession or doing business with persons in the
27 profession;

28 (3) three members from the profession, one of whom shall be
29 a contestant licensed under this chapter.

CORRECTION

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

Original sponsor: Martin

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 241 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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22 staggered three year terms as follows:

23 (1) a licensed physician, preferably a specialist in sports
24 medicine;

25 (2) one member of the public not connected directly or
26 indirectly with the profession or doing business with persons in the
27 profession;

28 (3) three members from the profession, one of whom shall be
29 a contestant licensed under this chapter.

1 (b) A vacancy shall be filled for the balance of the unexpired
2 term.

3 Sec. 08.15.030. GENERAL DUTIES AND ANNUAL REPORT. (a) The
4 commission shall report annually to the governor. The report shall
5 include the recommendations of the commission for the advancement and
6 improvement of professional boxing programs and activities in the
7 state, in addition to including the commission's findings.

8 (b) The commission shall recommend to the legislature statutory
9 changes that the commission considers desirable or necessary to pro-
10 mote and maintain a high level of professional boxing activity in the
11 state.

12 Sec. 08.15.040. POWER OF COMMISSION. (a) The commission shall
13 supervise all professional contests conducted in the state.

14 (b) The commission shall adopt regulations for the safe, organ-
15 ized, sportsmanlike and honest conduct of contests, including regula-
16 tions relating to

17 (1) licensing of persons under the personal license provi-
18 sions of this chapter;

19 (2) establishing the minimum fees payable to attending
20 physicians or other medical personnel, referees, judges, and time-
21 keepers, and providing for waiver of the fees with the consent of the
22 promoter and the person entitled to the fee;

23 (3) qualifications and duties of all persons required to be
24 licensed under this chapter;

25 (4) conduct of contests, including their format and dura-
26 tion;

27 (5) approved equipment and facilities for the safety and
28 protection of contestants;

29 (6) any other provision of this chapter.

1 (c) The commission may subpoena witnesses, administer oaths,
2 take testimony and require the production or examination of any re-
3 cords concerning matters before the commission or under its investiga-
4 tion.

5 Sec. 08.15.050. DESIGNATED REPRESENTATIVES. (a) The commission
6 shall maintain a list of designated representatives.

7 (b) A local designated representative shall be appointed to
8 substitute for a commissioner unable to supervise a contest in the
9 commissioner's area. Commissioners shall minimize travel from one
10 area of the state to another.

11 Sec. 08.15.060. ATTENDANCE AT CONTESTS. A contest may not be
12 held without the attendance and supervision of a commissioner or a
13 designated representative.

14 Sec. 08.15.070. PROVISION OF OFFICIALS. If not provided by the
15 promoter, a commissioner supervising a contest shall provide, at the
16 promoter's expense, for the attending physician or other medical
17 personnel, timekeepers, referees, and judges at all contests in the
18 state.

19 Sec. 08.15.080. MEETINGS AND COMPENSATION. (a) The commission
20 shall meet at least once a year at the call of the chairperson, at the
21 request of a majority of the commissioners, or at a regularly sched-
22 uled time determined by the commission. Commissioners serve without
23 compensation but are entitled to per diem and travel expenses autho-
24 rized by law for boards and commissions under AS 39.20.180.

25 (b) The commissioners shall elect a chairperson and a vice-
26 chairperson from among their membership. The affirmative vote of a
27 majority of the commissioners is required to exercise the powers of
28 the commission. At least one commissioner who is not in the profes-
29 sion must be in attendance at a meeting in which official action is

1 taken.

2 (c) Meetings may be held by teleconference or other electronic
3 means. Commissioners participating in a meeting from a location out
4 of state may not vote at that meeting.

5 (d) The commission shall keep full and accurate minutes of its
6 proceedings and records of its transactions.

7 Sec. 08.15.090. LICENSES REQUIRED. (a) A person may not act as
8 a promoter, contestant, manager, attending physician or other medical
9 personnel, trainer, referee, or judge in or for a contest unless that
10 person has been issued the appropriate personal license by the commis-
11 sion.

12 (b) Application procedures and qualifications for the licenses
13 required under this section shall be set out in regulations adopted by
14 the commission.

15 (c) Licenses are biennial and shall expire on December 31.

16 (d) A temporary license shall be granted by the commission or a
17 commissioner if the applicant meets the qualifications for the li-
18 cense. A temporary license is valid for 90 days or until the perma-
19 nent license is issued or denied, whichever comes first.

20 Sec. 08.15.100. LICENSE FEES. The fees for licenses under this
21 chapter are as follows:

- 22 (1) promoters.....\$100;
23 (2) managers.....50;
24 (3) all other licensees except attending physicians and
25 other medical personnel.....10.

26 Sec. 08.15.110. PROMOTER'S BOND. A promoter shall file a bond
27 in the amount of \$5,000 with the department upon approval of the
28 application for a license and before the license is issued. The bond
29 shall be conditioned on the faithful performance by the licensee of

1 the provisions of this chapter, the payment of the contestants, and
2 the good faith effort to conduct each contest for which tickets have
3 been sold.

4 Sec. 08.15.120. CONTESTANT RESTRICTIONS. (a) A person may not
5 participate as a contestant who

6 (1) was intoxicated or under the influence of a controlled
7 substance at the time the person agreed to participate;

8 (2) did not agree to participate in writing;

9 (3) except as provided in (b) of this section, has used
10 alcohol or a controlled substance within eight hours preceding the
11 contest or is under the influence of alcohol or a controlled substance
12 at the time of the contest; and

13 (4) is not at least 18 years of age or has not obtained a
14 waiver from the commission or a commissioner.

15 (b) A contestant may participate in a contest if

16 (1) the attending physician or other medical personnel is
17 aware that the contestant is using a prescription drug; and

18 (2) in the opinion of the attending physician or other
19 medical personnel, the safety of the contestant is not jeopardized and
20 the prescription drug offers the contestant no advantage over the
21 opponent in the contest.

22 Sec. 08.15.130. EXAMINATION OF CONTESTANTS. (a) Every con-
23 testant shall be examined no more than 24 hours before the contest by
24 a practicing physician or other medical personnel. The examining
25 physician or other medical personnel may disqualify a contestant
26 considered physically unfit to participate.

27 (b) A contestant shall obtain a CAT scan of the head, or an
28 equivalent examination, every 150 contest rounds or less and promptly
29 supply a physician's analysis of the most recent CAT scan, or its

1 equivalent, to the commission. If the contestant has been knocked out
2 since the contestant's last CAT scan or its equivalent, a physician's
3 analysis of a CAT scan or its equivalent, taken after the last knock-
4 out shall be supplied to the commission before the contestant's next
5 contest.

6 (c) If an analysis under (b) of this section is supplied in
7 anticipation of a contest, the analysis may be supplied to the commis-
8 sioner in charge of the contest.

9 Sec. 08.15.140. MEDICAL PERSONNEL REQUIRED. An attending physi-
10 cian or other medical personnel shall be on duty throughout a contest.
11 The attending physician or other medical personnel has the authority
12 and duty to stop a contest when it is the opinion of the physician or
13 other medical personnel that it would be dangerous to a contestant to
14 continue.

15 Sec. 08.15.150. NOTICE OF CANCELLATION. (a) When it has been
16 determined by means other than a physical examination that a scheduled
17 contestant will be unable to appear, the scheduled contestant's mana-
18 ger and the promoter of the contest shall notify the commissioner or
19 the designated representative supervising the contest of the can-
20 cellation of the contest. When the cancellation is the result of the
21 examination by an examining physician or by other medical personnel,
22 the examining physician or other medical personnel shall notify the
23 commissioner supervising the contest in writing, stating the medical
24 reason for the cancellation.

