

LEG. FINANCE - BILLS 1983 - 1984 1888
HB 321 - HB 323 1888

Introduced: 4/4/83
Referred: Transportation
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 321

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Transportation and Public Facilities for
8 improvements and expansion of the terminal at the
9 Anchorage International Airport; and providing for an
10 effective date."

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

12 * Section 1. The sum of \$28,000,000 is appropriated from the interna-
13 tional airport construction fund to the Department of Transportation and
14 Public Facilities for code upgrades, remodeling, expansion, and equipping
15 of the domestic terminal at the Anchorage International Airport.

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

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

el

STATE OF ALASKA
FISCAL NOTE

Page 1 of 3

I. REQUEST

Bill/Resolution No.: HB 321
Title: Anch Int'l. Terminals Improvements
Sponsor: Transportation Committee
Requestor: State Affairs

II. FISCAL DETAIL

Agency Affected: DOT&PF
Program Category Affected: Transportation
BRU, Program or Subprogram(s) Affected: Anchorage International Airport

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES				500.0	530.0	560.0
200 TRAVEL				250.0	265.0	280.0
300 CONTRACTUAL				58.0	63.0	67.0
400 COMMODITIES				2.0	2.0	3.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING				810.0	860.0	910.0
CAPITAL		28,000.0				
REVENUE				500.0	500.0	500.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)*IARF				810.0	860.0	910.0
INT'L AIRPORT REVENUE BONDS		28,000.0				

*International Airport Revenue Fund

POSITIONS:

FULL-TIME				8.0	8.0	8.0
PART-TIME						
TEMPORARY						

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

This project will be paid for through revenue generated at the Anchorage International Airport. The revenue projection does not assume any change in rates and fees, but does include anticipated revenue from the expansion, calculated at present terminal rental rates.

IV. ANALYSIS: Attached.

Prepared By: William R. Snell Phone: 266-1440
Division: Acting Deputy Commissioner Date: 3/30/83
Approved by Commissioner: Jon Scribner Date: 3/31/83
Department: Transportation and Public Facilities

M same as one that appeared in H Supplement #33 for HB 322 4/4/83

PROJECT NEED: *NB 321 (page 2 of 3)*

Existing facilities in the passenger terminal complex are undersized. Facilities are not adequate for present domestic aviation traffic needs. Continued growth in aviation activity is anticipated, therefore, pressure for expanded facilities will increase. Existing international facilities have been relocated to the new international terminal, thus freeing space for domestic aviation needs. The west concourse must be remodeled before use by the domestic air carriers. Additional landside facilities, airport ticket offices, baggage claim and public areas are needed to accommodate domestic flight traffic. Air commuter facilities are minimal. New facilities are essential to provide adequate service to this growing segment of the aviation market. Construction of a new concourse off the east terminal expansion will accommodate commuters. Utility work airside is required in order to make the terminal expansion usable for the air carriers and commuter planes.

PROJECT DESCRIPTION:

Funding requested is for the first phase of a comprehensive remodeling and expansion program, at an estimated cost of \$23.1 million. The project includes the following:

Extension of existing terminal 100-feet to the east (both levels). First level to house additional baggage claim and makeup areas and mechanical room. Second level to provide additional counter space, snack bar, storage, elevator and gate lobbies.

Construction of a commuter concourse providing passenger waiting space, equipment storage, crew lounge area, restroom facilities, snack bar, baggage makeup and baggage claim.

Preliminary engineering and construction to remodel west concourse to accommodate domestic carrier operations.

Preliminary engineering and construction of apron utility work required with the terminal remodeling.

PROJECT COST:

Bond sale costs at 3% to take care of closing costs, audit costs, fees to rating agencies, financial advisor, etc.

$$\$28,000,000 \times 3\% = \$840,000$$

In addition, an estimated \$3 million was assumed for immediate deposit into the bond reserve fund. This is approximately 1 year's principal and interest on the bonds.

The estimated cash available after obligations is \$24,160,000:

$$\$28,000,000 - (\$840,000 + \$3,000,000) = \$24,160,000$$

Capitalized interest during project construction has not been estimated. Depending on investment yield, interest earned on the cash could roughly equal or exceed interest obligations on the bonds. If, however, capitalized interest payments are required, DOT&PF will utilize International Airport Revenue Fund (IARF) cash for such payments. This is consistent with how capitalized interest was treated in earlier revenue bond issues.

HB 321 (Page 373)

OPERATING COSTS:

Costs identified are based upon our current costs for maintenance and custodial which approximate \$11 per square foot.

Added 66,000 sq. ft. x \$11 = \$726,000

1983 cost \$726.0

1986 cost \$810.0. Inflation is estimated at 6% per year.

No estimate is provided for the debt service since the yearly cost would vary so greatly based upon the interest rate and term of bonds.

BILL SHEFFIELD
GOVERNOR



HB 321 and
HB 322

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 31, 1983

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

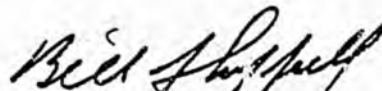
Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting two bills to accomplish the first phase of a comprehensive remodeling and expansion program for the domestic terminal at the Anchorage International Airport. This program is consistent with the comprehensive analysis of air traffic trends and corresponding facility needs for our traveling public.

The first bill will increase the revenue bond authorization contained in AS 37.15.410 by \$28,000,000. The second bill will appropriate the proceeds of the sale of this additional amount of bonds. The appropriation is to the Department of Transportation and Public Facilities for the purpose of making the improvements at the Anchorage International Airport and other expenses required to accomplish the sale of the bonds.

The need for this project is well recognized and I request that you work with me so that these improvements may begin this spring.

Sincerely,


Bill Sheffield
Governor

Introduced: 4/4/83
Referred: Transportation and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

HOUSE BILL NO. 322

2

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act increasing the bond authorization for inter-
national airport revenue bonds to \$62,825,000; and
providing for an effective date."

7

8

9

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

10

* Section 1. AS 37.15.410 is amended to read:

11

Sec. 37.15.410. BOND AUTHORIZATION. For the purpose of pro-
viding part or all of the money to be used, with or without any grants
or other money which may become available, the issuance and sale of
revenue bonds of the state in the total principal sum of not to exceed
\$62,825,000 [\$34,825,000] is authorized to acquire, equip, construct
and install the additions, improvements, extensions and facilities
authorized in AS 37.15.510. The principal of and interest on these
bonds shall be paid out of and secured by the gross revenues derived
by the state from the ownership, lease, use and operation of the
airports, and of all the facilities of them and out of any other
revenues or money which the state legislature may provide exclusive of
any state tax or license.

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

24

10.070(c).

Introduced: 4/4/83
Referred: Transportation and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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2 HOUSE BILL NO. 322

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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8 providing for an effective date."

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16 and install the additions, improvements, extensions and facilities
17 authorized in AS 37.15.510. The principal of and interest on these
18 bonds shall be paid out of and secured by the gross revenues derived
19 by the state from the ownership, lease, use and operation of the
20 airports, and of all the facilities of them and out of any other
21 revenues or money which the state legislature may provide exclusive of
22 any state tax or license.

23 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).

CORRECTION

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

Introduced: 4/4/83
Referred: Transportation and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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2 HOUSE BILL NO. 322

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

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18 bonds shall be paid out of and secured by the gross revenues derived
19 by the state from the ownership, lease, use and operation of the
20 airports, and of all the facilities of them and out of any other
21 revenues or money which the state legislature may provide exclusive of
22 any state tax or license.

23 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).

STATE OF ALASKA
FISCAL NOTE

I. REQUEST

Bill/Resolution No.: SB 266/HB 322
 Title: Increasing Bond Authorization
 Sponsor: Senate Transportation
 Requestor: Senate State Affairs

II. FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: Anch. Intn'l Airport
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Approval of this Bill authorizes an increased bond ceiling and has no fiscal impact until appropriated. (See HB 322 and Fiscal Note attached)

IV. ANALYSIS: (Fiscal Note for HB 322 attached)

Prepared By: Gina Marie Lindsey Phone: 266-1497
 Division: Central Region, Planning & Programming Date: 5/5/83

Approved by Deputy Commissioner: _____ Date: _____
 Department: Transportation & Public Facilities

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)

Introduced: 4/4/83
Referred: Transportation and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 322

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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16 and install the additions, improvements, extensions and facilities
17 authorized in AS 37.15.510. The principal of and interest on these
18 bonds shall be paid out of and secured by the gross revenues derived
19 by the state from the ownership, lease, use and operation of the
20 airports, and of all the facilities of them and out of any other
21 revenues or money which the state legislature may provide exclusive of
22 any state tax or license.

23 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).

COMMITTEE REPORT
SENATE

FURTHER:

FINANCE

5/23/83

Date: June 14, 1983

Mr. President:

The Committee on TRANSPORTATION has had HB 322

Increasing the bond authorization for international airport revenue bonds to \$62,825,000; eff. date.

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

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

MEMBERS SIGNING
DO PASS

Fahrendorff

Joe Felt

J. Kettich

Alan Selman

Alan

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Allyson
CHAIRMAN

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 31, 1983

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska, 99811

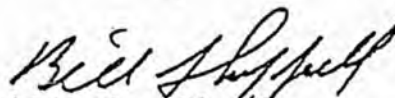
Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting two bills to accomplish the first phase of a comprehensive remodeling and expansion program for the domestic terminal at the Anchorage International Airport. This program is consistent with the comprehensive analysis of air traffic trends and corresponding facility needs for our traveling public.

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The need for this project is well recognized and I request that you work with me so that these improvements may begin this spring.

