

LEG. FINANCE - BILLS 1985 - 1986 2216
CSSB 252 - SB 264 2216

HOUSE
COMMITTEE REPORT

(11)

Date referred: 4/22/86

FURTHER REFERRALS:

DATE: 5-10-86

The FINANCE Committee has considered CSSB 252 (Fin)
"An Act relating to applications for absentee ballots."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS CSSB 252 (JUD) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

[Signature]
[Signature]
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SIGNING OTHER RECOMMENDATIONS:

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

[Signature]
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: April 18, 1986

REQUEST

Bill/Resolution No. HCSCSSB 252 (Jud)
 Title: An act relating to absentee ballot applications
 Sponsor: Rav. Kelly
 Requestor: House Judiciary
 Date of Request: April 17, 1986

FISCAL DETAIL

Agency Affected: Office of the Governor
 BRU: Division of Elections
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: *Linda G. Smith*
 Division: Division of Elections

Phone: 465-4611
 Date: April 18, 1986

Approved by Commissioner: *Linda G. Smith*
 Agency: Office of the Governor

Date: April 18, 1986

Distribution (by Agency preparing fiscal note):

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

Offered: 4/22/86
Referred: Finance

Original sponsors: Ray and Kelly

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 252 (Judiciary)
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 applications for absentee bal-
7 lots."

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

9 * Section 1. AS 15.07.070 is amended by adding a new subsection to
10 read:

11 (g) In preparing forms necessary to achieve the purposes of this
12 chapter, the director shall ensure that a form used by a voter to
13 apply for an absentee ballot also permits the person to register to
14 vote and the director may accept a single application from a person
15 that requests absentee ballots for each state election to be held that
16 year.

17 * Sec. 2. AS 15.20.071(a) is amended to read:

18 (a) A qualified voter who is physically disabled, imprisoned, or
19 confined to an institution may vote by [APPLY FOR AN] absentee ballot
20 through a personal representative. A personal representative may
21 apply for an absentee ballot on behalf of a physically disabled voter
22 or a voter imprisoned or confined to an institution to the following
23 election officials at the times specified:

24 (1) to an absentee voting official in the election district
25 in which the voter resides on or after the 15th day before an election
26 up to and including the day of the election;

27 (2) to an election supervisor

28 (A) after a date announced by the director under
29 AS 15.20.048(b); and

1 (B) on or after the 15th day before an election up to
2 and including the date of the election;

3 (3) to an absentee voting official at an absentee voting
4 station designated under AS 15.20.045(b) at a time when the absentee
5 voting station is operating;

6 (4) to a member of the election board [CHAIRMAN OR HIS
7 DESIGNEE] on election day in the precinct in which the voter is enti-
8 tled to vote [EXCEPT THAT THE VOTER MAY NOT APPLY TO THE ELECTION
9 BOARD CHAIRMAN IN AN AREA IN WHICH ABSENTEE VOTING OFFICIALS HAVE BEEN
10 DESIGNATED].

11 * Sec. 3. AS 15.20.071(b) is amended to read:

12 (b) Upon receipt of a written application and exhibition of
13 proof of identification as required in AS 15.15.225 by the personal
14 representative, the election official authorized to issue the absentee
15 ballot shall provide the ballot and other absentee voting material to
16 the personal representative [IF THE WRITTEN APPLICATION IS SIGNED BY
17 THE APPLICANT AND IS ACCOMPANIED BY A LETTER FROM A LICENSED PHYSICIAN
18 OR A STATEMENT SIGNED BY TWO QUALIFIED VOTERS STATING THAT THE APPLI-
19 CANT WILL BE UNABLE TO GO TO THE POLLING PLACE BECAUSE OF PHYSICAL
20 DISABILITY].

21 * Sec. 4. AS 15.20.071(d) is amended to read:

22 (d) Each election official shall keep a record of the name and
23 signature of each personal representative requesting an absentee
24 ballot and the name of the person on whose behalf the ballot is re-
25 quested. The election official shall record the date [AND TIME] the
26 absentee ballot is provided and the date [TIME] the ballot is returned
27 to the election official.

