

LEG. FINANCE - BILLS 1985 - 1986 2185
SB 114 - SSSB 117 2185

COMMITTEE REPORT
SENATE

FURTHER:

Date _____

Mr. President

The Committee on FINANCE considered S. 110

relating to registration of heavy vehicles, etc.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for S. 110 (amended)
- new title
- same title and recommends " "
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation 116.2
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

Offered: 3/19/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 114 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the registration of heavy vehi-
7 cles; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 28.10.021(a) is amended to read:
10 (a) The owner of a vehicle subject to registration shall apply
11 for registration under this chapter by properly completing the form
12 prescribed by the commissioner under AS 28.05.041. Before the issu-
13 ance of a certificate of registration by the department, the owner
14 shall pay all registration fees and taxes required under this chapter
15 and federal heavy vehicle use taxes required under 26 U.S.C. 4481
16 (Internal Revenue Code of 1954) [AND ALASKA MOTOR FREIGHT CARRIER AND
17 BUS TRANSPORTATION FEES REQUIRED UNDER AS 42.] and shall comply with
18 any other applicable statutes and regulations.
19 * Sec. 2. AS 28.10.041 is amended by adding a new subsection to read:
20 (c) The department shall refuse to register a vehicle subject to
21 the federal heavy vehicle use tax required by 26 U.S.C. 4481 (Internal
22 Revenue Code of 1954) if the applicant fails to furnish proof, in the
23 form prescribed by the U.S. Secretary of the Treasury, that the tax
24 has been paid.
25 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 114(Trans)
 Title: An Act relating to the registration of heavy vehicles.
 Sponsor: Governor
 Requestor: Senate Finance
 Date of Request: 3/25/85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		8.8	9.3	9.9	10.5	11.1
200 TRAVEL						
300 CONTRACTUAL		7.4	5.5	5.8	6.1	6.5
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		16.2	14.8	15.7	16.6	17.6

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

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		16.2	14.8	15.7	16.6	17.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
SEASONAL		1	1	1	1	1
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Will require proof of payment of the Federal Heavy Vehicle Use Tax prior to registration for all motor vehicles with a gross vehicle weight (GVW) of 55,000 pounds or over. Alaska vehicle classifications are based on unladen weight rather than GVW, so it is not possible to determine exactly how many vehicles are affected, but an estimate based on unladen weight would be 2,500 to 3,500 vehicles.

Cont.

Prepared By: Charles R. Hosack *CRH* Phone: 269-5561
 Division: Motor Vehicles Date: 3-20-85

Approved by Commissioner: [Signature] Date: 3/27/85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

HEAVY VEHICLE USE TAX

ANALYSIS CONTINUED

Notification to vehicle owners and collection of the proper forms would require a special mailing and individual handling. Most of these vehicles are commercial vehicles registered during December, so one position working four months, October through January, would be able to accomplish most of the work and the rest would be absorbed by existing positions.

Cost detail for the program is as follow:

100	Motor Vehicle Representative 1, Range 8, 4 Months		8.8
300	Mailing Cost	1.4	
	Forms	1.0	
	Data Processing Programming	2.0	
	Data Processing Maintenance	<u>3.0</u>	
		7.4	
			<u>7.4</u>
			16.2

An inflation factor of 6 percent has been applied to costs beyond FY80.

TITLE OF INCREMENT/DECREMENT: FN - Heavy Vehicle Registration	AGENCY CONTACT/PHONE NUMBER: John H. Lucking/269-5551	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.																												
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: Proposed legislation would amend AS 28.10.021 dealing with vehicle registration to ensure that the vehicle owner has complied with federal regulations requiring that a heavy vehicle use tax be paid if applicable prior to State registration. Notification to vehicle owners and collection of the proper forms would require a special mailing and individual handling. Most of the affected vehicles are commercial vehicles registered during December, so one seasonal position working four months (October-January) would be able to accomplish most of the additional workload involved in administering the change in Statute. Costs are projected as follows: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"><u>100</u></td> <td style="width:75%;">One seasonal Motor Vehicle Rep I, Range 8, 4 months</td> <td style="width:10%; text-align: right;">8.8</td> <td style="width:10%;"></td> </tr> <tr> <td><u>300</u></td> <td>Mailing Cost</td> <td style="text-align: right;">1.4</td> <td></td> </tr> <tr> <td></td> <td>Forms</td> <td style="text-align: right;">1.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Programming</td> <td style="text-align: right;">2.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Maintenance</td> <td style="text-align: right;"><u>3.0</u></td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">Subtotal</td> <td style="text-align: right;">7.4</td> <td></td> </tr> <tr> <td></td> <td>TOTAL COSTS</td> <td style="text-align: right;">16.2</td> <td></td> </tr> </table>		<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months	8.8		<u>300</u>	Mailing Cost	1.4			Forms	1.0			Data Processing Programming	2.0			Data Processing Maintenance	<u>3.0</u>			Subtotal	7.4			TOTAL COSTS	16.2		100	Personal Services	8.8	
		<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months	8.8																													
		<u>300</u>	Mailing Cost	1.4																													
			Forms	1.0																													
			Data Processing Programming	2.0																													
			Data Processing Maintenance	<u>3.0</u>																													
			Subtotal	7.4																													
			TOTAL COSTS	16.2																													
		200	Travel																														
		300	Contractual Services	7.4																													
		400	Supplies																														
		500	Equipment																														
		600	Lands, Buildings, Etc.																														
		700	Grants, Claims, Etc.																														
		800	Miscellaneous																														
TOTAL		16.2																															
<i>I-A Transfer (NON-ADD)</i>																																	
1002	Federal Receipts																																
1003	General Fund Match																																
1004	General Fund	16.2																															
1005	I-A Receipts																																
1028	Program Receipts																																
	Other																																
POSITION INFORMATION	PFT																																
	XXX Seasonal	1.0																															
	Non Permanent																																
	Staff Months	4.0																															
<input type="checkbox"/> Enhance Existing Service Compared to FY 85			<input type="checkbox"/> Formula Program																														
<input checked="" type="checkbox"/> New Service Compared to FY 85																																	
<input type="checkbox"/> Continuation of FY 85 Service Level																																	
IMPACT FROM CAPITAL PROJECT (NAME) <hr/>																																	
Chapter _____ SLA _____ Page/Line _____																																	

C5	INCREMENT/DECREMENT REQUEST
Agency Priority	34 of 35

AGENCY Department of Public Safety
 PROGRAM Life & Property Protection
 BRU Division of Motor Vehicles
 COMPONENT Vehicle Services
 PROJECT _____

FY 86

PAGE _____	OF _____
REVISED DATE _____	

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER - CSSE 114 (Trans)

SUPPORT

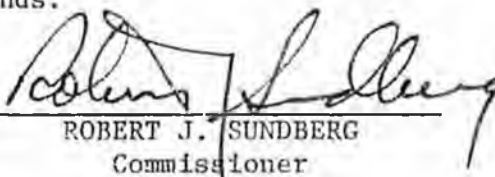
March 20, 1985

CSSB 114 (Transportation), An Act relating to the registration of heavy vehicles and providing for an effective date.

The United States Congress has amended the United States Code to reflect the Secretary of Transportation shall reduce the state's apportionment for federal-aid highway funds in any fiscal year beginning after October 1, 1985, if a vehicle subject to the use tax may be lawfully registered in the state without having presented proof of payment of the use tax.

Enforcement of a federal law by state registration processes is not a desirable use of state resources. However, the alternative, a loss of 25 percent of federal highway funds, leaves the state little choice. The state is not required to enforce or collect the federal tax but only to verify it has been paid before the vehicle is registered.

Therefore, it is felt this bill should be passed this session to bring Alaska in compliance with the federal requirement and avoid loss of the federal-aid highway funds.


ROBERT J. SUNDBERG
Commissioner

SECTIONAL ANALYSIS FOR SENATE BILL 114

An Act relating to the registration of heavy vehicles

Section 1

Requires that before a heavy truck or trailer is registered by the Division of Motor Vehicles, the owner must furnish proof that federal heavy vehicle use taxes required by the federal government have been paid.

Section 2

Provides the Division of Motor Vehicles with the authority to refuse to register heavy trucks and trailers if the federal heavy vehicle use tax has not been paid.

Section 3

Immediate effective date.

This change in law is necessary because Congress mandated that failure to comply with this proof-of-payment provision would result in loss of 25% of the state's highway funds. That provision became effective January 1 of this year.

There is an FY 86 fiscal note from the Department of Public Safety for \$16,200. It would fund a temporary 4-month position, mailing notification forms to vehicle owners and related data processing costs.

AB

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB110
 Title: An Act relating to the registration of heavy vehicles
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		8.8	9.3	9.9	10.5	11.1
200 TRAVEL						
300 CONTRACTUAL		7.4	5.5	5.8	6.1	6.5
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		16.2	14.8	15.7	16.6	17.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		16.2	14.8	15.7	16.6	17.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME Seasonal		1	1	1	1	1
TEMPORARY		✓				

ANALYSIS: Attach a separate page if necessary "

Will require proof of IRS filing or payment of the Federal Heavy Truck Use Tax prior to registration for all motor vehicles with a gross vehicle weight (GVW) of 33,000 lbs or over. Alaska vehicle classifications are based on unladen weight rather than GVW, so it is not possible to determine exactly how many vehicles are affected, but an estimate based on unladen weight would be 2,500 to 3,500 vehicles.

Prepared By: Charles R. Hosack Phone: 269-5561
 Division: Motor Vehicles Date: 10-15-84

Approved by Commissioner: [Signature] Date: 10/16/84
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

HEAVY VEHICLE USE TAX

ANALYSIS (Continued)

Notification to vehicle owners and collection of the proper forms would require a special mailing, and individual handling. Most of these vehicles are commercial vehicles registered during December, so one position working four months, October through January, would be able to accomplish most of the work and the rest would be absorbed by existing positions.

Cost detail for the program is as follows:

100	Motor Vehicle Representative I, Range 8, 4 months		8.8
300	Mailing Cost	1.4	
	Forms	1.0	
	Data Processing Programming	2.0	
	Data Processing Maintenance	3.0	
		<u>7.4</u>	
			<u>7.4</u>
			16.2

An inflation factor of 6% has been applied to costs beyond FY86.

TITLE OF INCREMENT/DECREMENT: FN - Heavy Vehicle Registration	AGENCY CONTACT/PHONE NUMBER: John H. Lucking/269-5551	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.																																							
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: Proposed legislation would amend AS 28.10.021 dealing with vehicle registration to ensure that the vehicle owner has complied with federal regulations requiring that a heavy vehicle use tax be paid if applicable prior to State registration. Notification to vehicle owners and collection of the proper forms would require a special mailing and individual handling. Most of the affected vehicles are commercial vehicles registered during December, so one seasonal position working four months (October-January) would be able to accomplish most of the additional workload involved in administering the change in Statute. Costs are projected as follows: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"><u>100</u></td> <td style="width:75%;">One seasonal Motor Vehicle Rep I, Range 8, 4 months</td> <td style="width:10%; text-align: right;">8.8</td> <td style="width:10%;"></td> </tr> <tr> <td><u>300</u></td> <td>Mailing Cost</td> <td style="text-align: right;">1.4</td> <td></td> </tr> <tr> <td></td> <td>Forms</td> <td style="text-align: right;">1.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Programming</td> <td style="text-align: right;">2.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Maintenance</td> <td style="text-align: right;">3.0</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">Subtotal</td> <td style="text-align: right; border-top: 1px solid black;">7.4</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">TOTAL COSTS</td> <td style="text-align: right; border-top: 1px solid black;">16.2</td> <td></td> </tr> </table>		<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months	8.8		<u>300</u>	Mailing Cost	1.4			Forms	1.0			Data Processing Programming	2.0			Data Processing Maintenance	3.0			Subtotal	7.4			TOTAL COSTS	16.2		100 Personal Services 8.8 200 Travel 300 Contractual Services 7.4 400 Supplies 500 Equipment 600 Lands, Buildings, Etc. 700 Grants, Claims, Etc. 800 Miscellaneous TOTAL 16.2 I-A Transfer (NON-ADD) 1002 Federal Receipts 1003 General Fund Match 1004 General Fund 16.2 1005 I-A Receipts 1028 Program Receipts Other <table style="width:100%; border-collapse: collapse;"> <tr> <td rowspan="3" style="width:15%; vertical-align: middle;">POSITION INFORMATION</td> <td style="width:15%;">PFT</td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> <tr> <td><input checked="" type="checkbox"/> Seasonal</td> <td style="text-align: right;">1.0</td> <td></td> </tr> <tr> <td>Non Permanent</td> <td></td> <td></td> </tr> <tr> <td></td> <td>Staff Months</td> <td style="text-align: right;">4.0</td> <td></td> </tr> </table>	POSITION INFORMATION	PFT			<input checked="" type="checkbox"/> Seasonal	1.0		Non Permanent				Staff Months	4.0	
		<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months	8.8																																								
		<u>300</u>	Mailing Cost	1.4																																								
			Forms	1.0																																								
			Data Processing Programming	2.0																																								
			Data Processing Maintenance	3.0																																								
			Subtotal	7.4																																								
			TOTAL COSTS	16.2																																								
		POSITION INFORMATION	PFT																																									
			<input checked="" type="checkbox"/> Seasonal	1.0																																								
			Non Permanent																																									
			Staff Months	4.0																																								
		<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"><input type="checkbox"/> Enhance Existing Service Compared to FY 85</td> <td style="width:40%;"><input type="checkbox"/> Formula Program</td> </tr> <tr> <td><input checked="" type="checkbox"/> New Service Compared to FY 85</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Continuation of FY 85 Service Level</td> <td></td> </tr> </table>		<input type="checkbox"/> Enhance Existing Service Compared to FY 85	<input type="checkbox"/> Formula Program	<input checked="" type="checkbox"/> New Service Compared to FY 85		<input type="checkbox"/> Continuation of FY 85 Service Level		IMPACT FROM CAPITAL PROJECT (NAME) Chapter _____ SLA _____ Page/Line _____																																		
				<input type="checkbox"/> Enhance Existing Service Compared to FY 85	<input type="checkbox"/> Formula Program																																							
				<input checked="" type="checkbox"/> New Service Compared to FY 85																																								
<input type="checkbox"/> Continuation of FY 85 Service Level																																												