25 (b) Upon receipt of notice of the cancellation of a contest for
26 any reason, the commissioner or the designated representative super-
27 vising the contest, shall report the cancellation promptly to the
28 chairperson of the commission and immediately to the public. If the
29 commission, rather than the commissioner or the designated

1 representative supervising the contest, is notified of a cancellation,
2 the commission shall notify the public immediately.

3 Sec. 08.15.160. PAYMENT OF FEES. Failure of a promoter to pay
4 the fees or compensation of the contestant, referee, attending physi-
5 cian or other medical personnel, judges, and timekeeper is grounds for
6 the suspension of the promoter's license.

7 Sec. 08.15.170. STATEMENT OF CONTEST. (a) Before a contest, a
8 promoter shall file with the commission, commissioner or the commis-
9 sioner's designated representative, a statement setting out the name
10 of each contestant, the managers' names and other information the
11 commission may require.

12 (b) Failure to file the statement required under (a) of this
13 section is grounds for suspension of the promoter's license.

14 Sec. 08.15.180. ACTING WITHOUT A LICENSE. A person who violates
15 AS 08.15.090(a) is guilty of a class B misdemeanor.

16 Sec. 08.15.190. SHAM CONTEST. (a) A person may not conduct or
17 participate in a sham or false contest.

18 (b) A licensee who violates (a) of this section shall be penal-
19 ized by the commission as follows:

20 (1) for a first offense, a license shall be suspended for a
21 minimum of one year, beginning from the date of the suspension order;

22 (2) for a second offense, a license shall be revoked perma-
23 nently.

24 (c) The commission shall institute action to enforce (a) of this
25 section within 10 days of receipt of notice of a possible violation.

26 (d) An unlicensed person who violates (a) of this section is
27 guilty of a class B misdemeanor.

28 Sec. 08.15.200. EFFECT OF LICENSE SUSPENSION. (a) A licensee
29 may not promote or participate in a contest when the licensee's

1 license is suspended.

2 (b) A licensee who violates (a) of this section forfeits the
3 license.

4 Sec. 08.15.210. EFFECT OF LICENSE FORFEITURE. A license for-
5 feited under this chapter is cancelled and void. The licensee is
6 forever ineligible for any of the licenses issued by the commission.

7 Sec. 08.15.220. GENERAL PENALTY. A person violating a provision
8 of this chapter or a regulation of the commission for which no penalty
9 is provided is guilty of a class B misdemeanor.

10 Sec. 08.15.230. INAPPLICABILITY OF CHAPTER. Nothing in this
11 chapter gives the commission jurisdiction over the athletic programs
12 of any school, college or university or any other nonprofessional
13 athletic events.

14 Sec. 08.15.240. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
15 ACT. The Administrative Procedure Act (AS 44.62) applies to regula-
16 tions and proceedings under this chapter.

17 Sec. 08.15.900. DEFINITIONS. In this title

18 (1) "CAT scan" means a rotating three dimensional computer-
19 enhanced X-ray image;

20 (2) "commission" means the boxing commission created in
21 AS 08.15.010;

22 (3) "commissioner" means a member of the boxing commission;

23 (4) "contest" includes a professional boxing contest,
24 match, bout or fight;

25 (5) "contestant" means a person who competes in a profes-
26 sional contest;

27 (6) "designated representative" means a person knowledge-
28 able about boxing or wrestling and qualified under the regulations
29 adopted by the commission for designated representatives;

1 (7) "other medical personnel" includes a physician assis-
2 tant, registered nurse, paramedic, and emergency medical technician
3 while performing duties under this chapter and within the scope of the
4 person's occupational license;

5 (8) "personal license" means the license issued to a pro-
6 moter, contestant, manager, attending physician or other medical
7 personnel, referee, judge, or trainer;

8 (9) "professional" means a person receiving money or other
9 thing of value other than a trophy, plaque, or medal for participation
10 in a contest, and also means the contest itself;

11 (10) "promoter" means the person primarily responsible for
12 the sponsorship, organization or furtherance of a contest.

13 * Sec. 3. AS 44.62.330(a) is amended by adding a new paragraph to read:

14 (52) Alaska Boxing Commission.

15 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:

16 (12) Alaska Boxing Commission (AS 08.15) -- June 30, 1986.

17 * Sec. 5. AS 05.05.010 - 05.05.040 and AS 05.10 are repealed.

18 * Sec. 6. INITIAL TERMS OF ALASKA BOXING COMMISSION MEMBERS. Initial
19 terms of the Alaska Boxing Commission shall be one year for two members,
20 two years for two members, and three years for one member. The governor
21 shall specify the initial term for each appointee.

22 * Sec. 7. REGULATIONS. The commission shall compile an initial list of
23 designated representatives and also shall adopt comprehensive regulations
24 under AS 08.15.040 within one year after the effective date of this Act.

25 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

The following individuals may testify on HB 241:

Representative Terry Martin, sponsor

A representative of Occupational Licensing

STATE OF ALASKA
FISCAL NOTE

Revision Date May 26, 1983

(Page 1 of 4)

I. REQUEST
 Bill/Resolution No.: CSHB NO. 241 (I.&C)
 Title: "Alaska Boxing Commission"
 Sponsor: Labor & Commerce Committee
 Requestor: _____

II. FISCAL DETAIL
 Agency Affected: Commerce and Economic Development
 Program Category Affected: Public Prot. BRU, Program of Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		30.5	32.6	34.9	37.4	40.0
200 TRAVEL		13.3	14.0	15.2	16.3	17.4
300 CONTRACTUAL		10.0	10.7	11.4	12.2	13.1
400 COMMODITIES		.4	.4	.5	.5	.5
500 EQUIPMENT		3.4	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		57.6	57.9	62.0	66.4	71.0
CAPITAL						
REVENUE		1.1	1.1	1.1	1.1	1.1

FUNDING: (Thousands of Dollars)

GENERAL FUND		57.6	57.9	62.0	66.4	71.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

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

Not identified by the sponsor

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Darrell Miller Phone: 465-2535
 Division: Occupational Licensing Date: May 26, 1983
 Approved by Commissioner: _____ Date: _____
 Department: _____

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)

CSHB NO. 241(L&C) (Page 2 & 4)

Fiscal Impact: " An Act relating to the creation of the Alaska Boxing Commission and the regulation of professional boxing."

100 PERSONAL SERVICES: - FY-83 salary schedule
(7% inflation factor projected for subsequent fiscal years.)

1 Licensing Examiner, Range 12, GGU, 12 months, to be located in Juneau. \$30,452.00

200 TRAVEL

4 board meetings annually (2 days each @80.00 per day per diem for 5 board members and 1 administrative staff; \$80.00 X 2 = \$160.00 X 6 = \$960.00 X 4 = \$3,890.00. 2 board meetings for one administrative staff = 2 X \$80.00 = \$160.00 X 2 = \$320.00. \$ 4,160.00

Transportation: 4 board meetings annually (\$350.00 each X board members and one administrative staff = \$2,100.00 X 4 = \$8,400.00. 2 board meetings for one administrative staff = 2 X \$350.00 = \$700.00 \$ 9,100.00

300 CONTRACTURAL

Portage, telephone, development of licensing forms, licenses, printing, contracting for licensed physician at boxing events, computer terminal use (pro-rated share) publications and other operating costs. \$10,000.00

400 COMMODITIES

Stationery, typewriter ribbons, pens, pencils and all misc. desk top supplies. \$ 400.00

500 EQUIPMENT (One time cost - FY-84 only)

1 desk, double pedestal, 60 x 30" \$ 427.00
1 chair, swivel with arms 202.00
1 typewriter, IBM Selectric II 1,129.00
1 typewriter table 94.00
1 chair, side without arms 104.00
1 desk calculator 332.00
1 recorder, lanier 705.00
1 book case 138.00
1 file cabinet, 4 drawer, legal size with lock 306.00
\$ 3,437.00

TOTAL FISCAL IMPACT: \$57,549.00

REVENUE:

The last three fiscal years, 81, 82 and 83, shows a total revenue of \$3,180.00 for licensing. This averages \$1,060.00 per year, however the trend for licensing shows declining revenue. FY-81 revenue shows \$1,700.00, 82 \$930.00 and 83 \$550.00.