Sincerely,


Bill Sheffield
Governor

[Handwritten signature]

STATE OF ALASKA
FISCAL NOTE

I. REQUEST

Bill/Resolution No.: HB 322
 Title: Anch Int'l. Terminals Improvements
 Sponsor: Governor Sheffield
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: Transportation
 BRU, Program or Subprogram(s) Affected: Anchorage International Airport

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES				500.0	530.0	560.0
200 TRAVEL				250.0	265.0	280.0
300 CONTRACTUAL				58.0	63.0	67.0
400 COMMODITIES				2.0	2.0	3.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING				810.0	860.0	910.0
CAPITAL		28,000.0				
REVENUE				500.0	500.0	500.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)*IARF				810.0	860.0	910.0
INT'L AIRPORT REVENUE BONDS		28,000.0				

*International Airport Revenue Fund

POSITIONS:

FULL-TIME				8.0	8.0	8.0
PART-TIME						
TEMPORARY						

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

This project will be paid for through revenue generated at the Anchorage International Airport. The revenue projection does not assume any change in rates and fees, but does include anticipated revenue from the expansion, calculated at present terminal rental rates.

IV. ANALYSIS: Attached.

Prepared By: William R. Snell
 Division: Acting Deputy Commissioner

Phone: 266-1440
 Date: 3/30/83

Approved by Commissioner: *[Signature]*
 Department: Transportation and Public Facilities

Date: 3/31/83

[Handwritten mark]

Existing facilities in the passenger terminal complex are undersized. Facilities are not adequate for present domestic aviation traffic needs. Continued growth in aviation activity is anticipated, therefore, pressure for expanded facilities will increase. Existing international facilities have been relocated to the new international terminal, thus freeing space for domestic aviation needs. The west concourse must be remodeled before use by the domestic air carriers. Additional landside facilities, airport ticket offices, baggage claim and public areas are needed to accommodate domestic flight traffic. Air commuter facilities are minimal. New facilities are essential to provide adequate service to this growing segment of the aviation market. Construction of a new concourse off the east terminal expansion will accommodate commuters. Utility work airside is required in order to make the terminal expansion usable for the air carriers and commuter planes.

PROJECT DESCRIPTION:

Funding requested is for the first phase of a comprehensive remodeling and expansion program, at an estimated cost of \$23.1 million. The project includes the following:

Extension of existing terminal 100-feet to the east (both levels). First level to house additional baggage claim and makeup areas and mechanical room. Second level to provide additional counter space, snack bar, storage, elevator and gate lobbies.

Construction of a commuter concourse providing passenger waiting space, equipment storage, crew lounge area, restroom facilities, snack bar, baggage makeup and baggage claim.

Preliminary engineering and construction to remodel west concourse to accommodate domestic carrier operations.

Preliminary engineering and construction of apron utility work required with the terminal remodeling.

PROJECT COST:

Bond sale costs at 3% to take care of closing costs, audit costs, fees to rating agencies, financial advisor, etc.

$$\$28,000,000 \times 3\% = \$840,000$$

In addition, an estimated \$3 million was assumed for immediate deposit into the bond reserve fund. This is approximately 1 year's principal and interest on the bonds.

The estimated cash available after obligations is \$24,160,000:

$$\$28,000,000 - (\$840,000 + \$3,000,000) = \$24,160,000$$

Capitalized interest during project construction has not been estimated. Depending on investment yield, interest earned on the cash could roughly equal or exceed interest obligations on the bonds. If, however, capitalized interest payments are required, DOT&PF will utilize International Airport Revenue Fund (IARF) cash for such payments. This is consistent with how capitalized interest was treated in earlier revenue bond issues.

OPERATING COSTS:

Page 3 of 3

Costs identified are based upon our current costs for maintenance and custodial which approximate \$11 per square foot.

Added 66,000 sq. ft. x \$11 = \$726,000

1983 cost \$726.0

1986 cost \$810.0. Inflation is estimated at 6% per year.

No estimate is provided for the debt service since the yearly cost would vary so greatly based upon the interest rate and term of bonds.

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

5/14/83

Date: 5/25/83

Mr. Speaker:

The Committee on FINANCE has had HB 323

"An Act relating to residency and residency requirements; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 323 (FIN) same title
 new title
- and recommends do pass
- 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

Sam Vestergaard
[Signature]
Greg Ward
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
 CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 323 (Finance)
 Title Relating to residency and residency requirements
 Requested by House Finance Committee Date 5/25/83

II. FISCAL DETAIL

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

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Due to the changes made in the House Finance CS, the fiscal notes originally requested by the Departments of Fish & Game and Revenue are no longer necessary. The CS grandfathers those seniors who currently enjoy the hunting, trapping and fishing license exemption, and then repeals the program. Thus, there is no fiscal impact.

IV. DATE 5/25/83 PREPARED BY Al Adams, Chair
 AGENCY House Finance Committee
 PHONE 465-3706

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

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 323 (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 residency and residency require-
7 ments; and providing for an effective date."

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

9 * Section 1. AS 01.10 is amended by adding a new section to read:

10 Sec. 01.10.055. RESIDENCY. (a) A person establishes residency
11 in the state by being physically present in the state with the intent
12 to remain in the state indefinitely and to make a home in the state.

13 (b) A person demonstrates the intent required under (a) of this
14 section

15 (1) by maintaining a principal place of abode in the state
16 for at least 30 days or for a longer period if a longer period is
17 required by law or regulation; and

18 (2) by providing other proof of intent as may be required
19 by law or regulation, that may include proof that the person is not
20 claiming residency outside the state or obtaining benefits under a
21 claim of residency outside the state.

22 (c) A person who establishes residency in the state remains a
23 resident during an absence from the state unless during the absence
24 the person establishes or claims residency in another state, territory
25 or country, or performs other acts or is absent under circumstances
26 that are inconsistent with the intent required under (a) of this
27 section to remain a resident of this state.

28 * Sec. 2. AS 06.04.110 is repealed and reenacted to read:

29 Sec. 06.04.110. PERSONAL REQUIREMENTS. An applicant for the

1 certified public accountant certificate shall be at least 19 years of
2 age and of good moral character.

3 * Sec. 3. AS 08.04.260 is amended to read:

4 Sec. 08.04.260. TEMPORARY CERTIFICATE AS CERTIFIED PUBLIC AC-
5 COUNTANT. If an applicant for a certificate as a certified public
6 accountant meets all the requirements for a certificate and the appli-
7 cant's application is pending or if an applicant meets all the re-
8 quirements for a certificate except [THE RESIDENCE REQUIREMENT, OR]
9 the requirement that the applicant have a place of business in the
10 state or be an employee regularly employed in this state, the board
11 may issue a temporary certificate as a certified public accountant.
12 The certificate is effective until the board notifies the applicant
13 that the applicant's application has been granted or rejected. A
14 temporary certificate is effective for a period not exceeding six
15 months. No fee may be charged for the issuance of a temporary certif-
16 icate.

17 * Sec. 4. AS 08.08.207(a) is amended to read:

18 (a) Every person who desires subsequently to qualify as a gen-
19 eral applicant for admission to the Alaska Bar without having been
20 graduated from an approved law school shall register as a law clerk as
21 provided by this section. The person [MUST BE A BONA FIDE RESIDENT OF
22 THE STATE AND] shall present satisfactory proof that the person has
23 been granted a bachelor's degree (other than bachelor of laws) by a
24 college or university offering the degree on the basis of a four-year
25 course of study and has successfully completed the first year of
26 studies at a law school.

27 * Sec. 5. AS 08.42.050(a)(4) is amended to read:

28 (4) have completed at least one year of apprenticeship as a
29 [RESIDENT] trainee under a licensed embalmer.

1 * Sec. 6. AS 08.42.110(4) is amended to read:

2 (4) "[RESIDENT] trainee" means a person who has met the
3 qualifications set out in AS 08.42.050(a)(1) and (2) and is engaged
4 in learning the practice of embalming under the direction and control
5 of a person properly licensed to practice embalming, or a person who
6 has met the qualifications set out in AS 08.42.050(b)(1) and (2) and
7 is engaged in learning the practice of funeral directing under the
8 direction and control of a person properly licensed to practice
9 funeral directing.

10 * Sec. 7. AS 08.58.171 is amended to read:

11 Sec. 08.58.171. ENTITLEMENT TO LICENSE. (a) A person is enti-
12 tled to a real estate broker license (IF THE PERSON IS A RESIDENT OF
13 THE STATE,) if the person passes the real estate brokers examination,
14 if the person applies for a license within six months after the person
15 has taken the real estate brokers examination, if the person has had
16 at least 24 months of active and continuous experience as a licensed
17 real estate salesman, if the person is not under indictment for, or
18 seven years have elapsed since the person has completed a sentence
19 imposed upon conviction of, forgery, theft, extortion, conspiracy to
20 defraud creditors, or any other felony involving moral turpitude, and
21 if the person is an owner of a real estate business or employed as a
22 real estate broker by a corporation or a partnership, and if that
23 corporation or partnership does not have an existing licensed broker.
24 Unless the broker fails to pay the biennial renewal fee or unless the
25 broker's license is suspended or revoked under AS 08.58.571(a)(3), the
26 real estate broker's license continues in effect so long as the broker
27 is an owner of a real estate business, or the broker is employed as a
28 real estate broker by a corporation or a partnership. If the broker
29 stops being an owner of a real estate business, or stops being

1 employed as a real estate broker by a corporation or partnership, the
2 broker's license is suspended from the time the broker stops until

3 (1) the broker again becomes an owner of a real estate
4 business or is again employed as a real estate broker by a corporation
5 or a partnership; or

6 (2) the broker is employed by a licensed real estate broker
7 as an associate real estate broker, in which case the real estate
8 broker license is returned to the commission, and the commission
9 issues the broker an associate real estate broker license.