C5	INCREMENT/DECREMENT REQUEST Agency Priority <u>34</u> of <u>35</u>
----	--

AGENCY Department of Public Safety
 PROGRAM Life & Property Protection
 BRU Division of Motor Vehicles
 COMPONENT Vehicle Services
 PROJECT _____

FY 86

PAGE _____	OF _____
REVISD DATE _____	

From A.G.'s Office

Proposed Amendment to SB 114 - ". . . relating to the registration of heavy vehicles. . ."

On line 14, page 1 after the word "chapter" delete the
","; delete all language on line 15, page 1; and on line 16, page
1 delete the language "required under AS 42,"

Proposed Amendment

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

From A.G.'s Office

Proposed Amendment to SB 114 - ". . . relating to the registration of heavy vehicles. . ."

On line 14, page 1 after the word "chapter" delete the ",,"; delete all language on line 15, page 1; and on line 16, page 1 delete the language "required under AS 42,"

Proposed Amendment

2. Power of states

State officials were authorized to present a number of minority trainees to be employed by

§ 141. Enforcement of requirements

(a) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all speed limits on public highways in accordance with section 154 of this title. The Secretary shall not approve any project under section 106 of this title in any State which has failed to certify in accordance with this subsection.

(b) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all State laws respecting maximum vehicle size and weights permitted on the Federal-aid primary system, the Federal-aid urban system, and the Federal-aid secondary system, including the Interstate System in accordance with section 127 of this title.

(c) (1) Each State shall submit to the Secretary such information as the Secretary shall, by regulation, require as necessary, in his opinion, to verify the certification of such State under subsection (b) of this section.

(2) If a State fails to certify as required by subsection (b) of this section and if the Secretary determines that a State is not adequately enforcing all State laws respecting such maximum vehicle size and weights, notwithstanding such a certification, then Federal-aid highway funds apportioned to such State for such fiscal year shall be reduced by amounts equal to 10 per centum of the amount which would otherwise be apportioned to such State under section 104 of this title.

(3) If within one year from the date that the apportionment for any State is reduced in accordance with paragraph (2) of this subsection the Secretary determines that such State is enforcing all State laws respecting maximum size and weights, the apportionment of such State shall be increased by an amount equal to such reduction. If the Secretary does not make such a determination within such one-year period, the amounts so withheld shall be reapportioned to all other eligible States.

(d) The Secretary shall reduce the State's apportionment of Federal-aid highway funds under section 104(b)(5) of this title in an amount up to 25 per centum of the amount to be apportioned in any fiscal year beginning after September 30, 1984, during which heavy vehicles, subject to the use tax imposed by section 4481 of the Internal Revenue Code of 1954, may be lawfully registered in the State without having presented proof of payment, in such form as may be prescribed by the Secretary of the Treasury, of the use tax imposed by section 4481 of such Code. Amounts withheld from apportionment to a State under this subsection shall be apportioned to the other States pursuant to the formulas of section 104(b)(5) of this title and shall be available in the same manner and to the same extent as other Interstate funds apportioned at the same time to other States.

(Added Pub.L. 93-643, § 107(a), Jan. 4, 1975, 88 Stat. 2284, and amended Pub.L. 95-599, Title I, § 123(d), Nov. 6, 1978, 92 Stat. 2702; Pub.L. 97-424, Title I, § 143, Jan. C, 1983, 96 Stat. 2129.)

References in Text. Section 4481 of the Internal Revenue Code of 1954, referred to in subsec. (d), is section 4481 of Title 26, Internal Revenue Code.

Prior Provisions. A prior section 141, Pub.L. 90-495, § 35(a), Aug. 23, 1968, 82 Stat. 836, providing for real property acquisition policies, was repealed by Pub.L. 91-616, Title III, § 306, Jan. 2, 1971, 84 Stat. 1907, and is now covered by sections 4651(1), (3), and (5) and 4655(1) of Title 42, The Public Health and Welfare.

1983 Amendment. Subsec. (b). Pub.L. 97-424, § 143, added subsec. (d).

1978 Amendment. Pub.L. 95-599 redesignated existing provisions as subsecs. (a) and (b) and added subsec. (c).

contractor in connection with highway construction projects. Schlafly v. Volpe, C.A.Ill.1974, 495 F.2d 273.

laws, rules, and regulations on any portion of any Federal-aid system in such State. Each State shall annually thereafter report to the Secretary its current inventory.

"(b) (1) Not later than the one-hundred-eightieth day after the date of enactment of this section [Nov. 6, 1978], the Secretary, in consultation with each State, shall inventory the existing system in such State for the issuance of special permits. Each State shall annually thereafter report to the Secretary its current inventory.

"(2) For purposes of this subsection, the term "special permit" means a license or permit issued pursuant to State law, rule, or regulation which authorizes a vehicle to exceed the weight limitation for such vehicle established under State law, rule, or regulation.

"(c) Not later than January 1 of the second calendar year which begins after the date of enactment of this section [Nov. 6, 1978] and each

calendar year thereafter the Secretary shall submit to Congress an annual report together with such recommendations as the Secretary deems necessary on (1) the latest annual inventory of State systems of penalties required by subsection (a) of this section; (2) the latest annual inventory of State systems for the issuance of special permits required by subsection (b) of this section; (3) the annual certification submitted by each State required by section 141(b) of title 23, United States Code [subsec. (b) of this section]."

Legislative History. For legislative history and purpose of Pub.L. 93-643, see 1974 U.S. Code Cong. and Adm. News, p. 8011. See also, Pub.L. 95-599, 1978 U.S. Code Cong. and Adm. News, p. 6575; Pub.L. 97-424, 1982 U.S. Code Cong. and Adm. News, p. 3639.

Code of Federal Regulations

Size and weight, see 23 CFR 657.1.

Speed limits, see 23 CFR 659.1.

§ 142. Public transportation

(a) (1) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as "buses"), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential high occupancy vehicle lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve high occupancy vehicle and public mass transportation passengers, and sums apportioned under section 104(b) of this title shall be available to finance the cost of projects under this paragraph. If fees are charged for the use of any parking facility constructed under this section, the rate thereof shall not be in excess of that required for maintenance and operation of the facility and the cost of providing shuttle service to and from the facility (including compensation to any person for operating the facility and for providing such shuttle service).

(2) In addition to the projects under paragraph (1), the Secretary may, beginning with the fiscal year ending June 30, 1975, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the purchase of buses, and, beginning with the fiscal year ending June 30, 1976, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the construction, reconstruction, and improvement of fixed rail facilities, including the purchase of rolling stock for fixed rail, except that not more than \$200,000,000 of all sums apportioned for the fiscal year ending June 30, 1975, under section 104(b)(6) shall be available for the payment of the Federal share of projects for the purchase of buses.

(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential high occupancy vehicle, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title for the fiscal years ending June 30, 1974, and June 30, 1975, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - SB 114

SUPPORT

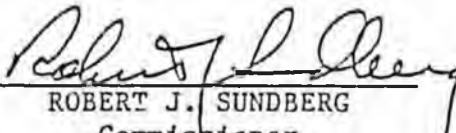
February 6, 1985

SB 114, An Act relating to the registration of heavy vehicles and providing for an effective date.

The United State Congress has amended the United States Code to reflect the Secretary of Transportation shall reduce the state's apportionment for federal-aid highway funds in any fiscal year beginning after October 1, 1985, if a vehicle subject to the use tax may be lawfully registered in the state without having presented proof of payment of the use tax.

Enforcement of a federal law by state registration processes is not a desirable use of state resources. However, the alternative a loss of 25 percent of federal highway funds, leaves the state little choice. The state is not required to enforce or collect the federal tax but only to verify it has been paid before the vehicle is registered.

Therefore, it is felt this bill should be passed this session to bring Alaska in compliance with the federal requirement and avoid loss of the federal-aid highway funds.

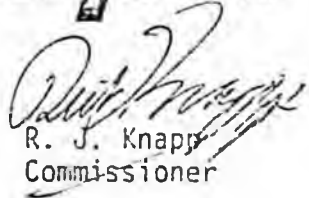

ROBERT J. SUNDBERG
Commissioner



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: Senate Bill 114

APPROVED: 
R. J. Knapp
Commissioner

TITLE: An act relating to the registration of heavy vehicles; and providing for an effective date.

DATE: March 1, 1985

The Alaska Department of Transportation and Public Facilities urges speedy passage of Senate Bill (SB) 114. SB 114 enables the Division of Motor Vehicles in the Department of Public Safety to require proof-of-payment of the federal heavy vehicle use tax before registering heavy vehicles in the State of Alaska. The heavy vehicle use tax is one of a number of user fees that fund highway improvements through the federal Highway Trust Fund. The State of Alaska receives a very favorable distribution from the Highway Trust Fund; this distribution is over nine times the amount collected through federal taxes on highway use in Alaska.

If SB 144 is not enacted, Alaska will be subject to a reduction in our Interstate apportionments from the highway trust fund. This reduction in funds will hurt the Department's efforts to improve Alaska's Interstate System, consisting of the Parks, Alaska, Glenn and Tok Cut-off highways and portions of the Richardson, Seward, and Sterling highways. The Department estimates that withholding, when applied, will cost the state over \$10 million a year in Interstate apportionments. In a time of declining oil revenues and pressing road improvement needs, the state can ill afford any loss of federal-aid highway funds.

2. Power of states

State officials were authorized to prescribe number of minority trainees to be employed by

§ 141. Enforcement of requirements

(a) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all speed limits on public highways in accordance with section 154 of this title. The Secretary shall not approve any project under section 106 of this title in any State which has failed to certify in accordance with this subsection.

(b) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all State laws respecting maximum vehicle size and weights permitted on the Federal-aid primary system, the Federal-aid urban system, and the Federal-aid secondary system, including the Interstate System in accordance with section 127 of this title.

(c) (1) Each State shall submit to the Secretary such information as the Secretary shall, by regulation, require as necessary, in his opinion, to verify the certification of such State under subsection (b) of this section.

(2) If a State fails to certify as required by subsection (b) of this section or if the Secretary determines that a State is not adequately enforcing all State laws respecting such maximum vehicle size and weights, notwithstanding such a certification, then Federal-aid highway funds apportioned to such State for such fiscal year shall be reduced by amounts equal to 10 per centum of the amount which would otherwise be apportioned to such State under section 104 of this title.

(3) If within one year from the date that the apportionment for any State is reduced in accordance with paragraph (2) of this subsection the Secretary determines that such State is enforcing all State laws respecting maximum size and weights, the apportionment of such State shall be increased by an amount equal to such reduction. If the Secretary does not make such a determination within such one-year period, the amounts so withheld shall be reapportioned to all other eligible States.

(d) The Secretary shall reduce the State's apportionment of Federal-aid highway funds under section 104(b)(5) of this title in an amount up to 25 per centum of the amount to be apportioned in any fiscal year beginning after September 30, 1984, during which heavy vehicles, subject to the use tax imposed by section 4481 of the Internal Revenue Code of 1954, may be lawfully registered in the State without having presented proof of payment, in such form as may be prescribed by the Secretary of the Treasury, of the use tax imposed by section 4481 of such Code. Amounts withheld from apportionment to a State under this subsection shall be apportioned to the other States pursuant to the formulas of section 104(b)(5) of this title and shall be available in the same manner and to the same extent as other Interstate funds apportioned at the same time to other States.