CSHB NO.241 (L&C) (Page 3 of 4)

Fiscal Note continued:

This fiscal note has not been prepared as an official fiscal note for the Commissioner of Commerce and Economic Development signature as the fiscal note covers a work draft copy of the House Labor and Commerce Committee substitute for HB 241.

1.	POSITION TITLE Licensing Examiner				RANGE/STEP 12A	DARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT A11	LEC.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		22.7							
6.	Benefits		3.5							
7.	Supplemental Benefits		1.4							
8.	Fixed Benefits		2.9							
9.	TOTAL PERSONAL SERVICES		01		30.5					
10.	Travel		02		-0-					
11.	Contractual		03		-0-					
12.	Commodities		04		.4					
13.	Equipment		05		3.4					
14.	Other									
15.	TOTAL COST				34.3					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		34.3						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

This position would be required to implement the provisions of CSHB NO. 241.

13 REQUEST FOR
NEW POSITION

AGENCY COMMERCE & ECONOMIC DEVELOPMENT
PROGRAM CONSUMER PROTECTION
BRU OCCUPATIONAL LICENSING
COMPONENT ADMINISTRATION

CSHB 241(L&C)
Page 4 of 4
Revised Date May 26, 1983

FY 84

Alaska Statutes

Title 5. Amusements and Sports.

Chapter

- 05. Athletic Commission (§§ 05.05.010 — 05.05.040)
- 10. Boxing and Wrestling (§§ 05.10.010 — 05.10.170)
- 12. Artic Winter Games (§ 05.12.010)
- 15. Games of Chance and Contests of Skill (§§ 05.15.010 — 05.15.210)
- 20. Recreational Devices (§§ 05.20.010 — 05.20.120)
- 25. Watercraft (§§ 05.25.010 — 05.25.100)
- 30. Snow Vehicles (§§ 05.30.010 — 05.30.120)
- 90. Miscellaneous Provisions (§ 05.90.001)

Chapter 05. Athletic Commission.

Section

- 10. Creation and duties of athletic commission
- 20. Commissioner of athletics
- 30. Professional and semi-professional athletic programs

Section

- 40. Meetings and compensation of athletic commission

Sec. 05.05.010. Creation and duties of athletic commission. (a) There is created an athletic commission within the Office of the Governor. The commission consists of four members appointed by the governor. One member of the commission shall be appointed from each of the four major senate districts described in § 2, art. XIV of the state constitution. The commissioners shall be appointed for overlapping two year terms. Members of the commission serve at the pleasure of the governor and shall be selected on the basis of their known interest in and knowledge of athletics in the state.

(b) The commission shall act in an advisory capacity to the commissioner of athletics and shall perform other duties assigned to it by the commissioner. (§ 1 ch 147 SLA 1959)

Collateral references. — 81A C.J.S. States §§ 120, 141, 142.
Bribery in athletic contests. 49 ALR2d 1234.

Application of state antitrust laws to athletic leagues or associations. 85 ALR3d 970.

Sec. 05.05.020. Commissioner of athletics. (a) The governor shall appoint the commissioner of athletics to serve at his pleasure. The commissioner shall be selected on the basis of his knowledge of and contribution to athletics in the state. The commissioner serves for a period of five years.

(b) The commissioner shall, with the aid and counsel of the commission, adopt regulations governing athletics and athletic programs and contests as he considers necessary, expedient and appropriate. The rules and regulations shall have the force and effect of law. (§ 2 ch 147 SLA 1959)

Revisor's notes. — The word "adopt" by the revisor of statutes under AS was substituted for "promulgate the rules and" in the first sentence of subsection (b) 01.05.031(b).

Sec. 05.05.030. Professional and semi-professional athletic programs. (a) The commission shall study the semi-professional and professional athletic programs of the state, and report annually to the governor. The report shall include the recommendations of the commission for the advancement and improvement of athletic programs and activities in the state.

(b) Nothing in this chapter gives the commissioner or the commission jurisdiction over the athletes or the athletic programs of any elementary or high school or a college or university.

(c) Each commissioner shall attend and supervise all boxing and wrestling events in his area, and other athletic events in his area which he considers necessary and may provide for the attendance of a physician whose fees shall be paid for by the promoter or manager of the program. (§ 3 ch 147 SLA 1959)

Sec. 05.05.040. Meetings and compensation of athletic commission. The commission may meet at least once a year at the call of the governor, and when called the members of the commission may, at the election of the governor, receive travel expenses incurred in carrying out the purposes of this chapter, and may receive the per diem allowance for time spent at meetings allowed by law or by executive order. (§ 4 ch 147 SLA 1959)

Collateral references. — 81A C.J.S. States § 107.

Chapter 10. Boxing and Wrestling.

<p>Section</p> <p>10. Licenses for boxing and wrestling matches</p> <p>20. Power of commission</p> <p>30. License for contest at which admission is charged</p> <p>40. Examination of participants in nonlicensed contests</p> <p>50. Regulations applicable to educational institutions</p> <p>60. License required</p> <p>70. Application for license</p> <p>80. Duration of license</p>	<p>Section</p> <p>90. Licensee bond</p> <p>100. Statement and report of contest</p> <p>110. Inspectors</p> <p>120. Annual licenses to participants</p> <p>130. Participation in purse or conducting sham contest</p> <p>140. Participation in sham contest</p> <p>150. Failure to make reports</p> <p>160. Penalty for conducting contests without license</p> <p>170. General penalty</p>
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Sec. 05.10.010. Licenses for boxing and wrestling matches. The athletic commission may issue, and for cause, revoke a license to conduct boxing contests, sparring or wrestling matches, or exhibitions as provided in this chapter under terms and conditions and at times and places as the commission may determine. The holder of a license may conduct boxing contests, sparring and wrestling matches, and exhibitions under terms and conditions and at times and places as the commission may determine. If the commission refuses to grant a license to an applicant, or cancels a license, the applicant, or the holder of the cancelled license may, upon application, have a hearing under the provisions of the Administrative Procedure Act (AS 44.62). (§ 1 ch 157 SLA 1960)

Collateral references. — 4 Am. Jur. 2d Amusements and Exhibitions §§ 26, 27, 29-34, 44.

53 C.J.S. Licenses §§ 4-11, 26, 27, 30; 72 C.J.S. Prize Fighting §§ 1-6; 86 C.J.S. Theaters and Shows §§ 3, 4, 10, 17, 23-29.

Constitutionality and construction of statutes subjecting pugilistic and

wrestling contests to regulation by commissioner or otherwise. 83 ALR 696.

Liability for injury for one attending wrestling or boxing match or exhibition. 14 ALR3d 993.

Validity of state or local regulation dealing with resale of tickets to theatrical or sporting events. 81 ALR3d 655.

