

LEG. FINANCE - BILLS 1985 - 1986 2189

SB 128 cont. - SB 146

2189

However, federal Medicaid officials have recently reiterated regulatory objections to disregarding income by source rather than solely by amount. The Department has argued this issue extensively, but Medicaid officials remain adamant. Currently, it appears very likely that they would, at the least, disallow federal Medicaid matching funds to anyone who qualifies for Old Age Assistance only because the Department is disregarding the otherwise countable Bonus payment. In the worst case, the issue could result in a federal finding that the Adult Public Assistance program does not comply with Medicaid requirements, and all federal matching Medicaid funds would be withheld.

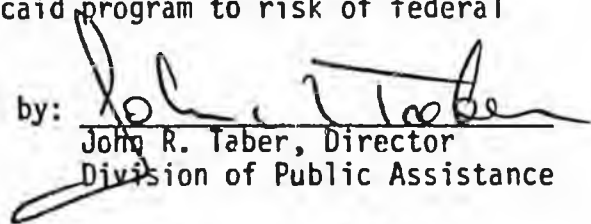
Although these issues might be successfully litigated, the need for stable, continuing medical coverage is too important to elderly recipients to address in the lengthy and uncertain legal arena.

RECOMMENDATIONS

While the Department supports Senate Bill No. 128 as written, there is an alternative approach that presents no risk to federal funding. We propose that Senate Bill No. 128 be amended to provide for an "Alaska Longevity Bonus Hold-Harmless Program" that would be statutorily and fiscally distinct from the Adult Public Assistance program, and that this new program provide for a full medical hold-harmless that would be distinct from the Medicaid program. We suggest that the Department's General Relief statutes be amended (perhaps by adding a subsection to AS 47.23.250) to establish this cash and medical hold-harmless with General Relief and General Relief Medical funding sources.

Under our existing mandate in AS 47.05.010(7) and (8) to maximize federal matching funds, which could be strengthened by a specific statement of legislative intent, the Department would then be free to take every step possible to requalify hold-harmless recipients for Medicaid federal matching funds, without exposing the Medicaid program to risk of federal fiscal penalties.

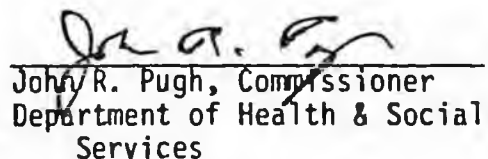
Recommended by:

  
John R. Taber, Director  
Division of Public Assistance

Date:

2-12-85

Approved by:

  
John R. Pugh, Commissioner  
Department of Health & Social  
Services

Date:

2/13/85

COMMITTEE REPORT  
SENATE

FURTHER:

FINANCE

2/20/85

Date

3-14-85

Mr. President

The Committee on HESS considered SB 128

relating to the use of longevity bonus payments in determining adult public assistance; 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 SB 128 (HESS)
- ~~new title~~
- same title and recommends may do pass
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

1 Edm De Vries

Andis Sturgis

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

2 Paul Gish - No fee

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Betty Shreckhoff  
Chairman

DO PASS  
Chairman recommendation

Offered: 3/15/85  
Referred: Finance

Original sponsors: Halford, Rodey,  
Kerttula, et al

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

2 CS FOR SENATE BILL NO. 128 (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 eligibility for longevity bonus  
7 payments and the use of longevity bonus payments in  
8 determining adult public assistance; and providing  
9 for an effective date."

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

11 \* Section 1. AS 47.45.070 is amended to read:

12 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is  
13 one who

14 (1) does not meet the age or residence requirements as  
15 provided for under this chapter;

16 (2) meets the age and residence requirements of this  
17 chapter but either is confined in a state or federal mental health  
18 institution or facility and is certified by the state as unable to  
19 manage personal affairs, or resides in a nursing home as that term is  
20 defined in AS 08.70.180; however, if that person, at the time of  
21 commitment or commencement of residence, provided the principal  
22 support of a spouse, the commissioner of administration may determine  
23 to pay the confined person's bonus to the person's spouse until the  
24 spouse is qualified for a bonus;

25 (3) is otherwise qualified but confined in a penal or  
26 correctional institution or facility; upon completion of sentence or  
27 upon the conferral of a pardon, parole or probation, the person may  
28 make application; confinement outside the state shall be considered as  
29 residence in the state if a person was convicted and sentenced from a

1 court in Alaska; revocation of parole or probation shall be cause for  
2 immediate disqualification until release from confinement is again  
3 effected;

4 (4) voluntarily leaves the state and remains absent from  
5 the state for a continuous period of more than 180 days.

6 \* Sec. 2. AS 47.45 is amended by adding new sections to read:

7 Sec. 47.45.122. ELIGIBILITY FOR PUBLIC ASSISTANCE. An individ-  
8 ual for whom public assistance is denied or reduced solely because of  
9 the receipt of a bonus by the individual or by a member of the indi-  
10 vidual's household is eligible for assistance under the general relief  
11 assistance program under AS 47.25.120 - 47.25.300. Notwithstanding  
12 the limit in AS 47.25.130, the individual is entitled to receive the  
13 same amount as the individual would have received under other public  
14 assistance programs had there been no longevity bonus program.

15 Sec. 47.45.124. ELIGIBILITY FOR STATE PROGRAMS. A program  
16 administered by the state or any of its instrumentalities or munici-  
17 palities, the eligibility for which is based on financial need, may  
18 not consider a bonus as income or resources unless required to do so  
19 by federal law or regulation.

20 \* Sec. 3. This Act takes effect July 1, 1985.

C O R R E C T I O N

Discard SB 128

and retain this corrected version.

Introduced: 2/5/85  
Referred: State Affairs, Health  
Education and Social  
Services and Finance

BY HALFORD, RODEY  
KERTTULA AND RAY

1 IN THE SENATE

2 SENATE BILL NO. 128

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 use of longevity bonus pay-  
7 ments in determining adult public assistance; and  
8 providing for an effective date."

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

10 \* Section 1. AS 47.25.430 is amended by adding a new subsection to  
11 read:

12 (a) If the amount of an individual's benefit under 42 U.S.C.  
13 1381 - 1385 (Title XVI, Social Security Act, Supplemental Security  
14 Income Program) is reduced because of longevity bonus payments under  
15 AS 47.45, the department shall increase the individual's assistance  
16 under AS 47.25.430 - 47.25.615 by the amount of the federal reduction.

17 \* Sec. 2. AS 47.25.435 is amended to read:

18 Sec. 47.25.435. EXCLUSION OF INCOME. Notwithstanding the pro-  
19 visions of AS 47.25.430 - 47.25.615, if the applicable provisions of  
20 42 U.S.C. 301 - 1397f (Social Security Act), as amended, permit, in  
21 determining the need of an applicant for, or a recipient of, an assis-  
22 tance grant under AS 47.25.430 - 47.25.615, the department shall  
23 exclude from the computation of the applicant's or recipient's income  
24 the amounts specified in 42 U.S.C. [SEC.] 1382a(b) as amended, amounts  
25 specified in regulations adopted to implement the supplemental securi-  
26 ty income provisions of federal law, longevity bonus payments received  
27 under AS 47.45, and any amounts specified by the department by regula-  
28 tion so long as exclusion of those amounts is not in conflict with  
29 federal law.

1 \* Sec. 3. This Act takes effect July 1, 1985.

**STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date: 1/16/86

**REQUEST**  
 Bill/Resolution No.: SB 137  
 Title: Senior Citizen Housing  
 \_\_\_\_\_  
 Sponsor: Rodey, Fisher, Zharoff  
 Requestor: C&RA Committee  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**  
 Agency Affected: DCRA  
 BRU: Housing Asst. Division  
 \_\_\_\_\_  
 Components: Housing Construction  
Development  
 \_\_\_\_\_

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		111.4	140.5	155.3	164.6	174.5
TRAVEL		7.0	7.5	8.0	8.5	9.0
CONTRACTUAL		47.0	50.0	195.0	56.2	59.6
SUPPLIES		1.5	2.1	2.2	2.4	2.5
EQUIPMENT		14.1	6.0	6.3	6.7	7.1
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>181.0</b>	<b>212.1</b>	<b>366.8</b>	<b>238.4</b>	<b>252.7</b>

CAPITAL						
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REVENUE						
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		181.0	212.1	366.8	238.4	252.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>181.0</b>	<b>212.1</b>	<b>366.8</b>	<b>238.4</b>	<b>252.7</b>

**POSITIONS :**

FULL-TIME		3	4	4	4	4
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

**ANALYSIS :** Attach a separate page if necessary This proposed legislation would create an "Office of Senior Housing" with substantial additional duties and responsibilities and establish a revolving fund for loans and grants for senior citizen housing. One major assumption is that because only a part of the funding will be used for zero interest loans and these loans are 25 year loans with no repayment until (see attached analysis)

Prepared by: Clark Boston *JB for* Phone: 561-0900  
 Division: Housing Assistance Division Date: 1/16/86

Approved by Commissioner: Emil Notti *Emil Notti* Date: 1/16/86  
 Agency: Community and Regional Affairs

Distribution (by Agency preparing fiscal note):

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

the loan term is reached or upon resale, the fund is not and never will be totally revolving in nature. Also, the revenue generated by the "shared equity" provisions of the bill will not be retained in the fund but will be required to be returned to the general fund. Based on these assumptions, the funding for the additional positions and other expenses will be from the general fund.

Section 3 of the bill provides for the specific duties of the Office of Senior Housing. The duties outlined in Section 3 (1), (2), and (4) are new and extensive duties requiring an additional position. These duties will be accomplished by a new Administrative Assistant, Range 12 position under the direction of an existing position. Also, to implement the requirements of Section 3, (2), there will be required a \$47,000 contractual amount for the development of regulations, public hearings, development of housing inventory, advertising the regulation changes, and advertising the availability of grants and loans for the new program.

Section 4 of the bill establishes a revolving fund for loans and grants for senior citizen housing. Because of the nature of a revolving fund, there will be required an additional Accounting Tech I position required to establish and accomplish the accounting requirements of this revolving fund. Also, a new position of Grant Administrator, Range 17 will be required to administer the grants and loans under this revolving fund. These two positions will be under the supervision of an existing position.

In summary, the new positions required for this Office of Senior Housing are:

Grant Administrator	- Range 17
Administrative Assistant	- Range 12
Accounting Tech I	- Range 12

The increase in positions from three to four in FY'88 is to add an additional Clerk Typist III to accomplish the clerical needs as this program is fully implemented in the second year. The increase in contractual funds in FY'89 is programmed to implement some of the duties of the office that will be deferred for a year or two for implementation.

The request for new position forms are attached to this fiscal note.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: SB 137  
Title: Senior Citizen Housing

Sponsor: Sen. Rodey, Fischer, Zharoff  
Requestor: CRRA Committee  
Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: DCRA  
Program Category Affected: \_\_\_\_\_  
Economic Development  
BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
Housing Assistance Division BRU, Housing  
Construction Development Component

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		138.2	146.5	155.3	164.6	174.5
200 TRAVEL		7.0	7.5	8.0	8.5	9.0
300 CONTRACTUAL		300.0	50.0	53.0	56.2	59.6
400 SUPPLIES		2.0	2.1	2.2	2.4	2.5
500 EQUIPMENT		19.9	6.0	6.3	6.7	7.1
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>467.1</b>	<b>212.1</b>	<b>224.8</b>	<b>238.4</b>	<b>252.7</b>

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS		467.1	212.1	224.8	238.4	252.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>467.1</b>	<b>212.1</b>	<b>224.8</b>	<b>238.4</b>	<b>252.7</b>

POSITIONS:

FULL-TIME		4	4	4	4	4
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

This proposed legislation would create an "Office of Senior Housing" with substantial additional duties and responsibilities and establish a revolving fund for loans and grants for senior citizen housing. One major assumption we are making is that because only a part of the funding will be used for zero interest loans and these loans are 25 year loans with no repayment until the loan term is reached or upon resale, the fund is not and never will be totally

Prepared By: Clark D. Boston, Director *CD/B* Phone: 561-0900  
Division: Housing Assistance Division Date: February 25, 1985

Approved by Commissioner: Emil Notti *EN* Date: February 25, 1985  
Agency: Community & Regional Affairs

Distribution (by Agency preparing fiscal note):

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

7/1/84

revolving in nature. Also, the revenue generated by the "shared equity" provisions of the bill will not be retained in the fund but will be required to be returned to the general fund. Based on these assumptions, the funding for the additional positions and other expenses will be from the general fund.

Section 3 of the bill provides for the specific duties of the Office of Senior Housing. The duties outlined in Section 3 (1), (2), and (4) are new and extensive duties requiring an additional position. These duties will be accomplished by a new Administrative Assistant, Range 12 position under the direction of an existing position. Also, to implement the requirements of Section 3, (2), there will be required a \$300,000 contractual amount for professional service contracts to develop the manuals, blueprints, directory, literature and research on senior citizen housing.

Section 4 of the bill establishes a revolving fund for loans and grants for senior citizen housing. Because of the nature of a revolving fund, there will be required an additional Accounting Tech I position required to establish and accomplish the accounting requirements of this revolving fund. Also, a new position of Grant Administrator, Range 17 will be required to administer the grants and loans under this revolving fund. These two positions will be under the supervision of an existing position.

With the addition of the three professional positions a Clerk Typist III, Range 8 position will be required to provide clerical support to the office.

In summary, the new positions required for this Office of Senior Housing are:

Grant Administrator	- Range 17
Administrative Assistant	- Range 12
Accounting Tech I	- Range 12
Clerk Typist III	- Range 8

The request for new position forms are attached to this fiscal note.

1.	POSITION TITLE Grants Administrator				RANGE/STEP 17 A	ORG. UNIT GEN	PAGE/LINE	COY.	APPROV.	DISAP
2.	TYPE OF POSITION Grand Admin.	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ANCH	ELECTION DISTRICT	LEC.		

3.	CONTINUATION LEVEL		ADDITION	
4.	TYPE OF EXPENDITURE			AMOUNT
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	34.7		
6.	Benefits	5.37		
7.	Supplemental Benefits:	2.13		
8.	Fixed Benefits	2.64		
9.	TOTAL PERSONAL SERVICES	01	44.8	
10.	Travel	02	5.0	
11.	Contractual	03		
12.	Commodities	04	.5	
13.	Equipment	05	2.5	
14.	Other			
15.	TOTAL COST		52.8	

	RECEIPT CODE	FUNDING SOURCE
16.		Federal Receipts 1002
17.		G.F. Match 1003
18.		General Funds 1004
19.		I-A Receipts 1005
20.		Program Receipts 1028
21.		Other

FOR BSM USE ONLY  
KEY NUMBER \_\_\_\_\_

JUSTIFICATION

This position is required to implement the proposed SB 137 "This position would be the head of the "Office of Senior Housing" which is established by this proposed legislation. This position would administer all grants and process and approve all loans made from the proposed Older Alaskans Housing Development Fund. This position will be under the supervision of an existing Public Facilities Planner I, Range 20 position.

REQUEST FOR  
NEW POSITION

AGENCY Community and Regional Affairs  
PROGRAM Economic Development  
BRU Housing Assistance  
COMPONENT Housing Construction Development

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

FY 86

1.	POSITION TITLE Administrative Assistant			RANGE/STEP 12 A/B	DARG. UNIT GEN	PAGE/LINE	CHG.	APPROV.	DATE
2.	TYPE OF POSITION Admin	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION A/C/H	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	25.2	
6.	Benefits	3.9	
7.	Supplemental Benefits	1.55	
8.	Fixed Benefits	2.64	
9.	TOTAL PERSONAL SERVICES	01	33.3
10.	Travel	02	2.0
11.	Contractual	03	300.0
12.	Commodities	04	.5
13.	Equipment	05	5.8
14.	Other		
15.	TOTAL COST		341.6

JUSTIFICATION

This position is required to implement SR137, Section 3. This position will implement this section and accomplish the duties listed under the direction of the existing position of Public Facilities Planner I, Range 20.

The contractual budget is required on a one-time basis to accomplish the requirements listed in the proposed SB 137, Section 3 (2) A thru F.