(Added Pub.L. 93-643, § 107(a), Jan. 4, 1975, 88 Stat. 2284, and amended Pub.L. 95-599, Title 1, § 123(d), Nov. 6, 1978, 92 Stat. 2702; Pub.L. 97-424, Title 1, § 143, Jan. 6, 1983, 96 Stat. 2129.)

References in Text. Section 4481 of the Internal Revenue Code of 1954, referred to in subsec. (d), is section 4481 of Title 26, Internal Revenue Code.

Prior Provisions. A prior section 141, Pub.L. 90-495, § 35(a), Aug. 23, 1968, 82 Stat. 836, providing for real property acquisition policies, was repealed by Pub.L. 91-646, Title III, § 306, Jan. 2, 1971, 84 Stat. 1907, and is now covered by sections 4651(1), (3), and (5) and 4655(1) of Title 42, The Public Health and Welfare.

1983 Amendment. Subsec. (b), Pub.L. 97-424, § 143, added subsec. (d).

1978 Amendment. Pub.L. 95-599 redesignated existing provisions as subsecs. (a) and (b) and added subsec. (c).

contractor in connection with highway construction projects. *Schlaflly v. Volpe*, C.A.Ill.1974, 495 F.2d 273.

laws, rules, and regulations on any portion of any Federal-aid system in such State. Each State shall annually thereafter report to the Secretary its current inventory.

"(b) (1) Not later than the one-hundred-eightieth day after the date of enactment of this section [Nov. 6, 1978], the Secretary, in consultation with each State, shall inventory the existing system in such State for the issuance of special permits. Each State shall annually thereafter report to the Secretary its current inventory.

"(2) For purposes of this subsection, the term "special permit" means a license or permit issued pursuant to State law, rule, or regulation which authorizes a vehicle to exceed the weight limitation for such vehicle established under State law, rule, or regulation.

"(c) Not later than January 1 of the second calendar year which begins after the date of enactment of this section [Nov. 6, 1978] and each

calendar year thereafter the Secretary shall submit to Congress an annual report together with such recommendations as the Secretary deems necessary on (1) the latest annual inventory of State systems of penalties required by subsection (a) of this section; (2) the latest annual inventory of State systems for the issuance of special permits required by subsection (b) of this section; (3) the annual certification submitted by each State required by section 141(b) of title 23, United States Code [subsec. (b) of this section]."

Legislative History. For legislative history and purpose of Pub.L. 93-643, see 1974 U.S. Code Cong. and Adm. News, p. 8011. See also, Pub.L. 95-599, 1978 U.S. Code Cong. and Adm. News, p. 6575; Pub.L. 97-424, 1982 U.S. Code Cong. and Adm. News, p. 3639.

Code of Federal Regulations

Size and weight, see 23 CFR 657.1.
Speed limits, see 23 CFR 659.1.

§ 142. Public transportation

(a) (1) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as "buses"), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential high occupancy vehicle lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve high occupancy vehicle and public mass transportation passengers, and sums apportioned under section 104(b) of this title shall be available to finance the cost of projects under this paragraph. If fees are charged for the use of any parking facility constructed under this section, the rate thereof shall not be in excess of that required for maintenance and operation of the facility and the cost of providing shuttle service to and from the facility (including compensation to any person for operating the facility and for providing such shuttle service).

(2) In addition to the projects under paragraph (1), the Secretary may, beginning with the fiscal year ending June 30, 1975, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the purchase of buses, and, beginning with the fiscal year ending June 30, 1976, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the construction, reconstruction, and improvement of fixed rail facilities, including the purchase of rolling stock for fixed rail, except that not more than \$200,000,000 of all sums apportioned for the fiscal year ending June 30, 1975, under section 104(b)(6) shall be available for the payment of the Federal share of projects for the purchase of buses.

(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential high occupancy vehicle, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title for the fiscal years ending June 30, 1974, and June 30, 1975, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 30, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will authorize the division of motor vehicles (DMV), Department of Public Safety, to refuse to register heavy trucks and trailers if the owner of the heavy vehicle does not furnish proof that applicable federal heavy use taxes have been paid. This authorization is necessary to protect Alaska's full apportionment of federal highway funds.

In 1982 the U.S. Congress adopted the Surface Transportation Assistance Act of 1982. The Act increases, as of July 1, 1984, the heavy vehicle use tax which heavy trucks and trailers must pay under sec. 4481 of the Internal Revenue Code of 1954. Section 143 of the Act (23 U.S.C. sec. 141(d)) authorizes the federal government to withhold up to 25 percent of a state's apportionment of federal highway funds during any year in which heavy vehicles subject to such taxation may be registered in the state without presenting proof of payment of these taxes. The present federal law requires that this proof-of-payment requirement must be effective no later than January 1, 1985.

In order to prevent the loss of these federal highway funds, this bill authorizes DMV to refuse to register a heavy vehicle unless the owner provides proof that the required federal tax has been paid. If an applicant fails to provide the required proof of payment, the applicant's vehicle will not be registered. The State of Alaska is not required to enforce or collect the federal tax.

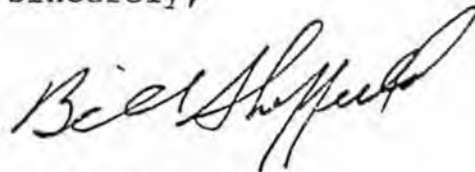
At line 15, the bill also makes an incidental amendment (deletion of "and bus transportation") to recognize the 1980 repeal of AS 42.15, the chapter on bus transportation to which this provision refers.

SB-114

I anticipate that Department of Public Safety personnel will be working with legislative committees on possible amendments to the bill, which may be necessitated by pending federal procedural instructions.

In order to avoid the loss of federal funding needed for Alaska's highway system, I urge your passage of this bill.

Sincerely,



Bill Sheffield
Governor

COMMITTEE REPORT
SENATE

3/5/85

FURTHER: FINANCE

Date MARCH 18, 1985

Mr. President

The Committee on TRANSPORTATION considered SB 114 relating to registration of heavy vehicles; efd.

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

- do pass
- do pass with attached amendments
- replace with or adopt CS for SB 114 (TRANSPORTATION)
- new title
- same title and recommends DO PASS
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Paul Fricker

Joseph O'Connell

Paul Fricker

MEMBERS HAVING
OTHER RECOMMENDATIONS

Paul Fricker

Chairman

DO PASS

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER:

TRANSPORTATION
FINANCE

1/30/85

Date March 5, 1985

Mr. President

The Committee on STATE AFFAIRS considered SB 114
relating to registration of heavy vehicles; efd.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title _____
- same title and recommends _____
- and attached a "LETTER OF INTENT" [] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Ed De Vries
Tom Kelly
Bill Ray

[Signature]
Chairman

Do Pass
Chairman recommendation

COMMITTEE REPORT
HOUSE

FURTHER:

Date: 1-14-53

The Committee on FINANCE has had REPORT

under consideration and recommends:

- 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 Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 114(Trans)
 Title: An Act relating to the registration of heavy vehicles.
 Sponsor: Governor
 Requestor: Senate Finance
 Date of Request: 3/25/85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		8.8	9.3	9.9	10.5	11.1
200 TRAVEL						
300 CONTRACTUAL		7.4	5.5	5.8	6.1	6.5
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		16.2	14.8	15.7	16.6	17.6

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

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		16.2	14.8	15.7	16.6	17.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
SEASONAL Seasonal		1	1	1	1	1
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Will require proof of payment of the Federal Heavy Vehicle Use Tax prior to registration for all motor vehicles with a gross vehicle weight (GVW) of 55,000 pounds or over. Alaska vehicle classifications are based on unladen weight rather than GVW, so it is not possible to determine exactly how many vehicles are affected, but an estimate based on unladen weight would be 2,500 to 3,500 vehicles.

Cont.

Prepared By: Charles R. Hosack *CRH* Phone: 269-5561
 Division: Motor Vehicles Date: 3-20-85

Approved by Commissioner: [Signature] Date: 3/27/85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

HEAVY VEHICLE USE TAX

ANALYSIS CONTINUED

Notification to vehicle owners and collection of the proper forms would require a special mailing and individual handling. Most of these vehicles are commercial vehicles registered during December, so one position working four months, October through January, would be able to accomplish most of the work and the rest would be absorbed by existing positions.

Cost detail for the program is as follow:

100	Motor Vehicle Representative 1, Range 8, 4 Months		8.8
300	Mailing Cost	1.4	
	Forms	1.0	
	Data Processing Programming	2.0	
	Data Processing Maintenance	<u>3.0</u>	
		7.4	
			<u>7.4</u>
			16.2

An inflation factor of 6 percent has been applied to costs beyond FY86.

TITLE OF INCREMENT/DECREMENT: FN - Heavy Vehicle Registration	AGENCY CONTACT/PHONE NUMBER: John H. Lucking/269-5551	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:5%;">CODE</th> <th style="width:65%;">EXPENDITURE BY OBJECT</th> <th style="width:10%;">AGENCY REQ.</th> <th style="width:20%;">GOV'S REQ.</th> </tr> </thead> <tbody> <tr><td>100</td><td>Personal Services</td><td>8.8</td><td></td></tr> <tr><td>200</td><td>Travel</td><td></td><td></td></tr> <tr><td>300</td><td>Contractual Services</td><td>7.4</td><td></td></tr> <tr><td>400</td><td>Supplies</td><td></td><td></td></tr> <tr><td>500</td><td>Equipment</td><td></td><td></td></tr> <tr><td>600</td><td>Lands, Buildings, Etc.</td><td></td><td></td></tr> <tr><td>700</td><td>Grants, Claims, Etc.</td><td></td><td></td></tr> <tr><td>800</td><td>Miscellaneous</td><td></td><td></td></tr> <tr><td colspan="2" style="text-align: right;">TOTAL</td><td>16.2</td><td></td></tr> <tr><td colspan="4" style="text-align: center;">I-A Transfer (NON-ADD)</td></tr> <tr><td>1002</td><td>Federal Receipts</td><td></td><td></td></tr> <tr><td>1003</td><td>General Fund Match</td><td></td><td></td></tr> <tr><td>1004</td><td>General Fund</td><td>16.2</td><td></td></tr> <tr><td>1005</td><td>I-A Receipts</td><td></td><td></td></tr> <tr><td>1028</td><td>Program Receipts</td><td></td><td></td></tr> <tr><td colspan="2" style="text-align: right;">Other</td><td></td><td></td></tr> <tr><td colspan="2" rowspan="4" style="vertical-align: middle;">POSITION INFORMATION</td><td>PFT</td><td></td></tr> <tr><td>PRR Seasonal</td><td>1.0</td></tr> <tr><td>Non Permanent</td><td></td></tr> <tr><td>Staff Months</td><td>4.0</td></tr> </tbody> </table>	CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.	100	Personal Services	8.8		200	Travel			300	Contractual Services	7.4		400	Supplies			500	Equipment			600	Lands, Buildings, Etc.			700	Grants, Claims, Etc.			800	Miscellaneous			TOTAL		16.2		I-A Transfer (NON-ADD)				1002	Federal Receipts			1003	General Fund Match			1004	General Fund	16.2		1005	I-A Receipts			1028	Program Receipts			Other				POSITION INFORMATION		PFT		PRR Seasonal	1.0	Non Permanent		Staff Months	4.0
CODE	EXPENDITURE BY OBJECT	AGENCY REQ.	GOV'S REQ.																																																																													
100	Personal Services	8.8																																																																														
200	Travel																																																																															
300	Contractual Services	7.4																																																																														
400	Supplies																																																																															
500	Equipment																																																																															
600	Lands, Buildings, Etc.																																																																															
700	Grants, Claims, Etc.																																																																															
800	Miscellaneous																																																																															
TOTAL		16.2																																																																														
I-A Transfer (NON-ADD)																																																																																
1002	Federal Receipts																																																																															
1003	General Fund Match																																																																															
1004	General Fund	16.2																																																																														
1005	I-A Receipts																																																																															
1028	Program Receipts																																																																															
Other																																																																																
POSITION INFORMATION		PFT																																																																														
		PRR Seasonal	1.0																																																																													
		Non Permanent																																																																														
		Staff Months	4.0																																																																													
DESCRIBE WHY THIS INCREMENT/DECREMENT IS NEEDED AND WHAT IT PURCHASES: <p>Proposed legislation would amend AS 28.10.021 dealing with vehicle registration to ensure that the vehicle owner has complied with federal regulations requiring that a heavy vehicle use tax be paid if applicable prior to State registration.</p> <p>Notification to vehicle owners and collection of the proper forms would require a special mailing and individual handling. Most of the affected vehicles are commercial vehicles registered during December, so one seasonal position working four months (October-January) would be able to accomplish most of the additional workload involved in administering the change in Statute.</p> <p>Costs are projected as follows:</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"><u>100</u></td> <td style="width:65%;">One seasonal Motor Vehicle Rep I, Range 8, 4 months</td> <td style="width:10%;"></td> <td style="width:20%; text-align: right;">8.8</td> </tr> <tr><td colspan="4"> </td></tr> <tr> <td><u>300</u></td> <td>Mailing Cost</td> <td style="text-align: right;">1.4</td> <td></td> </tr> <tr> <td></td> <td>Forms</td> <td style="text-align: right;">1.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Programming</td> <td style="text-align: right;">2.0</td> <td></td> </tr> <tr> <td></td> <td>Data Processing Maintenance</td> <td style="text-align: right;"><u>3.0</u></td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">Subtotal</td> <td></td> <td style="text-align: right;">7.4</td> </tr> <tr><td colspan="4"> </td></tr> <tr> <td></td> <td style="text-align: right;">TOTAL COSTS</td> <td></td> <td style="text-align: right;">16.2</td> </tr> </table>		<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months		8.8					<u>300</u>	Mailing Cost	1.4			Forms	1.0			Data Processing Programming	2.0			Data Processing Maintenance	<u>3.0</u>			Subtotal		7.4						TOTAL COSTS		16.2	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"><input type="checkbox"/> Enhance Existing Service Compared to FY 85</td> <td rowspan="3" style="width:40%; text-align: center; vertical-align: middle;"><input type="checkbox"/> Formula Program</td> </tr> <tr> <td><input checked="" type="checkbox"/> New Service Compared to FY 85</td> </tr> <tr> <td><input type="checkbox"/> Continuation of FY 85 Service Level</td> </tr> </table> <p>IMPACT FROM CAPITAL PROJECT (NAME)</p> <p>Chapter _____ SLA _____ Page/Line _____</p>	<input type="checkbox"/> Enhance Existing Service Compared to FY 85	<input type="checkbox"/> Formula Program	<input checked="" type="checkbox"/> New Service Compared to FY 85	<input type="checkbox"/> Continuation of FY 85 Service Level																																						
<u>100</u>	One seasonal Motor Vehicle Rep I, Range 8, 4 months		8.8																																																																													
<u>300</u>	Mailing Cost	1.4																																																																														
	Forms	1.0																																																																														
	Data Processing Programming	2.0																																																																														
	Data Processing Maintenance	<u>3.0</u>																																																																														
	Subtotal		7.4																																																																													
	TOTAL COSTS		16.2																																																																													
<input type="checkbox"/> Enhance Existing Service Compared to FY 85	<input type="checkbox"/> Formula Program																																																																															
<input checked="" type="checkbox"/> New Service Compared to FY 85																																																																																
<input type="checkbox"/> Continuation of FY 85 Service Level																																																																																