Sec. 05.10.020. Power of commission. The commission shall direct, supervise, and control all boxing contests, or sparring and wrestling matches or exhibitions conducted inside the state and no boxing contest, sparring or wrestling match or exhibition may be held inside the state except in accordance with the provisions of this chapter. (§ 2 ch 157 SLA 1960)

Sec. 05.10.030. License for contest at which admission is charged. The commission may issue and, for cause, revoke a license to conduct, hold, or give boxing, sparring and wrestling contests, matches, and exhibitions where an admission fee is charged by a club, corporation, organization, association, or fraternal society. However, boxing contests, sparring or wrestling matches or exhibitions conducted by an elementary school, high school, college, or university, whether public or private, or by the official student association thereof, whether on or off the school, college, or university grounds, where all the participating contestants are bona fide students enrolled in an elementary school, high school, college, or university, inside the state, are not subject to this chapter. (§ 2 ch 157 SLA 1960)

Revisor's notes. — The word "all" was deleted following "However" in the second

sentence by the revisor of statutes pursuant to AS 01.05.031(b).

Sec. 05.10.040. Examination of participants in nonlicensed contests. Every contestant in a boxing contest, sparring or wrestling

match not conducted under this chapter shall be examined within eight hours before the contest by a practicing physician. The examining physician may disqualify any contestant he considers physically unfit to participate. (§ 2 ch 157 SLA 1960)

Sec. 05.10.050. Regulations applicable to educational institutions. The scholastic organizations exempted from the provisions of this chapter shall comply with the rules of the commission applicable to boxing contests, sparring or wrestling matches, or exhibitions conducted by it. (§ 2 ch 157 SLA 1960)

Sec. 05.10.060. License required. Except as provided in this chapter no boxing contest, sparring or wrestling match or exhibition shall be conducted inside the state except under a license issued in accordance with this chapter and the rules and regulations of the commission. (§ 2 ch 157 SLA 1960)

Sec. 05.10.070. Application for license. A club, corporation, organization, association or fraternal society affected by this chapter may apply to the commission for a license. An application shall be in writing and upon a form prescribed by the commission and shall be verified in the manner the commission requires and accompanied by an annual license fee of \$100. (§ 3 ch 157 SLA 1960)

Sec. 05.10.080. Duration of license. The licenses provided for in AS 05.10.070 and 05.10.120 shall be issued for a six-month or 12-month period and shall expire on June 30 and December 31 of each year. (§ 4 ch 157 SLA 1960)

Sec. 05.10.090. Licensee bond. Every licensee shall file a good and sufficient bond in the sum of \$1,000 with the commission in cities of less than 10,000 inhabitants and a good and sufficient bond in the sum of \$2,500 in cities of more than 10,000 inhabitants. The bond shall be conditioned for the faithful performance by the licensee of the provisions of this chapter, the payment of the taxes as provided for in this chapter and the obeying of all rules and regulations of the commission, which bond shall be subject to the approval of the attorney general. (§ 5 ch 157 SLA 1960)

Sec. 05.10.100. Statement and report of contest. A licensee shall, within three days before the holding of a boxing contest, sparring or wrestling match, or exhibition, file with the commission a statement setting forth the name of each contestant, his manager and other information the commission requires. One week after the completion of the contest, the licensee shall file with the Department of Revenue and the commission a written verified report, showing the number of tickets sold for the contest, the price charged for them and the gross proceeds from the sale, and other information the commission requires. (§ 6 ch 157 SLA 1960)

Sec. 05.10.110. Inspectors. The commission may appoint official inspectors. In the absence of a member of the commission, at least one inspector shall be present at any boxing contest, sparring or wrestling match, or exhibition held under this chapter. An inspector shall carry a card signed by the chairman of the commission evidencing his authority. He shall see that all rules and regulations of the commission and the provisions of this chapter are strictly complied with and shall be present at the accounting of the gross receipts of the contest. An inspector may receive from the licensee the statement of receipts provided for in this chapter and shall immediately transmit the statement to the commission and to the Department of Revenue. An inspector is entitled to a fee not exceeding \$7.50 for each contest officially attended. (§ 7 ch 157 SLA 1960)

Sec. 05.10.120. Annual licenses to participants. (a) The commission may grant annual licenses upon application in compliance with the rules and regulations prescribed by the commission and the payment of the fees prescribed for managers, referees, examining physicians, boxers, wrestlers, seconds, and trainers.

(b) The following is the schedule of annual fees:

- (1) examining physicians, \$10;
- (2) managers, \$50;
- (3) referees, \$10;
- (4) seconds, \$10;
- (5) trainers, \$10;
- (6) boxers, \$10;
- (7) wrestlers, \$10.

(c) This section does not apply to contestants or participants in strictly amateur contests or fraternal organizations or veterans' organizations chartered by congress or a federal department or a bona fide athletic club holding and promoting athletic contests or smokers where all funds are used primarily for the benefit of their members.

(d) The annual license may be revoked by the commission for cause under the Administrative Procedure Act (AS 44.62).

(e) The commission shall designate the referee for the contest from among licensed referees.

(f) No person may participate or serve in any of the above capacities unless licensed as provided in this chapter. (§ 8 ch 157 SLA 1960)

Sec. 05.10.130. Participation in purse or conducting sham contest. A person or a member of any group of persons or corporation promoting wrestling or boxing exhibitions or contests who participates directly or indirectly in the purse or fee of a manager of a boxer or wrestler or a boxer or a wrestler, and a licensee who conducts or participates in any sham or fake boxing contest or sparring match or exhibition, forfeits his license and the commission shall declare the license cancelled and void and the licensee may not thereafter receive another license. (§ 9 ch 157 SLA 1960)

Sec. 05.10.140. Participation in sham contest. A contestant who participates in a sham or fake boxing contest or sparring match or exhibition or who violates a rule or regulation of the commission shall be penalized as follows:

(1) for the first offense he shall be restrained by order of the commission for a period of not less than three months from participating in a contest held under the provisions of this chapter, with the suspension taking effect immediately after the occurrence of the offense;

(2) for a second offense the contestant shall be permanently suspended from participation in a contest held under the provisions of this chapter. (§ 10 ch 157 SLA 1960)

Sec. 05.10.150. Failure to make reports. Whenever a licensee fails to make a report of a contest within the time prescribed by this chapter or when the report is unsatisfactory to the commission or to the Department of Revenue, the secretary shall examine the books and records of the licensee. The secretary may subpoena and examine under oath the licensee and any other person he considers necessary to a determination of the total gross receipts from a contest and the amount of tax thereon. If, upon the completion of the examination, it is determined that an additional tax is due, notice shall be served upon the licensee, and if he fails to pay the additional tax within 20 days after service of the notice he forfeits his license and is permanently disqualified from receiving a new license. In addition the licensee and the members thereof are jointly and severally liable to the state in the penal sum of \$1,000. (§ 11 ch 157 SLA 1960)

Sec. 05.10.160. Penalty for conducting contests without license. A person, club, corporation, organization, association or fraternal society conducting boxing, sparring or wrestling contests or exhibitions without a license is guilty of a misdemeanor. (§ 12 ch 157 SLA 1960)

Cross references. — As to sentences for misdemeanors, see AS 12.55.135. Licenses §§ 59-61, 66-71; 86 C.J.S. Theaters and Shows §§ 29, 58, 59.
Collateral References. — 53 C.J.S.

Sec. 05.10.170. General penalty. A person violating a provision of this chapter for which no penalty is provided in this chapter is guilty of a misdemeanor. (§ 13 ch 157 SLA 1960)

Cross references. — As to sentences for misdemeanors, see AS 12.55.135.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

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


MEMORANDUM

June 11, 1983

SUBJECT: Boxing
(CSHB 241 (Finance))

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

Attn: Representative Terry Martin

FROM:  Russ Josephson
Legislative Counsel

A few questions arose during the drafting of the enclosed committee substitute for HB 241. In drafting the bill, I have made a few adjustments according to what I understood the intent of the bill to be. In the event that I may have misinterpreted your request, I wanted to point out these areas in the bill.