	RECEIPT CODE	FUNDING SOURCE
16.		Federal Receipts 1002
17.		C.F. Match 1003
18.		General Funds 1004
19.		I-A Receipts 1005
20.		Program Receipts 1020
21.		Other

FOR BSA USE ONLY  
KEY NUMBER \_\_\_\_\_

REQUEST FOR  
NEW POSITION

AGENCY Community and Regional Affairs

PROGRAM Economic Development

BRU Housing Assistance

COMPONENT Housing Construction Development

Page \_\_\_\_\_ of \_\_\_\_\_

Revised Date \_\_\_\_\_

FY 86

1.	POSITION TITLE Accounting Tech I			RANGE/STEP 12 A/B	DARG. UNIT GEN	PAGE/LINE	COV.	APPROV.	(15.5)
2.	TYPE OF POSITION Accounting	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	CRU PRIORITY	LOCATION ANCH	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL		ADDITION	
4.	TYPE OF EXPENDITURE			AMOUNT
	1	2		3
	PERSONAL SERVICES			
5.	Salary	25.2		
6.	Benefits	5.9		
7.	Supplemental Benefits	1.55		
8.	Fixed Benefits	2.64		
9.	TOTAL PERSONAL SERVICES	01		33.3
10.	Travel	02		
11.	Contractual	03		
12.	Commodities	04		.5
13.	Equipment	05		5.8
14.	Other			
15.	TOTAL COST			39.6

JUSTIFICATION

To implement the revolving loan/grant fund proposed in SB 137 Section 4. This accounting position will do all the accounts for the Older Alaskans Housing Development Fund which will be a revolving fund from which loans and grants will be made.

	RECEIPT CODE	FUNDING SOURCE
16.		Federal Receipts 1002
17.		C.F. Match 1003
18.		General Funds 1004
19.		I-A Receipts 1005
20.		Program Receipts 1028
21.		Other

FOR BSM USE ONLY  
KEY NUMBER

REQUEST FOR  
NEW POSITION

AGENCY Community and Regional Affairs  
 PROGRAM Economic Development  
 CRU Housing Assistance  
 COMPONENT Housing Construction Development

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

FY 86

POSITION TITLE Clerk Typist III				RANGE/STEP B A/B	BARG. UNIT GEN	PAGE/LINE	CCY.	AGENCY	DIST.
TYPE OF POSITION Clerical		STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ARCH	ELECTION DISTRICT	LEG.	
CLASSIFICATION LEVEL				ADDITION		JUSTIFICATION			
TYPE OF EXPENDITURE									
PERSONAL SERVICES									
5.	Salary		19.9						
6.	Benefits		3.07						
7.	Supplemental Benefits		1.22						
8.	Fixed Benefits		2.63						
9.	TOTAL PERSONAL SERVICES		01	26.8					
10.	Travel		02						
11.	Contractual		03						
12.	Commodities		04	.5					
13.	Equipment		05	5.8					
14.	Other								
15.	TOTAL COST			33.1					
RECEIPT CODE				FUNDING SOURCE					
16.			Federal Receipts	1002					
17.			G.F. Hatch	1003					
18.			General Funds	1004					
19.			I-A Receipts	1005					
20.			Program Receipts	1020					
21.			Other						
FOR BSA USE ONLY									
KEY NUMBER _____									

This position is required to implement SB 137 and accomplish clerical work for the three professional positions, also required to implement the proposed legislation.

The equipment budget is for a workstation complete with WANG word processing/computer terminal.

REQUEST FOR  
NEW POSITION

AGENCY Community and Regional Affairs

PROGRAM Economic Development

BRU Housing Assistance

COMPONENT Housing Construction Development

Page      of     

Revised Date     

FY 86

Introduced: 2/6/85  
Referred: Community & Regional Affairs  
and Finance

BY RODEY, V.FISCHER,  
AND ZHAROFF

1 IN THE SENATE

SENATE BILL NO. 137

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

2  
3  
4  
5  
6 For an Act entitled: "An Act relating to senior citizen housing; and  
7 providing for an effective date."

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

9 \* Section 1. AS 44.47 is amended by adding a new section to article 10  
10 to read:

11 Sec. 44.47.605. OFFICE OF SENIOR HOUSING. The office of senior  
12 housing is established within the Department of Community and Regional  
13 Affairs, division of housing assistance.

14 \* Sec. 2. AS 44.47.610 is repealed and reenacted to read:

15 Sec. 44.47.610. PURPOSE. There exists in the state a serious  
16 shortage of available and affordable residential housing designed to  
17 meet the special needs of Alaska's senior citizens. It is the purpose  
18 of the office to use both private and public resources to provide a  
19 full range of housing opportunities and services for all older  
20 Alaskans regardless of income. It is also the purpose of the office  
21 to emphasize alternatives to institutionalization, to support indi-  
22 vidual dignity and independence, and to assist senior citizens in  
23 remaining in their own homes for as long as is desirable and appropri-  
24 ate.

25 \* Sec. 3. AS 44.47 is amended by adding a new section to read:

26 Sec. 44.47.615. DUTIES OF THE OFFICE. The office shall

27 (1) provide information and assistance relating to senior  
28 citizen housing to state agencies, senior citizens' organizations,  
29 individual senior citizens, and other interested people;

1 (2) compile and regularly update an information system  
2 including

3 (A) an inventory of senior citizen housing projects in  
4 the state;

5 (B) published manuals describing materials and tech-  
6 niques for the design and construction of senior citizen housing;

7 (C) a set of blueprints describing senior citizen home  
8 improvements;

9 (D) a directory of in-home supportive services for  
10 senior citizens;

11 (E) a description of federal senior citizen housing  
12 assistance;

13 (F) research and literature on new approaches to  
14 senior citizen housing;

15 (3) administer the older Alaskans' housing development  
16 fund; and

17 (4) make an annual report to the Older Alaskans' Commission  
18 (AS 44.21.200) and the legislature of the activities of the office.

19 \* Sec. 4. AS 44.47.620 is amended to read:

20 Sec. 44.47.620. OLDER ALASKANS' [SENIOR CITIZENS] HOUSING  
21 DEVELOPMENT FUND. (a) There is created in the department, as a  
22 revolving fund, an older Alaskans' [A SENIOR CITIZENS] housing devel-  
23 opment fund. Subject to direct appropriation or through proceeds of a  
24 bond issue the department shall make loans to individuals and corpo-  
25 rations considered eligible under standards established by the office  
26 and make grants to municipalities or public or private nonprofit  
27 corporations designated as tax exempt under 26 U.S.C. 501(c)(3) and  
28 (4) (Internal Revenue Code of 1954) for the purpose of developing  
29 senior citizen housing. A grant from the proceeds of a bond issue may

1 be made only to municipalities.

2 (b) Application for a loan or grant under (a) of this section  
3 shall be in the form prescribed by the office [DEPARTMENT]. The  
4 application shall demonstrate the need for senior citizen housing in  
5 the area to be served, the feasibility of the proposed project, and an  
6 adequate management plan that shall demonstrate the ability of the  
7 eligible recipient to sustain the proposed project.

8 (c) All grant projects under this section shall be in accordance  
9 with facility procurement policies developed under AS 35.10.160 -  
10 35.10.200 and are public facilities under those sections. Loan proj-  
11 ects are not subject to facility procurement policies developed under  
12 AS 35.10.160 - 35.10.200.

13 (d) The office [DEPARTMENT] shall adopt regulations to carry out  
14 the purposes of this section. The provisions of the Administrative  
15 Procedure Act (AS 44.62) apply to regulations adopted under this  
16 section.

17 [(e) IN THIS SECTION "SENIOR CITIZEN HOUSING" MEANS A SPECIFIC  
18 WORK OR IMPROVEMENT UNDERTAKEN PRIMARILY TO PROVIDE DWELLING ACCOMMO-  
19 DATIONS FOR PERSONS 60 YEARS OF AGE OR OLDER, INCLUDING BUT NOT LIMIT-  
20 ED TO CONVENTIONAL HOUSING, HOUSING FOR THE FRAIL ELDERLY; GROUP  
21 HOMES, CONGREGATE HOUSING, AND OTHER HOUSING THAT MEETS SPECIAL NEEDS  
22 OF THE ELDERLY; SENIOR CITIZEN HOUSING INCLUDES THE ACQUISITION,  
23 CONSTRUCTION, OR REHABILITATION OF LAND, BUILDINGS, IMPROVEMENTS, AND  
24 OTHER NONHOUSING FACILITIES THAT ARE INCIDENTAL OR APPURTENANT TO THE  
25 HOUSING.]

