

LEG. FINANCE - BILLS 1983 - 1984 2047

SB 162 cont. - SB 164 2047

There is a \$15 million appropriation in this bill intended to fund small rural construction projects. It is my intention that money will be allocated from this fund on mutual agreement between my office and each legislator who has projects that qualify for this fund.

I expect that the projects identified in this bill will now be subjected to close public scrutiny. This administration stands ready to testify and explain them at any time during the forthcoming public hearings on this bill.

In summary, this bill represents my best judgment as to how we should spend the money available to us for capital projects in fiscal year 1983. I welcome your suggestions for better projects, and will be pleased to substitute any higher priority projects that will meet or exceed the objectives that have been established.

I urge early consideration and enactment of this bill so that the state will be able to take full advantage of the 1983 construction season.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield  
Governor

BILL SHEFFIELD  
GOVERNOR

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

March 22, 1983

The Honorable Jalmar Kertulla  
Senate President  
The Honorable Jan Faiks  
Chairman, Senate Rules  
The Honorable Don Bennett  
Co-Chairman, Senate Finance  
Alaska State Legislature

Dear Senators:

The following amendments are requested to CS/SB 162. These adjustments will restore amounts presented in the draft of SB 162 which was submitted by this office.

Additions needed:

Anchorage (7-15)	Eagle River/Chugiak Water	\$1,850,000
Fairbanks NSB (18-21)	Steese Vol. Fire Dept. Sta #2	600,000
	Dalton Highway Resurface & Curbs	3,000,000
Unalakleet (23)	Airport Improvements	1,300,000

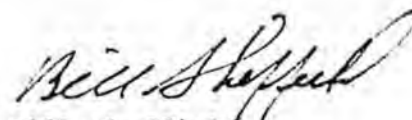
Changes needed:

Sterling Highway Rehabilitation should be changed to read as Kenai Spur Reconstruction.

Finally, I request that the Senate add \$1,330,000 to the Statewide Match for CH 25/82 Projects.

Thank you for your cooperation in this matter.

Sincerely,



Bill Sheffield  
Governor

Alaska State Legislature

SENATOR  
DON BENNETT  
P.O. BOX 2801  
FAIRBANKS, ALASKA 99707

LEGISLATIVE ADDRESS  
POUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811

Senate

March 10, 1983

The Honorable Bil. Sheffield  
Governor  
State of Alaska  
Capitol Building  
Juneau, Alaska 99811

Dear Governor Sheffield:

The Senate Finance Committee is considering supplemental budget requests for Fiscal Year 1983 and is actively involved in reviewing your proposed Fiscal Year 1984 operating and capital budgets. Traditionally at this juncture in the budget process the Department of Revenue supplies the Committee with updated revenue projections. As you know, this information is of crucial importance to the Committee and administration so that we can set mutually agreed upon appropriation targets for Fiscal Year 1983 supplemental requests and Fiscal Year 1984 budgets. We are very concerned that we have as accurate as possible revenue projections so that we do not run the risk of overappropriating in either Fiscal Year 1983 or Fiscal Year 1984.

Would you please supply the Committee, as quickly as possible, with the following information:

1. Fiscal Year 1983 monies, exclusive of the funds appropriated last year by the Legislature, which are available for appropriation for FY 83 or to carry forward into FY 84. For purposes of discussion, please assume that the unsatisfied portion of the \$1.8 billion appropriation to the Permanent Fund has been repealed.
2. Fiscal Year 1984 monies, based on the administration's latest projections. For purposes of discussion only, please base these projections on current statutory programs, and not on programs that may be approved by the Legislature this year.

Thank you very much for your cooperation on this matter.

Best Regards:



Senator Don Bennett

cc: Emil No

MAR 17 1983

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF REVENUE**

OFFICE OF THE COMMISSIONER

POUCH 5  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-2300

March 17, 1983

The Honorable Don Bennett  
Senator  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Re: FY 84 Appropriations

Dear Senator Bennett:

The attached sheet represents my assessment, based on the latest available information, as to what is available for appropriation for FY 84.

I have started with the adjusted available balance for June 30, 1982, of \$266 million contained in the state's Executive Budget.

The estimated revenues for FY 83 represent our mean case while the estimated revenues for FY 84 represent our 30 percent case. The latter number, of course, as you are well aware, is a conservative recommendation but prudence dictates this action in view of the volatility of the world oil markets.

The bottom line insofar as the total available for appropriation for FY 84 is \$3,065.8 billion (Table I).

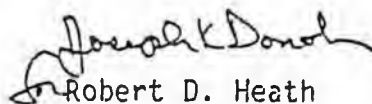
I have not included in Table I two sets of accounts that could possibly be available for appropriation purposes if the Legislature so chooses. The first is the rainy day account with an estimated balance of \$300 million as of June 30, 1983, and the second involves the permanent fund account with an estimated balance of \$458 million. I do not believe the first account should be touched in view of the fact that this state is in the unfortunate position of being primarily dependent on one revenue source, which is extremely volatile in terms of its fluctuating sales price. The rainy day account, while not now significant relative to the entire revenue picture, nevertheless represents some cushion to fall back on in case of emergency. The latter account is a composite on a retroactive basis of the various subaccounts of permanent fund

The Honorable Don Bennett  
March 17, 1983  
Page 2

dividend and undistributed income monies. I have identified these amounts in the table below and refer you to the recent Attorney General's opinion of 3/10/83 stating that these accounts are subject to appropriation.

If you have any questions feel free to call us on the subject and we will assist you.

Sincerely,



Robert D. Heath  
Commissioner of Revenue

RDH:VDW:jas

Enclosures

Table I  
Estimated General Fund Operations  
(in million dollars)

Adjusted Available Balance 6/30/82	256.0	
Permanent Fund Obligations	(1,000.0)	
Balance Available for Appropriation 6/30/82	<u>(734.0)</u>	
 <u>FY 83 Operations</u>		
Balance 6/30/82	(734.0)	
FY 83 Estimated Revenues	3,567.7	
Permanent Fund Contribution	600.0	(1)
FY 83 Estimated Appropriations	(3,053.9)	
FY 83 Estimated Lapse	40.0	
Loan Repayments	<u>24.0</u>	
Balance Available for Appropriation 6/30/83	<u>443.8</u>	
 <u>FY 84 Operations</u>		
Balance 6/30/83	443.8	
FY 83 Supplementals	(385.0)	
FY 84 Estimated Revenues	<u>3,007.0</u>	(2)
Total Funds Available for FY 84	<u>3,065.8</u>	

(1) \$1.8 billion was originally appropriated to the Permanent Fund in FY 81. Of this amount, \$800 million was deposited in FY 82 and an additional \$400 million deposited in FY 83. The \$600 million is the remaining obligation.

(2) Includes FY 84 estimated revenues (\$2,804.8 million), Permanent Fund earnings available for appropriation (\$178.2 million), and loan repayments (\$24.0 million).

Table II  
Permanent Fund Money Accounts

FY	Permanent Fund Dividend Account (millions of current dollars)	Permanent Fund Undistributed Account (millions of current dollars)	Interest Account on Undistributed Account
80	11.8		
81	27.5	31.3	
82	71.1	174.7	
83	98.6	20.9	22.2
	<u>209.0</u>	<u>226.9</u> *	<u>22.2</u>
		209.0	
		226.9	
		22.2	
		<u>458.1</u>	

\*The language of SLA 1982 Ch 81 is such that approximately \$100 million of this amount will automatically be transferred to the General Fund.

# Alaska State Legislature



Senate

SENATOR  
DON BENNETT  
P.O. BOX 2801  
FAIRBANKS, ALASKA 99707

LEGISLATIVE ADDRESS  
POUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811

March 3, 1983

The Honorable Norman C. Gorsuch  
Attorney General  
Department of Law  
Pouch K  
Juneau, Alaska 99811

Dear Mr. Attorney General:

As the Senate Finance Committee proceeds with its review of Governor Sheffield's proposed FY 84 budget, several important issues related to the Permanent Fund need to be addressed in a cooperative manner by the Administration and Legislature. The purpose of this letter is to raise those issues with you and to obtain your views on them.

Over the past 18 months the state's treasury has experienced a substantial loss of oil-related revenues. This loss of funds has created a need for the Legislature to take a longer-term look at more effective use of anticipated state revenues. I am highly optimistic that Alaska's vast resource wealth, combined with a strengthened and diversified private sector economy, will ensure that the state's future is bright. However, in the near term, it is obvious that one of the most difficult problems facing the administration and Legislature is the prudent use of dwindling state dollars and the subsequent effect that fewer dollars will have on the state's economy. One funding source of a continuous nature involves the earnings of the Permanent Fund. It is estimated that the Fund will earn about \$400 million in FY 84.

There are several matters related to Permanent Fund earnings which I would like to bring to your attention. They are:

1. As the Permanent Fund statute is now written, at least as I understand it, 50 percent of the income from the Fund is transferred to a separate account in the General Fund. Once a year the Department of Revenue is authorized to pay for the cost of the dividend program from this account. It appears that disbursement of the dividend funds could occur without a legislative appropriation.

2. Under a statute created last session by the Legislature and supported by the administration, up to 50 percent of the remaining funds earned annually by the Permanent Fund may be returned to the Fund to negate the effects of inflation. It is my understanding that an appropriation is not required for this transfer of funds to occur.
  
3. Under a statute passed several years ago, 50 percent of the lease, bonus and royalty revenues earned from future oil fields - such as those that may be contained in the Beaufort Sea area - will automatically be deposited by the Permanent Fund. It is my understanding that this transfer of funds will occur without legislative appropriation.

The framers of the state's constitution strongly believed that the power of appropriation should remain in the hands of the Legislature. They were also very concerned about the possibility of creating dedicated funds. It would appear that over the past few years, the Legislature and Executive branches -- by pushing legislation which attempts to dedicate state funds or channel them away from the General Fund to the Permanent Fund -- may be moving in a policy direction which is counter to the concerns of those who wrote the constitution and potentially harmful to the long term interests of all Alaskans. As you know, earnings of the Permanent Fund go to the General Fund, unless otherwise dictated by law.

I have serious questions about the way we are patching together policy related to the Permanent Fund. In fact, some of the legislation in this area appears to have serious constitutional and legal problems. Listed below are some of legal and policy questions I would like you to address:

1. Are there constitutional and legal problems with the creation of the Permanent Fund Dividend Account? Is this account in effect, a dedicated fund? Also, may money be dispersed from the Dividend Account, in the form of checks to Alaskans, without a legislative appropriation?

2. Is a legislative appropriation required to transfer money from the earnings the Fund to the principal of the Fund for the purpose of "inflation proofing?" It would appear that an appropriation should be required, as in effect, money is being diverted from the General Fund to the Permanent Fund. However, perhaps there are reasons why an appropriation is not required. If so, I would appreciate a detailed explanation of your views in this regard.
  
3. Is it permissible to dedicate future potential revenues to the Permanent Fund, over and above the constitutionally mandated 25 percent level, without a legislative appropriation?

My bottom line concern is that we not lock ourselves into funding decisions today which will work a hardship on future generations of Alaskans and severely restrict their options to solve problems facing them. I am afraid we may be doing just that when we attempt to dedicate sources of income—such as earnings from the Permanent Fund—to a special program, or when we commit ourselves to long-term spending patterns such as entitlement or formula programs. I intend to carefully review these policy areas this session. Any information which you can share with me on the issues covered in this letter will be greatly appreciated.

If you have any questions regarding this letter, please do not hesitate to contact me.

Best Regards:

Senator Don Bennett

DB/le

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

Bill Sheffield, Governor

MAR 11 1983

POUCH K - STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3600

March 10, 1983

Honorable Don Bennett  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Re: Appropriation of income from  
and deposits to the Alaska  
permanent fund  
Our file: 366-484-83

Dear Senator Bennett:

This responds to your letter of March 3, 1983. My views in response to your specific questions are:

1. The permanent fund dividend fund established under AS 43.23.045 would arguably involve an unconstitutional dedication of state revenue if money were transferred to that fund from income of the permanent fund without an appropriation. However, this view is not free from doubt since an argument can be made, based on the language of article IX, section 15 establishing the permanent fund, that an appropriation for that purpose is not required. Although I understand that in past years money has been transferred to the dividend fund pursuant to AS 43.23.045 without an appropriation, I have advised that this practice be discontinued in the future. Senate Bill 149 which was introduced this session at the Governor's request, would appropriate additional money from the permanent fund dividend fund to pay 1982 dividends under AS 43.23. I would also advise that, if the dividend program is not repealed, AS 43.23.045 be amended to clarify this appropriation requirement in order to avoid any confusion on this point.

2. I believe that the reinvestment of income of the permanent fund as principal may be authorized by statute without an appropriation. The reasons for this view are explained below.

3. Yes, it is permissible for the legislature to increase by statute the percentage of certain mineral revenues which are constitutionally dedicated to the permanent fund.

The reasons for my responses to your questions follow in reverse order.