C5	INCREMENT/DECREMENT REQUEST
Agency Priority <u>34</u> of <u>35</u>	

AGENCY Department of Public Safety

PROGRAM Life & Property Protection

BRU Division of Motor Vehicles

COMPONENT Vehicle Services

PROJECT _____

FY 86

PAGE _____	OF _____
REVISED DATE _____	

Offered: 3/19/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 114 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the registration of heavy vehi-
7 cles; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 28.10.021(a) is amended to read:
10 (a) The owner of a vehicle subject to registration shall apply
11 for registration under this chapter by properly completing the form
12 prescribed by the commissioner under AS 28.05.041. Before the issu-
13 ance of a certificate of registration by the department, the owner
14 shall pay all registration fees and taxes required under this chapter
15 and federal heavy vehicle use taxes required under 26 U.S.C. 4481
16 (Internal Revenue Code of 1954) [AND ALASKA MOTOR FREIGHT CARRIER AND
17 BUS TRANSPORTATION FEES REQUIRED UNDER AS 42,] and shall comply with
18 any other applicable statutes and regulations.
19 * Sec. 2. AS 28.10.041 is amended by adding a new subsection to read:
20 (c) The department shall refuse to register a vehicle subject to
21 the federal heavy vehicle use tax required by 26 U.S.C. 4481 (Internal
22 Revenue Code of 1954) if the applicant fails to furnish proof, in the
23 form prescribed by the U.S. Secretary of the Treasury, that the tax
24 has been paid.
25 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER - CSSB 114 (Trans)

SUPPORT

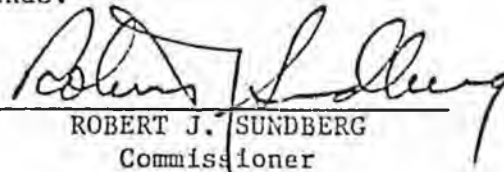
March 20, 1985

CSSB 114 (Transportation), An Act relating to the registration of heavy vehicles and providing for an effective date.

The United States Congress has amended the United States Code to reflect the Secretary of Transportation shall reduce the state's apportionment for federal-aid highway funds in any fiscal year beginning after October 1, 1985, if a vehicle subject to the use tax may be lawfully registered in the state without having presented proof of payment of the use tax.

Enforcement of a federal law by state registration processes is not a desirable use of state resources. However, the alternative, a loss of 25 percent of federal highway funds, leaves the state little choice. The state is not required to enforce or collect the federal tax but only to verify it has been paid before the vehicle is registered.

Therefore, it is felt this bill should be passed this session to bring Alaska in compliance with the federal requirement and avoid loss of the federal-aid highway funds.


ROBERT J. SUNDBERG
Commissioner



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 30, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will authorize the division of motor vehicles (DMV), Department of Public Safety, to refuse to register heavy trucks and trailers if the owner of the heavy vehicle does not furnish proof that applicable federal heavy use taxes have been paid. This authorization is necessary to protect Alaska's full apportionment of federal highway funds.

In 1982 the U.S. Congress adopted the Surface Transportation Assistance Act of 1982. The Act increases, as of July 1, 1984, the heavy vehicle use tax which heavy trucks and trailers must pay under sec. 4481 of the Internal Revenue Code of 1954. Section 143 of the Act (23 U.S.C. sec. 141(d)) authorizes the federal government to withhold up to 25 percent of a state's apportionment of federal highway funds during any year in which heavy vehicles subject to such taxation may be registered in the state without presenting proof of payment of these taxes. The present federal law requires that this proof-of-payment requirement must be effective no later than January 1, 1985.

In order to prevent the loss of these federal highway funds, this bill authorizes DMV to refuse to register a heavy vehicle unless the owner provides proof that the required federal tax has been paid. If an applicant fails to provide the required proof of payment, the applicant's vehicle will not be registered. The State of Alaska is not required to enforce or collect the federal tax.

At line 15, the bill also makes an incidental amendment (deletion of "and bus transportation") to recognize the 1980 repeal of AS 42.15, the chapter on bus transportation to which this provision refers.

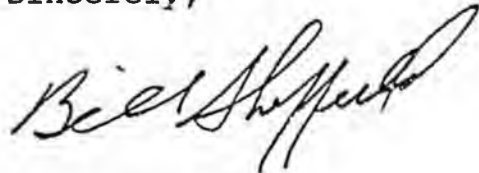
SB-114

-2-

I anticipate that Department of Public Safety personnel will be working with legislative committees on possible amendments to the bill, which may be necessitated by pending federal procedural instructions.

In order to avoid the loss of federal funding needed for Alaska's highway system, I urge your passage of this bill.

Sincerely,

A handwritten signature in cursive script, reading "Bill Sheffield".

Bill Sheffield
Governor

Southern Illinois Builders Ass'n v. Uglivie, C.A. Ill. 1972, 471 F.2d 680.

2. Power of states

State officials were authorized to prescribe number of minority trainees to be employed by

contractor in connection with highway construction projects. Schiaffly v. Volpe, C.A. Ill. 1974, 495 F.2d 273.

§ 141. Enforcement of requirements

(a) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all speed limits on public highways in accordance with section 154 of this title. The Secretary shall not approve any project under section 106 of this title in any State which has failed to certify in accordance with this subsection.

(b) Each State shall certify to the Secretary before January 1 of each year that it is enforcing all State laws respecting maximum vehicle size and weights permitted on the Federal-aid primary system, the Federal-aid urban system, and the Federal-aid secondary system, including the Interstate System in accordance with section 127 of this title.

(c) (1) Each State shall submit to the Secretary such information as the Secretary shall, by regulation, require as necessary, in his opinion, to verify the certification of such State under subsection (b) of this section.

(2) If a State fails to certify as required by subsection (b) of this section or if the Secretary determines that a State is not adequately enforcing all State laws respecting such maximum vehicle size and weights, notwithstanding such a certification, then Federal-aid highway funds apportioned to such State for such fiscal year shall be reduced by amounts equal to 10 per centum of the amount which would otherwise be apportioned to such State under section 104 of this title.

(3) If within one year from the date that the apportionment for any State is reduced in accordance with paragraph (2) of this subsection the Secretary determines that such State is enforcing all State laws respecting maximum size and weights, the apportionment of such State shall be increased by an amount equal to such reduction. If the Secretary does not make such a determination within such one-year period, the amounts so withheld shall be reapportioned to all other eligible States.

(d) The Secretary shall reduce the State's apportionment of Federal-aid highway funds under section 104(b)(5) of this title in an amount up to 25 per centum of the amount to be apportioned in any fiscal year beginning after September 30, 1984, during which heavy vehicles, subject to the use tax imposed by section 4481 of the Internal Revenue Code of 1954, may be lawfully registered in the State without having presented proof of payment, in such form as may be prescribed by the Secretary of the Treasury, of the use tax imposed by section 4481 of such Code. Amounts withheld from apportionment to a State under this subsection shall be apportioned to the other States pursuant to the formulas of section 104(b)(5) of this title and shall be available in the same manner and to the same extent as other Interstate funds apportioned at the same time to other States.

(Added Pub.L. 93-643, § 107(a), Jan. 1, 1975, 88 Stat. 2284, and amended Pub.L. 95-599, Title I, § 123(d), Nov. 6, 1978, 92 Stat. 2702; Pub.L. 97-421, Title I, § 14, Jan. 6, 1983, 96 Stat. 2129.)

References in Text. Section 4481 of the Internal Revenue Code of 1954, referred to in subsec. (d), is section 4481 of Title 26, Internal Revenue Code.

Prior Provisions. A prior section 141, Pub.L. 90-495, § 35(a), Aug. 21, 1968, 82 Stat. 836, providing for real property acquisition policies, was repealed by Pub.L. 91-640, Title III, § 306, Jan. 2, 1971, 84 Stat. 1907, and is now covered by sections 4651(1), (3), and (5) and 4655(1) of Title 42, The Public Health and Welfare.

1983 Amendment. Subsec. (b), Pub.L. 97-424, § 143, added subsec. (d).

1978 Amendment. Pub.L. 95-599 redesignated existing provisions as subsecs. (a) and (b) and added subsec. (c).

Effective Date of 1978 Amendment. Section 123(c) of Pub.L. 95-599, formerly set out as a note under this section, providing that subsec. (c) (2) and (3) of this section be applicable to certifications required by this section to be filed on or after Jan. 1, 1980, was repealed by Pub.L. 96-106, § 12, Nov. 9, 1979, 93 Stat. 798.

Enforcement of Vehicle Weight Limitations. Section 123(a) to (c) of Pub.L. 95-599 provided that:

"(a) Not later than the one-hundred-eightieth day after the date of enactment of this section [Nov. 6, 1978], the Secretary of Transportation, hereunder referred to as the 'Secretary', in consultation with each State shall inventory the existing system of penalties for violations of vehicle weight

laws, rules, and regulations on any portion of any Federal-aid system in such State. Each State shall annually thereafter report to the Secretary its current inventory.

"(b) (1) Not later than the one-hundred-eightieth day after the date of enactment of this section [Nov. 6, 1978], the Secretary, in consultation with each State, shall inventory the existing system in such State for the issuance of special permits. Each State shall annually thereafter report to the Secretary its current inventory.

"(2) For purposes of this subsection, the term "special permit" means a license or permit issued pursuant to State law, rule, or regulation which authorizes a vehicle to exceed the weight limitation for such vehicle established under State law, rule, or regulation.

"(c) Not later than January 1 of the second calendar year which begins after the date of enactment of this section [Nov. 6, 1978] and each

calendar year thereafter the Secretary shall submit to Congress an annual report together with such recommendations as the Secretary deems necessary on (1) the latest annual inventory of State systems of penalties required by subsection (a) of this section; (2) the latest annual inventory of State systems for the issuance of special permits required by subsection (b) of this section; (3) the annual certification submitted by each State required by section 141(b) of title 23, United States Code [subsec. (b) of this section]."

Legislative History. For legislative history and purpose of Pub.L. 93-643, see 1974 U.S. Code Cong. and Adm. News, p. 8011. See also, Pub.L. 95-590, 1978 U.S. Code Cong. and Adm. News, p. 6575; Pub.L. 97-424, 1982 U.S. Code Cong. and Adm. News, p. 3639.