26 \* Sec. 5. AS 44.47 is amended by adding new sections to read:

27 Sec. 44.47.622. OLDER ALASKANS' HOUSING LOAN PROGRAM. (a) The  
28 office may use funds in the older Alaskans' housing development fund  
29 to make interest free loans for the development of senior citizen

1 housing to individuals and corporations considered eligible under  
standards established by the office.

3 (b) A loan made from the older Alaskans' housing development  
fund may not exceed 50 percent of the lesser of the actual cost or the  
5 appraised value of the project and shall

6 (1) be made interest free, provided that the loan contract  
7 shall provide for equity participation by the state in proportion to  
8 the relationship between the loan amount and total cost of the project;

9 (2) be repaid in a period of 25 years, or upon sale of the  
11 property by the borrower, whichever is sooner, except that the office  
12 may make the loan assumable;

13 (3) provide in the loan contract that, for rental projects,  
14 rents may be raised only once annually and the increase may not be  
15 greater than the increase in the Anchorage consumer price index for  
16 all urban consumers for the same year;

17 (4) provide in the loan contract that, for a project consisting  
18 of five or more units, at least 20 percent of the units must  
19 be reserved for low income senior citizens.

20 (c) A loan made from the older Alaskans' housing development  
21 fund may be subordinated to a first deed of trust held by an authorized  
22 financial institution.

23 Sec. 44.47.626. DEFINITIONS. In AS 44.47.600 - 44.47.626

24 (1) "office" means the office of senior housing;

25 (2) "senior citizen housing" means a specific work or  
26 improvement undertaken primarily to provide dwelling accommodations  
27 for persons 60 years of age or older, including conventional housing,  
28 housing for the frail elderly, group homes, congregate housing, and  
29 other housing that meets special needs of the elderly; senior citizen

1       housing includes the acquisition, construction, or rehabilitation of  
2       land, buildings, improvements, and other nonhousing facilities that  
3       are incidental or appurtenant to the housing.

4       \* Sec. 6. This Act takes effect immediately in accordance with AS 01.-  
5       10.070(c).

6

7

**DEPT. OF COMMUNITY & REGIONAL AFFAIRS**

OFFICE OF THE COMMISSIONER

February 25, 1985

POUCH B  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-4700

949 E. 36TH AVENUE, SUITE 400  
ANCHORAGE, ALASKA 99508  
PHONE: (907) 563-1073

POSITION PAPER

RE: Senate Bill 137

SPONSOR: Senator Rodey, et. al.

Program Effects of Bill:

Senate Bill 137 establishes within the Department of Community and Regional Affairs, Division of Housing Assistance an Office of Senior Housing and specifies four major duties of this office. The bill further establishes an Older Alaskans Housing Development Fund, as a revolving fund, and also establishes an Older Alaskans Housing Loan Program.

Comments:

Of the four duties outlined in the bill for the newly formed Office of Senior Housing, only one is a current duty. The accomplishment of these additional duties will require additional staff as indicated in our fiscal note.

The establishment of the revolving Older Alaskans Housing Development Fund and the Older Alaskans Housing Loan Program will also require additional staff as indicated in our fiscal note.

In addition to new staff there would be substantial contractual funds required to implement the new duties of the office and develop the housing inventory, Senior Housing Information System, blueprints, and manual of state-of-the-art gerontological design and construction methods. Also, computer terminals for the revolving loan fund accounting and word processing, desks, chair, and other equipment necessary would be required. These are all reflected in our fiscal note.

While the Older Alaskans Housing Development Fund is to be a revolving fund it will not be truly revolving. It would require substantial funding each year to continue to provide new housing. The bill requires that the loans be 25-year loans and only a portion of the funding would be in loans. Grants will continue to be given to municipalities, public and private non-profit corporations for development of senior citizen housing. These factors indicate the fund will never be self-sustaining as a revolving account, in fact, the revolving nature of it will be minimal.

Position Paper  
Re: SB 137  
February 25, 1985  
Page Two

With diminishing state revenues, the department cannot, at this time, support this legislation which would require the additional staff and funding to implement.

  
\_\_\_\_\_  
Emil Notti, Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: SB 137  
Title: Senior Citizen Housing

Sponsor: Rodey, Fisher & Zharoff  
Requestor: C&RA Committee  
Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: DCRA  
Program Category Affected: \_\_\_\_\_  
Economic Development  
BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
Housing Assistance Division BRU  
Housing Construction Development Comp.

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		111.4	146.5	155.3	164.6	174.5
200 TRAVEL		7.0	7.5	8.0	8.5	9.0
300 CONTRACTUAL		47.0	50.0	195.0	56.2	59.6
400 SUPPLIES		1.5	2.1	2.2	2.4	2.5
500 EQUIPMENT		14.1	6.0	6.3	6.7	7.1
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>181.0</b>	<b>212.1</b>	<b>366.3</b>	<b>238.4</b>	<b>252.7</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		181.0	212.1	366.8	238.4	252.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>181.0</b>	<b>212.1</b>	<b>366.8</b>	<b>238.4</b>	<b>252.7</b>

POSITIONS:

FULL-TIME		3	4	4	4	4
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

This proposed legislation would create an "Office of Senior Housing" with substantial additional duties and responsibilities and establish a revolving fund for loans and grants for senior citizen housing. One major assumption we are making is that because only a part of the funding will be used for zero interest loans and these loans are 25 year loans with no repayment until

Prepared By: Clark D. Boston Phone: 561-0900  
Division: Housing Assistance/Division Date: 3/28/85

Approved by Commissioner:  Date: 3/28/85  
Agency: Community & Regional Affairs

Distribution (by Agency preparing fiscal note):

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

7/1/84

the loan term is reached or upon resale, the fund is not and never will be totally revolving in nature. Also, the revenue generated by the "shared equity" provisions of the bill will not be retained in the fund but will be required to be returned to the general fund. Based on these assumptions, the funding for the additional positions and other expenses will be from the general fund.

Section 3 of the bill provides for the specific duties of the Office of Senior Housing. The duties outlined in Section 3 (1), (2), and (4) are new and extensive duties requiring an additional position. These duties will be accomplished by a new Administrative Assistant, Range 12 position under the direction of an existing position. Also, to implement the requirements of Section 3, (2), there will be required a \$47,000 contractual amount for the development of regulations, public hearings, development of housing inventory, and advertising the regulation changes, and advertising the availability of grants and loans for the new program.

Section 4 of the bill establishes a revolving fund for loans and grants for senior citizen housing. Because of the nature of a revolving fund, there will be required an additional Accounting Tech I position required to establish and accomplish the accounting requirements of this revolving fund. Also, a new position of Grant Administrator, Range 17 will be required to administer the grants and loans under this revolving fund. These two positions will be under the supervision of an existing position.

In summary, the new positions required for this Office of Senior Housing are:

Grant Administrator	- Range 17
Administrative Assistant	- Range 12
Accounting Tech I	- Range 12

The increase in positions from three to four in FY87 is to add an additional Clerk Typist III to accomplish the clerical needs as this program is fully implemented in the second year. The increase in contractual funds in FY88 is programmed to implement some of the duties of the office that will be deferred for a year or two for implementation.

The request for new position forms are attached to this fiscal note.

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

3/6/85

Date \_\_\_\_\_

Mr. President

The Committee on FINANCE considered SB 137  
senior citizen housing; 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

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\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER:

FINANCE

2/6/85

Date 3/5/85

Mr. President

The Committee on C&RA considered SB 137  
senior citizen housing; efd.

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

- do pass
- do pass with attached amendment ( )
- 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

*James H. ...*  
*J. B. ...*  
*J. ...*

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MEMBERS HAVING  
OTHER RECOMMENDATIONS

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*Ed ...*  
 Chairman  
*do pass with amendment*  
 Chairman recommendation

A M E N D M E N T

Offered in the SENATE

TO: SB 137

By the Community and  
Regional Affairs  
Committee

Page 1, line 26

Delete "shall" and insert "may"

Passed unanimously 3/4/85

Introduced: 2/6/85  
Referred: Community & Regional Affairs  
and Finance

BY RODEY, V. FISCHER  
AND ZHAROFF

1 IN THE SENATE

2 SENATE BILL NO. 137

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 senior citizen housing; and  
7 providing for an effective date."