10 (b) A person is entitled to an associate real estate broker
11 license [IF THE PERSON IS A RESIDENT OF THE STATE,] if the person
12 passes the real estate brokers examination, if the person applies for
13 a license within six months after the person has taken the examina-
14 tion, if the person has had at least 24 months of active and continu-
15 ous experience as a licensed real estate salesman, if the person is
16 not under indictment for, or five years have elapsed since the person
17 has completed a sentence imposed upon conviction of, forgery, theft,
18 extortion, conspiracy to defraud creditors, or any other felony in-
19 volving moral turpitude, and if the person is employed by a licensed
20 real estate broker as an associate real estate broker. Unless the
21 associate broker fails to pay the biennial renewal fee or unless the
22 associate broker's license is suspended or revoked under AS 08.88.-
23 071(a)(3), the associate real estate broker's license continues in
24 effect so long as the associate broker is employed by a licensed real
25 estate broker as an associate broker. If the associate broker stops
26 being employed by a licensed real estate broker, the associate broker's
27 license is suspended from the time the associate broker stops
28 until

29 (1) the associate broker again is employed by a real estate

1 broker as an associate broker; or

2 (2) the associate broker becomes an owner of a real estate
3 business, in which case the associate broker's associate real estate
4 broker license is returned to the commission, and the commission
5 issues the associate broker a real estate broker license.

6 (c) A person is entitled to a real estate salesman license [IF
7 THE PERSON IS A RESIDENT OF THE STATE,] if the person passes the real
8 estate salesman examination, if the person applies for a license
9 within six months after the person has taken the examination, if the
10 person is at least 19 years old, if the person is not under indictment
11 for forgery, theft, extortion, conspiracy to defraud creditors, or any
12 other felony involving moral turpitude, or, if convicted of such an
13 offense, the person has completed the sentence imposed upon conviction,
14 and if the person is employed by a real estate broker. Unless
15 the salesman fails to pay the biennial renewal fee or unless the real
16 estate salesman's license is suspended or revoked under AS 08.66.-
17 071(a)(3), a real estate salesman's license continues in effect so
18 long as the salesman is employed as a salesman by a licensed real
19 estate broker. If the salesman stops being employed as a real estate
20 salesman, the real estate salesman's license is suspended from the
21 time the salesman stops until the salesman [HE] again is employed as a
22 salesman by a licensed real estate broker.

23 (d) A licensee shall promptly inform the commission of a change
24 in business association that affects the status of the licensee's
25 license under this section.

26 * Sec. 8. AS 09.55.130 is amended to read:

27 Sec. 09.55.130. RESIDENCE REQUIREMENTS FOR ACTION TO DECLARE
28 MARRIAGE VOID. When a marriage has been solemnized [IN THE STATE] and
29 the plaintiff is a resident of the state, an action to declare the

1 marriage void may be brought at any time. [IF THE MARRIAGE HAS NOT
2 BEEN SOLEMNIZED IN THE STATE, THE ACTION MAY BE MAINTAINED ONLY WHEN
3 THE PLAINTIFF HAS BEEN A RESIDENT FOR AT LEAST ONE YEAR BEFORE THE
4 COMMENCEMENT OF AN ACTION.]

5 * Sec. 9. AS 16.35.130 is amended to read:

6 Sec. 16.35.130. BOUNTY NOT TO BE PAID. No bounty may be paid
7 under AS 16.35.050 - 16.35.120 to a person who does not maintain [FOR
8 THE IMMEDIATELY PRECEDING YEAR HAS NOT MAINTAINED] a permanent place
9 of abode inside the game management unit or part of the game manage-
10 ment unit in which the animal was taken and a bounty is paid, or to a
11 person who does not maintain [HAS NOT CONTINUALLY MAINTAINED HIS]
12 legal residence in the state, or to a salaried employee of a federal
13 or state agency which is engaged in fish or game protection, manage-
14 ment, research activity, or to any person whose bounty claim results
15 from a trophy hunt as publicly declared by the Department of Fish and
16 Game.

17 * Sec. 10. AS 18.56.101 is amended to read:

18 Sec. 18.56.101. ELIGIBILITY FOR VETERANS' INTEREST RATES. The
19 following persons are eligible veterans for the purposes of AS 18.56.-
20 098(g) and (h):

21 (1) a person who served in the armed forces of the United
22 States for 90 days or more, or whose service was for less than 90 days
23 because of injury or disability incurred in the line of duty, after
24 April 6, 1917,

25 [(A) WHO AT THE TIME OF INDUCTION INTO THE SERVICE WAS
26 A RESIDENT OF THE TERRITORY OR STATE, WHO HAD BEEN A RESIDENT FOR
27 NOT LESS THAN ONE YEAR IMMEDIATELY BEFORE HIS INDUCTION, AND WHO
28 RETURNED TO THE TERRITORY OR STATE WITHIN ONE YEAR AFTER DIS-
29 CHARGE AS A RESIDENT WITH THE INTENTION OF REMAINING IN THE

1 TERRITORY OR STATE; OR

2 (B) WHO, NOT BEING A BONA FIDE RESIDENT OF THE TERRI-
3 TORY OR STATE AT THE TIME OF ENTRY INTO THE SERVICE, HAS BEEN A
4 RESIDENT OF THE TERRITORY OR STATE FOR AT LEAST ONE YEAR AT THE
5 TIME OF THE LOAN APPLICATION AND HAS BEEN A RESIDENT TO THE
6 TERRITORY OR STATE FOR AT LEAST FIVE YEARS; AND

7 (C) whose discharge was under honorable conditions;

8 (2) the widow or widower of a member of the armed forces or
9 an eligible veteran if

10 [(A) THE MEMBER OR VETERAN WAS A RESIDENT OF THE TERRI-
11 TORY OR STATE FOR ONE YEAR BEFORE INDUCTION INTO THE SERVICE;

12 (B) the member or veteran served in the armed forces
13 for at least 90 days after April 6, 1917 [;] and

14 [(C) the veteran's (HIS) discharge was under honorable
15 conditions;

16 (3) a person who has served for not less than five years in
17 the Alaska Army National Guard, the Alaska Air National Guard, [OR]
18 the Alaska Naval Militia, or [WHO HAS SERVED IN] a reserve unit of the
19 United States armed forces [IN ALASKA] if the reserve unit required,
20 as a minimum, one weekend each month of duty and 15 consecutive days
21 of active duty training each year [FOR NOT LESS THAN FIVE YEARS] and
22 whose discharge was under honorable conditions.

23 * Sec. 11. AS 21.27.090(a)(2) is amended to read:

24 (2) if for a resident agent's or broker's license: be a
25 bona fide resident [FOR A PERIOD OF NOT LESS THAN ONE YEAR OF CON-
26 TINUOUS RESIDENCY, IMMEDIATELY] before issuance of license, and ac-
27 tually residing in Alaska; or if a corporation, be other than an
28 insurer and maintain a lawfully established place of business in this
29 state, except as provided in AS 21.27.270;

1 * Sec. 12. AS 26.10.080(d)(1)(F) is amended to read:

2 (F) who, not being a bona fide resident of the terri-
3 tory or state at the time of entry into the service, had been a
4 resident of the territory or state for at least one year at the
5 time of death [AND HAD BEEN A RESIDENT OF THE TERRITORY OR STATE
6 FOR AT LEAST FIVE YEARS]; and

7 * Sec. 13. AS 26.15.130(a) is amended to read:

8 (a) Qualifications for loans under AS 26.15.010 - 26.15.160 are:

9 (1) persons who served in the armed forces of the United
10 States for 90 days or more, or whose service was for less than 90 days
11 because of injury or disability incurred in the line of duty, between
12 April 6, 1917, and November 11, 1918, and beginning September 16,
13 1940, to November 7, 1975, or in a combat zone during any period of
14 armed conflict, who were separated from the armed forces with a dis-
15 charge other than dishonorable, and

16 (A) who, at the time of induction into the service,
17 were residents of the territory or state, who had been residents
18 for not less than one year immediately before their induction,
19 and who returned to the territory or state after discharge as
20 residents with the intention of remaining in the territory or
21 state; or

22 (B) who, not being bona fide residents of the terri-
23 tory or state before their entry into the service, have been
24 residents of the territory or state for one [FIVE] or more years;

25 (2) persons who were dependent on a member of the armed
26 forces or a veteran of World War II at the time of the member's or
27 veteran's death, if

28 (A) the member or veteran was a resident of the terri-
29 tory or state for one year before induction into the service; and

1 (B) the member or veteran [HE] served in the armed
2 forces for at least 90 days between September 16, 1940, and July
3 25, 1947, but no benefits for loans accrue to dependents of an
4 enlistee or re-enlistee for time served after November 1, 1945,
5 regardless of whether the enlistment or reenlistment was before
6 or after November 1, 1945; and

7 (C) the member or veteran [HE] died before the offi-
8 cial date of the termination of that war; and

9 (D) the member's or veteran's [HIS] discharge was not
10 dishonorable;

11 (3) persons who have served in the Alaska Army National
12 Guard or the Alaska Air National Guard or the Alaska Naval Militia for
13 not less than six years and who have not received a discharge other
14 than honorable.

15 * Sec. 14. AS 38.08.030(a)(2) is amended to read:

16 (2) submit proof acceptable to the commissioner that the
17 applicant [HE] is a resident of the state at the time of application,
18 and that the applicant [HE] has been a resident of the state for not
19 less than one year [THREE YEARS] immediately preceding the date the
20 [HIS] application was submitted [, OR THAT HE HAS BEEN A RESIDENT FOR
21 20 YEARS CUMULATIVELY];

22 * Sec. 15. AS 44.81.210(a)(20) is amended to read:

23 (20) make loans to individual commercial fishermen for
24 limited entry permits; a loan under this paragraph may be made only to
25 an individual commercial fishermen who has been a state resident for a
26 continuous period of two [FIVE] years immediately preceding the date
27 of application for the loan and who has had a crewmember or commercial
28 fishing license under AS 16.05.480 or a permit under AS 16.45 for the
29 year immediately preceding the date of application and any other two

1 [ANY ONE] of the past five years, and who has actively participated in
2 the fishery during that period; loans made under this paragraph are
3 subject to the provisions of AS 44.01.230;

4 * Sec. 16. Notwithstanding the repeal of AS 16.05.400(b) by this Act,
5 persons issued permanent identification cards under that section before the
6 effective date of this Act will continue to be exempt from the requirement
7 of having a sport fishing, hunting, or trapping license.