The constitutional amendment authorizing the creation of a permanent fund dedicates "at least twenty-five percent" of certain mineral revenues to that fund. Alaska Const. art. IX, § 15. This language clearly anticipates that the percentage of revenues so dedicated may be increased. The legislature has increased that amount to 50 percent of revenues from certain sources. AS 37.13.010. I see no question as to the constitutionality of this statute.

With regard to the use of income produced by the fund, the constitution provides that it "shall be deposited in the general fund unless otherwise provided by law." Alaska Const. art. IX, § 15. When this language was adopted by the legislature for submission to the voters, it was accompanied by a "joint chairman's report on CSSS HJR 39" (1976 H. Jour. at 684-685), which stated that the purpose of this language is "to give future legislatures the maximum flexibility in using the Fund's earnings -- ranging from adding to Fund principal to paying out a dividend to resident Alaskans." On its face, the requirement that the income be deposited in the general fund "unless otherwise provided by law" appears to authorize statutory dedication for any public purpose. This office has advised in the past and I concur that this reading of article IX, section 15 would create a tremendous exception to the constitutional dedicated fund prohibition, art. IX, § 7, which was not explained to the voters in the ballot materials, election pamphlet, or publicity surrounding the amendment. See 1980 Op. Att'y Gen. No. 3 (March 19) at 7-9 (copy attached).

For this reason, I favor a narrower interpretation of the last sentence of article IX, section 15. One possible reading would be that the legislature intended that the income could be used without appropriation either for reinvestment or for distributing dividends to Alaskans, as explicitly mentioned in the joint chairman's report, and the attached attorney general opinion. However, it is difficult to discern from the language of article IX, section 15 why the income could be dedicated for these but not for other important public purposes. Another possible interpretation is that an appropriation is required for any use of the income, including reinvestment as principal of the permanent fund. However, this interpretation would render the phrase "unless otherwise provided by law" meaningless, since the income would then be treated as automatically becoming part of the general fund despite any attempted dedication by law. Article IX, section 15 clearly contemplates that the legislature may

Senator Don Bennett  
Alaska State Legislature  
366-484-83

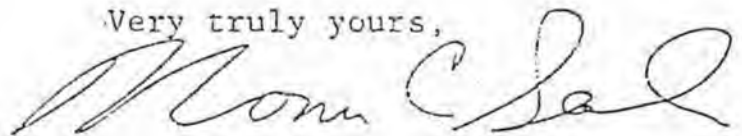
March 10, 1983  
Page #3

by law provide for some use of the fund other than deposit in the general fund.

The interpretation of article IX, section 15 which I find to be most reasonable and compatible with the constitutional prohibition against dedications is that the legislature may provide by law for the income to remain in the permanent fund (either through reinvestment as principal or retention in an undistributed income account) without appropriation, but may not transfer income to another fund or authorize it to be spent without an appropriation. This view is consistent with the legislation enacted last session providing for reinvestment of an amount sufficient to offset inflation, and retention of the balance in an undistributed income account where it remains available for appropriation. AS 37.13.145, as amended by ch. 81, SLA 1982. Legislation which will soon be introduced at the Governor's request will propose amendments to AS 37.13 which are consistent with this view.

I share your concern that our state government avoid the problems associated with statutory dedications of revenue. I also appreciate that the legal and constitutional provisions regarding governmental finance and their past and present administrative interpretations are sufficiently complex to require careful study and thorough discussion by all involved. A copy of a recent lengthy opinion regarding the meaning and application of the dedicated fund prohibition is attached for your information. 1982 Op. Att'y Gen. No. 13 (Nov. 30). Please let me know if I can be of further assistance.

Very truly yours,



Norman C. Gorsuch  
Attorney General

NCG/LLD/pjg  
Enc.

cc w/o enc.: Larry Crawford, Chief of Staff  
Office of the Governor

Hon. Robert Heath, Commissioner  
Department of Revenue

Peter McDowell, Executive Director  
Office of Management & Budget

David Rose, Executive Director  
Alaska Permanent Fund Corporation

3/7/83

1 \* SEC. 2 THE FOLLOWING APPROPRIATION ITEMS ARE FOR  
 2 CAPITAL PROJECTS FROM THE GENERAL FUND OR FROM OTHER  
 3 FUNDS AS SET OUT IN THE FISCAL YEAR 1983 BUDGET SUMMARY  
 4 BY FUNDING SOURCE TO THE AGENCIES NAMED AND FOR THE  
 5 PURPOSES EXPRESSED. (ED#\_\_\_) MEANS THAT THE CAPITAL  
 6 PROJECT IS LOCATED SOMEWHERE WITHIN THAT HOUSE OF  
 7 REPRESENTATIVES ELECTION DISTRICT. THIS GEOGRAPHIC  
 8 REFERENCE HAS BEEN INSERTED BY STAFF AND IS FOR  
 9 INFORMATION PURPOSES ONLY.

10		ALLOCATIONS	APP'OPRIATION ITEMS	APPROPRIATION FUND SOUR GENERAL FUND	OTHER F
11					
12		* * * * *	* * * * *		
13		* * * * * DEPARTMENT OF EDUCATION	* * * * *		
14		* * * * *	* * * * *		
15	EDUCATION				
16	MINING & MINERALS PROJECT IMPLEMENTATION		50,000	50,000	
17	CHATHAM SCHOOL DISTRICT				
18	TENAKEE SPRINGS SCHOOL CONSTRUCTION (ED 3)		350,000	350,000	
19		* * * * *	* * * * *		
20		* * * * * DEPARTMENT OF HEALTH & SOCIAL SERVICES	* * * * *		
21		* * * * *	* * * * *		
22	HEALTH				
23	PUBLIC HEALTH				
24	FAIRBANKS LITESCAN CANCER DETECTION UNIT (ED 18)		72,500	72,500	

	ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION FUND SO GENERAL FUND	OTHER
1				
2				
3	*****	*****		
4	***** DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT	*****		
5	*****	*****		
6	EDUCATION			
7	OFFICE OF MINERAL DEVELOPMENT			
8	AUDIO-VISUAL MINING PRESENTATIONS PRODUCTIONS	40,000	40,000	
9	*****	*****		
10	***** DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES	*****		
11	*****	*****		
12	TRANSPORTATION			
13	CENTRAL REGION HIGHWAYS			
14	SEWARD HIGHWAY REHABILITATION (ED 7-12)	4,750,000	4,750,000	
15	KODIAK MILL BAY ROAD	400,000	400,000	
16	PROSPECT DRIVE PAVING	540,000	540,000	
17	INTERIOR REGION HIGHWAYS			
18	COPPER CENTER/RICHARDSON HIGHWAY REHABILITATION	880,000	880,000	
19	MOUNTAIN VILLAGE/ST. MARY'S ROAD UPGRADE	455,000	455,000	
20	WELLER SCHOOL ACCESS IMPROVEMENTS	180,000	180,000	
21	RAVENWOOD AVENUE UPGRADE	150,000	150,000	
22	AUBURN/STUDENT ACCESS	225,000	225,000	
23	STEESE HIGHWAY FENCING	189,000	189,000	
24	PEDRO DOME ROAD UPGRADE	192,000	192,000	
25	SKILAND ROAD IMPROVEMENTS	100,000	100,000	

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

2		ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION FUND S GENERAL FUND	OTHER
3					
4	FAIRBANKS NORTH STAR BOROUGH				
5	BIG DIPPER DEHUMIDIFICATION SYSTEM (ED 18)		284,000	284,000	
6	KODIAK ISLAND BOROUGH				
7	KODIAK WATER & SEWER PHASE II (ED 27)		1,725,000	1,725,000	
8	PUBLIC PROTECTION				
9	ED 7-15 ANCHORAGE DISTRICT				
10	DIMOND FIRE STATION (ED 7-12)		850,000	850,000	
11	ANCHORAGE POLICE HEADQUARTERS ADDITION (ED 7-12)		400,000	400,000	
12	ED 22 NORTH SLOPE - KOTZEBUE				
13	KOTZEBUE-NAHA SEARCH AND RESCUE (ED 22)		290,000	290,000	
14	FAIRBANKS NORTH STAR BOROUGH				
15	SEARCH & RESCUE TRANSPORTATION (ED 18)		40,000	40,000	
16	MATANUSKA - SUSITNA BOROUGH				
17	LAZY MOUNTAIN FIRE STATION (ED 16)		264,000	264,000	
18	ADMINISTRATION OF JUSTICE				
19	ED 16 MATANUSKA - SUSITNA				
20	PALMER PUBLIC SAFETY BUILDING (ED 16)		1,500,000	1,500,000	
21	ED 18-21 FAIRBANKS				
22	NORTH POLE PUBLIC SAFETY BUILDING PHASE II (ED 18)		759,000	759,000	
23	FAIRBANKS NORTH STAR BOROUGH				
24	LAW ENFORCEMENT FIRING RANGE COMPLETION (ED 18)		100,000	100,000	

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

2		APPROPRIATION	APPROPRIATION FUND SOURCE
3		ITEMS	GENERAL FUND OTHER FUND
4	DEVELOPMENT		
5	ED 2 INSIDE PASSAGE - CORDOVA		
6	ANGOOK - EQUIPMENT STORAGE (ED 2)	300,000	300,000
7	CORDOVA - BOAT HARBOR COMPLETION (ED 2)	2,050,000	2,050,000
8	ED 4 JUNEAU		
9	JUNEAU - CENTENNIAL PARKING (ED 4)	545,000	545,000
10	JUNEAU - AUGUSTUS BROWN POOL REPAIRS (ED 4)	480,000	480,000
11	ED 7-15 ANCHORAGE DISTRICT		
12	ANCHORAGE PORT EXPANSION (ED 7-12)	2,900,000	2,900,000
13	ANCHORAGE PARKING GARAGE, WEST SIDE (ED 7-12)	3,500,000	3,500,000
14	AK VISITOR CENTER - OLD FEDERAL BUILDING (ED 7-12)	900,000	900,000
15	ED 16 MATAIUSKA - SUSITNA		
16	WASILLA MUNICIPAL BUILDING (ED 16)	168,000	168,000
17	ED 17 INTERIOR HIGHWAYS		
18	DELTA COMMUNITY PARK COMPLETION (ED 17)	950,000	950,000
19	ED 18-21 FAIRBANKS DISTRICT		
20	ESTER AREA TELEPHONE EXPANSION (ED 18)	418,000	418,000
21	GREENWOOD PHONE SWITCHING CENTER (ED 18)	228,000	228,000
22	ED 22 NORTH SLOPE - KOTZEBUE		
23	SHUNGNAK - WATER/SEWER SYSTEM (ED 22)	400,000	400,000
24	ED 23 NORTON SOUND		
25	ALAKANUK - WATER/SEWER SYSTEM (ED 23)	840,000	840,000

B U D G E T S U M M A R Y B Y F U N D I N G S O U R C E

FUNDING SOURCE	OPERATING BUDGET	NEW LEGIS N BUDGET	CAPITAL BUDGET	TOTAL BUDGET
1002 FEDERAL RECEIPTS				
1003 GENERAL FUND MATCH				
1004 GENERAL FUND			80,000.0	80,000.0
1005 INTER-AGENCY RECEIPTS				
1006 CIP PROJECT FUNDS				
1010 GENERAL OBLIGATION BONDS				
1015 RENEWABLE RESOURCES INVESTMENT FUND				
1020 REAL ESTATE SURETY FUND				
1021 AGRICULTURAL LOAN FUND				
1022 AVIATION FUEL TAX ACCOUNT				
1023 FICA ADMINISTRATION FUND ACCOUNT				
1024 FISH AND GAME FUND				
1025 HIGHWAY FUEL TAX ACCOUNT				
1026 HIGHWAY WORKING CAPITAL FUND				
1027 INTERNATIONAL AIRPORT REVENUE FUND				
1028 PROGRAM RECEIPTS				
1029 PUBLIC EMPLOYEES RETIREMENT FUND				
1030 SCHOOL FUND (CIGARETTE TAX)				
1031 SECOND INJURY FUND RESERVE ACCOUNT				
1032 DISABLED FISHERMANS RESERVE ACCOUNT				
1033 SURPLUS PROPERTY REVOLVING FUND				
1034 TEACHERS RETIREMENT SYSTEM FUND				
1035 VETERANS REVOLVING LOAN FUND				
1036 WATERCRAFT FUEL TAX ACCOUNT				
1037 FEDERAL REVENUE SHARING FUND				
1038 STUDENT FEES, UNIVERSITY OF ALASKA				
1039 INDIRECT COST RECOVERY				
1040 MARINE/COASTAL PROTECTION FUND				
1041 DONATED COMMODITY HANDLING FEE ACCOUNT				
1042 FEDERAL TITLE IV-A AND VI-(ESEA)				
1043 PUBLIC LAW 81-874/GENERAL FUND				
1044 RENEWABLE RESOURCE DEVELOPMENT FUND				
1046 STUDENT REVOLVING LOAN FUND				
1047 TITLE 20				
1048 RESTRICTED RECEIPTS, U OF A				
1049 TRAINING AND BUILDING FUND				
1099 IIC OPERATE				
**** TOTALS ****			80,000.0	80,000.0