First, by eliminating the references to "other medical personnel" in a few places, it was only logical to remove all the other references, including the definition. It appears that the role envisioned by the Labor and Commerce Committee version of the bill for the "other medical personnel" involves activities either beyond the scope of the activities of the "other medical personnel" or beyond the scope of their occupational licenses. Therefore, I think that you have a better bill, legally speaking, without the references.

Secondly, I had a little difficulty with the changes in Sec. 08.15.050 (page 3 of the draft). As subsection (b) now reads, a local designated representative "shall" be appointed to replace a commissioner unable to supervise a contest in the commissioner's area. Logically, then, a designated representative from one area would not be able to substitute for a commissioner in another area.

The second sentence of the subsection said that

Representative Albert P. Adams
Page 2
June 11, 1983

Commissioners and designated representatives shall minimize travel from one area of the state to another.

I have modified this by striking "and designated representatives". If it is your intention to allow a designated representative from one area to substitute for a commissioner from another area when that commissioner is unable to supervise a contest in the commissioner's area and a local designated representative does not exist or also is unable to supervise, then that can be drafted.

[REDACTED] I understand the request, however, you wanted only a local designated representative to supervise and take over when the designated representative is unable to travel. Accordingly, I have eliminated the designated representatives from the second sentence of subsection (b) because the first sentence makes it clear that the designated representative shall be local. If I have misinterpreted the request, please tell me and I will rework the section.

Thirdly, I have modified Sec. 08.15.130 (pages 5 and 6 of the draft).

[REDACTED]

I believe this approach achieves the result you intended.

If you have any questions or corrections, please do not hesitate to call.

RJ:ljb

Enclosure
24/008

CHANGES FROM CS HB 241(LTC)

Josephson
6-16-83 ✓

KEY: — NEW LANGUAGE
[...] DELETED LANGUAGE

Original sponsor: Martin

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 241 (Finance)

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 the creation of the Alaska Boxing
7 Commission and the regulation of professional box-
8 ing; and providing for an effective date."

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

10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11 (24) Alaska Boxing Commission (AS 08.15.010).

12 * Sec. 2. AS 08 is amended by adding a new chapter to read:

13 CHAPTER 15. BOXING.

14 Sec. 08.15.010. CREATION OF BOXING COMMISSION. (a) There is
15 created in the Department of Commerce and Economic Development the
16 Alaska Boxing Commission.

17 (b) Members of the commission serve at the pleasure of the
18 governor and shall be selected on the basis of their knowledge of and
19 contribution to professional boxing in the state.

20 Sec. 08.15.020. COMPOSITION AND TERMS OF MEMBERSHIP. (a) The
21 commission consists of five members appointed by the governor for
22 staggered three year terms as follows:

23 (1) a licensed physician, preferably a specialist in sports
24 medicine;

25 (2) one member of the public not connected directly or
26 indirectly with the profession or doing business with persons in the
27 profession;

28 (3) three members from the profession, one of whom shall be
29 a contestant licensed under this chapter.

1 (b) A vacancy shall be filled for the balance of the unexpired
2 term.

3 Sec. 08.15.030. GENERAL DUTIES AND ANNUAL REPORT. (a) The
4 commission shall report annually to the governor. The report shall
5 include the recommendations of the commission for the advancement and
6 improvement of professional boxing programs and activities in the
7 state, in addition to including the commission's findings.

8 (b) The commission shall recommend to the legislature statutory
9 changes that the commission considers desirable or necessary to pro-
10 mote and maintain a high level of professional boxing activity in the
11 state.

12 Sec. 08.15.040. POWER OF COMMISSION. (a) The commission shall
13 supervise all professional contests conducted in the state.

14 (b) The commission shall adopt regulations for the safe, organ-
15 ized, sportsmanlike and honest conduct of contests, including regula-
16 tions relating to

17 (1) licensing of persons under the personal license provi-
18 sions of this chapter;

19 (2) establishing the minimum fees payable to attending
20 physicians, ^(OR OTHER MEDICAL PERSONNEL) referees, judges, and timekeepers, and providing for
21 waiver of the fees with the consent of the promoter and the person
22 entitled to the fee;

23 (3) qualifications and duties of all persons required to be
24 licensed under this chapter;

25 (4) conduct of contests, including their format and dura-
26 tion;

27 (5) approved equipment and facilities for the safety and
28 protection of contestants;

29 (6) any other provision of this chapter.

1 (c) The commission may subpoena witnesses, administer oaths,
 2 take testimony and require the production or examination of any re-
 3 cords concerning matters before the commission or under its investiga-
 4 tion.

5 Sec. 08.15.050. DESIGNATED REPRESENTATIVES. (a) The commission
 6 shall maintain a list of designated representatives.

7 (b) ^(WHENEVER POSSIBLE) A local designated representative shall ~~be appointed to~~
 8 substitute for a commissioner unable to supervise a contest in the
 9 commissioner's area. Commissioners ^[AND DESIGNATED REPRESENTATIVES] shall minimize travel from one
 10 area of the state to another.

11 Sec. 08.15.060. ATTENDANCE AT CONTESTS. A contest may not be
 12 held without the attendance and supervision of a commissioner or a
 13 designated representative.

14 Sec. 08.15.070. PROVISION OF OFFICIALS. If not provided by the
 15 promoter, a commissioner supervising a contest shall provide ~~for the~~
 16 ~~member's expense~~ ^[OR OTHER MED. PERSONNEL] for the attending physician, timekeepers, ref-
 17 erees, and judges at all contests in the state.

18 Sec. 08.15.080. MEETINGS AND COMPENSATION. (a) The commission
 19 shall meet at least once a year at the call of the chairperson, at the
 20 request of a majority of the commissioners, or at a regularly sched-
 21 uled time determined by the commission. Commissioners serve without
 22 compensation but are entitled to per diem and travel expenses autho-
 23 rized by law for boards and commissions under AS 39.20.180.

24 (b) The commissioners shall elect a chairperson and a vice-
 25 chairperson from among their membership. The affirmative vote of a
 26 majority of the commissioners is required to exercise the powers of
 27 the commission. ~~At least one commissioner who is not in the profes-~~
 28 ~~sion must be in attendance at a meeting in which official action is~~

29 ~~taken.~~

1 (c) Meetings may be held by teleconference or other electronic
2 means. Commissioners participating in a meeting from a location out
3 of state may not vote at that meeting.

4 (d) The commission shall keep full and accurate minutes of its
5 proceedings and records of its transactions.

6 Sec. 08.15.090. LICENSES REQUIRED. (a) A person may not act as
7 a promoter, contestant, manager, attending physician, ^{OR OTHER MEDICAL PERSONNEL} trainer, ref-
8 eree, or judge in or for a contest unless that person has been issued
9 the appropriate personal license by the commission.

10 (b) Application procedures and qualifications for the licenses
11 required under this section shall be set out in regulations adopted by
12 the commission.

13 (c) Licenses are biennial and shall expire on December 31.

14 (d) A temporary license shall be granted by the commission ~~or a~~
15 ^{OR A DESIGNATED REPRESENTATIVE} commissioner if the applicant meets the qualifications for the li-
16 cense. A temporary license is valid ~~for 90 days or~~ until the perma-
17 nent license is issued or denied ~~whichever comes first.~~

18 Sec. 08.15.100. LICENSE FEES. The fees for licenses under this
19 chapter are as follows:

- 20 (1) promoters.....\$100;
- 21 (2) managers.....50;
- 22 (3) all other licensees except attending physicians.....10. ^{OR OTHER MED. PERSONNEL}

23 Sec. 08.15.110. PROMOTER'S BOND. A promoter shall file a bond
24 in the amount of \$5,000 with the department upon approval of the
25 application for a license and before the license is issued. The bond
26 shall be conditioned on the faithful performance by the licensee of
27 the provisions of this chapter, the payment of the contestants, and
28 the good faith effort to conduct each contest for which tickets have
29 been sold.