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

9 \* Section 1. AS 44.47 is amended by adding a new section to article 10  
10 to read:

11 Sec. 44.47.605. OFFICE OF SENIOR HOUSING. The office of senior  
12 housing is established within the Department of Community and Regional  
13 Affairs, division of housing assistance.

14 \* Sec. 2. AS 44.47.610 is repealed and reenacted to read:

15 Sec. 44.47.610. PURPOSE. There exists in the state a serious  
16 shortage of available and affordable residential housing designed to  
17 meet the special needs of Alaska's senior citizens. It is the purpose  
18 of the office to use both private and public resources to provide a  
19 full range of housing opportunities and services for all older  
20 Alaskans regardless of income. It is also the purpose of the office  
21 to emphasize alternatives to institutionalization, to support indi-  
22 vidual dignity and independence, and to assist senior citizens in  
23 remaining in their own homes for as long as is desirable and appropri-  
24 ate.

25 \* Sec. 3. AS 44.47 is amended by adding a new section to read:

26 Sec. 44.47.615. DUTIES OF THE OFFICE. The office shall

27 (1) provide information and assistance relating to senior  
28 citizen housing to state agencies, senior citizens' organizations,  
29 individual senior citizens, and other interested people;

1 (2) compile and regularly update an information system  
2 including

3 (A) an inventory of senior citizen housing projects in  
4 the state;

5 (B) published manuals describing materials and tech-  
6 niques for the design and construction of senior citizen housing;

7 (C) a set of blueprints describing senior citizen home  
8 improvements;

9 (D) a directory of in-home supportive services for  
10 senior citizens;

11 (E) a description of federal senior citizen housing  
12 assistance;

13 (F) research and literature on new approaches to  
14 senior citizen housing;

15 (3) administer the older Alaskans' housing development  
16 fund; and

17 (4) make an annual report to the Older Alaskans' Commission  
18 (AS 44.21.200) and the legislature of the activities of the office.

19 \* Sec. 4. AS 44.47.620 is amended to read:

20 Sec. 44.47.620. OLDER ALASKANS' [SENIOR CITIZENS] HOUSING  
21 DEVELOPMENT FUND. (a) There is created in the department, as a  
22 revolving fund, an older Alaskans' [A SENIOR CITIZENS] housing devel-  
23 opment fund. Subject to direct appropriation or through proceeds of a  
24 bond issue the department shall make loans to individuals and corpo-  
25 rations considered eligible under standards established by the office  
26 and make grants to municipalities or public or private nonprofit  
27 corporations designated as tax exempt under 26 U.S.C. 501(c)(3) and  
28 (4) (Internal Revenue Code of 1954) for the purpose of developing  
29 senior citizen housing. A grant from the proceeds of a bond issue may

1 be made only to municipalities.

2 (b) Application for a loan or grant under (a) of this section  
3 shall be in the form prescribed by the office [DEPARTMENT]. The  
4 application shall demonstrate the need for senior citizen housing in  
5 the area to be served, the feasibility of the proposed project, and an  
6 adequate management plan that shall demonstrate the ability of the  
7 eligible recipient to sustain the proposed project.

8 (c) All grant projects under this section shall be in accordance  
9 with facility procurement policies developed under AS 35.10.160 -  
10 35.10.200 and are public facilities under those sections. Loan proj-  
11 ects are not subject to facility procurement policies developed under  
12 AS 35.10.160 - 35.10.200.

13 (d) The office [DEPARTMENT] shall adopt regulations to carry out  
14 the purposes of this section. The provisions of the Administrative  
15 Procedure Act (AS 44.52) apply to regulations adopted under this  
16 section.

17 ((e) IN THIS SECTION "SENIOR CITIZEN HOUSING" MEANS A SPECIFIC  
18 WORK OR IMPROVEMENT UNDERTAKEN PRIMARILY TO PROVIDE DWELLING ACCOMMO-  
19 DATIONS FOR PERSONS 60 YEARS OF AGE OR OLDER, INCLUDING BUT NOT LIMIT-  
20 ED TO CONVENTIONAL HOUSING, HOUSING FOR THE FRAIL ELDERLY; GROUP  
21 HOMES, CONGREGATE HOUSING, AND OTHER HOUSING THAT MEETS SPECIAL NEEDS  
22 OF THE ELDERLY; SENIOR CITIZEN HOUSING INCLUDES THE ACQUISITION,  
23 CONSTRUCTION, OR REHABILITATION OF LAND, BUILDINGS, IMPROVEMENTS, AND  
24 OTHER NONHOUSING FACILITIES THAT ARE INCIDENTAL OR APPURTENANT TO THE  
25 HOUSING.)

26 \* Sec. 5. AS 44.47 is amended by adding new sections to read:

27 Sec. 44.47.622. OLDER ALASKANS' HOUSING LOAN PROGRAM. (a) The  
28 office may use funds in the older Alaskans' housing development fund  
29 to make interest free loans for the development of senior citizen

1 housing to individuals and corporations considered eligible under  
2 standards established by the office.

3 (b) A loan made from the older Alaskans' housing development  
4 fund may not exceed 50 percent of the lesser of the actual cost or the  
5 appraised value of the project and shall

6 (1) be made interest free, provided that the loan contract  
7 shall provide for equity participation by the state in proportion to  
8 the relationship between the loan amount and total cost of the proj-  
9 ect;

10 (2) be repaid in a period of 25 years, or upon sale of the  
11 property by the borrower, whichever is sooner, except that the office  
12 may make the loan assumable;

13 (3) provide in the loan contract that, for rental projects,  
14 rents may be raised only once annually and the increase may not be  
15 greater than the increase in the Anchorage consumer price index for  
16 all urban consumers for the same year;

17 (4) provide in the loan contract that, for a project con-  
18 sisting of five or more units, at least 20 percent of the units must  
19 be reserved for low income senior citizens.

20 (c) A loan made from the older Alaskans' housing development  
21 fund may be subordinated to a first deed of trust held by an author-  
22 ized financial institution.

23 Sec. 44.47.626. DEFINITIONS. In AS 44.47.600 - 44.47.626

24 (1) "office" means the office of senior housing;

25 (2) "senior citizen housing" means a specific work or  
26 improvement undertaken primarily to provide dwelling accommodations  
27 for persons 60 years of age or older, including conventional housing,  
28 housing for the frail elderly, group homes, congregate housing, and  
29 other housing that meets special needs of the elderly; senior citizen

1 housing includes the acquisition, construction, or rehabilitation of  
2 land, buildings, improvements, and other nonhousing facilities that  
3 are incidental or appurtenant to the housing.

4 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.-  
5 10.070(c).  
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ALASKA STATE LEGISLATURE

14TH Legislature FIRST Session

SENATE BILL NO. 137...

By ...RODEY...V...FISCHER.....

"An Act relating to senior citizen housing; and providing for an effective date."

Introduced in the Senate .2/5/..., 19.85

HISTORY IN THE SENATE

19 85

2 6

3 6

Read first time and referred to Committee on

Community & Regional Affairs and Finance

Reported back with *CSRA* recommendation that *4. do pass*  
*and to finance.*

Read second time and

Read third time and

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

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. ....

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

2/6/85

Date 3/5/85

Mr. President

The Committee on C&RA considered SB 137  
senior citizen housing; efd.

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

- do pass
- do pass with attached amendment
- 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

*William Stangor*  
*J. B. Cochran*  
*J. Ferguson*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Edo De Vries*  
Chairman

*do pass with amendment*  
Chairman recommendation

A M E N D M E N T

Offered in the SENATE

TO: SB 137

By the Community and  
Regional Affairs  
Committee

Page 1, line 26

Delete "shall" and insert "may"

Passed unanimously 3/4/85

COMMITTEE REPORT  
SENATE

FURTHER:

2/26/86

Date 4/8/86

Mr. President

The Committee on FINANCE considered SB 138  
relating to the pricing and promotion of alcoholic beverages.