FISCAL YEAR 1984 BUDGET SUMMARY BY FUNDING SOURCE

FUNDING SOURCE	OPERATING BUDGET	NEW LEGISLATION BUDGET	CAPITAL BUDGET	
FEDERAL RECEIPTS				
GENERAL FUND MATCH				
GENERAL FUND			80,000,000	80,000,000
INTER-AGENCY RECEIPTS				
CIP PROJECT FUNDS				
GENERAL OBLIGATION BONDS				
RENEWABLE RESOURCES INVESTMENT FUND				
REAL ESTATE SURETY FUND				
AGRICULTURAL LOAN FUND				
AVIATION FUEL TAX ACCOUNT				
FICA ADMINISTRATION FUND ACCOUNT				
FISH AND GAME FUND				
HIGHWAY FUEL TAX ACCOUNT				
HIGHWAY WORKING CAPITAL FUND				
INTERNATIONAL AIRPORT REVENUE FUND				
PROGRAM RECEIPTS				
PUBLIC EMPLOYEES RETIREMENT FUND				
SCHOOL FUND (CIGARETTE TAX)				
SECOND INJURY FUND RESERVE ACCOUNT				
DISABLED FISHERMANS RESERVE ACCOUNT				
SURPLUS PROPERTY REVOLVING FUND				
TEACHERS RETIREMENT SYSTEM FUND				
VETERANS REVOLVING LOAN FUND				
WATERCRAFT FUEL TAX ACCOUNT				
FEDERAL REVENUE SHARING FUND				
STUDENT FEES, UNIVERSITY OF ALASKA				
INDIRECT COST RECOVERY				
MARINE/COASTAL PROTECTION FUND				
DONATED COMMODITY HANDLING FEE ACCOUNT				
FEDERAL TITLE IV-A AND VI-(ESEA)				
PUBLIC LAW 81-874/GENERAL FUND				
RENEWABLE RESOURCE DEVELOPMENT FUND				
STUDENT REVOLVING LOAN FUND				
TITLE 20				
RESTRICTED RECEIPTS, U OF A				
TRAINING AND BUILDING FUND				
NC OPERATE				
**** TOTALS ****			\$80,000,000	\$80,000,000

TIME AND DATE 16:16 3/17/83

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

	ALLOCATIONS	APPROPRIATION	APPROPRIATION FUND SOURCE
		ITEMS	GENERAL FUND OTHER FU
2			
3			
4	EMMONAK - WATER/SEWER SYSTEM (ED 23)	1,820,000	1,820,000
5	SHAKTOOLIK - WATER/SEWER SYSTEM (ED 23)	660,000	660,000
6	ED 25 LOWER KUSKOKWIM		
7	BETHEL - BANK STABILIZATION PROJECT (ED 25)	5,000,000	5,000,000
8	EEK - EROSION CONTROL (ED 25)	45,000	45,000
9	TUNUNAK - SEAWALL PROJECT (ED 25)	500,000	500,000
10	ED 26 BRISTOL BAY - ALEUTIAN ISLANDS		
11	UNALASKA ELECTRICAL SYSTEM (ED 26)	832,000	832,000
12	ED 27 KODIAK - EAST ALASKA PENINSULA		
13	KODIAK - BARANOF STREET (ED 27)	1,148,000	1,148,000
14	MATANUSKA - SUSITNA BOROUGH		
15	WILLOW COMMUNITY HALL (ED 16)	700,000	700,000
16	TRANSPORTATION		
17	ED 2 INSIDE PASSAGE - CORDOVA		
18	HAINES - LUTAK DOCK FACILITY (ED 2)	75,000	75,000
19	KLAWOCK - ROAD IMPROVEMENTS (ED 2)	200,000	200,000
20	KAKE - PUBLIC DOCK (ED 2)	1,300,000	1,300,000
21	ED 3 BARANOF - CHICHAGOF		
22	SITKA - EDGE CUMBE STREET BIKE PATH (ED 3)	200,000	200,000
23	TENAKEE SPRINGS - FERRY PASSENGER FACILITY (ED 3)	149,000	149,000
24	ED 4 JUNEAU		
25	JUNEAU - OLD DOCK AT FERRY TERMINAL (ED 4)	280,000	280,000

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

2		ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION FUND SOURC GENERAL FUND	OTHER FU
3					
4	JUNEAU AREAWIDE STREET & SIDEWALK CONSTRUCTION (ED 4)		3,268,000	3,268,000	
5	MAINTENANCE & REPAIR				
6	JUNEAU - FOURTH STREET RECONSTRUCTION (ED 4)		230,000	230,000	
7	ED 7-15 ANCHORAGE DISTRICT				
8	ANCHORAGE MUNICIPAL ROAD IMPROVEMENTS - ARCTIC (ED 7-12)		3,000,000	3,000,000	
9	BOULEVARD, DENALI STREET, NORTHWOOD STREET, HEATHER				
10	MEADOWS STREET				
11	ANCHORAGE - STREET LIGHTING (ED 7-12)		750,000	750,000	
12	ANCHORAGE - RASPBERRY ROAD WALK PATH (ED 7-12)		212,000	212,000	
13	ED 15 MATANUSKA - SUSITNA				
14	HOUSTON - SCHOOL BUS ROUTE ROAD UPGRADE (ED 16)		300,000	300,000	
15	ED 17 INTERIOR HIGHWAYS				
16	ANDERSON - RUNWAY & LIGHTING IMPROVEMENTS (ED 17)		400,000	400,000	
17	DELTA JUNCTION - ROAD & STREET IMPROVEMENTS (ED 17)		950,000	950,000	
18	NENANA - DOCK FACILITY EXPANSION (ED 17)		2,000,000	2,000,000	
19	ED 22 NORTH SLOPE - KOTZEBUE				
20	AMBLER - BRIDGE (ED 22)		275,000	275,000	
21	DEERING - RUNWAY LIGHTS/GENERATOR (ED 22)		415,000	415,000	
22	BUCKLAND - RUNWAY LIGHTS (ED 22)		325,000	325,000	
23	KOBUK - RUNWAY LIGHTS (ED 22)		325,000	325,000	
24	HOORVIK - RUNWAY LIGHTS (ED 22)		325,000	325,000	

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

2		ALLOCATIONS	APPROPRIATION ITEMS	APPROPRIATION FUND SOURCE GENERAL FUND	OTHER FUND
3					
4	SHUNGNAK - RUNWAY LIGHTS (ED 22)		325,000	325,000	
5	ED 26 BRISTOL BAY - ALEUTIAN ISLANDS				
6	DILLINGHAM - STREET IMPROVEMENTS (ED 26)		572,000	572,000	
7	FAIRDANKS NORTH STAR BOROUGH				
8	GOLDSTREAM ALASKA ROAD COMPLETION (ED 18)		353,500	353,500	
9	VUE CREST ROADS UPGRADE (ED 18)		200,000	200,000	
10	KODIAK ISLAND BOROUGH				
11	KODIAK - LILLY DRIVE & WOODWAY DRIVE (ED 27)		923,000	923,000	
12	MATANUSKA - SUSITNA BOROUGH				
13	BARTLETT HILLS AGRICULTURAL AREA (ED 16)		400,000	400,000	
14	MCKECHNIE ROAD UPGRADE (ED 16)		120,000	120,000	

1 \* SEC. 3 THE FOLLOWING SETS OUT THE FUNDING OF THE  
2 APPROPRIATIONS MADE IN THE PRECEDING SECTIONS OF THIS  
3 ACT.

4 CAPITAL PROJECTS

5 GENERAL FUND

80,000,000

6 \*\*\* TOTAL FUNDING \*\*\*

80,000,000

7 \* \* \* \* \* TOTAL BUDGET \* \* \* \* \*

80,000,000

8 \* SEC. 4 THIS ACT TAKES EFFECT IMMEDIATELY IN

9 ACCORDANCE WITH AS 01.10.070(C)

BY ELECTION DIST.

MARCH 15, 1973  
12:03 PM

*3/17/73*  
*Boonin*

ELEC DIST	COMMUNITY	DESCRIPTION	EST. AMT
1A-0	KENAI	PAVING ROADS - 1ST & 2ND STREETS	422,000
1A-0		STERLING HIGHWAY PERM	2,000,000
		SUB-TOTAL	2,422,000
6	SEWARD	MARINE INDUSTRIAL CENTER	2,000,000
6	TATILEK	COMBINED FACILITY	250,000
		SUB-TOTAL	2,250,000
7-15	ANCHORAGE	DIMOND BLVD INTERIM IMPROVEMENTS	700,000
<input checked="" type="checkbox"/> 7-15	ANCHORAGE	TRAFFIC IMPROVEMENTS	<del>1,500,000</del> out
<del>7-15</del>	<del>ANCHORAGE</del>	<del>GLENH HIGHWAY PERM.</del>	<del>3,000,000</del>
7-15	ANCHORAGE	LIMITED LIFE RD DISTRICT IMPROVEMENTS	1,000,000
7-15	ANCHORAGE	ROAD & DRAINAGE IMPROVEMENTS	2,000,000
7-15	ANCHORAGE	POINT WOODCOCK WASTE WATER PLANT	<u>6,000,000</u>
7-15	ANCHORAGE	UAA DORMITORY HOUSING	1,250,000
7-15	ANCHORAGE	TRANSIT FACILITIES	2,000,000
7-15	ANCHORAGE	ALYESKA/SEWARD HWY INTERS ILLUMINATION	60,000
7-15	ANCHORAGE	EAGLE RIVER/CHUGIAK WATER	1,250,000
		SUB-TOTAL	19,990,000
15A-0	PALMER	STREET PAVING	1,437,000
15A-0	WASILLA	WATER/SEWER EXTENSION	121,000
15A-0	WAT-SU	PT MCKENZIE ROAD EXTENSION	252,000
		SUB-TOTAL	1,810,000

*5m*

*E.H.*



3. W.

Handwritten circled text: ~~1,600,000~~ 1,600,000

5,065,000

SUB-TOTAL

600,000

1,050,000

1,000,000

270,000

2,500,000

4,060,000

2,500,000

35,000

40,000

385,000

800,000

5,166,000

222,000

1,500,000

1,900,000

500,000

1,066,000

5,166,000

4th ST & DOMINICAN STREETS & PARKING

OLD CREEK FLUXE

SILMON CREEK WATER

WAL DOCKWATER HOUSING

BASEIN ROAD

POLE PAINTING & PAVING

PORT & DOCK SUPPLEMENTAL

WUD EAY

4th AVE WATER LINE

HALF-MILE WATER LINE

SMALL EAST BRIDGE

SUB-TOTAL

WATER/TERRA

CONCRETE/STAIN INTERIOR ROOF

MARCA IMPROVEMENTS

SAXMAN REPAIR

EVERGREEN WATER & SEWER EXTENSION

REDEVELOPMENT

JUNE 2

JUNE 2

JUNE 2

JUNE 2

JUNE 2

SITE

YUKON

PAINES

PAINES

WELDON

CONDO

SUB-TOTAL

WATER/TERRA

CONCRETE/STAIN

PAINES

SAXMAN

WATER

CONCRETE

2-12

2-12

2-12

2-12

2-12

2

2

2

2

2

2

2

12-2

12-2

12-2

12-0

12-1

2-12

2-12

2150  
2151

FAIRBANKS

PERSEI LILLE.....

658,100

17-21

STEERS VCL FIRE DEPT STATION #2

600,000

17-21

ALASKA HWY 80RD55-40TH RD TRANS

3,370,000

*5,000,000* E.N.

17-21

PARKS HWY 96X-MCKENZIE RD TRANS

3,700,000

17-21

TOD

CUTOFF FEASIBILITY

1,000,000

17-21

FAIRBANKS

FEKS SCHOOLS LIFE/SAFETY UPGRD

3,000,000

17-21

AIRPORT HWY RESURFACE & SIGNAL

3,000,000

17-21

FAIRBANKS

UAF CAMPUS PAVING, SIGNALS & LIGHTS

520,000

17-21

FAIRBANKS

UAF CAMPUS HANDICAPPED BARRIER REMOVAL

254,000

SUB-TOTAL

20,614,000

22

KOTZEBUE

WATER/SEWER EXPANSION

1,000,000

22-24

DALTON HWY, RESURFACE & CULVERTS

3,000,000

7

23-24

LOWER YUKON

SCHOOLS LIFE, SAFETY UPGRADES

1,000,000

23

KOME

PHASE II WATER & SEWER (SELMONT PT)

300,000

23

KOME

PHASE II WATER & SEWER (WATER RES)

500,000

23

KOME

PILGRIM HOT SPRINGS RD. IMPROVEMENTS

200,000

23

UNALASKA

AIRPORT IMPROVEMENTS

1,300,000

SUB-TOTAL

2,900,000

24

YUKON KOYUKUK SCHOOLS LIFE SAFETY UPGRADE

1,000,000

ELEC  
ROAD

25

CONY/250

PROJECT TITLE .....