1 Sec. 08.15.120. CONTESTANT RESTRICTIONS. (a) A person may not
2 participate as a contestant who

3 (1) was intoxicated or under the influence of a controlled
4 substance at the time the person agreed to participate;

5 (2) did not agree to participate in writing;

6 (3) except as provided in (b) of this section, has used
7 alcohol or a controlled substance within eight hours preceding the
8 contest or is under the influence of alcohol or a controlled substance
9 at the time of the contest; and

10 (4) is not at least 18 years of age or has not obtained a
11 waiver from the commission ~~or~~ a commissioner. ^{OR A DESIGNATED REPRESENTATIVE}

12 (b) A contestant may participate in a contest if

13 (1) the attending physician is aware that the contestant is
14 using a prescription drug; and

15 (2) in the opinion of the attending physician, the safety of
16 the contestant is not jeopardized and the prescription drug offers the
17 contestant no advantage over the opponent in the contest.

18 Sec. 08.15.130. EXAMINATION OF CONTESTANTS. (a) Every con-
19 testant shall be examined no more than 24 hours before the contest by
20 a practicing physician. The examining physician may disqualify a
21 contestant considered physically unfit to participate.

22 (b) A contestant shall obtain a CAT scan of the head, or an
23 equivalent examination, every 150 contest rounds or less and promptly
24 supply a physician's analysis of the most recent CAT scan, or its
25 equivalent, to the commission. If the contestant has been knocked out
26 since the contestant's last CAT scan ~~or its equivalent~~, a physician's
27 analysis of a CAT scan or its equivalent, taken after the last knock-
28 out shall be supplied to the commission before the contestant's next
29 contest.

1 [REDACTED] If an analysis under (b) of this section is supplied in
 2 [REDACTED] information of a contest, the analysis may be supplied to the commis-
 3 sioner in charge of the contest.

4 Sec. 08.15.140. ATTENDING PHYSICIAN REQUIRED. An attending
 5 physician shall be on duty throughout a contest. The attending physi-
 6 cian has the authority and duty to stop a contest when it is the
 7 opinion of the physician that it would be dangerous to a contestant to
 8 continue.

9 Sec. 08.15.150. NOTICE OF CANCELLATION. (a) When it has been
 10 determined by means other than a physical examination that a scheduled
 11 contestant will be unable to appear, the scheduled contestant's mana-
 12 ger and the promoter of the contest shall notify the commissioner or
 13 the designated representative supervising the contest of the can-
 14 cellation of the contest. When the cancellation is the result of an
 15 examining physician's examination, the examining physician shall
 16 notify the commissioner supervising the contest in writing, stating
 17 the medical reason for the cancellation.

18 (b) Upon receipt of notice of the cancellation of a contest for
 19 any reason, the commissioner or the designated representative super-
 20 vising the contest, shall report the cancellation promptly to the
 21 chairperson of the commission and immediately to the public. If the
 22 commission, rather than the commissioner or the designated representa-
 23 tive supervising the contest, is notified of a cancellation, the
 24 commission shall notify the public immediately.

25 Sec. 08.15.160. PAYMENT OF FEES. Failure of a promoter to pay
 26 the fees or compensation of the contestant, referee, attending physi-
 27 cian, judges, and timekeeper is grounds for the suspension of the
 28 promoter's license.

29 Sec. 08.15.170. STATEMENT OF CONTEST. (a) [REDACTED] 30 days

1 before a contest, a promoter shall file with the commission, commis-
2 sioner or the commissioner's designated representative, a statement
3 setting out the name of each contestant, the managers' names and other
4 information the commission may require.

5 (b) Failure to file the statement required under (a) of this
6 section is grounds for suspension of the promoter's license.

7 Sec. 08.15.180. ACTING WITHOUT A LICENSE. A person who violates
8 AS 08.15.090(a) is guilty of a class B misdemeanor.

9 Sec. 08.15.190. SHAM CONTEST. (a) A person may not conduct or
10 participate in a sham or false contest.

11 (b) A licensee who violates (a) of this section shall be penal-
12 ized by the commission as follows:

13 (1) for a first offense, a license shall be suspended for a
14 minimum of ~~one year~~, beginning from the date of the suspension order;

15 (2) for a second offense, a license shall be revoked perma-
16 nently.

17 (c) The commission shall institute action to enforce (a) of this
18 section within 10 days of receipt of notice of a possible violation.

19 (d) An unlicensed person who violates (a) of this section is
20 guilty of a class B misdemeanor.

21 Sec. 08.15.200. EFFECT OF LICENSE SUSPENSION. (a) A licensee
22 may not promote or participate in a contest when the licensee's li-
23 cense is suspended.

24 (b) A licensee who violates (a) of this section forfeits the
25 license.

26 Sec. 08.15.210. EFFECT OF LICENSE FORFEITURE. A license for-
27 feited under this chapter is cancelled and void. The licensee is
28 forever ineligible for any of the licenses issued by the commission.

29 Sec. 08.15.220. GENERAL PENALTY. A person violating a provision

1 of this chapter or a regulation of the commission for which no penalty
2 is provided is guilty of a class B misdemeanor.

3 Sec. 08.15.230. INAPPLICABILITY OF CHAPTER. Nothing in this
4 chapter gives the commission jurisdiction over the athletic programs
5 of any school, college or university or any other nonprofessional
6 athletic events.

7 Sec. 08.15.240. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
8 ACT. The Administrative Procedure Act (AS 44.62) applies to regula-
9 tions and proceedings under this chapter.

10 Sec. 08.15.900. DEFINITIONS. In this title

11 (1) "CAT scan" means a rotating three dimensional computer-
12 enhanced X-ray image;

13 (2) "commission" means the boxing commission created in
14 AS 08.15.010;

15 (3) "commissioner" means a member of the boxing commission;

16 (4) "contest" includes a professional boxing contest,
17 match, bout or fight;

18 (5) "contestant" means a person who competes in a profes-
19 sional contest;

20 (6) "designated representative" means a person knowledge-
21 able about boxing or wrestling and qualified under the regulations
22 adopted by the commission for designated representatives;

23 ~~REMOVES DEFINITION OF "OTHER MEDICAL PERSONNEL"~~
(7) "personal license" means the license issued to a pro-
24 moter, contestant, manager, attending physician, ~~referee, judge,~~ ^{OR... PERSONNEL} or
25 trainer;

26 (8) "professional" means a person receiving money or other
27 thing of value other than a trophy, plaque, or medal for participation
28 in a contest, and also means the contest itself;

29 (9) "promoter" means the person primarily responsible for

1 the sponsorship, organization or furtherance of a contest.

2 * Sec. 3. AS 44.62.330(a) is amended by adding a new paragraph to read:
3 (52) Alaska Boxing Commission.

4 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:
5 (12) Alaska Boxing Commission (AS 08.15) -- June 30, 1986.

6 * Sec. 5. AS 05.05.010 - 05.05.040 and AS 05.10 are repealed. ^{OLD STATS.}
^{ON BOXING /}
^{ATHLETIC COMM.}

7 * Sec. 6. INITIAL TERMS OF ALASKA BOXING COMMISSION MEMBERS. Initial
8 terms of the Alaska Boxing Commission shall be one year for two members,
9 two years for two members, and three years for one member. The governor
10 shall specify the initial term for each appointee.