8 * Sec. 17. The following laws are repealed: AS 08.24.110(1); AS 08.-
9 54.110(2), 08.54.140(2), 08.54.142(a)(1), 08.54.240(3)(B); AS 14.43.130;
10 AS 16.05.400(b); AS 18.55.470(4); AS 21.27.220(1); AS 29.63.065(d)(1);
11 AS 38.05.058; AS 38.68.040(b); AS 39.25.155(g); AS 43.26.095(b)(3).

12 * Sec. 18. This Act takes effect immediately in accordance with AS 01.-
13 10.070(c).

STATE OF ALASKA
FISCAL NOTE

Rec'd 6/14/83

Revision Date 6/14, 1983

I. REQUEST

BILL/Resolution No: SCSCSHB 323 (SA)
 Title: Residency and residency re-
 quirements
 Sponsor: State Affairs Committee
 Requestor: Senate Judiciary

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Coll. & Mgmt.
 BRU, Program of Subprogram(s) Affected:
Administration & Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	0	1.0	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 COMMODITIES	0	3.0	1.3	1.4	1.5	-
500 EQUIPMENT	0	2.0	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC.	-	-	-	-	-	-
TOTAL OPERATING	0	6.0	1.3	1.4	1.5	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	6.0	1.3	1.4	1.5	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-
Sport Fish Fund	0	(18.2)	(38.5)	(40.8)	(43.4)	-
Game Fund	0	(14.1)	(30.0)	(31.8)	(33.6)	-

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: Cecilia A. Wagoner
 Division: Revenue - Fish and Game

Phone: 465-2376
 Date: 6/13/83

Approved by Commissioner: *Joseph E. Donohue*
 Department: Revenue

Date: 6/14/83

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)

IV. Analysis of SCSCSHB 323 (State Affairs)

Three thousand is needed to initially design and print applications and the permanent I.D. card and to order enough laminating jackets for the fiscal year. Each subsequent fiscal year we will have the cost of additional laminating jackets. The equipment cost is for three laminating machines; one for the Public Services Counter in Anchorage, one for Fairbanks, and one for Juneau. The travel expenditure is for the Records & Licensing Supervisor to go to Anchorage and Fairbanks and instruct the counter employees.

According to data received from the Department of Labor and the Committee for Older Alaskans, the percentage rate of senior citizens in our state is fairly stable from year to year.

Using FY 82 as the base, it is estimated that there will be a six percent increase in resident sales every year. It is also estimated that three percent of the resident sales are sold to residents sixty years or older.

We are recommending that this bill be amended to include an effective date of January 1, 1984, because license changes traditionally take place at the beginning of a calendar year. If implemented in the middle of the year, some licensees who could be eligible would have already purchased their license and it wouldn't be fair to them. Middle of the year implementation would also require special printing and mailing costs. Time is also needed to properly inform the public of the new law so that all who are eligible can apply.

Assuming that the bill goes into effect 1/1/84, there will be no effect in FY 83. There will be losses to both the Sport Fish and Game Funds in each subsequent fiscal year. FY 84 has a much smaller loss because only half of the fiscal year will be effected.

REC'D 6/16/83

STATE OF ALASKA
FISCAL NOTE

Revision Date June 13, 1983

I. REQUEST

Bill/Resolution No.: SCS CS HB323(SA)
Title: "Residency & Residency Requirements"
Sponsor: State Affairs Committee
Requestor: Senate State Affairs Committee

II. FISCAL DETAIL

Agency Affected: FISH AND GAME
Program Category Affected: Fisheries & Game
BRU, Program of Subprogram(s) Affected: Sport Fisheries and Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING						
CAPITAL						
REVENUE	-0-	(80.6)	(88.0)	(95.5)		

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

General Fund - in light of declining General Fund revenue, this may be very difficult.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Beverly Reaume *Beverly Reaume* Phone: 465-4120
Division: Administration Date: _____

Approved by Commissioner: Don W. Collinsworth *Don W. Collinsworth* Date: 6/13/83
Department: Fish and Game *for MR*

Distribution:

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- Copy to Office of Management and Budget (for Legislature introduced bills)
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SCS CS HB 323 (SA)

The 1980 Census showed 19,640 Alaskans ages 60 and over. It also showed 32,260 Alaskans 55 and over. Assuming the age spread is even, 2524 Alaskans will reach age 60 each year between 1980 and 1985. Population estimates adding the Alaskans reaching 60 and an overall 5% population growth would be as follows:

FY 84	28,573
FY 85	31,223
FY 86	33,873

Using a conservative estimate, assume that 15% of the population fishes and 11% hunts, we would forego the following revenue:

	<u>Sport Fish</u> \$10 license	<u>Game</u> \$12 license
FY 84	42.9	37.7
FY 85	46.8	41.2
FY 86	50.8	44.7

STATE OF ALASKA
FISCAL NOTE

Revision Date March 11, 1983

I. REQUEST

Bill/Resolution No.: CS HB 206
 Title: free sport licenses for older Alaskans
 Sponsor: Lacher
 Requestor: Resources Committee

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Rev. Coll. & Mgt.
 BRU, Program of Subprogram(s) Affected: Administration & Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		1.0				
300 CONTRACTUAL	3.0	2.5	2.6	2.7	2.8	
400 COMMODITIES	2.5	1.5	2.0	2.1	2.2	
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	5.5	5.0	4.6	4.8	5.0	
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
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: Linda Gene Lockridge Phone: 465-2376
 Division: Public Services Date: March 11, 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

IV. ANALYSIS

Costs include design, printing and distribution of new forms for the older Alaskans license.

To eliminate these costs the Department recommends two amendments:

- 1) That no license be required for those who meet the qualifications. Currently residents under the age of 16 do not need a license; the persons age is shown on Alaska Dept. of Fish & Game harvest tickets in lieu of their license number. The program for older Alaskans could easily be handled in the same manner with no administration cost.
- 2) Effective date of January 1, 1984. Since license sales are handled on a calendar year basis, it is extremely costly and very difficult to implement license changes in mid-year. An effective date of January 1, 1984, would enable us to incorporate the ordering of licenses and particularly, the notification of license officers and the public into our normal schedule.

STATE OF ALASKA
FISCAL NOTE

Revision Date March 11, 1983

I. REQUEST

Bill/Resolution No.: CS HB 206
Title: Free sport licenses for older Alaskans
Sponsor: Lacher
Requestor: Resources Committee

II. FISCAL DETAIL

Agency Affected: Revenue
Program Category Affected: Rev. Coll. & Mgt.
BRU, Program of Subprogram(s) Affected:
Administration & Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source) Game Fund		(14.1)	(30.0)	(31.8)	(33.6)	
Sport Fish Fund		(18.2)	(38.5)	(40.8)	(43.4)	

\$ 32.3

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: Linda Gene Lockridge Phone: 465-2376
Division: Public Services Date: March 11, 1983

Approved by Commissioner: _____ Date: _____
Department: _____

Distribution:

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Copy to Office of Management and Budget (for Legislature introduced bills)
Copy to Department (for Governor introduced bills)

IV. ANALYSIS

According to data received from the Department of Labor and the Older Alaskans Commission, the percentage rate of senior citizens in our state remains stable from year to year.

Using FY 82 as the base, it is estimated that there will be a six percent increase in resident sales every year. It is also estimated that three percent of the resident sales are sold to residents sixty years or older.

Assuming that the bill goes into effect 1/1/84, there will be no effect in FY 83. There will be losses to both the Sport Fish and Game Funds in each subsequent fiscal year. FY 84 has a much smaller loss because only half of the fiscal year will be effected.

FOR SECTION 9

STATE OF ALASKA
FISCAL NOTE

Revision Date , 1983

H2323

I. REQUEST

Bill/Resolution No.: CSHB 323
Title: Residency & Residency Requirements
Sponsor: House State Affairs
Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Revenue
Program Category Affected: Coll. & Mgt.
BRU, Program of Subprogram(s) Affected:
Administration & Support

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING	-	-	-	-	-	-
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	1.0	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 COMMODITIES	-	3.0	1.3	1.4	1.5	-
500 EQUIPMENT	-	2.0	-	-	-	-
600 LAND & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC	-	-	-	-	-	-
TOTAL OPERATING	0	6.0	1.3	1.4	1.5	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	6.0	1.3	1.4	1.5	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-
Sport Fish Fund	0	(18.2)	(38.5)	(40.8)	(43.4)	-
Game Fund		(14.1)	(30.0)	(31.8)	(33.6)	-

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: Linda Gene Lockridge Phone: (907) 465-2376
Division: Public Services Date: 4-28-83

Approved by Commissioner: Robert D. Heath Date: 5/2/83
Department: Revenue

Distribution:

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3/9/83

IV. ANALYSIS (CSHB 323)

Three thousand is needed to initially design and print applications and the permanent I.D. card and to order enough laminating jackets for the fiscal year. Each subsequent fiscal year, we will have the cost of additional laminating jackets. The equipment cost is for three laminating machines; one for the Public Services Counter in Anchorage, one for Fairbanks, and one for Juneau. The travel expenditure is for the Records & Licensing Supervisor to go to Anchorage and Fairbanks and instruct the counter employees.

According to data received from the Department of Labor and the Committee for Older Alaskans, the percentage rate of senior citizens in our state is fairly stable from year to year.

Using FY 82 as the base, it is estimated that there will be a six percent increase in resident sales every year. It is also estimated that three percent of the resident sales are sold to residents sixty years or older.