550,000

BETHEL

SEWER LINE EXTENSION

400,000

25

BETHEL

RUNWAY & APRON PAVING

~~7,100,000~~ 3-5%

22

SEC

EROSION CONTROL

45,000

23

ATYAUTLUK

EROSION CONTROL

40,000

SUB-TOTAL

3,155,000

24

NAKNEK

SEWAGE COLLECTION & TREATMENT FAC.

675,000

20

SAND POINT

MEADOWS SUPD. PHASE I WATER & SEWE

1,228,000

SUB-TOTAL

2,543,000

27

FORT LOCKS

INNER HARBOR FACILITIES

1,650,000

27

KODIAK

MILL BAY ROAD SUPPLEMENTAL

400,000

27

KODIAK

PEDESTRIAL SAFEWAY - ST. MILDT

470,000

SUB-TOTAL

2,520,000

97

STATEWIDE

RURAL CONSTRUCTION

~~10,000,000~~

97

STATEWIDE

MATCH FOR CH25/02 ROAD PROJECTS

~~1,000,000~~ 1.33 mil (State)

SUB-TOTAL

~~11,000,000~~

GRAND TOTAL

~~100,075,000~~

83,000,000

Introduced: 3/7/83  
Referred: Finance

Funding Information  
General Fund \$249,042,325  
Other Funds -0-  
\$249,042,325

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 162

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 supplemental and special appropria-  
7 tions for capital projects; and providing for an ef-  
8 fective date."

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

10 \* Section 1. The sum of \$168,903,000 is appropriated from the general  
11 fund to the Department of Transportation and Public Facilities, to be allo-  
12 cated as follows:

13	<u>Project</u>	<u>Allocation</u>
14	Harbor improvements -- Nuiqsut	\$ 750,000
15	Erosion Control -- Deering	2,500,000
16	Dalton Highway, resurface and culverts	7,525,000
17	Dimond fire station -- Anchorage	1,703,000
18	Traffic improvements -- Anchorage	1,538,000
19	Road and drainage improvements -- Anchorage	6,000,000
20	Transit facilities -- Anchorage	2,000,000
21	Dimond Boulevard interim improvements	
22	-- Anchorage	700,000
23	Seward Highway rehabilitation	9,500,000
24	Glenn Highway rehabilitation	3,000,000
25	Public Safety building -- Palmer	2,400,000
26	Hospital construction -- Palmer	1,000,000
27	Point McKenzie Road extension	1,800,000
28	Bartlett Hills agricultural road	420,000
29	Little Susitna River bridge	270,000

1	Small boat harbor -- Homer	10,000,000
2	Airport road overlay -- Wrangell	300,000
3	Port and dock supplemental -- Yakutat	2,800,000
4	Paving -- Hoonah	1,000,000
5	Airport improvements -- Sitka	2,000,000
6	Bridge painting and paving -- Sitka	2,500,000
7	Parks Highway -- Rex/McKinley	11,270,000
8	Cutoff rehabilitation -- Tok	3,700,000
9	Richardson Highway -- Paxson/Glennallen	8,950,000
10	Alaska Highway -- Border/North	3,390,000
11	Alaska Highway MP 1253-56	3,233,000
12	Airport way resurface and signal --	
13	Fairbanks	6,530,000
14	Airport lighting and upgrade -- Alakanuk	2,450,000
15	Pilgrim Hot Springs road -- Nome	800,000
16	Kotlik airport -- Kotlik	2,350,000
17	Airport improvements -- Unalakleet	1,300,000
18	Runway and Apron paving -- Bethel	7,700,000
19	Statewide match for ch. 25, SLA 1982	4,000,000
20	Accelerated local road improvements	
21	-- Anchorage	2,804,000
22	Seaport facility -- Saxman	500,000
23	Airport lighting -- Wales	325,000
24	Airport lighting -- Teller	325,000
25	Small boat harbor -- St. Michael	850,000
26	Small boat harbor -- Teller	800,000
27	City bypass road/Phase II -- Nome	600,000
28	City dock -- Hooper Bay	800,000
29	Erosion control -- Eek	45,000

1	Road construction -- St. Mary's	500,000
2	Airport -- Nunapitchuk	1,800,000
3	Dock supplemental -- Aleknagik	240,000
4	Excavation of dock area -- Naknek	589,000
5	Dock -- Dillingham	750,000
6	Dock -- Newhalen/Iliamna	598,000
7	Mill Bay road construction supplemental	
8	-- Kodiak	400,000
9	Otmiloi Road pedestrian walkway -- Kodiak	470,000
10	Baranof Street improvements -- Kodiak	1,148,000
11	Harbor improvements at Petersburg	1,900,000
12	Street improvements at Haines	800,000
13	Marine Industrial center at Seward	8,000,000
14	Construct road at Nondalton/Newhalen	4,500,000
15	Inner harbor facilities at Port Lions	1,650,000
16	Shoenbar/Quinn intertie route -- Ketchikan	1,500,000
17	Chase Avenue upgrade shortfall -- Cordova	450,000
18	Downtown and legislative office streets	
19	improvements -- Juneau	3,000,000
20	Road paving -- 1st and 2nd Streets -- Kenai	422,000
21	Port expansion -- lot 12B construction --	
22	Anchorage	4,800,000
23	Tudor-Muldoon raised median -- Anchorage	1,720,000
24	Jewel Lake Road -- Anchorage	1,472,000
25	Post Road -- Anchorage	574,000
26	Prospect Drive -- Anchorage	540,000
27	Clarks Road -- Anchorage	590,000
28	Lake Otis PUC -- Anchorage	200,000
29	Street paving -- Palmer	1,437,000

1 University campus paving, signals, and lighting  
 2 -- Fairbanks 520,000  
 3 Construct a sea wall at Tununak 905,000  
 4 Riverbank erosion control at Bethel 5,000,000  
 5 \* Sec. 2. The sum of \$16,050,000 is appropriated from the general fund  
 6 to the Department of Community and Regional Affairs, to be allocated as  
 7 follows:

<u>Project</u>	<u>Allocation</u>
9 Statewide rural construction fund	\$15,000,000
10 Combined facility at Tatitlek	250,000
11 Agricultural project at Selawik	800,000

12 \* Sec. 3. The sum of \$38,314,825 is appropriated from the general fund  
 13 to the Department of Environmental Conservation, to be allocated as fol-  
 14 lows:

<u>Project</u>	<u>Allocation</u>
16 Sludge disposal facility at Fairbanks	\$ 187,500
17 NE water transmission at Fairbanks	1,980,000
18 Eagle River water system inter-ties	
19 at Anchorage	220,000
20 Knik interceptor CMP sewer upgrade	
21 at Anchorage	589,600
22 West sewer interceptor at Anchorage	1,030,500
23 SE sewer interceptor at Anchorage	450,000
24 Windemere sewer upgrade at Anchorage	28,700
25 Production well #14 water at Anchorage	180,000
26 Distribution reservoir Eagle River at	
27 Anchorage	180,000
28 Chugach Way water -- Arctic Boulevard/	
29 Spenard Road -- Anchorage	136,000

1	10 million gallon water reservoir grant	
2	increase -- Anchorage	360,000
3	E-4A trunk sewer -- Anchorage	240,000
4	E-4C trunk sewer -- Anchorage	216,000
5	Spruce Street water -- Lore Road/ 68th Avenue -- Anchorage	128,000
7	Water utility extension -- Wasilla	60,600
8	Sewer utility extension -- Wasilla	60,600
9	Sanitary landfill -- Houston	70,000
10	Kachemak way water line -- Homer	125,000
11	Redoubt Avenue water and sewer -- Soldocna	187,600
12	Salmon Creek water connection -- Juneau	1,050,000
13	Evergreen water and sewer extension -- Wrangell	1,046,000
15	Water storage facility -- Petersburg	338,500
16	Washington Park additional water and sewer -- Ketchikan	303,500
18	Mental health water and sewer -- Ketchikan	34,600
19	Power Creek booster station -- Cordova	400,000
20	4th Avenue and Mathias water line improvements -- Haines	40,000
22	Morpac parallel water line -- Cordova	60,000
23	Half-mile water line -- Klawock	385,250
24	Water supply tank -- Kake	125,000
25	Mud Bay Road water line -- Haines	35,000
26	Water and sewer -- N. Harbor/Kennicot/ S. Harbor -- Valdez	650,000
28	Water treatment plant -- North Pole	780,200
29	Phase II water and sewer -- Nome	307,500

1	Phase II water and sewer (water reservoir)	
2	-- Nome	500,000
3	Community sewer system -- Aniak	500,000
4	Sewage collection and treatment facility	
5	-- Naknek	675,375
6	Meadows subdivision, phase I water and	
7	sewer -- Sand Point	1,867,800
8	11th Avenue water line -- Kodiak	250,000
9	Ismailov Street and Ninth Avenue water	
10	-- Kodiak	300,000
11	Fairview-Jackson streets water transmission	
12	line -- Ketchikan	400,000
13	Water/sewer shortfall -- Skagway	761,000
14	Sewage treatment plant extension -- Saxman	375,000
15	Ship Creek water treatment expansion --	
16	Anchorage	6,000,000
17	Point Woronzof waste water plant -- Anchorage	6,600,000
18	Eagle River/Chugiak water -- Anchorage	3,700,000
19	Water system, phase 4, woodstave pipe	
20	replacement at Fairbanks	\$ 3,000,000
21	Water/sewer expansion at Kotzebue	1,000,000
22	Sewer line extension at Bethel	400,000

23 \* Sec. 4. The sum of \$735,000 is appropriated from the general fund to  
 24 the Department of Natural Resources, to be allocated as follows:

25	<u>Project</u>	<u>Allocation</u>
26	Forest Nursery	\$ 435,000
27	Independence Mine rehabilitation	200,000
28	Safe water supplies -- state parks	100,000

29 \* Sec. 5. The sum of \$20,948,100 is appropriated from the general fund

1 to the Department of Education, to be allocated as follows:

2	<u>Project</u>	<u>Allocation</u>
3	Railbelt schools/life safety upgrade	\$ 1,840,100
4	Nenana school/life safety upgrade	600,000
5	Fairbanks schools/life safety upgrade	2,724,000
6	Yukon Koyukuk school/life safety upgrade	2,000,000
7	Kuspuk school safety fence, Phase I -- Aniak	90,000
8	Anchorage Mears Junior High School construction	10,000,000
9	Lower Yukon school life safety upgrade	3,694,000

10 \* Sec. 6. The sum of \$400,000 is appropriated from the general fund to  
11 the Department of Public Safety for construction of Lazy Mountain fire sub-  
12 station at Palmer.

13 \* Sec. 7. The sum of \$1,441,400 is appropriated from the general fund  
14 to the Department of Fish and Game, to be allocated as follows:

15	<u>Project</u>	<u>Allocation</u>
16	Snettisham hatchery addition -- Juneau	\$ 1,155,000
17	Crystal Lake hatchery improvements	
18	-- Petersburg	286,400

19 \* Sec. 8. The sum of \$2,250,000 is appropriated from the general fund  
20 to the University of Alaska, to be allocated as follows:

21	<u>Project</u>	<u>Allocation</u>
22	Dormitory housing -- Anchorage	\$ 1,250,000
23	Dormitory housing -- Juneau	1,000,000

24 \* Sec. 9. The appropriations made by this Act are for capital projects  
25 or are otherwise not one-year appropriations and do not lapse under AS 37.-  
26 25.010.

27 \* Sec. 10. This Act takes effect immediately in accordance with AS 01.-  
28 10.070(c).

# COMMITTEE REPORT

## HOUSE

FURTHER:

Date: 5/25/84

Mr. Speaker:

The Committee on FINANCE has had CSSB 163(R),

"An Act relating to the use of child safety devices in motor vehicles; and providing for an effective date."

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

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for C.S. 1123 (100)  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation X zero fiscal note
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Albert L. Lee  
R. Battisworth  
Don H. ...  
...  
...  
MILO H - R112

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

Jerry ... (No Rec)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Albert L. Lee  
CHAIRMAN

Offered: 5/24/84  
Referred: Finance

Original sponsors: V.Fischer, Moss,  
Josephson, et al

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 163 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of child safety devices  
7 in motor vehicles; and providing for an effective  
8 date "

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

10 \* Section 1. AS 28.05 is amended by adding new sections to read:

11 Sec. 28.05.095. CHILD SAFETY DEVICES. (a) Except as provided  
12 in (b) of this section, a driver may not transport a child under the  
13 age of seven in a motor vehicle unless the driver has provided and  
14 properly secured each child as described in this subsection. If the  
15 child is less than four years of age, the child shall be properly  
16 secured in a child safety device meeting the standards of the United  
17 States Department of Transportation for a child safety device for  
18 infants. If the child is between four and six years of age, the child  
19 shall be properly secured in a child safety device approved for a  
20 child of that age and size by the United States Department of Trans-  
21 portation or in a seatbelt, whichever is appropriate for the particu-  
22 lar child.