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 SB 138 (FIC)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation ~~05FC~~ 4/8/86
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Rich Halford

J. Ferguson

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

J. [Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Co Jan [Signature]  
Chairman

do pass  
Chairman recommendation

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

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

**REQUEST**

Bill/Resolution No. : CSSB 138 (Finance)  
 Title : Act relating to pricing  
and marketing of alcoholic  
beverages  
 Sponsor : Sen. V. Fischer  
 Requestor : \_\_\_\_\_  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected : All  
 BRU : \_\_\_\_\_  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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**FUNDING : (Thousands of Dollars)**

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

**POSITIONS :**

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

**ANALYSIS :** Attach a separate page if necessary

Prepared by : \_\_\_\_\_ Phone : 465-4523  
 Division : Senator Jan Faiks, Co-chairman Date : 4/8/86  
Senate Finance Committee

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

Distribution (by Agency preparing fiscal note) :

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

Ford  
4/3/86 ✓

Original sponsor: V.Fischer

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 138 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to pricing and marketing of alco-  
7 holic beverages."

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

9 \* Section 1. AS 04.16 is amended by adding a new section to read:

10 Sec. 04.16.015. PRICING AND MARKETING OF ALCOHOLIC BEVERAGES.

11 (a) On premises where alcoholic beverages are sold by the drink, a  
12 licensee or a licensee's agent or employee may not

13 (1) offer or deliver, as a marketing device to the general  
14 public, free alcoholic beverages to a patron;

15 (2) deliver an alcoholic beverage to a person already  
16 possessing two or more;

17 (3) sell, offer to sell, or deliver alcoholic beverages to  
18 a person or group of persons at a price less than the price regularly  
19 charged for the beverages during the same calendar week, except at  
20 private functions not open to the general public;

21 (4) sell, offer to sell, or deliver an unlimited number of  
22 alcoholic beverages to a person or group of persons during a set  
23 period of time for a fixed price;

24 (5) sell, offer to sell, or deliver alcoholic beverages to  
25 a person or group of persons on any one day at prices less than those  
26 charged the general public on that day, except at private functions  
27 not open to the general public;

28 (6) encourage or permit an organized game or contest on the  
29 licensed premises that involves drinking alcoholic beverages or the

1           awarding of alcoholic beverages as prizes.

2           (b) A licensee or a licensee's agent or employee may not adver-  
3           tise or promote in any way, either on or off the premises, a practice  
4           prohibited under (a) of this section.

5           (c) This section may not be construed to prohibit a licensee or  
6           a licensee's agent or employee from offering free food or entertain-  
7           ment at any time, from serving wine by the bottle or carafe or beer by  
8           the pitcher with or without meals, or from including an alcoholic  
9           beverage as part of a meal package.

10          (d) Notwithstanding (a) and (b) of this section, a licensee or a  
11          licensee's agent may offer or deliver free alcoholic beverages to a  
12          political, charitable, or educational group or organization.



STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: SB 138  
 Title: Pricing and Promotion  
of Alcoholic Beverages  
 Sponsor: Senator V. Fisher  
 Requestor: Sen. State Affairs Comm.  
 Date of Request: February 8, 1985

FISCAL DETAIL

Agency Affected: Dept. of Revenue  
 Program Category Affected: Public  
Protection  
 BRU, Program or Subprogram(s) Affected:  
Alcoholic Beverage Control Board

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patrick L. Shanrock Phone: 277-8638  
 Division: Alcoholic Beverage Control Board Date: 2/12/85  
 Approved by Commissioner: Mary Northale Date: 2/15/85  
 Agency: Department of Revenue

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

7/1/84

## SECTIONAL ANALYSIS OF CS FOR SB 138 (Finance)

CS SB 138 adds a new section to alcohol laws relating to the pricing and promotion of alcoholic drinks. Based on the contention that lower prices for alcoholic beverages is conducive to higher consumption of drinks resulting in an increase in alcohol related problems, the bill would eliminate happy hours.

The term "promotional device" is replaced in the CS with the terms "marketing device to the general public." This change will prohibit instances in which alcoholic beverages are given away to the general public to generate more business, but allow licensees to continue normal business practices in advertising their establishments.

### Section 1

Bar owners would be prohibited from:

--giving away free drinks to patrons as a promotional device, but allow bar owners to exercise a managerial purgative to offer a specific individual a free drink as compensation for some inconvenience;

--delivering a drink to someone who already has two or more;

--selling drinks at a reduced price, except at private functions;

--encouraging or permitting an organized game or contest for patrons on the premises that involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes;

Bar owners would be required to post the prices of drinks, and may only change the prices charged for alcoholic beverages upon the first day of the week. An owner or employee of the establishment may not advertise any of the prohibited practices.

The bill would not prohibit bar owners from:

--raising prices during times when live entertainment was performing;

--offering free food or entertainment;

--serving wine by the bottle or carafe, or beer by the pitcher with or without meals;

--including an alcoholic beverage as part of a meal package.

-- offer or deliver free alcoholic beverages to political, charitable, or educational organizations to be awarded as prizes or to be sold as fund raising activities by the organizations.

Fiscal Implications:

There are no fiscal impacts from the passage of this bill to be considered.

SECTIONAL ANALYSIS OF CS FOR SB 138 (Finance)

CS SB 138 adds a new section to alcohol laws relating to the pricing and promotion of alcoholic drinks. Based on the contention that lower prices for alcoholic beverages is conducive to higher consumption of drinks resulting in an increase in alcohol related problems, the bill would eliminate happy hours.

Section 1

Bar owners would be prohibited from:

- giving away free drinks to patrons;
- delivering a drink to someone who already has two or more;
- selling drinks at a reduced price, except at private functions;
- encouraging or permitting an organized game or contest for patrons on the premises that involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes;

Bar owners would be required to post the prices of drinks, and may only change the prices charged for alcoholic beverages upon the first day of the week. An owner or employee of the establishment may not advertise any of the prohibited practices.

The bill would not prohibit bar owners from:

- raising prices during times when live entertainment was performing;
- offering free food or entertainment;
- serving wine by the bottle or carafe, or beer by the pitcher with meals;
- including an alcoholic beverage as part of a meal package.

Proposed Finance CS

These changes or additions are in response to the memorandum from Legislative Counsel dated April 2, 1986.

1. Page 1, line 13, add the words: to the general public;
2. Page 1, line 27, no change required;
3. Page 2, line 10, add a new subsection to read, "Notwithstanding (a) and (b) of this section, a licensee or a licensee's agent may offer or deliver free alcoholic beverages to political, charitable, or educational organizations to be awarded as prizes or to be sold as fund raising activities by the organizations.
4. Page 2, line 8, add the words: or without;
5. no change desired.

There are no fiscal impacts from the passage of this bill to be considered.

STATE OF ALASKA  
THE LEGISLATURE

POUCHY STATE CAPITOL  
JUNEAU ALASKA 99801  
907 425 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 2, 1986

SUBJECT: Pricing and promotion of alcoholic beverages  
(SB 138(SA))

TO: Senator Jan Faiks

FROM: Michael F. Ford *M. F.*  
Legislative Counsel

You have asked a number of questions concerning SB 138(SA), I will respond to each question in the order you have listed them:

1. An argument could be made that offering a free drink to a customer for some inconvenience is prohibited by Sec. 04.16.015(a)(1), in that it would constitute a "promotional device." This problem could be avoided by adding a qualifying clause, for example "as a promotional device to the general public." This would avoid prohibiting the offering of a drink to a specific individual.
2. I do not think the bill would prohibit an establishment from raising prices charged for alcoholic beverages to provide for entertainment, or otherwise.
3. A licensee who wishes to donate alcoholic beverages for any reason may violate Sec. 04.16.015(a)(1), in that it could constitute a promotional device. This problem can be solved in two ways, either delete 04.16.015(a)(1), and allow establishment to give away alcoholic beverages, or add a subsection to 04.16.015 to specifically allow this type of donation. For example, a new subsection could read, "Notwithstanding (a) and (b) of this section, a licensee or the licensee's agent may offer or deliver free alcoholic beverages...."