STATE OF ALASKA
FISCAL NOTE

Revision Date 4/6, 1983

HB 323

I. REQUEST

Bill/Resolution No.: HB 323
 Title: Act Re: Residency
 Sponsor: House State Affairs Committee
 Requestor: House State Affairs Committee

II. FISCAL DETAIL

Agency Affected: Education
 Program Category Affected: Postsecondary Comm.
 BRU, Program of Subprogram(s) Affected: Student Loan Program

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING						
CAPITAL	N.A.	-0-	-0-	-0-	-0-	-0-
REVENUE	N.A.	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	N.A.	-0-	-0-	-0-	-0-	-0-
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: Kerry D. Romesburg Phone: 465-2854
 Division: Commission on Postsecondary Education Date: 4/6/83
 Approved by Commissioner: _____ Date: _____
 Department: _____

Distribution:

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3/8/83

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

HB 323

I. REQUEST

Bill/Resolution No.: HB 323
 Title: Relating to Residency
 Sponsor: State Affairs
 Requestor: State Affairs

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Econ Devel
 BRU, Program of Subprogram(s) Affected: Alaska Housing Finance Corporation

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-					
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No fiscal impact

IV. ANALYSIS: Attach a separate page for any Analysis - See Attached

Prepared By: [Signature] Phone: 276-5599
 Division: Alaska Housing Finance Corporation Date: April 12, 1983
 Approved by Commissioner: Joseph K. Donohue Date: 4/15/83
 Department: Revenue

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

ANALYSIS

On July 27, 1982, the Board of Directors of Alaska Housing Finance Corporation adopted a resolution doing away with the one year and five year residency requirement for veterans that is currently in the statutes. The resolution was based on an Attorney General's opinion dated July 14, 1982, which stated that the U.S. Supreme Court's decision in the Zobel case made the residency requirements in 18.56.101 constitutionally defective.

AHFC suggests that HB 323 be amended to include the language in Sect. 6 of HB 302 which is attached.

For section 9

STATE OF ALASKA
FISCAL NOTE

Revision Date May 2, 1983

I. REQUEST

Bill/Resolution No.: CS HB 323
Title: "Residency & Residency Requirements"
Sponsor: State Affairs Committee
Requestor: House Judiciary Committee

II. FISCAL DETAIL

Agency Affected: FISH & GAME
Program Category Affected: Fisheries & Game
BRU, Program of Subprogram(s) Affected: Sport Fisheries and Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	-0-	(80.6)	(88.0)	(95.5)		
---------	-----	--------	--------	--------	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

General Fund - in light of declining General Fund revenue, this may be very difficult.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Beverly Reaume *Beverly Reaume* Phone: 465-4120
 Division: Administration *Don W. Collinsworth* Date: May 2, 1983
 Approved by Commissioner: Don W. Collinsworth Date: 5-2-83
 Department: FISH & GAME

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
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CS HB 323 Addendum

The 1980 Census showed 19,640 Alaskans ages 60 and over. It also showed 32,260 Alaskans aged 55 and over. Assuming the age spread is even, 2524 Alaskans will reach age 60 each year between 1980 and 1985. Population estimates adding the Alaskans reaching 60 and an overall 5% population growth would be as follows:

FY 84	28,573
FY 85	31,223
FY 86	33,873

Using a conservative estimate, assume that 15% of the population fishes and 11% hunts, we would forego the following revenue.

	<u>Sport Fish</u> \$10. license	<u>Game</u> \$12. license
FY 84	42.9	37.7
FY 85	46.8	41.2
FY 86	50.8	44.7

Pioneer's Legislative Committee
113 W. 5th St.
Juneau, Alaska 99801
Phone 586-3896

March 11, 1983



*Pioneer's Home
Established 1913*

Art R. Gore, Chairman
Leslie S. Swanson, Vice-Chairman
John L. Hanson
James Odsather
Johnine Race
William L. McIlroy

TO: All Igloos & Auxiliary, Pioneers of Alaska

Enclosed copy of HB 206

While this bill does not seem to be very important, it could have some far reaching effects that would be very detrimental to fish and game resources in the future.

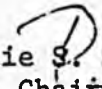
The first thing it would do is take away another Alaskan tradition or award for living in Alaska for 30 consecutive years and 60 years of age. The bill would also destroy our Pioneers concept of keeping our fish and game resources on a sustained yield basis for future Alaskans.

If this bill was to become law and a free hunting, fishing and trapping license was issued to every person 60 years old and one year residency, and then another Legislature to reduce the age limit to all 40 year olds and so on down the line to a point in time when there would be real chaos and the resources would be destroyed.

Any piece of legislation that deals with length of residency should be opposed. Every time that we bow to the Zobel decision we have taken one more step that will eventually destroy our Pioneer's Home and the Longevity Bonus Program.

Letters from you to your Senators and Representatives in disapproval to this bill and bills similar would be helpful or a letter from the Igloos and Auxiliary to your Legislative Committee so that we can use those letters in testimony.

Yours truly,


Leslie S. Swanson
Vice Chairman
Legislative Committee

MR. CHAIRMAN:

THANK YOU FOR THIS OPPORTUNITY
to Testify:

MY NAME IS JACK GODDARD__I AM EMPLOYED AS AN AIDE FOR REP. *DICK*
SHULTZ__HOWEVER, I AM TESTIFYING FOR MYSLEF. MR. CHAIRMAN,
THIS WILL BE SHORT BUT IT WILL CERTAINLY TELL THE COMMITTEE
HOW I FEEL ABOUT THIS BILL AND ANY OTHERS JUST LIKE IT. I
AM TIRED OF SEEING OUR STATE ACQUIESCE TO THE TERMS SET BY THE
LAWYERS OF ZOBELS CALIBER OR TO THE SUPREME COURT JUDGES OR ~~THE~~ TO
THE FEDERAL ~~EEERTX~~ GOVT. IN PARTICULAR ~~WITHOUT~~ WITHOUT PUTTING UP SOME
SORT OF A FIGHT. WE LOST LAND TO THE NATIONAL PARTS BECAUSE WE
DIDN'T PUT UP SOME SORT OF A FIGHT BUT LET THOSE CONGRESSMAN *Boone*
DICTATE THEIR OWN LAND POLICY ON US. WE ACQUESCED ON THE PERMANENT
FUND DIVIDEND BY CHANGING THE LENGTH OF RESIDENCY TO ONE YEAR AND
NOW WE ARE ABOUT TO DO IT AGAIN ON THE HUNTING AND FISHING LICENSE
REQUIREMENTS FOR OLDER ALASKANS. I HAVE BEEN A RESIDENT OF ALASKA
FOR 61 YEARS AND I WAS REALLY LOOKING FORWARD TO RECEIVING MY OLDER
ALASKAN LICENSE--IN FACT, I APPLIED FOR IT BEFORE I LEFT COPPER
CENTER WHICH IS MY HOME NOW. RECEIVING THIS LICENSE WAS TO ME A
MATTER OF PRESTIGE__IT SHOWED PEOPLE THAT I ~~KXKXEEERKXX~~ WAS A LONG
TIME RESIDENT OF THIS GREAT STATE AND PROUD OF IT. I ~~DWOULD~~ WOULD HAVE
IN FACT SHOWN THE LICENSE OFF IF I HAD RECEIVED IT AND ~~KXDEXEKE~~
IT WOULD HAVE PROVIDED AN INCENTIVE FOR SOME OF MY YOUNGER FISHING
AND HUNTING PARTNERS TO ~~STXKXXIXENTXSEXTXKT~~ LOOK FORWARD TO GETTING
NOW, IF THIS BILL IS PASSED AND BECOMES LAW I WILL JUST GO TO THE
NEAREST LICENSE ^{office} AND PAY THE OPEN MARKET PRICE FOR MY LICENSE. I
WILL BE NO DIFFERENT THAN ANY OTHER PERSON THAT HAS LIVED HERE FOR A
YEAR. I HAVE TALKED TO SOME "OLD TIMERS" IN THE VICINITY AND THEY
FEEL THE SAME AS I DO__I UNDERSTAND THAT A POLL WAS CONDUCTED IN
The PIONEERS OF ALASKA AND THEY VOTED TO FIGHT THIS LONGDEVITY ISSUE.
WE HAVE A LOT MORE AT STAKE HERE THAN JUST FISHING LICENSES AND I
THINK THAT WE HAD BETTER STAND UP AND BE COUNTED OR WE ARE JUST GOIN
TO BE STOMPED INTO THE GROUND. I BELIEVE THAT THEE ARE SOME PEOPLE
HERE AND ALSO BACK IN WASHINGTON THAT CONSIDER US STILL A TERRITORY
AND UNTIL WE PUT THEM STRAIGHT, THEY WILL CONTINUE THEIR DICTATORIAL
ATTITUDE. I AM IN FAVOR OF TABELING THIS BILL AND FIGHTING IT AND
EVERY OTHER LONGDEVITY ISSUE THAT COMES UP. I AM SURE THAT WE WILL
WIN EVENTUALLY BECAUSE WE CAN OUTLIVE THE JUBGES AND THEY WILL BE

Offered: 3/4/83
Referred: Rules

Original sponsors: Lacher, Larson
Uehling, et al

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 206 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act providing for free sport fishing, hunting,
7 and trapping licenses for older Alaskans."

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

9 * Section 1. AS 16.05.400(b) is amended to read:

10 (b) A sport fishing, hunting or trapping license shall be issued
11 without fee to [IS NOT REQUIRED OF] a resident who is 60 years of age
12 or older [MORE] and has been a resident for one year [30 CONSECUTIVE
13 YEARS OR MORE. THE COMMISSIONER OF REVENUE SHALL ISSUE A PERMANENT
14 IDENTIFICATION CARD WITHOUT CHARGE TO PERSONS WHO QUALIFY BY AGE AND
15 RESIDENCE AND WHO COMPLETE THE FORMS REQUIRED BY THE COMMISSIONER FOR
16 IMPLEMENTATION OF THIS SUBSECTION. A PERSON WHO IS ISSUED A PERMANENT
17 IDENTIFICATION CARD UNDER THIS SUBSECTION SHALL HAVE IT IN HIS POS-
18 SESSION WHILE SPORT FISHING, HUNTING OR TRAPPING].