23 (b) Subsection (a) does not apply to

24 (1) a school bus or an emergency vehicle;

25 (2) a child or class of children exempted by regulation  
26 under AS 28.05.096;

27 (3) a child required to be restrained by seatbelts under  
28 (a) of this section if the motor vehicle is not equipped with seat-  
29 belts; or

1 (4) a motor vehicle exempt under AS 28.10.011(11).

2 (c) A person may not remove a seatbelt from a vehicle solely to  
3 be exempted under (b)(3) of this section.

4 Sec. 28.05.096. EXEMPTIONS; ALTERNATIVE SAFETY DEVICES. (a)  
5 The commissioner of public safety may adopt regulations to exempt a  
6 child or a class of children from the requirements of AS 28.05.095 if  
7 the commissioner determines that the use of a child safety device is  
8 impractical because of physical or medical conditions of the child.

9 (b) The commissioner of public safety shall specify alternative  
10 means of protection for children exempted under this section.

11 Sec. 28.05.097. CHILD SAFETY DEVICE LOAN PROGRAM. (a) There is  
12 established a child safety device loan program in the Department of  
13 Public Safety, highway safety planning agency.

14 (b) The director of the highway safety planning agency shall  
15 design the child safety device loan program to work in conjunction  
16 with private and federal programs operating in the state and shall

17 (1) provide to every hospital and birthing center in the  
18 state, subject to the availability of funds, child safety devices for  
19 infants and children to be loaned to the public at nominal fees;

20 (2) disseminate materials, printed advertisements, and  
21 radio and television messages to educate the public about the risks of  
22 injury to and death of unrestrained infants and children in motor  
23 vehicles and to explain to the public the provisions of AS 28.05.095.

24 (c) A peace officer who stops a driver for an alleged violation  
25 of AS 28.05.095 shall inform the driver about the loan program.

26 Sec. 28.05.098. SALE OF CHILD SAFETY DEVICES. A person may not  
27 sell, offer for sale, or install in any motor vehicle a child safety  
28 device that does not conform to all applicable federal standards for  
29 the device on the date of the sale, offering, or installation.

1           Sec. 28.05.099. PENALTY. (a) A person convicted of a violation  
2 of AS 28.05.095(a) or (c) is guilty of an infraction and may be as-  
3 sessed demerit points as determined by regulations of the department,  
4 notwithstanding the provisions of AS 28.15.231(b).

5           (b) A person who violates AS 28.05.095(a) by failing to provide  
6 a child safety device or seatbelt may provide a peace officer, includ-  
7 ing a village safety officer, proof of purchase or acquisition, and  
8 installation, of an approved child safety device or seatbelt. If the  
9 proof is provided within 30 days after the issuance of a citation for  
10 the infraction, the court shall dismiss the citation and no points  
11 shall be assessed under (a) of this section unless the person has

12                   (1) been convicted previously for violating that section by  
13 failing to provide a child safety device or seatbelt;

14                   (2) been cited for failure to provide a child safety device  
15 or seatbelt and has forfeited the bail required by the citation; or

16                   (3) provided the proof required by this subsection on a  
17 prior occasion.

18 \* Sec. 2. AS 28.35.024 is amended by adding a new subsection to read:

19           (e) A person who rents motor vehicles to others shall provide  
20 child safety devices in sufficient quantity that all persons to whom  
21 the vehicles are to be rented can comply with the requirements of  
22 AS 28.05.095.

23 \* Sec. 3. This Act takes effect one year after enactment.

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date:

**REQUEST**

Bill/Resolution No.: HCSCSSB 163 (JUD)  
 Title: Re: use of child safety  
devices in motor vehicles; ed.  
 Sponsor: V. Fischer  
 Requestor: House Finance Committee  
 Date of Request: 5/25/84

**FISCAL DETAIL**

Agency Affected: Public Safety  
 Program Category Affected: \_\_\_\_\_  
 BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 SUPPLIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS		0				
800 MISCELLANEOUS		0				
<b>TOTAL OPERATING</b>		0				
<b>CAPITAL</b>		0				
<b>REVENUE</b>		0				

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		0				
FEDERAL FUNDS		0				
OTHER		0				
<b>TOTAL</b>		0				

**POSITIONS:**

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

**SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:**

**ANALYSIS:** Attach a separate page for analysis. Funds for the Child Safety Device loan program are included already in the operating budget of Public Safety.

Prepared By: House Finance Committee Phone: 465-3706  
 Division: Al Adams, Chair Date: 5/25/84

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: \_\_\_\_\_

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Offered: 5/24/84  
Referred: Finance

Original sponsors: V.Fischer, Moss,  
Josephson, et al

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 163 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the use of child safety devices  
7 in motor vehicles; and providing for an effective  
8 date."  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
10 \* Section 1. AS 28.05 is amended by adding new sections to read:  
11 Sec. 28.05.095. CHILD SAFETY DEVICES. (a) Except as provided  
12 in (b) of this section, a driver may not transport a child under the  
13 age of seven in a motor vehicle unless the driver has provided and  
14 properly secured each child as described in this subsection. If the  
15 child is less than four years of age, the child shall be properly  
16 secured in a child safety device meeting the standards of the United  
17 States Department of Transportation for a child safety device for  
18 infants. If the child is between four and six years of age, the child  
19 shall be properly secured in a child safety device approved for a  
20 child of that age and size by the United States Department of Trans-  
21 portation or in a seatbelt, whichever is appropriate for the particu-  
22 lar child.  
23 (b) Subsection (a) does not apply to  
24 (1) a school bus or an emergency vehicle;  
25 (2) a child or class of children exempted by regulation  
26 under AS 28.05.096;  
27 (3) a child required to be restrained by seatbelts under  
28 (a) of this section if the motor vehicle is not equipped with seat-  
29 belts; or

1                   (4) a motor vehicle exempt under AS 28.10.011(11).

2                   (c) A person may not remove a seatbelt from a vehicle solely to  
3 be exempted under (b)(3) of this section.

4                   Sec. 28.05.096. EXEMPTIONS; ALTERNATIVE SAFETY DEVICES. (a)  
5 The commissioner of public safety may adopt regulations to exempt a  
6 child or a class of children from the requirements of AS 28.05.095 if  
7 the commissioner determines that the use of a child safety device is  
8 impractical because of physical or medical conditions of the child.

9                   (b) The commissioner of public safety shall specify alternative  
10 means of protection for children exempted under this section.

11                   Sec. 28.05.097. CHILD SAFETY DEVICE LOAN PROGRAM. (a) There is  
12 established a child safety device loan program in the Department of  
13 Public Safety, highway safety planning agency.

14                   (b) The director of the highway safety planning agency shall  
15 design the child safety device loan program to work in conjunction  
16 with private and federal programs operating in the state and shall

17                   (1) provide to every hospital and birthing center in the  
18 state, subject to the availability of funds, child safety devices for  
19 infants and children to be loaned to the public at nominal fees;

20                   (2) disseminate materials, printed advertisements, and  
21 radio and television messages to educate the public about the risks of  
22 injury to and death of unrestrained infants and children in motor  
23 vehicles and to explain to the public the provisions of AS 28.05.095.

24                   (c) A peace officer who stops a driver for an alleged violation  
25 of AS 28.05.095 shall inform the driver about the loan program.

26                   Sec. 28.05.098. SALE OF CHILD SAFETY DEVICES. A person may not  
27 sell, offer for sale, or install in any motor vehicle a child safety  
28 device that does not conform to all applicable federal standards for  
29 the device on the date of the sale, offering, or installation.

1           Sec. 28.05.099. PENALTY. (a) A person convicted of a violation  
2 of AS 28.05.095(a) or (c) is guilty of an infraction and may be as-  
3 sessed demerit points as determined by regulations of the department,  
4 notwithstanding the provisions of AS 28.15.231(b).

5           (b) A person who violates AS 28.05.095(a) by failing to provide  
6 a child safety device or seatbelt may provide a peace officer, includ-  
7 ing a village safety officer, proof of purchase or acquisition, and  
8 installation, of an approved child safety device or seatbelt. If the  
9 proof is provided within 30 days after the issuance of a citation for  
10 the infraction, the court shall dismiss the citation and no points  
11 shall be assessed under (a) of this section unless the person has

12                   (1) been convicted previously for violating that section by  
13 failing to provide a child safety device or seatbelt;

14                   (2) been cited for failure to provide a child safety device  
15 or seatbelt and has forfeited the bail required by the citation; or

16                   (3) provided the proof required by this subsection on a  
17 prior occasion.

18 \* Sec. 2. AS 28.35.024 is amended by adding a new subsection to read:

19           (e) A person who rents motor vehicles to others shall provide  
20 child safety devices in sufficient quantity that all persons to whom  
21 the vehicles are to be rented can comply with the requirements of  
22 AS 28.05.095.

23 \* Sec. 3. This Act takes effect one year after enactment.

Offered: 4/22/83  
Referred: Judiciary

Original sponsors: V.Fischer, Moss,  
Josephson, et al

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE  
2 CS FOR SENATE BILL NO. 163 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to the use of child safety devices  
7 in motor vehicles; and providing for an effective  
8 date."

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

10 \* Section 1. AS 28.05 is amended by adding new sections to read:

11 Sec. 28.05.095. CHILD SAFETY DEVICES. (a) Except as provided  
12 in (b) of this section, a driver may not transport a child in a motor  
13 vehicle unless the driver has provided and properly secured each  
14 child

15 (1) less than four years of age in a child safety device  
16 meeting the standards of the United States Department of Transporta-  
17 tion for a child safety device for infants;

18 (2) between four and six years of age in a child safety  
19 device approved for a child of that age and size by the United States  
20 Department of Transportation, or in a seatbelt, as is appropriate for  
21 the particular child.

22 (b) This section does not apply to

23 (1) a mass transit vehicle, a school bus, an emergency  
24 vehicle, or a taxicab or other commercial vehicle;

25 (2) a motor vehicle designed for and used primarily off the  
26 highway;

27 (3) a child or class of children exempted by regulation  
28 under AS 28.05.096;

29 (4) a child riding as a passenger in a motor vehicle in

1 which all seating positions equipped with seat belts or child safety  
2 devices are occupied by other passengers using the seatbelts or  
3 devices; or

4 (5) a child required to be restrained by seatbelts under  
5 (a) of this section if the motor vehicle is not equipped with seat-  
6 belts.

7 (c) A person may not remove a seatbelt from a vehicle solely to  
8 be exempted under (b)(4) or (5) of this section.

9 Sec. 28.05.096. EXEMPTIONS; ALTERNATIVE SAFETY DEVICES. (a)  
10 The commissioner of public safety may adopt regulations to exempt a  
11 child or a class of children from the requirements of AS 28.05.095 if  
12 the commissioner determines that the use of a child safety device is  
13 impractical because of physical or medical conditions of the child.

14 (b) The commissioner of public safety may specify alternative  
15 means of protection for children exempted under this section.

16 Sec. 28.05.097. PENALTY. (a) A person convicted of a violation  
17 of AS 28.05.095(a) or (c) is guilty of an infraction and may be  
18 assessed demerit points as determined by regulations of the depart-  
19 ment, notwithstanding the provisions of AS 28.15.231(b).

20 (b) A person who violates AS 28.05.095(a) by failing to provide  
21 a child safety device or seatbelt may provide a peace officer, includ-  
22 ing a village safety officer, proof of purchase or acquisition, and  
23 installation, of an approved child safety device or seatbelt. If the  
24 proof is provided within 30 days after the issuance of a citation for  
25 the infraction, the court shall dismiss the citation and no points  
26 shall be assessed under (a) of this section unless the person has

27 (1) been convicted previously for violating that section by  
28 failing to provide a child safety device or seatbelt;

29 (2) been cited for failure to provide a child safety device

1           or seatbelt and has forfeited the bail required by the citation; or  
2                       (3) provided the proof required by this subsection on a  
3           prior occasion.

4   \* Sec. 2. This Act takes effect one year after enactment.

Offered: 2/7/84

Original sponsors: V.Fischer, Moss,  
Josephson, et al

1 IN THE SENATE

BY THE RULES COMMITTEE

2

CS FOR SENATE BILL NO. 163 (Rules)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the use of child safety devices

7

in motor vehicles; and providing for an effective

8

date."

9

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

10

\* Section 1. AS 28.05 is amended by adding new sections to read:

11

Sec. 28.05.095. CHILD SAFETY DEVICES. (a) Except as provided

12

in (b) of this section, a driver may not transport a child under the

13

age of seven in a motor vehicle unless the driver has provided and

14

properly secured each child if

15

(1) in a front seat and less than four years of age in a

16

child safety device meeting the standards of the United States Depart-

17

ment of Transportation for a child safety device for infants;

18

(2) in a seat behind the front seat and less than four

19

years of age, in a child safety device under (1) of this subsection or

20

in a seatbelt;

21

(3) between four and six years of age, in a child safety

22

device approved for a child of that age and size by the United States

23

Department of Transportation, or in a seatbelt, as is appropriate for

24

the particular child.