Code of Federal Regulations

Size and weight, see 23 CFR 657.1.

Speed limits, see 23 CFR 659.1.

§ 112. Public transportation

(a) (1) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers thereafter in this section referred to as "buses"), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential high occupancy vehicle lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve high occupancy vehicle and public mass transportation passengers, and sums apportioned under section 104(b) of this title shall be available to finance the cost of projects under this paragraph. If fees are charged for the use of any parking facility constructed under this section, the rate thereof shall not be in excess of that required for maintenance and operation of the facility and the cost of providing shuttle service to and from the facility (including compensation to any person for operating the facility and for providing such shuttle service).

(2) In addition to the projects under paragraph (1), the Secretary may, beginning with the fiscal year ending June 30, 1975, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the purchase of buses, and, beginning with the fiscal year ending June 30, 1976, approve as a project on the Federal-aid urban system, for payment from sums apportioned under section 104(b)(6) of this title, the construction, reconstruction, and improvement of fixed rail facilities, including the purchase of rolling stock for fixed rail, except that not more than \$200,000,000 of all sums apportioned for the fiscal year ending June 30, 1975, under section 104(b)(6) shall be available for the payment of the Federal share of projects for the purchase of buses.

(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential high occupancy vehicle, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title for the fiscal years ending June 30, 1974, and June 30, 1975, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a

Offered: 3/19/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 114 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the registration of heavy vehi-
7 cles; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 28.10.021(a) is amended to read:
10 (a) The owner of a vehicle subject to registration shall apply
11 for registration under this chapter by properly completing the form
12 prescribed by the commissioner under AS 28.05.041. Before the issu-
13 ance of a certificate of registration by the department, the owner
14 shall pay all registration fees and taxes required under this chapter
15 and federal heavy vehicle use taxes required under 26 U.S.C. 4481
16 (Internal Revenue Code of 1954) [AND ALASKA MOTOR FREIGHT CARRIER AND
17 BUS TRANSPORTATION FEES REQUIRED UNDER AS 42,] and shall comply with
18 any other applicable statutes and regulations.
19 * Sec. 2. AS 28.10.041 is amended by adding a new subsection to read:
20 (c) The department shall refuse to register a vehicle subject to
21 the federal heavy vehicle use tax required by 26 U.S.C. 4481 (Internal
22 Revenue Code of 1954) if the applicant fails to furnish proof, in the
23 form prescribed by the U.S. Secretary of the Treasury, that the tax
24 has been paid.
25 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

Introduced: 1/30/85
Referred: State Affairs,
Transportation
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 114

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the registration of heavy vehi-
7 cles; and providing for an effective date."

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

9 * Section 1. AS 28.10.021(a) is amended to read:

10 (a) The owner of a vehicle subject to registration shall apply
11 for registration under this chapter by properly completing the form
12 prescribed by the commissioner under AS 28.05.041. Before the issu-
13 ance of a certificate of registration by the department, the owner
14 shall pay all registration fees and taxes required under this chapter,
15 [AND] Alaska motor freight carrier [AND BUS TRANSPORTATION] fees
16 required under AS 42, and federal heavy vehicle use taxes required
17 under sec. 4481 of the Internal Revenue Code of 1954 (26 U.S.C.), and
18 shall comply with any other applicable statutes and regulations.

19 * Sec. 2. AS 28.10.041 is amended by adding a new subsection to read:

20 (c) The department shall refuse to register a vehicle subject to
21 the federal heavy vehicle use tax required by sec. 4481 of the In-
22 ternal Revenue Code of 1954 (26 U.S.C.) if the applicant fails to
23 furnish proof of payment, in the form prescribed by the U.S. Secretary
24 of the Treasury, that the tax has been paid.

25 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

COMMITTEE REPORT
SENATE

FURTHER:

3/20/85

Date _____

Mr. President

The Committee on FINANCE considered SS SB 117
Alzheimer's disease and related disorders.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title _____
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER

FINANCE

3/1/85

Date

3-19-85

Mr. President

The Committee on HESS considered SS SB 117
relating to Alzheimer's disease and related disorders.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SS SB 117 (HESS)
- new title
- same title and recommends may No Pass
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Joe Josephson
Alvin Stangor
Bill DeWitt
Paul Frick

Butte Fabrikang
Chairman

Do Pass
Chairman recommendation

Offered: 3/20/85
Referred: Finance

Original sponsors: V.Fischer and Josephson

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to Alzheimer's disease and related
7 disorders."

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

9 * Section 1. AS 44.21.230(b) is amended to read:

10 (b) To accomplish its duties, the commission may

11 (1) review, evaluate, and comment upon state programs
12 concerned with the problems and the needs of older Alaskans;

13 (2) collect facts and statistics, and make studies of
14 conditions and problems pertaining to the employment, health, finan-
15 cial security, social welfare, and other concerns that bear upon the
16 well-being of older Alaskans;

17 (3) provide information about public programs that would be
18 of interest or benefit to older Alaskans;

19 (4) appoint special committees, which may include persons
20 who are not members of the commission, to complete necessary studies;

21 (5) promote community education efforts regarding the
22 problems and concerns of older Alaskans;

23 (6) contract for necessary services;

24 (7) consult and cooperate with persons, organizations, and
25 groups interested in or concerned with programs of assistance to older
26 Alaskans;

27 (8) advocate improved programs of benefit to older
28 Alaskans; [AND]

29 (9) set standards for levels of services for older Alaskans
S

COMMITTEE COPY

1 for programs administered by the commission; and

2 (10) make grants to nonprofit organizations for the opera-
3 tion of adult day-care centers, or the provision of services that
4 offer supervision, custodial care, and psychological and physical
5 activities for persons afflicted with Alzheimer's disease and related
6 disorders.

7 * Sec. 2. ALZHEIMER'S DISEASE TASK FORCE. (a) The Older Alaskans
8 Commission shall establish an Alzheimer's disease task force to

9 (1) investigate problems related to the care and diagnosis of
10 people with Alzheimer's disease and related disorders;

11 (2) propose programs and policies to relieve or resolve these
12 problems; and

13 (3) report its findings to the legislature and the governor by
14 February 1, 1986.

15 (b) The task force shall include family members of Alzheimer's dis-
16 ease victims; a social worker, nurse, and physician familiar with geriatric
17 care; and representatives of senior citizens' organizations.
18
19
20
21
22
23
24
25
26
27
28
29

Introduced: 3/1/85
Referred: Health, Education and
Social Services and
Finance

1 IN THE SENATE

BY V.FISCHER AND JOSEPHSON

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to Alzheimer's disease and related
7 disorders."

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

9 * Section 1. AS 44.21.230(b) is amended to read:

10 (b) To accomplish its duties, the commission may

11 (1) review, evaluate, and comment upon state programs
12 concerned with the problems and the needs of older Alaskans;

13 (2) collect facts and statistics, and make studies of
14 conditions and problems pertaining to the employment, health, finan-
15 cial security, social welfare, and other concerns that bear upon the
16 well-being of older Alaskans;

17 (3) provide information about public programs that would be
18 of interest or benefit to older Alaskans;

19 (4) appoint special committees, which may include persons
20 who are not members of the commission, to complete necessary studies;

21 (5) promote community education efforts regarding the
22 problems and concerns of older Alaskans;

23 (6) contract for necessary services;

24 (7) consult and cooperate with persons, organizations, and
25 groups interested in or concerned with programs of assistance to older
26 Alaskans;

27 (8) advocate improved programs of benefit to older
28 Alaskans; [AND]

29 (9) set standards for levels of services for older Alaskans
S

1 for programs administered by the commission; and

2 (10) make grants to nonprofit organizations for the opera-
3 tion of adult day-care centers, or the provision of services that
4 offer supervision, custodial care, and psychological and physical
5 activities for persons afflicted with Alzheimer's disease and related
6 disorders.

7 * Sec. 2. AS 47.05.010 is amended to read:

8 Sec. 47.05.010. DUTIES OF DEPARTMENT. The Department of Health
9 and Social Services shall

10 (1) administer adult public assistance, aid to families
11 with dependent children, and all other assistance programs, and re-
12 ceive and spend funds made available to it;

13 (2) adopt regulations necessary for the conduct of its
14 business and for carrying out federal and state laws granting adult
15 public assistance, aid to families with dependent children, and other
16 assistance;

17 (3) establish minimum standards for personnel employed by
18 the department and adopt necessary regulations to maintain those
19 standards;

20 (4) require those bonds and undertakings from persons
21 employed by it which in its judgment are necessary, and pay the premi-
22 ums on them;

23 (5) cooperate with the federal government in matters of
24 mutual concern pertaining to adult public assistance, aid to families
25 with dependent children, and other forms of public assistance;

26 (6) make the reports, in the form and containing the infor-
27 mation, which the federal government from time to time requires;

28 (7) cooperate with the federal government, its agencies or
29 instrumentalities in establishing, extending and strengthening

1 services for the protection and care of homeless, dependent and ne-
2 glected children in danger of becoming delinquent, and receive and
3 expend funds available to the department by the federal government,
4 the state or its political subdivisions for that purpose;

5 (8) cooperate with the federal government in adopting state
6 plans to make the state eligible for federal matching in appropriate
7 categories of assistance, and in all matters of mutual concern, in-
8 cluding adoption of the methods of administration which are found by
9 the federal government to be necessary for the efficient operation of
10 welfare programs;

11 (9) adopt regulations, not inconsistent with law, defining
12 need, prescribing the conditions of eligibility for assistance, and
13 establishing standards for determining the amount of assistance which
14 an eligible person is entitled to receive; the amount of the assis-
15 tance is sufficient when, added to all other income and resources
16 available to an individual, it provides the individual with a reason-
17 able subsistence compatible with health and well-being; an individual
18 who meets the requirements for eligibility for assistance shall be
19 granted the assistance promptly upon application for it;

20 (10) grant to a person claiming or receiving assistance and
21 who is aggrieved because of the department's action or failure to act,
22 reasonable notice and an opportunity for a fair hearing by the depart-
23 ment, and the department shall adopt regulations relative to this;

24 (11) enter into reciprocal agreements with other states
25 relative to public assistance, welfare services, and institutional
26 care which are considered advisable;

27 (12) establish the requirements of residence for public
28 assistance, welfare services and institutional care which are con-
29 sidered advisable, subject to the limitations of other laws of the

1 state, or law or regulation imposed as conditions for federal finan-
2 cial participation;

3 (13) establish the divisions and local offices which are
4 considered necessary or expedient to carry out a duty or authority
5 assigned to it and appoint and employ the assistants and personnel
6 which are necessary to carry on the work of the divisions and offices,
7 and fix the compensation of the assistants or employees except that a
8 person engaged in business as a retail vendor of general merchandise,
9 or a member of the immediate family of a person who is so engaged, may
10 not serve as an acting, temporary or permanent local agent of the de-
11 partment, unless the commissioner of health and social services certi-
12 fies in writing to the governor, with relation to a particular commu-
13 nity, that no other qualified person is available in the community to
14 serve as local welfare agent; for the purposes of this paragraph, a
15 "member of the immediate family" includes a spouse, child, parent,
16 brother, sister, parent-in-law, brother-in-law or sister-in-law;

17 (14) operate or contract for the operation of a statewide
18 service based in Anchorage for the diagnosis of Alzheimer's disease
19 and related disorders; the center shall provide for at least 20 hours
20 each week the services of a psychiatrist, a psychologist, and a nurse
21 [REPEALED].

22 * Sec. 3. ALZHEIMER'S DISEASE TASK FORCE. (a) The Older Alaskans
23 Commission shall establish an Alzheimer's disease task force to

24 (1) investigate problems related to the care and diagnosis of
25 people with Alzheimer's disease and related disorders;

26 (2) propose programs and policies to relieve or resolve these
27 problems; and

28 (3) report its findings to the legislature and the governor by
29 February 1, 1986.

1 (b) The task force shall include family members of Alzheimer's dis-
2 ease victims; a social worker, nurse, and physician familiar with geriatric
3 care; and representatives of senior citizens' organizations.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

ALASKA STATE LEGISLATURE

1975 Legislature Session

SENATE BILL NO. 117..

By V. FROGER

"An Act relating to Alzheimer's disease and related disorders."