Pioneer Aux. #15
Wrangell, Ak. 99929

Pioneer's Legislative Committee
113 W. 5th Street
Juneau, Alaska 99801

April 15, 1983

Dear Legislative Committee:

Pioneer's of Alaska, Auxiliary No. 15, is opposed to House Bill No. 206 (Resources) relating to "An Act providing for free sport fishing, hunting, and trapping licenses for older Alaskans."

We believe this bill would take away another Alaskan tradition for living in Alaska for 30 consecutive years and 60 years of age.

Sincerely yours,

Members of
Pioneer Aux. 15

cc/Wendte
Ziegler
McBride

PIONEERS OF ALASKA
Box 931
Homer, Alaska 99603

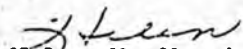
Igloo #32
Auxiliary #14

Pioneer Legislative Committee
113 W. 5th St.
Juneau, Alaska 99801

The Pioneers of Alaska, Igloo #32 and Auxiliary #14, meeting together in joint session at their regularly scheduled monthly meeting on April 8 discussed HB 206 and Red Swanson's letter of March 11.

They are strongly opposed to this legislation and to any other legislation which substantially shortens the length of residency for pioneer benefits. We see all such measures as the first step to destroying the programs.

Yours very truly,


Helen M. March, Secretary
Auxiliary #14



IGLOO NO. 19
PIONEERS OF ALASKA

Box 335
CORDOVA, ALASKA 99574

March 21, 1965

Dear Brother Swanson

At our last regular meeting of March 14,
the bill was presented to the membership and upon a
motion, passed, the result was total opposition to
having the Bill become Law.

We hope this action will please you in
your efforts to aid members of the Pioneers.

Again we appreciate your efforts in our
behalf and your efforts for us all.

With best wishes and my personal thanks,
we are

Fraternally yours,

Rev. D. A. Melbourne
Rev. D. A. Melbourne
Secretary

Mr. Leslie E. Swanson
113 W. 5th Street
Juneau, Ak 99801

H.B. 206

PIONEERS OF ALASKA
Igloo #33 Auxiliary #16
Box 1005
Soldotna, Alaska 99669

March 22, 1983

To: Leslie S. Swanson
Vice Chairman
Pioneer's Legislative Committee
Juneau, Alaska 99801

Dear Mr. Swanson:-

At the last regular meeting of Igloo #33 and Auxiliary #16 which was held on Monday, March 10, the membership was familiarized with HB 206 and your letter was read regarding the matter. In the discussion that followed everyone seemed to be in agreement that the passage of this bill would have great possibilities for disaster to our future fish and game resources. A vote was taken, the results was unanimous, and the Secretary was instructed to write a letter to our legislative committee concurring with with the Committee's efforts to defeat this unhealthy bill.

Our Igloo and Auxiliary are less than one year old, suffering considerable growing pains and not yet what yaou'd call active politically. We have in our organization, however, a number of individuals who are very active in politics including several who make their livings that way. In due time we expect to be counted as group too on all matters pertaining to the welfare of not only the older Alaskans but of the entire State.

This particular bill is especially obnoxious to me personally because we live on the Kenai River and in the eight years since we built our home have been able to witness firsthand how rapidly our conditions are deteriorating as it is, let alone further easing the restrictions.

I expect to be in Juneau on the 28th and 29th of this month on an A.A.R.P. Legislative Committee assignment. If I can't find time to call on you personally I'll at least give you a buzz. I'm sure we have several common objectives. I know four members of your Committee and one of them, Maxine Race, will be serving on my Committee too, as I remember. We all appreciate the fine work that you are doing.

Fraternally,

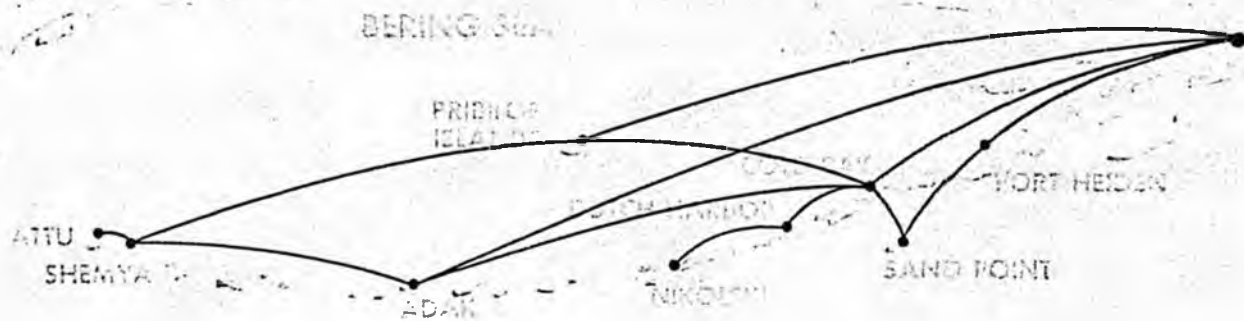
Stanley E. Herman, Secretary
Pioneers of AK. Igloo #33
Box 1005
Soldotna, Alaska 99669

We are sure enjoying some
great weather up here. Spring
is here I think. Birds are
a little out look on life in
these trying times.
Thanks to you, your wife
& Maxine Grace for all your
great efforts against trying
cold!!

Regards
Bob Hansen



REEVE ALEUTIAN AIRWAYS, INC.



March 23, 1983

TO: ALL SENATORS & REPRESENTATIVES

HOUSE BILL 206 (RESOURCES)

You are not protecting Alaska residents with this bill, all you will be doing is killing off our natural resources by giving just anyone 60 years of age or more free privileges fishing, hunting and trapping. This has to be earned right, not just a free bee. The few that now have this privilege, earned that right and will not destroy our hunting and fishing because they know and respect what this great state of ours has and will help preserve it.

No one here, or anywhere else, with one year should feel they can just step in and take over free of charge. Things must be earned to be appreciated and anyone here one year could not possibly have done enough to earn anything much less a free handout to do away with our game. I would rather have the present law rescinded than to go along with this HB206 that is going to hurt some of our old timers that have a meager income or none at all and are depending on their fishing and hunting to help them to put food on their table.

These free loading "Johnny come latelys" had better contribute their fair share before being given any free handouts. There is far too much of this going on in all phases of our government now, and we who are carrying the load are getting very tired of paying for every Tom, Dick and Harry, who just recently arrived, free bees. Furthermore, there will not be anything for us when our time to enjoy our fruits of labor in Alaska comes along.

Having been born here some 60 years subsequent and contributed to this states growth ever since, I know of what I say.

Yours truly,

Robert L. Hanson

INTERIM OFFICE:
1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-2843

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4963

Alaska State Legislature



Representative Mitch Aboud
CHAIRMAN

House Committee on State Affairs

HB 323

The enclosed chart on durational residency, originally prepared by former Attorney General Wilson Condon and Assistant Attorney General Bob Maynard, in 1982, has been used extensively in the preparation and drafting of "An Act relating to residency and residency requirements; and providing for an effective date." The Committee, staff and consultants would like to extend their appreciation to the invaluable research done by Mr. Condon and Mr. Maynard.

To help clarify the statutory changes contained in the House State Affairs' residency bill, we have included these changes as they apply to the programs appearing on Mr. Condon's chart. They are:

- 1) The left-hand margins reflect the section numbers found in the residency bill.
- 2) material enclosed by brackets and asterisks (** . **), indicate effect of the residency bill on the various programs listed.

After an exhaustive review we have come up with the attached eight page table and accompanying appendix setting forth the durational residence requirements imposed by Alaska State law. The table is organized into three main parts, I PUBLIC OFFICE HOLDING, II LICENSES, and III PUBLIC RIGHTS AND BENEFITS. The five columns in the table speak for themselves. With respect to the column "Constitutional Problem" some explanation is required. If "No" appears under Constitutional Problem, it is the opinion of the Department of Law that the durational residence requirement is constitutionally sound. Where the word "Maybe" appears in that column, it is the opinion of the Department of Law that that durational residence requirement is also constitutionally sound; however, we believe that it is possible someone might initiate litigation challenging the requirement. Where the term "Probably" appears in the Constitutional Problem column, we believe there is more than a remote possibility a court might find this durational residence requirement unconstitutional. Where "Yes" appears in the Constitutional Problem column, we believe it is highly likely that a court would find the durational residence requirement unconstitutional.