11 * Sec. 7. REGULATIONS. The commission shall compile an initial list of
12 designated representatives and also shall adopt comprehensive regulations
13 under AS 08.15.040 within one year after the effective date of this Act.

14 * Sec. 8. This Act takes effect immediately in accordance with
15 AS 01.10.070(c).
16

Introduced: 3/9/83
Referred: Labor & Commerce
and Finance

1 IN THE HOUSE

BY MARTIN

2

HOUSE BILL NO. 241

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 the creation of the Alaska Athletic Commission and the regulation of combative sports."

7

8

9

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

10

* Section 1. AS 05.05 is amended by adding new sections to read:

11

Sec. 05.05.050. CREATION OF ATHLETIC COMMISSION. (a) There is created in the Office of the Governor the Athletic Commission.

12

13

(b) Members of the commission serve at the pleasure of the governor and shall be selected on the basis of their knowledge of and contribution to athletics in the state.

14

15

16

Sec. 05.05.060. COMPOSITION AND TERMS OF MEMBERSHIP. (a) The commission consists of seven members appointed by the governor for staggered three year terms as follows:

17

18

19

(1) a lay person concerned with the public's interest;

20

(2) a licensed physician, preferably a specialist in sports

21

medicine;

22

(3) a representative of boxing managers;

23

(4) a representative of amateur boxing interests; and

24

(5) three members-at-large, one each from the southcentral,

25

interior, and southeastern regions of Alaska.

26

(b) A vacancy shall be filled for the balance of the unexpired term.

27

28

Sec. 05.05.070. GENERAL DUTIES AND ANNUAL REPORT. The commission shall study the semiprofessional and professional athletic

29

1 programs of the state and shall report annually to the governor. The
2 report shall include the recommendations of the commission for the
3 advancement and improvement of athletic programs and activities in the
4 state, in addition to including the commission's findings.

5 Sec. 05.05.080. POWER OF COMMISSION. (a) The commission shall
6 supervise all semiprofessional and professional combative sports
7 activities conducted in the state.

8 (b) The commission shall adopt regulations for the safe, organ-
9 ized, sportsmanlike and honest conduct of contests, including regula-
10 tions relating to

11 (1) licensing of persons under the contest, telecast and
12 personal license provisions of this chapter;

13 (2) establishing the fees to be charged for licenses re-
14 quired under this chapter;

15 (3) establishing the fees payable to examining physicians,
16 attending physicians, inspectors, and referees;

17 (4) qualifications and duties of all persons required to be
18 licensed under this chapter;

19 (5) conduct of combative sports contests, including their
20 format and duration;

21 (6) approved equipment and facilities for the safety and
22 protection of contestants;

23 (7) any other provision of this chapter.

24 Sec. 05.05.090. ATTENDANCE AT CONTESTS. (a) Except as provided
25 in (c) of this section, a commissioner shall attend and supervise all
26 semiprofessional and professional combative sports contests in the
27 commissioner's area.

28 (b) A commissioner shall provide for the attending physician and
29 the referee at all contests in the commissioner's area of the state.

1 (c) In the event that a commissioner is unable to attend and
2 supervise a professional contest in that commissioner's area, arrange-
3 ment shall be made with another commissioner to attend the contest. A
4 professional contest may not be held without the attendance and super-
5 vision of at least one commissioner. If a local commissioner cannot
6 attend and supervise a semiprofessional contest, the contest shall be
7 attended and supervised by an inspector licensed under this chapter
8 and appointed by the member-at-large of the commission for the region
9 in which the contest is to be held.

10 (d) When a commissioner from one region of the state attends a
11 contest in another area as a substitute for the commissioner from that
12 area, the substitute commissioner is entitled to receive reasonable
13 travel expense compensation authorized by law.

14 Sec. 05.05.100. COMMISSIONERS' BONDS. Before entering the
15 duties of office, a commissioner shall enter into a surety bond,
16 executed by a surety company authorized to do business in the state,
17 payable to the state, and approved by the attorney general. The bond
18 shall be in the penal sum of \$2,000, conditioned on the faithful
19 performance of the commissioner's duties. The bond shall be filed
20 with the governor. A commissioner shall be reimbursed for the cost of
21 the bond.

22 Sec. 05.05.110. MEETINGS AND COMPENSATION. (a) The commission
23 shall meet at least once a year at the call of the governor or the
24 chairperson, at the request of a majority of the commissioners, or at
25 a regularly scheduled time determined by the commission. Commis-
26 sioners serve without compensation but are entitled to per diem and
27 travel expenses authorized by law for boards and commissions under
28 AS 39.20.180.

29 (b) The commissioners shall elect a chairperson and a vice-

1 chairperson from among their membership. A majority of the commis-
2 sioners constitute a quorum to convene a meeting, but the affirmative
3 vote of a majority of the commissioners is required to exercise the
4 powers of the commission.

5 (c) Meetings may be held by teleconference or other electronic
6 means. Commissioners participating in a meeting from a location out
7 of state may not vote at that meeting.

8 (d) The commission shall keep full and accurate minutes of its
9 proceedings and records of its transactions. A copy of each financial
10 report, the minutes of all meetings, and a copy of each report filed
11 with the commission under this chapter shall be sent to the governor's
12 office within 10 days after the record or report is completed or
13 received.

14 Sec. 05.05.120. LICENSES REQUIRED. (a) A person may not act as
15 a promoter for a semiprofessional or professional contest unless that
16 person has been issued a contest license by the commission.

17 (b) A person may not telecast a combative sports contest unless
18 that person has been issued a telecast license by the commission.

19 (c) A person may not act as a manager, examining or attending
20 physician, referee, inspector, second, trainer, or contestant unless
21 that person has been issued a personal license by the commission.

22 (d) Application procedures, qualifications, and fees for the
23 licenses required under this section shall be set out in regulations
24 adopted by the commission.

25 (e) Licenses are annual and shall expire on December 31 of each
26 year.

27 Sec. 05.05.130. CONTEST LICENSEE BOND. Every contest licensee
28 shall file a bond in the amount of \$1,000 with the commission for each
29 contest held in a city of less than 10,000 inhabitants and a bond in

1 the amount of \$3,000 for each contest held in a city of more than
2 10,000 inhabitants. The bond shall be conditioned on the faithful
3 performance by the licensee of the provisions of this chapter, the
4 payment of the taxes under this chapter and the compliance with all
5 regulations of the commission. The bond shall be subject to the
6 approval of the attorney general.

7 Sec. 05.05.140. CONTESTANT RESTRICTIONS. (a) A person may not
8 participate as a contestant who

9 (1) was intoxicated or under the influence of a controlled
10 substance at the time the person agreed to participate;

11 (2) did not agree in writing to participate at least 24
12 hours before a semiprofessional contest or at least two weeks before a
13 professional contest;

14 (3) except as provided in (b) of this section, has used
15 alcohol or a controlled substance within three hours preceding the
16 contest or is under the influence of alcohol or a controlled substance
17 at the time of the contest; and

18 (4) is not at least 18 years of age if the contest is at
19 the semiprofessional or professional level.

20 (b) A contestant may participate in a contest if

21 (1) the attending physician is aware that the contestant is
22 using a prescription drug; and

23 (2) in the opinion of the attending physician, the safety of
24 the contestant is not jeopardized and the prescription drug offers the
25 contestant no advantage over the opponent in the contest.

26 Sec. 05.05.150. EXAMINATION OF CONTESTANTS. (a) Every profes-
27 sional contestant shall be examined at least 24 hours, but no less
28 than eight hours, before the contest by a practicing physician. The
29 examining physician may disqualify a contestant considered physically

1 unfit to participate.