25

(b) This section does not apply to

26

(1) a mass transit vehicle, a school bus, an emergency

27

vehicle, or a taxicab or other commercial vehicle;

28

(2) a motor vehicle designed for and used primarily off the

29

highway;

1 (3) a child or class of children exempted by regulation  
2 under AS 28.05.096;

3 (4) a child riding as a passenger in a motor vehicle in  
4 which all seating positions equipped with seatbelts or child safety  
5 devices are occupied by other passengers using the seatbelts or de-  
6 vices;

7 (5) a child required to be restrained by seatbelts under  
8 (a) of this section if the motor vehicle is not equipped with seat-  
9 belts; or

10 (6) a motor vehicle exempt under AS 28.10.011(11).

11 (c) A person may not remove a seatbelt from a vehicle solely to  
12 be exempted under (b)(4) or (5) of this section.

13 Sec. 28.05.096. EXEMPTIONS; ALTERNATIVE SAFETY DEVICES. (a)  
14 The commissioner of public safety may adopt regulations to exempt a  
15 child or a class of children from the requirements of AS 28.05.095 if  
16 the commissioner determines that the use of a child safety device is  
17 impractical because of physical or medical conditions of the child.

18 (b) The commissioner of public safety may specify alternative  
19 means of protection for children exempted under this section.

20 Sec. 28.05.097. PENALTY. (a) A person convicted of a violation  
21 of AS 28.05.095(a) or (c) is guilty of an infraction and may be as-  
22 sessed demerit points as determined by regulations of the department,  
23 notwithstanding the provisions of AS 28.15.231(b).

24 (b) A person who violates AS 28.05.095(a) by failing to provide  
25 a child safety device or seatbelt may provide a peace officer, includ-  
26 ing a village safety officer, proof of purchase or acquisition, and  
27 installation, of an approved child safety device or seatbelt. If the  
28 proof is provided within 30 days after the issuance of a citation for  
29 the infraction, the court shall dismiss the citation and no points

1 shall be assessed under (a) of this section unless the person has  
2 (1) been convicted previously for violating that section by  
3 failing to provide a child safety device or seatbelt;  
4 (2) been cited for failure to provide a child safety device  
5 or seatbelt and has forfeited the bail required by the citation; or  
6 (3) provided the proof required by this subsection on a  
7 prior occasion.

8 \* Sec. 2. This Act takes effect one year after enactment.

Introduced: 3/8/83  
Referred: Transportation  
and Judiciary

BY V. FISCHER, MOSS,  
JOSEPHSON, STURGULEWSKI,  
AND RODEY

1 IN THE SENATE

2

SENATE BILL NO. 163

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the use of child safety devices  
7 in motor vehicles; and providing for an effective  
8 date."

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

10 \* Section 1. AS 28.05 is amended by adding a new section to read:

11 Sec. 28.05.095. CHILD SAFETY DEVICES. (a) A driver may not  
12 transport a child in a motor vehicle other than an emergency vehicle  
13 or a bus unless the driver has provided and properly secured each  
14 child

15 (1) less than four year of age in a child safety device  
16 approved for infants by the United States Department of Transporta-  
17 tion;

18 (2) between four and six years of age in a child safety  
19 device approved for a child of that age and size by the United States  
20 Department of Transportation, or in a seatbelt, as is appropriate for  
21 the particular child.

22 (b) A person convicted of a violation of (a) of this section is  
23 punishable by a fine of \$300.

24 (c) If a person who violates (a) of this section by failing to  
25 provide a child safety device or seatbelt files with the court, within  
26 72 hours after issuance of a citation, proof of purchase or acquisi-  
27 tion of an approved child safety device or seatbelt, the court shall  
28 dismiss the citation.

29 \* Sec. 2. This Act takes effect one year after enactment.

COMMITTEE REPORT

SENATE

FURTHER:

4/13/83

Date: \_\_\_\_\_

Mr. President:

The Committee on FINANCE has had SB 164

Relating to professional licensing and to the regulation of the practice of medicine, and extending the termination date of the State Medical Board.

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

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

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:


waived  
6/9/83

CHAIRMAN

STATE OF ALASKA  
FISCAL NOTE

Revision Date 4/7, 1983

I. REQUEST

Bill/Resolution No.: CSSB 164  
 Title: "AN Act relating to medical practice"  
 Sponsor: H.E.S.S. Committee  
 Requestor: Labor & Commerce Committee

II. FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.  
 Program Category Affected: PUBLIC PRO.  
 BRU, Program of Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		48.8	51.4	55.0	58.8	63.0
200 TRAVEL		7.2	7.7	8.2	8.8	9.4
300 CONTRACTUAL		13.0	13.9	14.9	15.9	17.0
400 COMMODITIES		.4	.4	.5	.5	.5
500 EQUIPMENT		3.4	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		72.9	73.0	78.6	84.0	89.9
CAPITAL						
REVENUE		549.0	17.6	17.6	17.6	549.0

FUNDING: (Thousands of Dollars)

GENERAL FUND		72.9	73.0	78.6	84.0	89.9
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

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

Not identified by the sponsor

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Darrell Miller  
 Division: Occupational Licensing  
 Approved by Commissioner: Richard A. Ivon  
 Department: Commerce & Economic Development

Phone: 465-2535  
 Date: April 7, 1983  
 Date: 4/8/83

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

CSSB 164 FISCAL IMPACT: Medical Practice Act.

(NOTE: 7% inflation factor projected for FY '85 through FY '88 for operating costs)

100 PERSONAL SERVICES - FY '83 Salary Schedule

1 Investigator, Range 18A, General Government,  
12 months, to be located in Anchorage \$48,755.00

200 TRAVEL

4 board meetings annually (2 days each @ \$80.00/day  
per diem = \$160.00 x 4) \$ 540.00  
Transportation - board meetings annually  
(@\$350.00/each x 4) 1,400.00  
Investigative travel - 5 days per month  
(@ \$80.00/day per diem x 5 x .12) 4,800.00  
Transportation - 1.5 trips per month  
(@ \$350.00/each x 12) 4,200.00  
\$ 7,240.00

300 CONTRACTUAL

Postage, telephone, printing, publication  
and operating cost \$ 3,000.00  
Computer terminal use, prorated share  
(@ \$350.00/mo x 12) 4,200.00  
1 lease vehicle with maintenance for investigator  
use (\$385.00/mo x 12) 4,620.00  
Fuel, \$100.00/mo x 12 1,200.00  
\$13,020.00

400 COMMODITIES

Stationery, typewriter ribbons, pens, pencils,  
and other miscellaneous desk top supplies \$ 400.00

500 EQUIPMENT (One time cost FY '84 only)

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

One position total: \$72,852.00

CSSB 164 ASSUMPTIONS: Medical Practices Act

This bill increases the licensing fees for the medical profession a substantial amount and would impact revenues generated in FY '84 and FY '85 as follows:

FY '84

709 active license renewals, January 1, 1985 @ \$600.00 each	\$425,400.00
535 inactive license renewals, January 1, 1985 @ \$200.00 each	107,000.00
Average 5 new applications @ \$50.00 each (annually)	250.00
Average 3 new licenses by examination @ \$200.00 each (annually)	600.00
Average 2 new licenses by reexamination @ \$150.00 each (annually)	300.00
Average 79 Locum Tenens permits @ \$50.00 each (annually)	3,950.00
Average 78 temporary permits @ \$50.00 each (annually)	3,900.00
Average 43 license by credentials (½ FY '84) @ \$200.00 each	8,600.00
Total projected FY '84 revenue from licensing	<u>\$549,000.00</u>

FY '85

Average 5 new applications @ \$50.00 each (annually)	\$ 250.00
Average 3 new licenses by examination @ \$200.00 each (annually)	600.00
Average 2 new licenses by reexamination @ \$150.00 each (annually)	300.00
Average 79 Locum Tenens permits @ \$50.00 each (annually)	3,950.00
Average 78 temporary permits @ \$50.00 each (annually)	3,900.00
Average 43 license by credentials (½ FY '85) @ \$200.00 each	8,600.00
Total projected FY '85 revenue from licensing	<u>17,600.00</u>

Projected revenue for subsequent years would be impacted as this bill establishes the license renewal from biennial to every four years.

1.	POSITION TITLE Investigator III			
2.	TYPE OF POSITION I-P	STAFF MONTHS 12	RP NUMBER	PCN NUMBER
3.	CONTINUATION LEVEL	ADDITION		
4.	TYPE OF EXPENDITURE			AMOUNT
	1			2
	PERSONAL SERVICES			3
5.	Salary	34.1		
6.	Benefits	5.3		
7.	Supplemental Benefits	2.1		
8.	Fixed Benefits	2.9		
9.	TOTAL PERSONAL SERVICES	01		44.4
10.	Travel	02		7.2
11.	Contractual	03		13.0
12.	Commodities	04		0.4
13.	Equipment	05		3.4
14.	Other			---
15.	TOTAL COST			68.4

RANG/STEP 10A	DARG. UNIT G	FORM 12	PAGE/LINE	COV.	APPROV.	DISAP.
BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT All		LEG.		

JUSTIFICATION

This position is required under Senate Bill No. 164, "An Act relating to professional licensing and to the regulation of the practice of medicine. (Section 1, AS 08.01.050(c) to conduct investigations into alleged violations of AS 08.84, and into alleged violations of regulations and orders of the State Medical Board)

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1007	
17.		G.F. Match 1003	
18.		General Funds 1004	68.4
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

FOR I&M USE ONLY  
4A KEY NUMBER \_\_\_\_\_

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce and Economic Development  
 PROGRAM Consumer Protection  
 BRU Occupational Licensing  
 COMPONENT Investigations

Page \_\_\_\_\_ of \_\_\_\_\_  
 Revised Date \_\_\_\_\_

FY 84

COMMITTEE REPORT

SENATE

3/8/83

FURTHER: Labor & Commerce

Date:

4/4/83

Mr. President:

The Committee on HESS has had SB 164

Relating to professional licensing and to the regulation of the practice of medicine, and extending the termination date of the State Medical Board.

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 SB 164 (HESS)  same title  
 new title
- and recommends may do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*[Handwritten signatures]*

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*[Handwritten signature: G. F. ... N. ...]*

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CHAIRMAN

COMMITTEE REPORT

SENATE

FURTHER: *Jm*

4/5/83

Date: 4/12/83

Mr. President:

The Committee on Labor & Commerce has had SB 164

Relating to professional licensing and to the regulation of the practice of medicine, and extending the termination date of the State Medical Board

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 SB 164 (L+C)  same title  
 new title
- and recommends ~~do pass~~ as follows
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*Robert B. Boyce*

*Robert B. Boyce*

\_\_\_\_\_

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*Bob [unclear] [unclear]*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Robert B. Boyce*

CHAIRMAN

Offered: 4/5/83  
Referred: Labor and Commerce

Original sponsor: Josephson

1 IN THE SENATE BY THE HEALTH, EDUCATION,  
AND SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 164 (HESS)

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 professional licensing and to the  
7 regulation of the practice of medicine, and extending  
8 the termination date of the State Medical Board."

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

10 \* Section 1. AS 08.01.050 is amended by adding a new subsection to  
11 read:

12 (c) After consulting with the State Medical Board (AS 08.64.-  
13 010), the department shall employ an individual who is not a member of  
14 the board to be assigned as the investigator for the board. The  
15 investigator shall

16 (1) conduct investigations into alleged violations of  
17 AS 08.64, and into alleged violations of regulations and orders of the  
18 State Medical Board;

19 (2) at the request of the State Medical Board, conduct  
20 investigations based on complaints filed with the department or with  
21 the board; and

22 (3) be directly responsible and accountable to the State  
23 Medical Board, except that only the department has authority to termi-  
24 nate the investigator's employment and the department shall provide  
25 day to day and administrative supervision of the investigator.

26 \* Sec. 2. AS 08.03.010(c)(11) is amended to read:

27 (11) State Medical Board (AS 08.64.010) -- June 30, 1987  
28 [1983].

29 \* Sec. 3. AS 08.64.010 is amended to read:

1           Sec. 08.64.010. CREATION AND MEMBERSHIP OF STATE MEDICAL BOARD.  
 2           The governor shall appoint a board of medical examiners, to be known  
 3           as the State Medical Board, consisting of five [LICENSED] physicians  
 4           licensed in the state and [,] residing in as many separate geograph-  
 5           ical areas of the state [ALASKA JUDICIAL DISTRICTS] as possible, and  
 6           two persons with no direct financial interest in the health care  
 7           industry.