Because of the Alaska Supreme Court's recent ruling in the case of Noll v. Alaska Bar Association, ___ P.2d ___, Op. No. 2546. (August 13, 1982), we have also included all residence requirements, whether durational or not, which apply to eligibility for entrance into regulated occupations in Alaska. After the Noll decision it would appear that any residence requirement for entrance into a regulated occupation in Alaska will be held unconstitutional except in the most unusual circumstances.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>General</u>				
1. Governor	7 Years	Alk. Const. art. III, § 2	No	--
2. Lieutenant Governor	7 Years	Alk. Const. art. III, §§ 2 & 7	No	--
3. Board of Education Member	3 Years	AS 14.07.075	No	--
4. Legislator	3 Years	Alk. Const. art. II, § 2 AS 24.05.030	No	--
5. Supreme Court Justice	5 Years	AS 22.05.070	No	--
6. Court of Appeals Judge	5 Years	AS 22.07.040	No	--
7. Superior Court Judge	5 Years	AS 22.10.090	No	--
8. District Court Judge	5 Years	AS 22.15.160(a)	No	--
9. Magistrate	6 Months	AS 22.15.160(b)	No	--
0. Ombudsman	3 Years	AS 24.55.030	No	--
1. Borough Mayor	Up to 3 Years	AS 29.23.130(b)	No	--
2. Borough Assembly	Up to 3 Years	AS 29.23.050	No	--
3. City Mayor	Up to 3 Years	AS 29.23.250(a)	No	--
4. City Council	Up to 3 Years	AS 29.23.200(b)	No	--
5. Municipal Charter Commission	3 Years	AS 29.13.010	No	--

TITLE

RESIDENCE
REQUIREMENT

AUTHORITY

PROBLEM

PENDING, IF
APPLICABLE

Boards and Commissions other than Occupational Licensing Boards. Boards, which are a part of or affiliated with state government. of those boards and commissions. */

There are 98 Boards and Commissions, other than Occupational Licensing. There is a durational residence requirement for membership on seven

1. Rural Affairs Commission	5 Years	AS 44.19.102	Maybe **/	None
2. Board of Fisheries	1 Year	AS 16.05.221 AS 16.05.940	No	--
3. Board of Game	1 Year	AS 16.05.221 AS 16.05.940	No	--
4. Judicial Qualifications Commission	10 years practice in Alaska	Ak. Const. art. IV, § 10 AS 22.30.010	Maybe **/	--
5. Municipal Bond Bank Authority	30 days (qualified voter)	AS 44.85.030	No	--
6. Personnel Board	30 days (qualified voter)	AS 39.25.060	No	--
7. Alaska Power Authority	30 days (qualified voter)	AS 44.83.020	No	--

This list includes only boards and commissions which have express durational residency requirements. Many boards have ex officio ers who must meet residency requirements for those offices or positions. These boards include:

- (1) Alcohol Beverage Control Board (certain licensees);
- (2) Capital Site Planning Commission (borough mayors);
- (3) Coastal Policy Council (mayors, assembly and council members);
- (4) Code Revision Commission (members of legislature);
- (5) Citizens Advisory Commission on Federal Management Areas in Alaska (governor and other public officers);
- (6) Commission on Conference of the Law of the Sea (members of legislature);
- (7) Rural Development Council (members of legislature);
- (8) Teacher's Retirement Board (resident who is receiving retirement benefits);
- (9) Tourism Advisory Board (members of legislature); and
- (10) Governor's Commission on the Administration of Justice (judicial officers, legislators and municipal officials)

It is difficult to imagine someone complaining about any possible constitutional problems here.

Occupational Licenses. The State of Alaska requires occupational licenses in 28 separate occupational areas. Residence requirements imposed for the receipt of these licenses in seven of these occupational areas. For reasons set forth in Appendix A, we believe residence requirement, even of zero durational length, will in most cases be unconstitutional.

TITLE	DURATIONAL, RESIDENCE REQUIREMENT	AUTHORITY.	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
Public Accountant (**delete residency requirement**)	1 Year (rebuttable)	AS 08.04.280 12 AAC 04.170	Yes	None
Attorney (** no change **)	Residence	Bar Rule 5(1)(n)	Yes	Declared unconstitutional in Noll v. Alaska Bar Ass'n 8/13/82
Law Clerk (**delete residency requirement **)				
Collection Agencies (** no change **)	1 Year, but non-resident may receive license on same basis as resident, except fee for branch offices is higher	AS 08.24.110 AS 08.24.370	No	
Chiropractors (** no change **)	1 Year in-state apprenticeship	AS 08.42.110	Yes	None
Guides				
Master Guide (** no change needed; comes in through registered guide reference **)	Residence plus hunted 10 years	AS 08.54.100	Yes	None
Registered Guide (** deleted **)	Resident	AS 08.54.110(2)	Yes	None
Class A Assistant Guide (** no change **)	20 years experience in guide district in which he is to be employed although not a specific residence requirement.	AS 08.54.120	Yes	None
Assistant Guide (** deleted **)	Resident	AS 08.54.140 (2)	Yes	None
(** deleted **)	Resident	AS 08.54.142 (a)(1)	Yes	None

	TITLE	RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
	<u>Occupational Licenses (Cont.)</u>				
	6. Junk Dealer & Metal Scrapper (**no change*)	no resident requirement, but defines "resident" as present for one year.	AS 08.60.030	No	--
4	7. Real Estate Brokers and Salesmen (** delete residency requirement. **)	Resident	AS 08.88.171	Yes	None
9	8. Insurance Brokers, Agents and Solicitors (**delete residency requirement.	No fee change -- keep differential **)			
	Resident Insurance Salesmen or Broker (non residents can be licensed but may pay a higher fee)	1 year	AS 21.27.090 (a)(2) res.	No	--
			AS 21.06.250 fees (no change)		--
13	Insurance Solicitor (** deleted ** (residency requirement)	1 year	AS 21.27.220 (1)	Yes	None

B. Other Licenses

	1. Alcoholic Beverage License (**no change**)	1 year	AS 04.11.390	Maybe	None
	2. Resident Fish and Game License (resident license costs less than non-resident license) (** no change **)	12 consecutive months	AS 16.05.940	Maybe	None

III. PUBLIC RIGHTS AND BENEFITS

A. General

	1. Voting (** no change **)	30 days	AS 15.05.510	No	--
5	2. Annulment of Marriage (** delete 1 yr. 1 Year retain 30 days **)		AS 09.55.130	Maybe	None

	TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>General (Cont.)</u>					
13	3. Low-Cost Housing Preference (** delete 1 yr. retain 30 days **)	1 Year	AS 18.55.330 AS 18.55.470(4) ** deleted	Probably	None
13	4. Vocational Substitution Program (** " " *)	1 Year	AS 39.25.155(g)	Probably	None
13	5. Industrial Incentive Tax Credits (* " " *)	Depends on % of 1-year residents	AS 43.26.095(b)(3)	Probably	Program is for all practical purposes no longer operating.
8	6. Bounties for Certain Animals (* " " *)	1 year abode in Unit plus "continually maintained residence in the state . . . "	AS 16.35.130	Yes	The program is a dead letter because it has not been funded for several years.
B. <u>Loan and Grant Programs.</u> Approximately 41 loan programs are provided for under Alaska Statutes. 35 of these are currently active programs. Of these 35, seven have some sort of durational residency feature. The dormant programs are inactive because of lack of funding. The state has one grant program requiring a period of residency for eligibility.					
	1. Fisherman's Note and Mortgage Program	5 Years	AS 16.10.680(a)	Yes	AG opinion pending
	2. Commercial Fishing Loan	5 Years	AS 16.10.310(a)	Yes	AG opinion pending
12	3. Limited Entry Permit Loans (CFAB) (** delete 5 yrs., insert 2 years **)	5 Years	AS 44.81. ²¹⁰ (a)(20)	Yes	Program inactive pending Court determination of legality of limited entry program in State v. Ostrosky.
	4. Agriculture and Fishing Loan (CFAB) (** no change **)	1 Year	Board Policy	Maybe	None
8	5. Alaska Housing Finance Corp. One Percent Veterans' Housing Loan Rate Reduction (** delete 5 yrs., insert 2 years. **)	5 Years	AS 18.56.101(β)	Yes	AG opinion 7/14/82 instructed agency not to enforce.
10	6. Veterans Loans (** delete 5 yrs., insert 2 years. **)	5 Years	AS 26.15.130(a)(1)	Yes	Inactive because not currently funded.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING, IF APPLICABLE
<u>Grant Programs (Cont.)</u>				
Mining Business Loans (** no change **)	Residency and 5 Years Mining Experience in State.	AS 27.09.020	Maybe	None
Memorial Scholarship Loan Fund ** no change **	No durational requirement to apply. 1/5 loan forgiven for each year employed in specialized field in Alaska.	AS 14.40.825(e)	No	---
Student Loan Program				
(a) eligibility to apply (** no change **)	1 Year	AS 14.40.765(b)	Probably	Issue pending in Andress v. Baxter
(b) 1/10 forgiven for each year of residency after education up to 50% of loan. (** no change **)	- -	AS 14.40.763(1)	Maybe	May be covered by Gilman v. Martin which is now pending in Alaska Supreme Court
(c) Point Preference System for loan applicants (**repealed **)	1 Point; 2-5 Years 2 Points; 5-10 Years 3 Points; 10+ Years	renumber to 14.43.130 AS 14.40.767	Yes	Point system has not previously been utilized as Legislature has always funded all applicants.
Alaska Educational Incentive Grant ** no change **	2 Years	Application form	Probably	Issue will be decided by result in Andress v. Baxter
<u>Disposal Programs</u>				
Land Disposal by Lottery (** no change **)	1 Year	AS 38.05.057(b)(2)	Maybe	Should be decided by Gilman v. Martin.
Land Purchase Price Discount Program (** repealed **)	5% per year discount for each year of residency	AS 38.05.058	Probably	Should be decided by Gilman v. Martin.