2 (b) The pre-contest examination shall include the review of a
3 CAT scan of the contestant's head taken within the previous two years
4 and supplied to the examining physician by the contestant. If the
5 contestant has been knocked out within the previous two years, a CAT
6 scan taken after the last knockout shall be supplied to the examining
7 physician for review.

8 Sec. 05.05.160. ATTENDING PHYSICIAN REQUIRED. An attending
9 physician must be on duty throughout a semiprofessional or profes-
10 sional contest. The attending physician has the authority and duty to
11 stop a contest when it is the physician's opinion that it would be
12 dangerous to a contestant to continue.

13 Sec. 05.05.170. WEIGHT OF GLOVES; REQUIRED HEADGEAR. (a) A
14 professional contestant may not wear gloves weighing less than 10
15 ounces each. Semiprofessional contestants shall wear protective
16 headgear and may not wear gloves weighing less than 16 ounces each.

17 (b) Contestants in combative sports in which no punching is
18 involved are not required to wear gloves, but must wear the protective
19 headgear required in (a) of this section.

20 Sec. 05.05.180. ROUNDS AND CONTESTS LIMITED. (a) Except as
21 provided in (c) and (d) of this section, no contest may be for more
22 than 10 rounds and no round may be for a period longer than three
23 minutes.

24 (b) There shall be not less than a one-minute intermission
25 between each two rounds.

26 (c) In a contest involving a state or regional championship, the
27 commission may grant an extension of no more than two additional
28 rounds, for a total of 12 rounds.

29 (d) In a contest involving a national championship, the

1 commission may grant an extension of no more than five additional
2 rounds, for a total of 15 rounds.

3 (e) The length and format of wrestling matches and other comba-
4 tive sports shall be determined by regulations adopted by the commis-
5 sion.

6 Sec. 05.05.190. NOTICE OF CANCELLATION. (a) When it has been
7 determined by means other than a physician's examination that a
8 scheduled contestant will be unable to appear, the scheduled contes-
9 tant's manager and the promoter of the contest shall notify the com-
10 missioner supervising the contest of the cancellation of the contest.
11 When the cancellation is the result of an examining physician's exami-
12 nation, the examining physician shall notify the commissioner super-
13 vising the contest.

14 (b) Upon receipt of notice of the cancellation of a contest for
15 any reason, the commissioner supervising the contest shall report the
16 cancellation promptly to the chairperson of the commission and immedi-
17 ately to the public. If the commission, rather than the commissioner
18 supervising the contest, is notified of a cancellation, the commission
19 shall notify the public immediately.

20 Sec. 05.05.200. PAYMENT OF FEES. (a) At least 14 days before a
21 contest, the contest licensee shall pay to the commission an amount
22 sufficient to pay the fees of the referee, the inspector and the
23 examining physician.

24 (b) The commission shall pay the fees in (a) of this section to
25 the persons entitled to them and furnish the governor with a record of
26 the receipt of the amount paid under (a) of this section and of the
27 payment of the fees.

28 (c) Failure of a contest licensee to pay the amount in (a) of
29 this section is grounds for the suspension of the contest license.

1 Sec. 05.05.210. STATEMENT AND REPORT OF CONTEST. (a) A contest
2 licensee shall, at least 30 days before a contest, file with the
3 commission a statement setting forth the name of each contestant, the
4 managers' names and other information the commission may require.

5 (b) Within 72 hours after a contest, the contest licensee shall
6 file with the Department of Revenue and the commission a written
7 report showing the number of tickets sold for the contest, the price
8 charged for them, the gross proceeds from the sale, and other informa-
9 tion the commission may require.

10 (c) Failure to file the statement or report required under this
11 section is grounds for suspension of a contest license.

12 Sec. 05.05.220. REPORT OF TELECAST. (a) A telecast licensee
13 shall, within 72 hours after the telecast, file with the commission a
14 written report showing the number of tickets issued or sold and the
15 amount of the gross receipts.

16 (b) Failure to file the report required by this section is
17 grounds for suspension of a telecast license.

18 Sec. 05.05.230. FAILURE TO PAY GROSS RECEIPTS TAX. (a) In
19 addition to any other penalty provided by law, a licensee who fails to
20 pay the gross receipts taxes under AS 43.77 shall be penalized by the
21 commission as follows:

22 (1) for a first offense, a license shall be suspended for a
23 minimum of three months, beginning from the date of the suspension
24 order;

25 (2) for a second offense, a license shall be revoked perma-
26 nently.

27 (b) The commission shall institute action to enforce (a) of this
28 section within 10 days of receipt of notice of a possible violation.

29 Sec. 05.05.240. PARTICIPATION IN PURSE. (a) A person who acts

1 as a promoter for a semiprofessional or professional contest may not
2 participate directly or indirectly in the purse or fee of a contestant
3 or a contestant's manager.

4 (b) A person who violates (a) of this section forfeits any
5 license held under this chapter.

6 (c) An unlicensed person who violates (a) of this section is
7 guilty of a class B misdemeanor.

8 Sec. 05.05.250. ACTING WITHOUT A LICENSE. (a) A person who
9 violates AS 05.05.120(a) is guilty of a class A misdemeanor.

10 (b) A person who violates AS 05.05.120(b) - (c) is guilty of a
11 class B misdemeanor.

12 Sec. 05.05.260. ENJOINING UNLICENSED CONTEST. The attorney
13 general, the commission, a commissioner, or a concerned person may
14 seek an injunction to prevent the conduct of a contest for which the
15 necessary license has not been obtained.

16 Sec. 05.05.270. SHAM CONTEST. (a) A person may not conduct or
17 participate in a sham or false contest.

18 (b) A licensee who violates (a) of this section shall be penal-
19 ized by the commission as follows:

20 (1) for a first offense, a license shall be suspended for a
21 minimum of three months, beginning from the date of the suspension
22 order;

23 (2) for a second offense, a license shall be revoked perma-
24 nently.

25 (c) An unlicensed person who violates (a) of this section is
26 guilty of a class B misdemeanor.

27 (d) The commission shall institute action to enforce (a) of this
28 section within 10 days of receipt of notice of a possible violation.

29 Sec. 05.05.280. EFFECT OF LICENSE SUSPENSION. (a) A licensee

1 may not promote or participate in a contest when the licensee's li-
2 cense is suspended.

3 (b) A licensee who violates (a) of this section forfeits the
4 license.

5 Sec. 05.05.290. EFFECT OF LICENSE FORFEITURE. A license for-
6 feited under this chapter is cancelled and void. The licensee is
7 forever ineligible for any of the licenses issued by the commission.

8 Sec. 05.05.300. GENERAL PENALTY. A person violating a provision
9 of this chapter or a regulation of the commission for which no penalty
10 is provided is guilty of a class B misdemeanor.

11 Sec. 05.05.310. INAPPLICABILITY OF CHAPTER. Nothing in this
12 chapter gives the commission jurisdiction over the athletic programs
13 of any school, college or university.

14 Sec. 05.05.320. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
15 ACT. The Administrative Procedure Act (AS 44.62) applies to regula-
16 tions and proceedings under this chapter.

17 Sec. 05.05.900. DEFINITIONS. In this title

18 (1) "CAT scan" means a rotating three dimensional computer-
19 enhanced X-ray image;

20 (2) "combative sports" includes boxing, wrestling (inclu-
21 ding mud wrestling), kickboxing, and the martial arts;

22 (3) "commission" means the athletic commission created in
23 AS 05.05.050;

24 (4) "commissioner" means a member of the athletic commis-
25 sion;

26 (5) "contest" includes exhibition, sparring match or con-
27 test or fight, match, bout or fight of combative sports;

28 (6) "contestant" means a person who competes in a contest;

29 (7) "contest license" means the license issued to a