Introduced in the Senate 2/1, 1975

HISTORY IN THE SENATE

19	2	1	Read first time and referred to Committee on												
	3	1	HESS and Finance												
	3	20	SS introduced												
			Reported back with HESS recommendation that replace w/CS, 5 do pass to Finance. Fiti												
			Read second time and												
			Read third time and												
			<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date														
Yeas	Yeas														
Nays	Nays														
Absent	Absent														
Excused	Excused														
			<table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration															
PASS	Effective Date														
Yeas	Yeas														
Nays	Nays														
Absent	Absent														
Excused	Excused														
			Reported correctly engrossed												
			Signed by President												
			Sent to House												

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on												
		Reported back with recommendation that												
		Read second time and												
		Read third time and												
		<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date													
Yeas	Yeas													
Nays	Nays													
Absent	Absent													
Excused	Excused													
		<table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration														
PASS	Effective Date													
Yeas	Yeas													
Nays	Nays													
Absent	Absent													
Excused	Excused													
		Reported correctly engrossed												
		Signed by Speaker												
		Returned to Senate												

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : April 17, 1986

REQUEST

Bill/Resolution No. : CSSSSB 117 (HESS)
 Title : An Act Relating to Alzheimer's Disease and Related Disorders

Sponsor : V. Fischer
 Requestor : Sponsor
 Date of Request : April 11

FISCAL DETAIL

Agency Affected : Administration
 BRU : Older Alaskans Commission

Components : Older Alaskans Services

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-0-					
TRAVEL	-0-	2.5	1.0	1.1	1.2	1.3
CONTRACTUAL	-0-	4.3	1.5	1.6	1.7	1.8
SUPPLIES	-0-	.5				
EQUIPMENT	-0-					
LAND & STRUCTURES	-0-					
GRANTS, CLAIMS	-0-	163.8	172.0	180.6	189.6	199.1
MISCELLANEOUS	-0-					
TOTAL OPERATING	-0-	171.1	174.5	183.3	192.5	202.2

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING : (Thousands of Dollars)

GENERAL FUND	-0-	145.4	147.5	154.9	162.5	170.7
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	25.7	27.0	28.4	30.0	31.5
TOTAL	-0-	171.1	174.5	183.3	192.5	202.2

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

See attached analysis

Prepared by : Jon B. Wolfe *Jon B. Wolfe* Phone : 465-3250
 Division : Older Alaskans Commission *JD* Date : April 17, 1986

Approved by Commissioner : *[Signature]* Date : 4/22/86
 Agency : Department of Administration

Distribution (by Agency preparing fiscal note):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSSSB 117 (HESS)

An Act relating to Alzheimer's disease and related disorders".

This act specifically provides the Older Alaskans Commission with the authority to make grants to nonprofit organizations for the operation of adult day care centers for the purpose of providing supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders.

The Alzheimer's Disease Family Support Group in Anchorage estimates 450 senior citizens have Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease. This terminal disease is characterized by the slow degeneration of mental and, ultimately, physical capacities.

The amount of \$163.8 in the grants line for FY 87 was computed by estimating the cost of two new day care programs. New program costs were based on 12 clients per program with an average usage per week of 3.75 days (195 days per year) times an average cost per client per day of \$35.

$$24 \text{ clients} \times 195 \text{ days} \times \$35 \text{ day} = \$ 163,800$$

Program receipts are shown as other Funding. The amount of 25.7 shown in FY 87 includes client donations averaging \$2.00 per day per client and local match of 10 percent of the total grant.

The bill also establishes an Alzheimer's Disease Task Force. Because staff requirements under this bill are compatible with current Commission duties, personal services costs will be met under the Commission's current budget. No new staff are requested. Costs of the task force will be addressed to the travel, contractual and supply lines in FY 87 only. Minimal travel costs will be incurred for task force activities. Teleconferencing is planned in order to keep task force travel costs to a minimum. The size of the task force is recommended at eight to permit three professionals, two family members, two senior organization members and one staff person.

Travel - Eight member task force travel and per diem 2.5
for two meetings in Anchorage

Contractual - Five teleconferences @ \$500, 4.3
advertising meetings, survey costs and
printing of final report

Supplies - $\frac{.5}{7.3}$

FY 88, through FY 91 grant costs are based on the FY 87 figures plus inflation at 5 percent for each successive year. Program receipts are also increased annually by 5 percent.

Costs associated with the task force are eliminated beginning FY 88 and thereafter. Travel costs are estimated at 1.0 in FY 88 for purposes of program monitoring. Contractual costs for agency long distance charges and teleconferences for training are estimated at 1.5. These costs are adjusted by 5% beginning in FY 89 for inflation.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSSSB 117
 Title: Alzheimer's disease
 and related disorders
 Sponsor: Senate HESS
 Requestor: _____
 Date of Request: 3/22/85

FISCAL DETAIL

Agency Affected: Health & Social Serv.
 Program Category Affected: Public Health
 BRU, Program or Subprogram(s) Affected:
State Health Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 SUPPLIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS	0	0	0	0	0	0
800 MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	----------	----------	----------	----------	----------	----------

REVENUE	0	0	0	0	0	0
----------------	----------	----------	----------	----------	----------	----------

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: Robert I. Fraser, M.D. Phone: 465-3090
 Division: Public Health Date: _____

Approved by Commissioner: John R. Pugh Date: 3/22/85
 Agency: Dept. of Health and Social Services JRC

Distribution (by Agency preparing fiscal note):

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

7/1/84

POSITION PAPER

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117 (HESS)

For "An Act relating to Alzheimer's disease and related disorders."

This committee substitute authorizes the Older Alaskans Commission to award grants for operation of adult day care centers or for other services for persons with Alzheimer's disease and related disorders. It also directs the Commission to establish a task force to present a report by February 1, 1986 on problems related to the care and diagnosis of persons with the disease and on recommended policies and programs to alleviate those problems. The bill deletes provisions contained in earlier versions directing the Department of Health and Social Services to establish a statewide center in Anchorage for the diagnosis of Alzheimer's disease and related disorders.

The Department of Health and Social Services endorses this approach to the problem. The task force can determine the need for diagnostic facilities and make more reliable estimates of costs if a need is established. The Department will cooperate with the task force if so requested.

Recommended by: Donald Bruce For
Robert I. Fraser, M.D.
Director
Division of Public Health

Date: 3/22/85

Approved by: John R. Pugh
John R. Pugh
Commissioner
Department of Health and
Social Services

Date: 3/26/85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SSSB 117
 Title: Alzheimer's disease and related disorders
 Sponsor: V. Fischer et al
 Requestor: _____
 Date of Request: 2/5/85

FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: Public Health
 BRU, Program or Subprogram(s) Affected: Public Health Administration

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	253.8	189.2	196.7	204.6	212.8
400 SUPPLIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS	0	0	0	0	0	0
800 MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	253.8	189.2	196.7	204.6	212.8
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND	0	253.8	189.2	196.7	204.6	212.8
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	253.8	189.2	196.7	204.6	212.8

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

See attached sheet.

Prepared By: R. I. Fraser, M.D. Phone: 465-3090
 Division: Public Health Date: _____

Approved by Commissioner: John R. By Date: 3/15/85 jcc
 Agency: Department of Health & Social Services

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

CALCULATIONS

Staff

1 psychiatrist @ 20 hours per week:	\$40.0
1 psychologist @ 20 hours per week:	17.5
1 nurse @ 20 hours per week:	<u>15.6</u>
Total staff in 1986	\$73.1

Note: Salaries inflated at 4% per year for remainder of period

Patient and escort travel

These figures are based on a patient load of 100 cases in the first year and 50 cases in each of the following years. The first year figure assumes that about two-thirds of the known or suspected cases will use these services in the first year and for subsequent years, it is based on an overall prevalence rate of 8% with incidence spread over a 20 year period for the population age 65 or older. Travel costs are based on airfares from various locations in the state to Anchorage, allowing a 30% senior center discount rate for the patient and full coach fare for the escort. Numbers from each location are based on the senior population in each census district. Per diem for patient and escort is calculated at \$110 per day (total for patient and escort). Transportation in Anchorage is assumed to be provided through existing senior citizen services. No transportation costs are allowed for patients from Anchorage or the Mat-Su Borough or for half the presumed patients from the Kenai. Per diem costs are not provided for Anchorage or Mat-Su residents. Costs for the 100 patients in the first year are estimated to be \$60,500. Costs for 50 patients in the second year are \$31,400 and inflation for the remainder of the period is estimated at 4% annually.

Purchased medical and diagnostic services

For each patient funds are allowed as follows: Complete physical examination - \$150; laboratory tests - \$100; electroencephalogram - \$150; computerized tomographic examination - \$225. For one-half of the patients, \$150 is allowed for other specialized examinations or consultations. Costs for the first year are estimated to be \$70,000. Costs for the second year are \$36,400 and for the remainder of the period are estimated to increase at a 4% annual rate.

Supplies

\$1000 are provided for supplies in the first year and \$500 annually thereafter.

Telephone

Telephone costs are estimated to be \$100 per month with a 4% inflation rate.

Space rental

Allowance is made for rental of 1,000 ft² at a cost of \$3.50/ft²/month for a first year cost of \$42,000. A 4% inflation rate applies thereafter.

Equipment

\$6,000 is allowed for office equipment in the first year.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: March 11, 1985

Page 1 of 3

REQUEST

Bill/Resolution No.: SSSB 117
 Title: An Act relating to Alzheimer's disease and related disorders
 Sponsor: V. Fischer
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Social and Economic Assistance for the Aged
 BRU, Program or Subprogram(s) Affected: Older Alaskans Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-0-					
200 TRAVEL		10.7	4.1	4.5	4.7	4.9
300 CONTRACTUAL		2.3				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		496.3	545.9	600.5	630.5	662.0
800 MISCELLANEOUS						
TOTAL OPERATING	-0	509.3	550.0	605.0	635.2	666.9

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	441.6	485.8	534.4	561.1	589.2
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	67.7	64.2	70.6	74.1	77.7
TOTAL	-0-	509.3	550.0	605.0	635.2	666.9

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Jon B. Wolfe, Executive Director Phone: 465-3250

Division: Older Alaskans Commission Date: March 11, 1985

Approved by Commissioner: Lisa Rudd Date: 3-14-85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

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

Bill SSSB 117
 Fiscal Note Analysis
 Prepared by Division of Older Alaskans Commission
 Department of Administration
March 11, 1985

SSSB 117: "An Act relating to Alzheimer's disease and related disorders".

This act gives the Older Alaskans Commission the authority to make grants to nonprofit organizations for the operation of adult day care centers that provide supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders.

The Alzheimer's Disease Family Support Group in Anchorage has identified 150 senior citizens having Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease.

The amount of \$496.3 in the grants line for FY 86 was computed by estimating the number of potential adult day care clients in communities identified as target areas by various sources. Of the potential clients it was assumed that 65% of those would use adult day care services on a regular basis. Based upon program statistics and costs obtained from the Day Break adult day care program in Anchorage, costs to establish or expand adult day care in the targeted communities were calculated. In communities that have available space in a senior center, the cost per client per day was figured at \$20. The cost per day was figured at \$35 in communities without available space within the senior center. Average usage per week per client was calculated at 3.75 days; or the equivalent of 195 days per year. Client fees were estimated at \$1.27 per client per day. Program expansion for programs currently operating in Anchorage and Chugiak were calculated at their current operating level plus a 7.5% increase. The specific cost break out follows:

Palmer/Wasilla - estimated 30 clients

65% of 30 clients x 195 days x \$35 day =	\$136,500
(65% of clients rounded from 19.5 to 20)	
less estimated client fees	(4,953)
less 10% local match	(13,650)
net cost	\$117,897

Juneau - estimated 15 clients

65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
less estimated client fees	(2,477)
less 10% local match	(3,900)
net cost	\$ 32,623

Nome - estimated 15 clients

65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
less estimated client fees	(2,477)
less 10% local match	(3,900)
net cost	\$32,623

Fairbanks - estimated 35 clients

65% of 35 clients x 195 days x \$35 day =	156,975
(65% of clients rounded from 22.75 to 23)	
less estimated client fees	(5,696)
less 10% local match	(15,698)
net cost	\$135,581

SSSB 117

Page 3 of 3

"An Act relating to Alzheimer's disease and related disorders".
March 11, 1985

Kenai - estimated 25 clients

65% of 25 clients x 195 days x \$35 day = 109,200

(65% of clients rounded from 16.25 to 16)

less estimated client fees (3,962)

less 10% local match (10,920)

net cost \$94,318

Anchorage & Chugiak expansion

15,600

TOTAL COST	\$496,275
LESS TOTAL CLIENT FEES	\$ 19,565
LESS TOTAL MATCH	\$ 48,068
NET COST TO STATE	\$428,642

The costs for FY 87 and FY 88 were increased by 10% for program expansion and inflation. The costs for FY 89 and FY 90 were increased by 5% for inflation.

SSSB 117 establishes an Alzheimer's Disease Task Force. Because staff requirements under this bill are compatible with current Commission duties, personal services costs will be met under the Commission's current budget. No new staff are requested.

Travel costs will be incurred for program development, monitoring and task force activities. Teleconferencing is planned in order to keep task force travel costs to a minimum. The size of the task force is recommended at eight to permit two family members, two senior organization members and one staff person.