8           \*    Sec.    4.           AS    08.64.020   is   amended   to   read:

9           Sec. 08.64.020. [STATE MEDICAL BOARD] TERM OF OFFICE. Members  
 10          shall be appointed for staggered terms [A TERM] of four years, subject  
 11          to confirmation by a majority of the members of the legislature in  
 12          joint session, and shall hold office until their successors are ap-  
 13          pointed and qualified. A person who has served two successive com-  
 14          plete terms may not be reappointed until four years after the expira-  
 15          tion of the second term [THE TERMS OF THE PUBLIC MEMBERS OF THE BOARD  
 16          SHALL BE STAGGERED SO THAT THEY DO NOT EXPIRE AT THE SAME TIME].

17          \*    Sec.    5.           AS    08.64.040   is   amended   to   read:

18          Sec. 08.64.040. REMOVAL OF MEMBERS. The governor may remove a  
 19          member of the board for cause. The board may by regulation provide  
 20          that unexcused absences from meetings is cause for removal.

21          \*    Sec.    6.    AS 08.64 is amended by adding a new section to read:

22          Sec. 08.64.085. MEETINGS OF THE BOARD. The board shall meet at  
 23          least four times a year.

24          \*    Sec.    7.    AS 08.64 is amended by adding a new section to read:

25          Sec. 08.64.101. DUTIES. The board shall  
 26                  (1) examine and issue licenses to applicants;  
 27                  (2) submit an annual report of its proceedings to the  
 28          governor, including a statement of money received and disbursed;  
 29                  (3) after a hearing, impose disciplinary sanctions on

1 persons who violate this chapter, or the regulations or orders of the  
2 board;

3 (4) adopt regulations insuring that renewal of licenses is  
4 contingent upon proof of continued competency on the part of the  
5 licensee.

6 \* Sec. 8. AS 08.64.170(a) is amended to read:

7 (a) A person may not practice medicine, podiatry, osteopathy, or  
8 acupuncture in the state unless the person is licensed under this  
9 chapter, except that

10 (1) a physician assistant may examine, diagnose or treat  
11 persons under the supervision, control, and responsibility of either a  
12 physician licensed under this chapter or a physician exempted from li-  
13 censing [LICENSURE] under AS 08.64.370;

14 (2) a physician-trained mobile intensive care paramedic may  
15 render emergency lifesaving service; [AND]

16 (3) a person licensed under AS 08.36 may perform acupunc-  
17 ture in the regular practice of dentistry, subject to the regulations  
18 of the Board of Dental Examiners; and

19 (4) a person who is licensed or authorized under another  
20 chapter of this title may engage in a practice that is authorized un-  
21 der that chapter.

22 \* Sec. 9. AS 08.64.240 is repealed and reenacted to read:

23 Sec. 08.64.240. LICENSE REFUSED. (a) The board may not grant a  
24 license if

25 (1) the applicant fails or cheats during the examination;

26 (2) the board determines that the applicant is profes-  
27 sionally unfit to practice medicine or osteopathy in the state; or

28 (3) the applicant fails to comply with a requirement of  
29 this chapter.

1 (b) The board may refuse to grant a license to any applicant for  
2 the same reasons that it may impose disciplinary sanctions under  
3 AS 08.64.326.

4 \* Sec. 10. AS 08.64.250 is amended to read:

5 Sec. 08.64.250. LICENSE [LICENSURE] BY CREDENTIALS [ENDORSE-  
6 MENT]. The board may waive the examination requirement and license by  
7 credentials [ENDORSEMENT] if the physician or podiatry applicant meets  
8 the requirements of AS 08.64.200 or 08.64.209, submits proof of con-  
9 tinued competence as required by regulation, pays the required fee and  
10 has

11 (1) an active license from a board of medical examiners  
12 established under the laws of a state or territory of the United  
13 States or a province of Canada issued after thorough examination; or

14 (2) passed an examination given by the National Board of  
15 Medical Examiners or the Federation of State Medical Boards of the  
16 United States if the applicant is a physician, or passed an examina-  
17 tion given by the National Board of Podiatry Examiners if the appli-  
18 cant is a podiatrist.

19 \* Sec. 11. AS 08.64.270(a) is amended to read:

20 (a) The board may issue a temporary permit to an applicant who  
21 meets the requirements of AS 08.64.200, [OR] 08.64.205, or 08.64.209  
22 and pays the required fee.

23 \* Sec. 12. AS 08.64.311 is amended to read:

24 Sec. 08.64.311. [BIENNIAL] LICENSE RENEWAL. Licenses shall be  
25 renewed four years after the date of issue [BIENNIALY].

26 \* Sec. 13. AS 08.64.315 is amended to read:

27 Sec. 08.64.315. FEES. The following fees are imposed under this  
28 chapter:

29 (1) application . . . . . \$ 50 [\$25]

1	(2) license by examination . . . . .	200 [125]
2	(3) license by <u>credentials</u> [ENDORSEMENT]	
3	or waiver of examination . . . . .	200 [100]
4	(4) temporary permit . . . . .	50 [ 25]
5	(5) locum tenens permit . . . . .	50 [ 25]
6	(6) license renewal [, BIENNIAL], active . . .	600 [100]
7	(7) license renewal [, BIENNIAL], inactive . .	200 [ 25]
8	(8) license by reexamination . . . . .	150 [ 75]

\* Sec. 14. AS 08.64 is amended by adding a new section to read:

Sec. 08.64.326. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS. (a) The board may impose a sanction if the board finds after a hearing that a licensee

(1) secured a license through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation while providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

(4) has been convicted, including conviction based on a guilty plea or plea of nolo contendere, of

(A) a felony or other crime if the felony or other crime is substantially related to the qualifications, functions, or duties of the licensee; or

(B) a crime involving the unlawful procurement, sale, prescription or dispensing of drugs;

(5) has procured, sold, prescribed or dispensed drugs in violation of a law, regardless of whether there has been a criminal action;

1           (6) intentionally or negligently permitted the performance  
2 of patient care by persons under the licensee's supervision that does  
3 not conform to minimum professional standards even if the patient was  
4 not injured;

5           (7) failed to comply with this chapter, a regulation  
6 adopted under this chapter, or an order of the board;

7           (8) has demonstrated

8                 (A) professional incompetence, gross negligence or re-  
9 peated negligent conduct;

10                (B) addiction to, severe dependency on, or habitual  
11 overuse of alcohol or other drugs which impairs the licensee's  
12 ability to practice safely;

13                (C) unfitness because of physical or mental disabil-  
14 ity;

15           (9) engaged in unprofessional conduct or in lewd or immoral  
16 conduct in connection with the delivery of professional services to  
17 patients;

18           (10) has violated AS 18.16.010;

19           (11) has violated any code of ethics adopted by regulation  
20 by the board;

21           (12) has denied care or treatment to a patient or person  
22 seeking assistance from the physician if the only reason for the  
23 denial is the failure or refusal of the patient to agree to arbitrate  
24 as provided in AS 09.55.535(a); or

25           (13) has had a license or certificate to practice medicine  
26 in another state, territory of the United States or a province or Can-  
27 ada suspended or revoked unless the suspension or revocation was  
28 caused by the failure of the licensee to pay fees to that state,  
29 territory or province.

1 (b) In a case involving (a)(13) of this section, the final  
2 findings of fact, conclusions of law and order of the authority that  
3 suspended or revoked a license or certificate constitutes a prima  
4 facie case that the license or certificate was suspended or revoked  
5 and the grounds under which the suspension or revocation was granted.

6 \* Sec. 15. AS 08.64 is amended by adding a new section to read:

7 Sec. 08.64.331. DISCIPLINARY SANCTIONS. (a) If the board finds  
8 that a licensee has committed an act set out in AS 08.64.326(a), the  
9 board may

10 (1) permanently revoke a license to practice;

11 (2) suspend a license for a determinate period of time;

12 (3) censure a licensee;

13 (4) issue a letter of reprimand;

14 (5) place a licensee on probationary status and require the  
15 licensee to

16 (A) report regularly to the board on matters involving  
17 the basis of probation;

18 (B) limit practice to those areas prescribed;

19 (C) continue professional education until a satisfac-  
20 tory degree of skill has been attained in those areas determined  
21 by the board to need improvement;

22 (6) impose limitations or conditions on the practice of a  
23 licensee; or

24 (7) impose one or more of the sanctions set out in (1) -  
25 (6) of this subsection.

26 (b) The board may end the probation of a licensee if it finds  
27 that the deficiencies which required this sanction have been remedied.

28 (c) The board may summarily suspend a license before final hear-  
29 ing or during the appeals process if the board finds that the licensee

1 poses a clear and immediate danger to the public health and safety if  
2 the licensee continues to practice. A person whose license is sus-  
3 pended under this section is entitled to a hearing by the board no  
4 later than seven days after the effective date of the order and the  
5 person may appeal the suspension after a hearing to a court of compe-  
6 tent jurisdiction.

7 (d) The board may reinstate a license that has been suspended or  
8 revoked if the board finds after a hearing that the applicant is able  
9 to practice with reasonable skill and safety.

10 (e) The board may suspend a license upon receipt of a certified  
11 copy of evidence that a license to practice medicine in another state  
12 or territory of the United States or province of Canada has been  
13 suspended or revoked. The suspension remains in effect until a hear-  
14 ing can be held by the board.

15 (f) The board shall be consistent in the application of disci-  
16 plinary sanctions. A significant departure from earlier decisions of  
17 the board involving similar situations must be explained in findings  
18 of fact or orders made by the board.

19 \* Sec. 16. AS 08.64.336 is repealed and reenacted to read:

20 Sec. 08.64.336. DUTY OF PHYSICIANS AND HOSPITALS TO REPORT. (a)  
21 A physician who professionally treats a person licensed to practice  
22 medicine and surgery or osteopathy in this state for alcoholism or  
23 drug addiction, or for mental, emotional or personality disorders,  
24 shall report it to the board if the physician providing treatment  
25 feels that the person may constitute a danger to the health and wel-  
26 fare of that person's patients or the public if that person continues  
27 in practice. The report shall state the name and address of the person  
28 and the condition found.

29 (b) A hospital that restricts or refuses to grant hospital

1 privileges to a person licensed to practice medicine and surgery or  
2 osteopathy in this state because that person poses a danger to the  
3 public shall report to the board the name and address of the person  
4 and the reasons for restricting or refusing to grant hospital privi-  
5 leges.

6 (c) Upon receipt of a report under (a) or (b) of this section,  
7 the board shall investigate the matter and, upon a finding of reason-  
8 able cause, may appoint a committee of three qualified physicians to  
9 examine the licensee and report their findings to the board.

10 (d) If the board finds that the licensee is unable to continue  
11 to practice medicine and surgery or osteopathy with reasonable safety  
12 to the licensee's patients or the public, it shall initiate action to  
13 suspend, revoke, limit or condition the licensee's license to the  
14 extent determined necessary for the protection of the public.

15 \* Sec. 17. AS 08.64.360 is amended to read:

16 Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN  
17 VIOLATION OF CHAPTER. Except for a physician assistant, [AND] a  
18 physician-trained mobile intensive care paramedic under AS 08.64.170,  
19 or a person licensed or authorized under another chapter of this title  
20 who engages in practices for which that person is licensed or autho-  
21 riized under that chapter, a person practicing medicine or osteopathy  
22 in the state without a valid [OBTAINING AND FILING AN APPROPRIATE]  
23 license or permit is guilty of a class A misdemeanor [AND UPON CON-  
24 VICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR MORE THAN  
25 \$100, OR BY IMPRISONMENT FOR NOT LESS THAN 10 DAYS NOR MORE THAN 90  
26 DAYS, OR BY BOTH]. Evidence that the defendant has failed to file a  
27 license with the clerk of the court is prima facie evidence that the  
28 defendant is not licensed. Each day of illegal practice is a separate  
29 offense.

1 \* Sec. 18. AS 08.64.380(2) is repealed and reenacted to read:

2 (2) "practice of medicine" or "practice of osteopathy"

3 means:

4 (A) for a fee, donation or other consideration, to  
5 diagnose, treat, operate on, prescribe for, or administer to, any  
6 human ailment, blemish, deformity, disease, disfigurement, disorder,  
7 injury, or other mental or physical condition; or to attempt  
8 to perform or represent that a person is authorized to perform  
9 any of the acts set out in this subparagraph;

10 (B) to use or publicly display a title in connection  
11 with a person's name including "doctor of medicine," "physician,"  
12 "M.D.," or "doctor of osteopathic medicine" or "D.O." or a  
13 specialist designation including "surgeon," "dermatologist," or a  
14 similar title, or any title which tends to show that the person  
15 is willing or qualified to diagnose or treat the sick or injured;

16 \* Sec. 19. AS 08.64.030, 08.64.140, 08.64.200(1), 08.64.325, 08.64.330,  
17 and 08.64.380(3) are repealed.

Introduced: 3/8/83  
Referred: Health, Education and  
Social Services and  
Labor and Commerce

1 IN THE SENATE

BY JOSEPHSON

2

SENATE BILL NO. 164

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 professional licensing and to the  
7 regulation of the practice of medicine, and extending  
8 the termination date of the State Medical Board."