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING IF APPLICABLE
<u>Wapato Programs (Cont.)</u>				
Homesite Entry Program (** delete 3 yrs. and 20 yrs.) require 1 year. **	3 years (or 20 years of earlier residency) to apply	AS 38.08.030(a)(2)	Yes	AG opinion pending
	Priority given longest resident	AS 38.08.040(b)	Sec. 13 **repealed **	
Remote Parcel Leasing Program (** no change **)	1 Year	AS 38.08.077(1)(2)	Maybe	Should be decided by Gilman v. Martin.
<u>Special Old Age Programs</u>				
Longevity Bonus Program (** no change in this bill **)	25 years and presence in State at or before statehood.	AS 47.45.010(a)	Yes	Issue Pending in Vest v. Schafer
Pioneers' Home Program (** no change in this bill **)	15 years immediately before application; or 30 years cumulative	AS 47.25.020(a) AS 47.25.035	Yes.	None
Senior Citizen Special Assessment Exemption (** delete 1 yr and retain 30 days. **)	12 months	AS 29.63.065(d)(1)	Maybe	None
Senior Citizen Exemption from Fishing License Requirement (** delete 30 years and insert 1 year **)	30 years total residence	AS 16.05.400	Yes	None

TITLE	DURATIONAL RESIDENCE REQUIREMENT	AUTHORITY	CONSTITUTIONAL PROBLEM	ACTION TAKEN OR PENDING IF APPLICABLE
<u>Land Disposal Programs (Cont.)</u>				
11 3. homesite Entry Program (** delete 3 yrs. and 20 yrs. require 1 year. **)	3 years (or 20 years of earlier residency) to apply	AS 38.08.030(a)(2)	Yes	AG opinion pending
	Priority given longest resident	AS 38.08.040(b) Sec. 13	**repealed**	
4. Remote Parcel Leasing Program (** no change **)	1 Year	AS 38.08.077(1)(2)	Maybe	Should be decided by Gilman v. Martin.
<u>D. Special Old Age Programs</u>				
1. Longevity Bonus Program (** no change in this bill **)	25 years and presence in State at or before statehood.	AS 47.45.010(a)	Yes	Issue Pending in Vest v. Schafer
2. Pioneers' Home Program (** no change in this bill **)	15 years immediately before application; or 30 years cumulative	AS 47.25.020(a) AS 47.25.035	Yes.	None
13 3. Senior Citizen Special Assessment Exemption (** delete 1 yr and retain 30 days. **)	12 months	AS 29.63.065(d)(1)	Maybe	None
6 4. Senior Citizen Exemption from Fishing License Requirement (** delete 30 years and insert 1 year **)	30 years total residence	AS 16.05.400	Yes	None

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March 22, 1983

MEMORANDUM

TO: Honorable Mitch Abood
Chairman, House State Affairs Committee

FROM: Susan A. Burke *SAB*

RE: Residency Requirements

You have asked me to review the Alaska statutes that presently impose residency requirements and to recommend to the Committee the amendment or repeal of those residency requirements that more than likely would be held unconstitutional if challenged in court. You have also asked me to draft a statute defining "bona fide" residence. That draft is attached, along with comments.

In reviewing the residency requirements imposed under current law, I was primarily concerned with two questions -- first, whether it is constitutionally permissible to impose any kind of residency requirement having the effect of excluding nonresidents, and second where the statute imposes a durational residency requirement longer than 30 days, whether the period of residency specified is within

constitutional limits.^{1/} The statutes which contain residency provisions fall into several broad subject matter categories. Attached is a chart prepared by the Department of Law which lists all of the statutes containing residency requirements, with the statutes organized according to subject matter. The chart also includes an assessment of the constitutional problems, if any, presented by each statute. Rather than duplicate this work, I have used this chart as the basis for my review. The review will discuss the statutes listed in each subject matter category in the chart prepared by the Department of Law.

I. Residency Requirements for Eligibility to Hold Public Office

The durational residency requirements established for public office holding range from six months in the case of magistrates (AS 22.15.160(b)) to 10 years for members of the Judicial Qualifications Commission (Alaska Const. art IV, sec. 10; AS 22.30.010). Durational residency requirements for public

^{1/} In general, a person is entitled to claim residency in Alaska if the person is physically present in the state with the intent to remain here indefinitely and make a home here. With rare exceptions, a durational residency requirement will be valid only if it used as a way of testing whether the person actually has the necessary "residential" intent. For some programs, like welfare or medical care, and for fundamental rights such as voting, the state may impose only the shortest durational period necessary to make residency determinations. This period has been held to be no more than 30 days for voting and welfare. For other programs, as discussed below, a longer period of residency is permissible to require.

office holding have been challenged both in Alaska and elsewhere.^{1a/} These durational residency requirements have almost universally been upheld (even fairly lengthy ones), on the theory that they are a legitimate way to measure whether a person has sufficient knowledge of local problems and concerns to be qualified for public office and to insure that the voters have had a sufficient period of time in which to become familiar with the candidate. This same rationale would apply with equal force to durational residency requirements imposed for eligibility to serve on certain boards and commissions. While some questions

^{1a/} Gilbert v. State, 526 P.2d 1131 (Alaska 1974); Chimento v. Start, 414 U.S. 802 (1973).

might be raised as to the reasonableness of the length of residency required in a particular instance, it is probable that none would be struck down if challenged. I do not recommend that any amendments be made to these statutes.

II. Residency Requirements for Occupational Licensing

With only a few exceptions, I agree with the conclusions contained in the Department of Law's survey as to the serious constitutional problems presented by the statutes which require persons to be residents in order to be licensed to engage in certain professions. The recent Alaska Supreme Court decision in Noll v. Alaska Bar Association, 649 P.2d 241 (Alaska 1982), makes it almost certain that these requirements would be struck down if challenged. Close review of the statutes, however, suggests that in some instances, the residency requirements may have been prompted by perfectly legitimate concerns -- such as the difficulty or added expense of disciplining nonresident practitioners. Further, it appears that in some instances residency requirements may have been imposed as a "quick" way of insuring that persons who practiced certain professions in the state had some degree of "local" knowledge. After Noll, it seems likely that even though these are legitimate problems, they may not be solved by simply barring nonresidents from licensure. By the same token, there may be ways of dealing with these problems that do not raise constitutional questions. For instance, in the case of disciplining nonresidents, a higher fee could be charged to nonresidents to

offset additional costs that may be associated with disciplining nonresidents. "Local knowledge" concerns could be addressed through additional testing procedures. In any event, despite the serious constitutional problems with these statutes, it may be undesirable simply to repeal the residency requirements without providing solutions to whatever problems may be posed by granting licenses to nonresidents. The Committee might want to consider repealing the residency requirements, but having a delayed effective date until perhaps June 30 of 1984. Persons who wish to recommend alternative ways of addressing the kinds of concerns I have suggested would then have time to bring their recommendations to the legislature next year before the repeal of the residency requirements took effect.

III. Public Rights and Benefits

A. General

I agree with the Department of Law's conclusion that a one year durational residency requirement for annulment of marriage may be unconstitutional, though I would rate this as "probably" rather than "maybe" unconstitutional. The Alaska Supreme Court in 1974 struck down a one year durational requirement for obtaining a divorce. State v. Adams, 522 P.2d 1125 (Alaska 1974). The state's interests in requiring one year residence to obtain an annulment of a marriage are more than likely identical to those advanced in support of the one year requirement for divorce. The court did not find

those interests sufficiently important to justify a one year requirement for divorce. Although the Alaska Supreme Court seems to be moving toward a much less restrictive view of durational residency requirements,^{2/} it is unlikely that it would overrule its earlier decision in Adams, if the annulment statute were challenged. I would recommend that this statute be amended to require that a person simply be a resident.

I also agree with the Department's assessment of the other statutes listed in the "General" category, which impose one year durational requirements, and recommend that these statutes be amended to require that a person simply be a resident.

B. Loan and Grant Programs

The statutes governing the various loan programs impose durational residency requirements ranging from one to five years. I agree that the five year requirements are almost

^{2/} In State v. Adams, 522 P.2d 1125, 1131 (Alaska 1974), the Alaska Supreme Court stated:

. . . all such [durational residency] requirements are prima facie invalid and will be countenanced only when they serve a compelling state interest.

However, in Williams v. Zobel, 619 P.2d 448 (Alaska 1980) (permanent fund dividends), the court retreated from its earlier view in Adams, and indicated that unless the requirement affected fundamental rights (such as voting) or basic necessities of life (like welfare or medical care), the court would henceforth use a "balancing" approach to durational residency statutes. The importance of the state's interests will be weighed against the importance of the benefit denied or delayed by the durational requirement.

certainly unconstitutional.^{3/} The question is whether a durational requirement beyond 30 days would be constitutional, and if so, what is the maximum length that could be imposed within constitutional limits. Apart from public office holding, the United States Supreme Court has upheld durational residency requirements of up to one year in two cases -- eligibility for preferential resident tuition at state universities, and as a prerequisite to filing for divorce.^{4/} These cases were decided under the United States Constitution, and the Alaska Supreme Court may, and has, interpreted the Alaska Constitution in similar cases as imposing stricter requirements.^{5/} As noted above, the Alaska Supreme Court has until recently maintained the view that any durational residency requirement will be struck down unless the state can demonstrate that the requirement is necessary to further a compelling state interest. This is an extremely difficult burden to meet, and except in very rare instances it is an impossible burden. Because it appears that the Alaska court

^{3/} A different question is presented by the five year local mining experience requirement for mining loans under AS 27.09.020. This may be a permissible requirement, particularly if it is demonstrated that it does not operate as a practical matter to exclude persons who are currently residents, but who gained their Alaska mining experience as nonresidents.

^{4/} Vlandis v. Kline, 412 U.S. 441 (1973) (university tuition); Sosna v. Iowa, 419 U.S. 393 (1975) (divorce).

^{5/} For example, the Alaska court struck down a one-year residency requirement for divorce under the Alaska constitution, State v. Adams, 522 P.2d 1125 (Alaska 1974). One year later the U.S. Supreme Court upheld an identical requirement in Iowa's statute. Sosna v. Iowa, supra, note 4.

is moving toward a less restrictive approach toward durational residency, our court would probably uphold durational residency requirements of reasonable length for loan programs.

Under this less restrictive approach, the Alaska Court would balance the state's interests in imposing a durational residency requirement for a state loan against the importance of the challenger's interest in obtaining a loan before the requirement had been met. In the case of the loan programs, the state's interest is in assuring that state funds are not used to benefit nonresidents. Since resident status depends in large part on a person's state of mind, it is extremely difficult to know with certainty whether a recent arrival in fact has the requisite "residential" intent, and it is extremely difficult to disprove a false claim of residency. Further, it is costly to require the state to make individualized determinations of residency. There are in most instances alternative sources of loan funds through commercial lenders, and it is likely that our court would find that the state's interest in assuring that its benefits are not granted to persons who are not bona fide Alaska residents outweigh the slight inconvenience that a newly arrived resident might suffer by having to wait for some period of time in order to qualify for a state loan.

A more difficult question is what period of residency would be permissible. The state is currently in litigation in the Federal District Court in Alaska, defending the two