Travel

Technical assistance and grant monitoring 3.7

Eight member task force travel and per diem for six meetings in Anchorage 7.0

10.7

Contractual

Three teleconferences @ \$500 1.5

Advertising meetings .3

Printing of final report .5

2.3

Travel costs for monitoring and development only are increased by 10% for FY 87 and FY 88 to meet program expansion and inflation. They are increased by 5% for inflation only in FY 89 and FY 90.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: March 11, 1985

Page 1 of 3

REQUEST

Bill/Resolution No.: SSSB 117
 Title: An Act relating to Alzheimer's disease and related disorders
 Sponsor: V. Fischer
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Social and Economic Assistance for the Aged
 BRU, Program or Subprogram(s) Affected: Older Alaskans Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-0-					
200 TRAVEL		10.7	4.1	4.5	4.7	4.9
300 CONTRACTUAL		2.3				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		496.3	545.9	600.5	630.5	662.0
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	509.3	550.0	605.0	635.2	666.9
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	441.6	485.8	534.4	561.1	589.2
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	67.7	64.2	70.6	74.1	77.7
TOTAL	-0-	509.3	550.0	605.0	635.2	666.9

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Jon B. Wolfe, Executive Director Phone: 465-3250
 Division: Older Alaskans Commission Date: March 11, 1985
 Approved by Commissioner: Lisa Rudd Date: 3-14-85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

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

Bill SSSB 117
 Fiscal Note Analysis
 Prepared by Division of Older Alaskans Commission
 Department of Administration
March 11, 1985

SSSB 117: "An Act relating to Alzheimer's disease and related disorders".

This act gives the Older Alaskans Commission the authority to make grants to nonprofit organizations for the operation of adult day care centers that provide supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders.

The Alzheimer's Disease Family Support Group in Anchorage has identified 150 senior citizens having Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease.

The amount of \$496.3 in the grants line for FY 86 was computed by estimating the number of potential adult day care clients in communities identified as target areas by various sources. Of the potential clients it was assumed that 65% of those would use adult day care services on a regular basis. Based upon program statistics and costs obtained from the Day Break adult day care program in Anchorage, costs to establish or expand adult day care in the targeted communities were calculated. In communities that have available space in a senior center, the cost per client per day was figured at \$20. The cost per day was figured at \$35 in communities without available space within the senior center. Average usage per week per client was calculated at 3.75 days; or the equivalent of 195 days per year. Client fees were estimated at \$1.27 per client per day. Program expansion for programs currently operating in Anchorage and Chugiak were calculated at their current operating level plus a 7.5% increase. The specific cost break out follows:

Palmer/Wasilla - estimated 30 clients

65% of 30 clients x 195 days x \$35 day =	\$136,500
(65% of clients rounded from 19.5 to 20)	
less estimated client fees	(4,953)
less 10% local match	(13,650)
net cost	\$117,897

Juneau - estimated 15 clients

65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
less estimated client fees	(2,477)
less 10% local match	(3,900)
net cost	\$ 32,623

Nome - estimated 15 clients

65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
less estimated client fees	(2,477)
less 10% local match	(3,900)
net cost	\$32,623

Fairbanks - estimated 35 clients

65% of 35 clients x 195 days x \$35 day =	156,975
(65% of clients rounded from 22.75 to 23)	
less estimated client fees	(5,696)
less 10% local match	(15,698)
net cost	\$135,581

"An Act relating to Alzheimer's disease and related disorders".
March 11, 1985

Kenai - estimated 25 clients

65% of 25 clients x 195 days x \$35 day =	109,200
(65% of clients rounded from 16.25 to 16)	
less estimated client fees	(3,962)
less 10% local match	(10,920)
net cost	<u>\$94,318</u>

<u>Anchorage & Chugiak expansion</u>	<u>15,600</u>
--	---------------

TOTAL COST	\$496,275
LESS TOTAL CLIENT FEES	\$ 19,565
LESS TOTAL MATCH	\$ 48,068
NET COST TO STATE	\$428,642

The costs for FY 87 and FY 88 were increased by 10% for program expansion and inflation. The costs for FY 89 and FY 90 were increased by 5% for inflation.

SSSB 117 establishes an Alzheimer's Disease Task Force. Because staff requirements under this bill are compatible with current Commission duties, personal services costs will be met under the Commission's current budget. No new staff are requested.

Travel costs will be incurred for program development, monitoring and task force activities. Teleconferencing is planned in order to keep task force travel costs to a minimum. The size of the task force is recommended at eight to permit two family members, two senior organization members and one staff person.

Travel	
Technical assistance and grant monitoring	3.7
Eight member task force travel and per diem for six meetings in Anchorage	<u>7.0</u>
	10.7
Contractual	
Three teleconferences @ \$500	1.5
Advertising meetings	.3
Printing of final report	<u>.5</u>
	2.3

Travel costs for monitoring and development only are increased by 10% for FY 87 and FY 88 to meet program expansion and inflation. They are increased by 5% for inflation only in FY 89 and FY 90.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 3

REQUEST

Bill/Resolution No.: SS SB 117
 Title: An Act relating to Alzheimer disease and related disorders
 Sponsor: V. Fischer
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Social and Economic Assistance for the Aged
 BRU, Program or Subprogram(s) Affected: Older Alaskans Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-0-					
200 TRAVEL		10.7	4.1	4.5	4.7	4.9
300 CONTRACTUAL		2.3				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		496.3	545.9	600.5	630.5	662.0
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	509.3	550.0	605.0	635.2	666.9
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	509.3	550.0	605.0	635.2	666.9
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Jon B. Wolfe, Executive Director Phone: 465-3250
 Division: Older Alaskans Commission Date: March 4, 1985

Approved by Commissioner: Lisa Rudd Date: 3/6/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

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

Bill SSSB 117
Fiscal Note Analysis
 Prepared by Division of Older Alaskans Commission
Department of Administration
March 4, 1985

SSSB 117: "An Act relating to Alzheimer's disease and related disorders".

This act gives the Older Alaskans Commission the authority to make grants to nonprofit organizations for the operation of adult day care centers that provide supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders.

The Alzheimer's Disease Family Support Group in Anchorage has identified 150 senior citizens having Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease.

The amount of \$496.3 in the contractual line for FY 86 was computed by estimating the number of potential adult day care clients in communities identified as target areas by various sources. Of the potential clients it was assumed that 65% of those would use adult day care services on a regular basis. Based upon program statistics and costs obtained from the Day Break adult day care program in Anchorage, costs to establish or expand adult day care in the targeted communities were calculated. In communities that have available space in a senior center, the cost per client per day was figured at \$20. The cost per day was figured at \$35 in communities without available space within the senior center. Average usage per week per client was calculated at 3.75 days; or the equivalent of 195 days per year. Program expansion for programs currently operating in Anchorage and Chugiak were calculated at their current operating level plus a 7.5% increase. The specific cost break out follows:

<u>Palmer/Wasilla</u> - estimated 30 clients	
65% of 30 clients x 195 days x \$35 day =	\$136,500
(65% of clients rounded from 19.5 to 20)	
<u>Juneau</u> - estimated 15 clients	
65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
<u>Nome</u> - estimated 15 clients	
65% of 15 clients x 195 days x \$20 day =	39,000
(65% of clients rounded from 9.75 to 10)	
<u>Fairbanks</u> - estimated 35 clients	
65% of 35 clients x 195 days x \$35 day =	156,975
(65% of clients rounded from 22.75 to 23)	
<u>Kenai</u> - estimated 25 clients	
65% of 25 clients x 195 days x \$35 day =	109,200
(65% of clients rounded from 16.25 to 16)	
<u>Anchorage & Chugiak expansion</u>	<u>15,600</u>

TOTAL \$496,300

The costs for FY 87 and FY 88 were increased by 10% for program expansion and inflation. The costs for FY 89 and FY 90 were increased by 5% for inflation.

SSSB 117 establishes an Alzheimer's Disease Task Force. Because staff requirements under this bill are compatible with current Commission duties, personal services costs will be met under the Commission's current budget. No new staff are requested.

Travel costs will be incurred for program development, monitoring and task force activities. Teleconferencing is planned in order to keep task force travel costs to a minimum. The size of the task force is recommended at eight to permit two family members, two senior organization members and one staff person.

Travel	
Technical assistance and grant monitoring	3.7
Eight member task force travel and per diem for six meetings in Anchorage	<u>7.0</u>
	10.7
Contractual	
Three teleconferences @ \$500	1.5
Advertising meetings	.3
Printing of final report	<u>.5</u>
	2.3

Travel costs for monitoring and development only are increased by 10% for FY 87 and FY 88 to meet program expansion and inflation. They are increased by 5% for inflation only in FY 89 and FY 90.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 2

REQUEST

Bill/Resolution No.: SB 117
 Title: An Act relating to Alzheimer's disease and related disorders
 Sponsor: V. Fischer
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Social and Economic Assistance for the Aged
 BRU, Program or Subprogram(s) Affected: Older Alaskans Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-0-					
200 TRAVEL		3.7	4.1	4.5	4.7	4.9
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		496.3	545.9	600.5	630.5	662.0
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	500.0	550.0	605.0	635.2	666.9
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	500.0	550.0	605.0	635.2	666.9
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Jon B. Wolfe, Executive Director *Jon B. Wolfe* *AKH* Phone: 465-3250
 Division: Older Alaskans Commission Date: February 11, 1985
 Approved by Commissioner: Lisa Rudd *Lisa Rudd* Date: 2-15-85
 Agency: Department of Administration *LR*

Distribution (by Agency preparing fiscal note):

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

Bill SB 117
 Fiscal Note Analysis
 Prepared by Division of Older Alaskans Commission
 Department of Administration
February 11, 1985

Senate Bill 117: "An Act relating to Alzheimer's disease and related disorders".

This act gives the Older Alaskans Commission the authority to make grants to nonprofit organizations for the operation of adult day care centers that provide supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders.

The Alzheimer's Disease Family Support Group in Anchorage has identified 150 senior citizens having Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease.

The amount of \$500.0 for FY 86 was computed by estimating the number of potential adult day care clients in communities identified as target areas by various sources. Of the potential clients it was assumed that 65% of those would use adult day care services on a regular basis. Based upon program statistics and costs obtained from the Day Break adult day care program in Anchorage, costs to establish or expand adult day care in the targeted communities were calculated. In communities that have available space in a senior center, the cost per client per day was figured at \$20. The cost per day was figured at \$35 in communities without available space within the senior center. Average usage per week per client was calculated at 3.75 days; or the equivalent of 195 days per year. Program expansion for programs currently operating in Anchorage and Chugiak were calculated at their current operating level plus a 7.5% increase. The specific cost break out follows:

<u>Palmer/Wasilla</u> - estimated 30 clients	
65% of 30 clients x 195 days x \$35 day =	\$136,500
<u>Juneau</u> - estimated 15 clients	
65% of 15 clients x 195 days x \$20 day =	39,000
<u>Nome</u> - estimated 15 clients	
65% of 15 clients x 195 days x \$20 day =	39,000
<u>Fairbanks</u> - estimated 35 clients	
65% of 35 clients x 195 days x \$35 day =	156,975
<u>Kenai</u> - estimated 25 clients	
65% of 25 clients x 195 days x \$35 day =	109,200
<u>Anchorage & Chugiak expansion</u>	15,600
Travel for technical assistance and monitoring	3,725
TOTAL	<u>\$500,000</u>

The costs for FY 87 and FY 88 were increased by 10% for program expansion and inflation. The costs for FY 89 and FY 90 were increased by 5% for inflation.

POSITION PAPER

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117

For "An Act relating to Alzheimer's disease and related disorders."

This bill authorizes the Older Alaskans Commission to make grants for the operation of day-care centers providing services to victims of Alzheimer's disease, to establish an Alzheimer's disease task force and the Department of Health and Social Services to operate or contract for a statewide center in Anchorage for the diagnosis of Alzheimer's disease and related disorders. This position paper is concerned solely with the bill's provisions affecting the Department of Health and Social Services.

Alzheimer's and related diseases are organic mental disorders of insidious onset and a course of uniform, gradual progression. In early stages, mental impairment may be the only apparent cognitive deficit but there may also be subtle personality changes. With progression, various cognitive disturbances become quite apparent and behavior and personality are more obviously affected. In the late stage, the individual may be completely mute and inattentive and becomes totally incapable of caring for himself or herself. According to the Diagnostic and Statistical Manual of Mental Disorders (DSM-III) published by the American Psychiatric Association, the duration of symptoms from onset to death is about five years when onset occurs after age 65. Duration is longer with earlier onset.

Prevalence of these disorders given in DSM-III is two to four percent of the population over age 65 with prevalence increasing with advancing age. Other estimates range from two percent in those aged 65 to 70 up to 22 percent for persons 80 years and older. The disease can occur in persons as young as 40. The number of known or presumptive cases of Alzheimer's in Alaska is not known but the Alzheimer's Disease Family Support Group in Anchorage knows of 130-150 cases.