9

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

10

\* Section 1. AS 08.01.050 is amended by adding a new subsection to  
11 read:

12

(c) After consulting with the State Medical Board (AS 08.64.-  
13 010), the department shall employ an individual who is not a member of  
14 the board to be assigned as the investigator for the board. The  
15 investigator shall

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(1) conduct investigations into alleged violations of  
17 AS 08.64, and into alleged violations of regulations and orders of the  
18 State Medical Board;

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(2) at the request of the State Medical Board, conduct  
20 investigations based on complaints filed with the department or with  
21 the board; and

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23 Medical Board, except that only the department has authority to termi-  
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\* Sec. 2. AS 08.03.010(c)(11) is amended to read:

26

(11) State Medical Board (AS 08.64.010) -- June 30, 1987

27

[1983].

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\* Sec. 3. AS 08.64.010 is amended to read:

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Sec. 08.64.010. CREATION AND MEMBERSHIP OF STATE MEDICAL BOARD.

1 The governor shall appoint a board of medical examiners, to be known  
2 as the State Medical Board, consisting of five [LICENSED] physicians  
3 licensed in the state and [,] residing in as many separate geograph-  
4 ical areas of the state [ALASKA JUDICIAL DISTRICTS] as possible, and  
5 two persons with no direct financial interest in the health care  
6 industry.

7 \* Sec. 4. AS 08.64.020 is amended to read:

8 Sec. 08.64.020. [STATE MEDICAL BOARD] TERM OF OFFICE. Members  
9 shall be appointed for staggered terms [A TERM] of four years, subject  
10 to confirmation by a majority of the members of the legislature in  
11 joint session, and shall hold office until their successors are ap-  
12 pointed and qualified. A person who has served two successive com-  
13 plete terms may not be reappointed until four years after the expira-  
14 tion of the second term [THE TERMS OF THE PUBLIC MEMBERS OF THE BOARD  
15 SHALL BE STAGGERED SO THAT THEY DO NOT EXPIRE AT THE SAME TIME].

16 \* Sec. 5. AS 08.64.040 is amended to read:

17 Sec. 08.64.040. REMOVAL OF MEMBERS. The governor may remove a  
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19 that unexcused absences from meetings is cause for removal.

20 \* Sec. 6. AS 08.64 is amended by adding a new section to read:

21 Sec. 08.64.085. MEETINGS OF THE BOARD. The board shall meet at  
22 least four times a year.

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27 governor, including a statement of money received and disbursed;  
28 (3) after a hearing, impose disciplinary sanctions on per-  
29 sons who violate this chapter, or the regulations or orders of the

1 board;

2 (4) adopt regulations insuring that renewal of licenses is  
3 contingent upon proof of continued competency on the part of the  
4 licensee.

5 \* Sec. 8. AS 08.64.170(a) is amended to read:

6 (a) A person may not practice medicine, podiatry, osteopathy, or  
7 acupuncture in the state unless the person is licensed under this  
8 chapter, except that:

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10 persons under the supervision, control, and responsibility of either a  
11 physician licensed under this chapter or a physician exempted from li-  
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16 ture in the regular practice of dentistry, subject to the regulations  
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18 (4) a person who is licensed or authorized under another  
19 chapter of this title may engage in a practice that is authorized un-  
20 der that chapter.

21 \* Sec. 9. AS 08.64.240 is repealed and reenacted to read:

22 Sec. 08.64.240. LICENSE REFUSED. (a) The board may not grant a  
23 license if

24 (1) the applicant fails or cheats during the examination;

25 (2) the board determines that the applicant is profes-  
26 sionally unfit to practice medicine or osteopathy in the state; or

27 (3) the applicant fails to comply with a requirement of  
28 this chapter.

29 (b) The board may refuse to grant a license to any applicant for

1 the same reasons that it may impose disciplinary sanctions under  
2 AS 08.64.326.

\* Sec. 10. AS 08.64.250 is amended to read:

4 Sec. 08.64.250. LICENSE [LICENSUKE] BY CREDENTIALS [ENDORSE-  
5 MENT]. The board may waive the examination requirement and license by  
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9 has

10 (1) an active license from a board of medical examiners  
11 established under the laws of a state or territory of the United  
12 States or a province of Canada issued after thorough examination; or

13 (2) passed an examination given by the National Board of  
14 Medical Examiners or the Federation of State Medical Boards of the  
15 United States if the applicant is a physician, or passed an examina-  
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23 Sec. 08.64.311. [BIENNIAL] LICENSE RENEWAL. Licenses shall be  
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26 Sec. 08.64.315. FEES. The following fees are imposed under this  
27 chapter:

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29 (2) license by examination . . . . . 200 [125]

1                   (3) license by credentials [ENDORSEMENT]  
2       or waiver of examination . . . . . 200 [100]  
3                   (4) temporary permit . . . . . 50 [ 25]  
4                   (5) locum tenens permit . . . . . 50 [ 25]  
5                   (6) license renewal [, BIENNIAL], active . . . 600 [100]  
6                   (7) license renewal [, BIENNIAL], inactive . . . 200 [ 25]  
7                   (8) license by reexamination . . . . . 150 [ 75]

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9                   Sec. 08.64.326. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10       TIONS. (a) The board may impose a sanction if the board finds after  
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13       misrepresentation;

14                   (2) engaged in deceit, fraud, or intentional misrepresenta-  
15       tion while providing professional services or engaging in professional  
16       activities;

17                   (3) advertised professional services in a false or mislead-  
18       ing manner;

19                   (4) has been convicted, including conviction based on a  
20       guilty plea or plea of nolo contendere, of

21                   (A) a felony or other crime if the felony or other  
22       crime is substantially related to the qualifications, functions,  
23       or duties of the licensee; or

24                   (B) a crime involving the unlawful procurement, sale,  
25       prescription or dispensing of drugs;

26                   (5) has procured, sold, prescribed or dispensed drugs in  
27       violation of a law, regardless of whether there has been a criminal  
28       action;

29                   (6) intentionally or negligently permitted the performance

1 of patient care by persons under the licensee's supervision that does  
2 not conform to minimum professional standards even if the patient was  
3 not injured;

4 (7) failed to comply with this chapter, a regulation  
5 adopted under this chapter, or an order of the board;

6 (8) has demonstrated

7 (A) professional incompetence, gross negligence or re-  
8 peated negligent conduct;

9 (B) addiction to, severe dependency on, or habitual  
10 overuse of alcohol or other drugs which impairs the licensee's  
11 ability to practice safely;

12 (C) unfitness because of physical or mental disabil-  
13 ity;

14 (9) engaged in unprofessional conduct or in lewd or immoral  
15 conduct in connection with the delivery of professional services to  
16 patients;

17 (10) has violated AS 18.16.010;

18 (11) has violated any code of ethics adopted by regulation  
19 by the board;

20 (12) has denied care or treatment to a patient or person  
21 seeking assistance from the physician if the only reason for the  
22 denial is the failure or refusal of the patient to agree to arbitrate  
23 as provided in AS 09.55.535(a); or

24 (13) has had a license or certificate to practice medicine  
25 in another state, territory of the United States or a province or Can-  
26 ada suspended or revoked unless the suspension or revocation was  
27 caused by the failure of the licensee to pay fees to that state,  
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29 (b) In a case involving (a)(13) of this section, the final

1 findings of fact, conclusions of law and order of the authority that  
2 suspended or revoked a license or certificate constitutes a prima  
3 facie case that the license or certificate was suspended or revoked  
4 and the grounds under which the suspension or revocation was granted.

5 \* Sec. 15. AS 08.64 is amended by adding a new section to read:

6 Sec. 08.64.331. DISCIPLINARY SANCTIONS. (a) If the board finds  
7 that a licensee has committed an act set out in AS 08.64.326(a), the  
8 board may

- 9 (1) permanently revoke a license to practice;  
10 (2) suspend a license for a determinate period of time;  
11 (3) censure a licensee;  
12 (4) issue a letter of reprimand;  
13 (5) place a licensee on probationary status and require the  
14 licensee to

15 (A) report regularly to the board on matters involving  
16 the basis of probation;

17 (B) limit practice to those areas prescribed;

18 (C) continue professional education until a satisfac-  
19 tory degree of skill has been attained in those areas determined  
20 by the board to need improvement;

21 (6) impose limitations or conditions on the practice of a  
22 licensee; or

23 (7) impose one or more of the sanctions set out in (1) -  
24 (6) of this subsection.

25 (b) The board may end the probation of a licensee if it finds  
26 that the deficiencies which required this sanction have been remedied.

27 (c) The board may summarily suspend a license before final hear-  
28 ing or during the appeals process if the board finds that the licensee  
29 poses a clear and immediate danger to the public health and safety if

1 the licensee continues to practice. A person whose license is sus-  
2 pended under this section is entitled to a hearing by the board no  
3 later than seven days after the effective date of the order and the  
4 person may appeal the suspension after a hearing to a court of compe-  
5 tent jurisdiction.

6 (d) The board may reinstate a license that has been suspended or  
7 revoked if the board finds after a hearing that the applicant is able  
8 to practice with reasonable skill and safety.

9 (e) The board may suspend a license upon receipt of a certified  
10 copy of evidence that a license to practice medicine in another state  
11 or territory of the United States or province of Canada has been  
12 suspended or revoked. The suspension remains in effect until a hear-  
13 ing can be held by the board.

14 (f) The board shall be consistent in the application of disci-  
15 plinary sanctions. A significant departure from earlier decisions of  
16 the board involving similar situations must be explained in findings  
17 of fact or orders made by the board.

18 \* Sec. 16. AS 08.64.336 is repealed and reenacted to read:

19 Sec. 08.64.336. DUTY OF PHYSICIANS AND HOSPITALS TO REPORT. (a)  
20 A physician who professionally treats a person licensed to practice  
21 medicine and surgery or osteopathy in this state for alcoholism or  
22 drug addiction, or for mental, emotional or personality disorders,  
23 shall report it to the board if the physician providing treatment  
24 feels that the person may constitute a danger to the health and wel-  
25 fare of that person's patients or the public if that person continues  
26 in practice. The report shall state the name and address of the person  
27 and the condition found.

28 (b) A hospital that restricts or refuses to grant hospital  
29 privileges to a person licensed to practice medicine and surgery or

1 osteopathy in this state because that person poses a danger to the  
2 public shall report to the board the name and address of the person  
3 and the reasons for restricting or refusing to grant hospital privi-  
4 leges.

5 (c) Upon receipt of a report under (a) or (b) of this section,  
6 the board shall investigate the matter and, upon a finding of reason-  
7 able cause, may appoint a committee of three qualified physicians to  
8 examine the licensee and report their findings to the board.

9 (d) If the board finds that the licensee is unable to continue  
10 to practice medicine and surgery or osteopathy with reasonable safety  
11 to the licensee's patients or the public, it shall initiate action to  
12 suspend, revoke, limit or condition the licensee's license to the  
13 extent determined necessary for the protection of the public.

14 \* Sec. 17. AS 08.64.360 is amended to read:

15 Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN  
16 VIOLATION OF CHAPTER. Except for a physician assistant, [AND] a  
17 physician-trained mobile intensive care paramedic under AS 08.64.170,  
18 or a person licensed or authorized under another chapter of this title  
19 who engages in practices for which that person is licensed or autho-  
20 riized under that chapter, a person practicing medicine or osteopathy  
21 in the state without a valid [OBTAINING AND FILING AN APPROPRIATE]  
22 license or permit is guilty of a class B misdemeanor [AND UPON CON-  
23 VICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR MORE THAN  
24 \$100, OR BY IMPRISONMENT FOR NOT LESS THAN 10 DAYS NOR MORE THAN 30  
25 DAYS, OR BY BOTH]. Evidence that the defendant has failed to file a  
26 license with the clerk of the court is prima facie evidence that the  
27 defendant is not licensed. Each day of illegal practice is a separate  
28 offense.

29 \* Sec. 18. AS 08.64.380(2) is repealed and reenacted to read:

1                   (2) "practice of medicine" or "practice of osteopathy"

2       means:

3                   (A) for a fee, donation or other consideration, to  
4       diagnose, treat, operate on, prescribe for, or administer to, any  
5       human ailment, blemish, deformity, disease, disfigurement, disor-  
6       der, injury, or other mental or physical condition; or to attempt  
7       to perform or represent that a person is authorized to perform  
8       any of the acts set out in this subparagraph;

9                   (B) to use or publicly display a title in connection  
10       with a person's name including "doctor of medicine," "M.D.," or  
11       "doctor of osteopathic medicine" or "D.O." or a specialist desig-  
12       nation including "surgeon," "dermatologist," or a similar title,  
13       or any title which tends to show that the person is willing or  
14       qualified to diagnose or treat the sick or injured;

15       \* Sec. 19. AS 08.64.030, 08.64.110, 08.64.140, 08.64.200(1), 08.64.325,  
16       08.64.330, and 08.64.380(3) are repealed.