I do not think this bill would prohibit wine or beer served without meals, if the words "or without" on page 2, line 8, after "with", the question

# CORRECTION

THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU ALASKA 99801  
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 2, 1986

SUBJECT: Pricing and promotion of alcoholic beverages  
(SB 138(SA))

TO: Senator Jan Faiks

FROM: Michael F. Ford *M. F.*  
Legislative Counsel

You have asked a number of questions concerning SB 138(SA), I will respond to each question in the order you have listed them:

1. An argument could be made that offering a free drink to a customer for some inconvenience is prohibited by Sec. 04.16.015(a)(1), in that it would constitute a "promotional device." This problem could be avoided by adding a qualifying clause, for example "as a promotional device to the general public." This would avoid prohibiting the offering of a drink to a specific individual.
2. I do not think the bill would prohibit an establishment from raising prices charged for alcoholic beverages to provide for entertainment, or otherwise.
3. A licensee who wishes to donate alcoholic beverages for any reason may violate Sec. 04.16.015(a)(1), in that it could constitute a promotional device. This problem can be solved in two ways, either delete 04.16.015(a)(1), and allow an establishment to give away alcoholic beverages, or add a new subsection to 04.16.015 to specifically allow this type of donation. For example, a new subsection could read, "Notwithstanding (a) and (b) of this section, a licensee or a licensee's agent may offer or deliver free alcoholic beverages to ....."
4. Although I do not think this bill would prohibit wine or beer being served without meals, if the words "or without" were inserted on page 2, line 8, after "with", the question

Senator Jan Faiks

Page 2

April 2, 1986

would be clearly resolved. In the alternative, simply delete "with meals."

5. "Promotional" does seem to have a broader context than does the term "marketing." If your intent is only to prohibit instances in which alcoholic beverages are given away to the general public to generate more business, then I suggest that the term "promotional device" be replaced with "marketing device to the general public." This change would also require a change to the title of the bill.

MFF:mkr

m4/062

Alaska State Legislature

CO-CHAIRMAN  
FINANCE COMMITTEE  
907-465-3740



JAN FAIKS  
POUCH V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

Senate

March 27, 1986

MEMORANDUM

TO: Mike Ford  
Division of Legal Services

FROM: Senator Jan Faiks

SUBJECT: Senate Bill 138

On Thursday, April 3, 1986, the Senate Finance Committee is scheduled to consider Senate Bill 138 which would in effect eliminate the practice of happy hours in establishments serving alcoholic beverages. Thus, I would appreciate your researching the following questions:

1. Would any provision in the bill prevent the management of an establishment from compensating a customer for some inconvenience with a free drink?

2. Would any provision in the bill prohibit the management of an establishment from raising the price of alcoholic beverages during times when entertainment is provided?

3. Currently, licensees make donations of alcoholic beverages to political, educational, or charitable organizations to be awarded as prizes or to be sold as fund raising activities by the organizations. Would any provision of the bill prohibit this practice? If so, please provide language which would permit this practice to continue.

4. Considering the words "with meals" appearing in Section 04.16.015 (6) (c), would it be illegal to serve wine by the bottle or beer by the pitcher without meals?

5. In Section 04.16.015 (a) (1) the word "promotional" appears. As a member of my staff discussed with you on the telephone, this word may be

OUT OF SESSION

narrowly construed by readers to be unnecessarily restrictive in light of the purposes of the bill. If the word "marketing" replaced "promotional", could it be defined in such a way as to enhance the purpose of the bill? Would this require a title change to the bill?

Also, I would appreciate the drafting of a committee substitute which would in Section 04.16.015 (a) (1) replace the words "a person or a group of persons" with the word "patron".

Proposed Finance CS

These changes or additions are in response to the memorandum from Legislative Counsel dated April 2, 1986.

1. Page 1, line 13, add the words: to the general public, and replace the words person or group of persons with the word patrons;

2. Page 1, line 27, no change required;

3. Page 2, line 10, add a new subsection to read, "Notwithstanding (a) and (b) of this section, a licensee or a licensee's agent may offer or deliver free alcoholic beverages to political, charitable, or educational organizations to be awarded as prizes or to be sold as fund raising activities by the organizations.

4. Page 2, line 8, add the words: or without;

5. no change desired.

There are no fiscal impacts from the passage of this bill to be considered.

Offered: 2/20/86  
Referred: Judiciary

Original sponsor: V.Fischer

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR SENATE BILL NO. 138 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to pricing and promotion of alco-  
7 holic beverages."

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

9 \* Section 1. AS 04.16 is amended by adding a new section to read:

10 Sec. 04.16.015. PRICING AND PROMOTION OF ALCOHOLIC BEVERAGES.

11 (a) On premises where alcoholic beverages are sold by the drink, a  
12 licensee or a licensee's agent or employee may not

13 (1) offer or deliver, as a promotional device, free alco-  
14 holic beverages to a person or group of persons;

15 (2) deliver an alcoholic beverage to a person already  
16 possessing two or more;

17 (3) sell, offer to sell, or deliver alcoholic beverages to  
18 a person or group of persons at a price less than the price regularly  
19 charged for the beverages during the same calendar week, except at  
20 private functions not open to the general public;

21 (4) sell, offer to sell, or deliver an unlimited number of  
22 alcoholic beverages to a person or group of persons during a set  
23 period of time for a fixed price;

24 (5) sell, offer to sell, or deliver alcoholic beverages to  
25 a person or group of persons on any one day at prices less than those  
26 charged the general public on that day, except at private functions  
27 not open to the general public;

28 (6) encourage or permit an organized game or contest on the  
29 licensed premises that involves drinking alcoholic beverages or the

1       awarding of alcoholic beverages as prizes.

2               (b) A licensee or a licensee's agent or employee may not adver-  
3       tise or promote in any way, either on or off the premises, any of the  
4       practices prohibited under (a) of this section.

5               (c) Nothing contained in this section shall be construed to  
6       prohibit a licensee or a licensee's agent or employee from offering  
7       free food or entertainment at any time, from serving wine by the  
8       bottle or carafe or beer by the pitcher with <sup>or without</sup> meals, or from including  
9       an alcoholic beverage as part of a meal package.

10 (2) NEW SUBSECTION

# Alaska State Legislature

Senator Mitch Aboud  
CHAIRMAN

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

IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4714



## Senate Committee on State Affairs

### Letter of intent - Senate State Affairs

SB 138 - An Act relating to pricing an promotion of alcoholic beverage.

February 20, 1986

It is the intent of the Senate State Affairs Committee in adopting the committee substitute for SB 138, that licensee's of premises where alcoholic beverages are sold by the drink be prohibited from sponsoring "happy Hours" and similar types of alcohol promotion that encourage excessive drinking.

The committee intends that such prohibitions be applied only to actions of the licensee or licensee's agent and not to actions of individuals patrons. Specifically, the Committee intends that the prohibition in Sec. 04.16.015(6) against encouraging or permitting organized games or contests that involve drinking alcoholic beverages or awarding alcoholic beverages as prizes be limited to licensee's or their agents and not to individual patrons.

Offered: 2/20/86  
Referred: Judiciary

Original sponsor: V.Fischer

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 138 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to pricing and promotion of alco-  
7 holic beverages."

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

9 \* Section 1. AS 04.16 is amended by adding a new section to read:

10 Sec. 04.16.015. PRICING AND PROMOTION OF ALCOHOLIC BEVERAGES.

11 (a) On premises where alcoholic beverages are sold by the drink, a  
12 licensee or a licensee's agent or employee may not

13 (1) offer or deliver, as a promotional device, free alco-  
14 holic beverages to a person or group of persons;

15 (2) deliver an alcoholic beverage to a person already  
16 possessing two or more;

17 (3) sell, offer to sell, or deliver alcoholic beverages to  
18 a person or group of persons at a price less than the price regularly  
19 charged for the beverages during the same calendar week, except at  
20 private functions not open to the general public;

21 (4) sell, offer to sell, or deliver an unlimited number of  
22 alcoholic beverages to a person or group of persons during a set  
23 period of time for a fixed price;

24 (5) sell, offer to sell, or deliver alcoholic beverages to  
25 a person or group of persons on any one day at prices less than those  
26 charged the general public on that day, except at private functions  
27 not open to the general public;

28 (6) encourage or permit an organized game or contest on the  
29 licensed premises that involves drinking alcoholic beverages or the

1       awarding of alcoholic beverages as prizes.

2               (b) A licensee or a licensee's agent or employee may not adver-  
3       tise or promote in any way, either on or off the premises, any of the  
4       practices prohibited under (a) of this section.

5               (c) Nothing contained in this section shall be construed to  
6       prohibit a licensee or a licensee's agent or employee from offering  
7       free food or entertainment at any time, from serving wine by the  
8       bottle or carafe or beer by the pitcher with meals, or from including  
9       an alcoholic beverage as part of a meal package.