The disease is definitively diagnosable only through brain biopsy or post mortem examination. However, through a series of medical, laboratory, psychological and radiological tests a reasonably accurate diagnosis can be established. Diagnosis is important to exclude treatable forms of dementia such as subdural hematoma, cerebral neoplasms, vitamin B₁₂ deficiency, hypothyroidism, substance intoxication or depression. Diagnosis is also important to allow the family to plan for the emotional and financial demands which the inexorable progression of the disease will exact. A diagnostic center in Anchorage is suggested because many families have had to go out of state for diagnosis and because the facilities for some of the more sophisticated diagnostic procedures such as CT scanning are available there.

A definitive statement of need cannot be made nor can service demand estimates be made with any precision. Competent diagnostic services are

POSITION PAPER/Department of Health & Social Services

essential for proper treatment and for financial planning for the patient and his or her family. The need for a center in Anchorage can be debated since neurologists and other specialists are also available in Fairbanks while a consulting neurologist visits Juneau approximately every three months. CT scanning and electroencephalographic capabilities also exist in Fairbanks and Juneau. Moreover, it seems likely that Medicare coverage for at least a portion of the diagnostic costs would be available to many patients. In view of diminishing state revenues, the Department suggests that the degree to which costs could be offset through Medicaid, other third party payors and family participation should be studied as well as the demand for a single statewide diagnostic center.

Recommended by: *Robert I. Fraser*
Robert I. Fraser, M.D.
Director
Division of Public Health

Date: 12 Mar 85

Approved by: *John R. Pugh*
John R. Pugh
Commissioner
Department of Health &
Social Services

Date: 3/15/85

Position Paper
Sponsor Substitute for Senate Bill 117

This bill gives the Older Alaskans Commission the authority to make grants to nonprofit organizations for the operation of adult day care centers that provide supervision, custodial care and psychological and physical activities for persons afflicted with Alzheimer's disease and related disorders. It also requires the Older Alaskans Commission to establish an Alzheimer's disease task force to investigate problems related to the care and diagnosis of people with the disease; propose programs and policies to relieve or resolve these problems; and report its findings to the legislature and the governor by February 1, 1986. The Older Alaskans Commission, Department of Administration supports this bill.

Alzheimer's disease is a devastating disease that causes a slow degeneration of brain cells. Currently there is no cure for the disease, which is estimated to affect 1.5 - 2.5 million elderly in the United States. The Alzheimer's Disease Family Support Group in Anchorage has identified 150 older Alaskans having Alzheimer's Disease or a related disorder. It is estimated that by the year 2000 one in every ten adults over the age of 65 will be a victim of this disease.

The cause of Alzheimer's disease is unknown. It involves a slow, gradual deterioration of memory, speech, orientation, personality, and the ability to care for oneself. The course of the disease lasts an average of six to eight years, although for some it lasts up to twenty years. It is the fourth leading cause of death among the elderly.

As devastating as the disease is to the victim, it is equally or more devastating to the families of the victims. Not only do they suffer the emotional trauma of watching a loved one turn into a "witless stranger", many have to expend their life savings in helping the victim. Medicare does not fund "custodial care" for Alzheimer's patients; most families do not qualify for Medicaid reimbursement.

Generally, families care for victims at home until they burnout emotionally and/or physically. Burnout occurs due to the stress and isolation resulting from caring for the victim twenty-four hours a day.

Adult day care and respite services can reduce the emotional and financial burdens of the caregivers by relieving them of some of the day-to-day responsibilities of caring for the victim. Day care services can enable the caregiver to maintain steady employment. These services can postpone or prevent burnout, thereby preventing premature institutionalization.

With the average cost of nursing home care at \$140 per day and the approximate \$95 per day for Pioneers' Home placement, adult day care services estimated at \$35 per day can amount to substantial savings for the State.

The Older Alaskans Commission supports the establishment of the Alzheimer's disease task force.

It appears that the intent of the proposed bill is to give the Older Alaskans Commission the authority to award grants for respite services to other frail

elderly at risk of premature institutionalization in addition to victims of Alzheimer's disease and related disorders. If this is the case, it is recommended that Sec. 1 AS 44.21.230 (b)(10) be amended as follows:

"make grants to ... for the operation of adult day care centers and respite care services... for persons afflicted with Alzheimer's disease and related disorders and other frail elderly at risk of premature institutionalization".

This clarification would not change the fiscal note.

It is recommended that "other frail elderly at risk of institutionalization" be included because it would not be cost effective to exclude this client group from service delivery especially in rural areas. In addition, the diagnosis of Alzheimer's disease is often difficult, not available and cost prohibitive.

Jon B. Wolfe
Jon B. Wolfe, Executive Director
Older Alaskans Commission

March 7, 1985
Date

Lisa Rudd
Commissioner Lisa Rudd
Department of Administration

3/8/85
Date

Offered: 3/20/85
Referred: Finance

Original sponsors: V.Fischer and Josephson

1 IN THE SENATE
2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to Alzheimer's disease and related
7 disorders."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 44.21.230(b) is amended to read:
10 (b) To accomplish its duties, the commission may
11 (1) review, evaluate, and comment upon state programs
12 concerned with the problems and the needs of older Alaskans;
13 (2) collect facts and statistics, and make studies of
14 conditions and problems pertaining to the employment, health, finan-
15 cial security, social welfare, and other concerns that bear upon the
16 well-being of older Alaskans;
17 (3) provide information about public programs that would be
18 of interest or benefit to older Alaskans;
19 (4) appoint special committees, which may include persons
20 who are not members of the commission, to complete necessary studies;
21 (5) promote community education efforts regarding the
22 problems and concerns of older Alaskans;
23 (6) contract for necessary services;
24 (7) consult and cooperate with persons, organizations, and
25 groups interested in or concerned with programs of assistance to older
26 Alaskans;
27 (8) advocate improved programs of benefit to older
28 Alaskans; [AND]
29 (9) set standards for levels of services for older Alaskans

1 for programs administered by the commission; and

2 (10) make grants to nonprofit organizations for the opera-
3 tion of adult day-care centers, or the provision of services that
4 offer supervision, custodial care, and psychological and physical
5 activities for persons afflicted with Alzheimer's disease and related
6 disorders.

7 * Sec. 2. ALZHEIMER'S DISEASE TASK FORCE. (a) The Older Alaskans
8 Commission shall establish an Alzheimer's disease task force to

9 (1) investigate problems related to the care and diagnosis of
10 people with Alzheimer's disease and related disorders;

11 (2) propose programs and policies to relieve or resolve these
12 problems; and

13 (3) report its findings to the legislature and the governor by
14 February 1, 1986.

15 (b) The task force shall include family members of Alzheimer's dis-
16 ease victims; a social worker, nurse, and physician familiar with geriatric
17 care; and representatives of senior citizens' organizations.

Introduced: 3/1/85
Referred: Health, Education and
Social Services and
Finance

1 IN THE SENATE

BY V.FISCHER AND JOSEPHSON

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 117

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled, "An Act relating to Alzheimer's disease and related disorders."

7

8

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

9

* Section 1. AS 44.21.230(b) is amended to read:

10

(b) To accomplish its duties, the commission may

11

(1) review, evaluate, and comment upon state programs concerned with the problems and the needs of older Alaskans;

12

13

(2) collect facts and statistics, and make studies of conditions and problems pertaining to the employment, health, financial security, social welfare, and other concerns that bear upon the well-being of older Alaskans;

14

15

16

(3) provide information about public programs that would be of interest or benefit to older Alaskans;

17

18

(4) appoint special committees, which may include persons who are not members of the commission, to complete necessary studies;

19

20

(5) promote community education efforts regarding the problems and concerns of older Alaskans;

21

22

(6) contract for necessary services;

23

24

(7) consult and cooperate with persons, organizations, and groups interested in or concerned with programs of assistance to older Alaskans;

25

26

(8) advocate improved programs of benefit to older Alaskans; [AND]

27

28

(9) set standards for levels of services for older Alaskans

29

1 for programs administered by the commission; and

2 (10) make grants to nonprofit organizations for the opera-
3 tion of adult day-care centers, or the provision of services that
4 offer supervision, custodial care, and psychological and physical
5 activities for persons afflicted with Alzheimer's disease and related
6 disorders.

7 * Sec. 2. AS 47.05.010 is amended to read:

8 Sec. 47.05.010. DUTIES OF DEPARTMENT. The Department of Health
9 and Social Services shall

10 (1) administer adult public assistance, aid to families
11 with dependent children, and all other assistance programs, and re-
12 ceive and spend funds made available to it;

13 (2) adopt regulations necessary for the conduct of its
14 business and for carrying out federal and state laws granting adult
15 public assistance, aid to families with dependent children, and other
16 assistance;

17 (3) establish minimum standards for personnel employed by
18 the department and adopt necessary regulations to maintain those
19 standards;

20 (4) require those bonds and undertakings from persons
21 employed by it which in its judgment are necessary, and pay the premi-
22 ums on them;

23 (5) cooperate with the federal government in matters of
24 mutual concern pertaining to adult public assistance, aid to families
25 with dependent children, and other forms of public assistance;

26 (6) make the reports, in the form and containing the infor-
27 mation, which the federal government from time to time requires;

28 (7) cooperate with the federal government, its agencies or
29 instrumentalities in establishing, extending and strengthening

1 services for the protection and care of homeless, dependent and ne-
2 glected children in danger of becoming delinquent, and receive and
3 expend funds available to the department by the federal government,
4 the state or its political subdivisions for that purpose;

5 (8) cooperate with the federal government in adopting state
6 plans to make the state eligible for federal matching in appropriate
7 categories of assistance, and in all matters of mutual concern, in-
8 cluding adoption of the methods of administration which are found by
9 the federal government to be necessary for the efficient operation of
10 welfare programs;

11 (9) adopt regulations, not inconsistent with law, defining
12 need, prescribing the conditions of eligibility for assistance, and
13 establishing standards for determining the amount of assistance which
14 an eligible person is entitled to receive; the amount of the assis-
15 tance is sufficient when, added to all other income and resources
16 available to an individual, it provides the individual with a reason-
17 able subsistence compatible with health and well-being; an individual
18 who meets the requirements for eligibility for assistance shall be
19 granted the assistance promptly upon application for it;

20 (10) grant to a person claiming or receiving assistance and
21 who is aggrieved because of the department's action or failure to act,
22 reasonable notice and an opportunity for a fair hearing by the depart-
23 ment, and the department shall adopt regulations relative to this;

24 (11) enter into reciprocal agreements with other states
25 relative to public assistance, welfare services, and institutional
26 care which are considered advisable;

27 (12) establish the requirements of residence for public
28 assistance, welfare services and institutional care which are con-
29 sidered advisable, subject to the limitations of other laws of the

1 state, or law or regulation imposed as conditions for federal finan-
2 cial participation;

3 (13) establish the divisions and local offices which are
4 considered necessary or expedient to carry out a duty or authority
5 assigned to it and appoint and employ the assistants and personnel
6 which are necessary to carry on the work of the divisions and offices,
7 and fix the compensation of the assistants or employees except that a
8 person engaged in business as a retail vendor of general merchandise,
9 or a member of the immediate family of a person who is so engaged, may
10 not serve as an acting, temporary or permanent local agent of the de-
11 partment, unless the commissioner of health and social services certi-
12 fies in writing to the governor, with relation to a particular commun-
13 ity, that no other qualified person is available in the community to
14 serve as local welfare agent; for the purposes of this paragraph, a
15 "member of the immediate family" includes a spouse, child, parent,
16 brother, sister, parent-in-law, brother-in-law or sister-in-law;

17 (14) operate or contract for the operation of a statewide
18 service based in Anchorage for the diagnosis of Alzheimer's disease
19 and related disorders; the center shall provide for at least 20 hours
20 each week the services of a psychiatrist, a psychologist, and a nurse
21 [REPEALED].

22 * Sec. 3. ALZHEIMER'S DISEASE TASK FORCE. (a) The Older Alaskans
23 Commission shall establish an Alzheimer's disease task force to

24 (1) investigate problems related to the care and diagnosis of
25 people with Alzheimer's disease and related disorders;

26 (2) propose programs and policies to relieve or resolve these
27 problems; and

28 (3) report its findings to the legislature and the governor by
29 February 1, 1986.

1 (b) The task force shall include family members of Alzheimer's dis-
2 ease victims' a social worker, nurse, and physician familiar with geriatric
3 care; and representatives of senior citizens' organizations.

COMMITTEE REPORT
SENATE

FURTHER:

FINANCE

3/1/85

Date 3-19-85

Mr. President

The Committee on HESS considered SS SB 117
relating to Alzheimer's disease and related disorders.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SS SB 117 (PASS)
- new title
- same title and recommends DO PASS
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Joe Josephson
Alvin Stenzel
Eric De Vito
Paul Frick

Dette Fabrikant
 Chairman
Do Pass
 Chairman recommendation