COMMITTEE REPORT  
SENATE

FURTHER:

JUDICIARY  
FINANCE

2/7/85

Date \_\_\_\_\_

Mr. President

The Committee on STATE AFFAIRS considered SB 138  
relating to the pricing and promotion of alcoholic beverages.

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 SB 138 SA
- 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

Edna DeVries

Bill Ray

V. Kischner

Michael Hood

Chairman

Bob Ross

Chairman recommendation

Introduced: 2/7/85  
Referred: State Affairs,  
Judiciary and Finance

1 IN THE SENATE

BY V. FISCHER

2

SENATE BILL NO. 138

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 pricing and promotion of alco-  
7 holic beverages."

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

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10 Sec. 04.16.015. PRICING AND PROMOTION OF ALCOHOLIC BEVERAGES.

11 (a) On premises where alcoholic beverages are sold by the drink, a  
12 licensee or a licensee's agent or employee may not

13 (1) offer or deliver free alcoholic beverages to a person  
14 or group of persons;

15 (2) deliver an alcoholic beverage to a person already  
16 possessing two or more;

17 (3) sell, offer to sell, or deliver alcoholic beverages to  
18 a person or group of persons at a price less than the price regularly  
19 charged for the beverages during the same calendar week, except at  
20 private functions not open to the general public;

21 (4) sell, offer to sell, or deliver an unlimited number of  
22 alcoholic beverages to a person or group of persons during a set  
23 period of time for a fixed price, except at private functions not open  
24 to the general public;

25 (5) sell, offer to sell, or deliver alcoholic beverages to  
26 a person or group of persons on any one day at prices less than those  
27 charged the general public on that day, except at private functions  
28 not open to the general public;

29 (6) encourage or permit a game or contest that involves

1 drinking alcoholic beverages or the awarding of alcoholic beverages as  
2 prizes.

3 (h) A licensee shall post in a conspicuous location upon prem-  
4 ises where alcoholic beverages are sold by the drink the regular price  
5 for each available alcoholic beverage. Posted prices may be changed  
6 only upon the first day of each calendar week.

7 (c) A licensee or a licensee's agent or employee may not adver-  
8 tise or promote in any way, either on or off the premises, any of the  
9 practices prohibited under (a) of this section.

10 (d) Nothing contained in this section shall be construed to  
11 prohibit a licensee or a licensee's agent or employee from offering  
12 free food or entertainment at any time, from serving wine by the  
13 bottle or carafe or beer by the pitcher with meals, or from including  
14 an alcoholic beverage as part of a meal package.

COMMITTEE REPORT  
SENATE

3/27/85  
HB 208  
FINANCE HOUSE  
SAY WITING  
TABLE

FURTHER:

2/12/85

Date \_\_\_\_\_

Mr. President

The Committee on FINANCE considered SB 146  
authorizing salmon classics.

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

\_\_\_\_\_

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Chairman \_\_\_\_\_

Chairman recommendation \_\_\_\_\_

Introduced: 2/12/85  
Referred: Finance

1 IN THE SENATE

BY ELIASON

2 SENATE BILL NO. 146

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing salmon classics."

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

8 \* Section 1. AS 05.15.100(a) is amended to read:

9 (a) The commissioner of revenue may issue a permit to a munic-  
10 ipality or qualified organization. The permit gives the municipality  
11 or organization the privilege of conducting bingo, raffles and lot-  
12 teries, ice classics, rain classics, salmon classics, dog mushers'  
13 contests, fish derbies and contests of skill.

14 \* Sec. 2. AS 05.15.180(b) is amended to read:

15 (b) With the exception of raffles, lotteries, rain classics,  
16 salmon classics, and other activities authorized under AS 05.15.100-  
17 (b), an [NO] activity may not be licensed under this chapter unless it  
18 existed in the state in substantially the same form and was conducted  
19 in substantially the same manner before January 1, 1959.

20 \* Sec. 3. AS 05.15.210 is amended by adding a new paragraph to read:

21 (24) "salmon classic" means a game of chance in which a  
22 prize of money is awarded for the closest guess of the total number of  
23 salmon harvested commercially statewide during a certain period of  
24 time.

ALASKA STATE LEGISLATURE

14TH Legislature FIRST Session

SENATE BILL NO. 146

By J. HANSON

"An Act authorizing salmon classics."

Introduced in the Senate 2/12/85

HISTORY IN THE SENATE

19 85

Read first time and referred to Committee on

2 12

Finance

Reported back with recommendation that

Read second time and

Read third time and

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

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. ....

ANALYSIS FOR SENATE BILL 146

An Act authorizing salmon classics

This bill amends Chapter 15 of Title V which deals with Games of Chance and Contests of Skill. Under current law, the Department of Revenue may issue a permit to any "qualified organization" for the privilege of conducting bingo, raffles and lotteries, ice classics, rain classics, dog mushers contests, fish derbies and contests of skill.

This bill amends the above section to include salmon classics as proposed by the United Fisherman of Alaska. The contest would entail guessing the number of salmon harvested commercially statewide during a certain period of time. UFA proposes that the time period be April 1 through August 15.

There is no fiscal impact.

SALMON CLASSIC

The United Fishermen of Alaska propose to establish a game of chance wherein a prize of money would be awarded for the closest guess to the total number of salmon harvested statewide. The final determination of the winner would be made when Fish and Game releases their totals for the year. Tickets would be sold from April 1 through August 15. The cut-off date for ticket sales would be late enough during the fishing season to give as many fishermen, tourists and the public a chance to buy a ticket, but early enough so that no one could guess too accurately by calling Fish and Game for up-dated figures; a substantial number of fish are caught after August 15.

Harvests and run sizes fluctuate widely every year, although reasonable guesses will be arrived at by looking at past year's forecasts and harvest figures. The UFA would plan to post the previous ten or fifteen year's forecast and harvest figures on any posters, literature, etc. advertising the classic.

Tickets sold will be numbered consecutively with name, address, etc.. Entries will be entered on computer and available to be checked at any time by any entrant. Proceeds from the ticket sales will go towards a grand cash prize, several other prizes and expenses incurred in operating the classic. Leftover funds will go towards assisting UFA activities.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date

REQUEST

Bill/Resolution No: SB146  
 Title: An Act authorizing Salmon  
Salmon Classics  
 Sponsor: Eliason  
 Requestor: Finance Committee  
 Date of Request: 2/14/85

FISCAL DETAIL

Agency Affected: Revenue  
 Program Category Affected: Games of  
Chance/Licensing  
 BRU, Program or Subprogram(s) Affected:  
Public Services BRU

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
<b>TOTAL OPERATING</b>	-	0	0	0	0	0
<b>CAPITAL</b>	-	0	0	0	0	0
<b>REVENUE</b>	-	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis.

Prepared By: Sally Smith  
 Division: Public Services

Phone: 465-2392

Date: 2/19/85

Approved by Commissioner: Henry D. Andale  
 Agency: Revenue

Date: 2/14/85

Distribution (by Agency preparing fiscal note):

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

Introduced: 2/12/85  
Referred: Finance

1 IN THE SENATE

BY ELIASON

2 SENATE BILL NO. 146

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing salmon classics."

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

8 \* Section 1. AS 05.15.100(a) is amended to read:

9 (a) The commissioner of revenue may issue a permit to a munic-  
10 ipality or qualified organization. The permit gives the municipality  
11 or organization the privilege of conducting bingo, raffles and lot-  
12 teries, ice classics, rain classics, salmon classics, dog mushers'  
13 contests, fish derbies and contests of skill.

14 \* Sec. 2. AS 05.15.180(b) is amended to read:

15 (b) With the exception of raffles, lotteries, rain classics,  
16 salmon classics, and other activities authorized under AS 05.15.100-  
17 (b), an [NO] activity may not be licensed under this chapter unless it  
18 existed in the state in substantially the same form and was conducted  
19 in substantially the same manner before January 1, 1959.

20 \* Sec. 3. AS 05.15.210 is amended by adding a new paragraph to read:

21 (24) "salmon classic" means a game of chance in which a  
22 prize of money is awarded for the closest guess of the total number of  
23 salmon harvested commercially statewide during a certain period of  
24 time.