28 * Sec. 5. AS 15.20.081(b) is amended to read:

29 (b) An application for an absentee ballot by mail must be

1 postmarked not more than six months nor less than 14 [SEVEN] days
2 before the election for which the absentee ballot is sought. The
3 application for an absentee ballot shall permit the person to register
4 to vote under AS 15.07.070 and to request an absentee ballot for each
5 state election held that year in which the voter is eligible to vote.
6

Offered: 4/22/86
Referred: Finance

Original sponsors: Ray and Kelly

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 252 (Judiciary)

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 applications for absentee bal-
7 lots."

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

9 * Section 1. AS 15.07.070 is amended by adding a new subsection to
10 read:

11 (g) In preparing forms necessary to achieve the purposes of this
12 chapter, the director shall ensure that a form used by a voter to
13 apply for an absentee ballot also permits the person to register to
14 vote and the director may accept a single application from a person
15 that requests absentee ballots for each state election to be held that
16 year.

17 * Sec. 2. AS 15.20.071(a) is amended to read:

18 (a) A qualified voter who is physically disabled, imprisoned, or
19 confined to an institution may vote by [APPLY FOR AN] absentee ballot
20 through a personal representative. A personal representative may
21 apply for an absentee ballot on behalf of a physically disabled voter
22 or a voter imprisoned or confined to an institution to the following
23 election officials at the times specified:

24 (1) to an absentee voting official in the election district
25 in which the voter resides on or after the 15th day before an election
26 up to and including the day of the election;

27 (2) to an election supervisor

28 (A) after a date announced by the director under
29 AS 15.20.048(b); and

1 (B) on or after the 15th day before an election up to
2 and including the date of the election;

3 (3) to an absentee voting official at an absentee voting
4 station designated under AS 15.20.045(b) at a time when the absentee
5 voting station is operating;

6 (4) to a member of the election board [CHAIRMAN OR HIS
7 DESIGNEE] on election day in the precinct in which the voter is enti-
8 tled to vote [EXCEPT THAT THE VOTER MAY NOT APPLY TO THE ELECTION
9 BOARD CHAIRMAN IN AN AREA IN WHICH ABSENTEE VOTING OFFICIALS HAVE BEEN
10 DESIGNATED].

11 * Sec. 3. AS 15.20.071(b) is amended to read:

12 (b) Upon receipt of a written application and exhibition of
13 proof of identification as required in AS 15.15.225 by the personal
14 representative, the election official authorized to issue the absentee
15 ballot shall provide the ballot and other absentee voting material to
16 the personal representative [IF THE WRITTEN APPLICATION IS SIGNED BY
17 THE APPLICANT AND IS ACCOMPANIED BY A LETTER FROM A LICENSED PHYSICIAN
18 OR A STATEMENT SIGNED BY TWO QUALIFIED VOTERS STATING THAT THE APPLI-
19 CANT WILL BE UNABLE TO GO TO THE POLLING PLACE BECAUSE OF PHYSICAL
20 DISABILITY].

21 * Sec. 4. AS 15.20.071(d) is amended to read:

22 (d) Each election official shall keep a record of the name and
23 signature of each personal representative requesting an absentee
24 ballot and the name of the person on whose behalf the ballot is re-
25 quested. The election official shall record the date [AND TIME] the
26 absentee ballot is provided and the date [TIME] the ballot is returned
27 to the election official.

28 * Sec. 5. AS 15.20.081(b) is amended to read:

29 (b) An application for an absentee ballot by mail must be

1 postmarked not more than six months nor less than 14 [SEVEN] days
2 before the election for which the absentee ballot is sought. The
3 application for an absentee ballot shall permit the person to register
4 to vote under AS 15.07.070 and to request an absentee ballot for each
5 state election held that year in which the voter is eligible to vote.
6

Original sponsors: Ray and Kelly

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 252 (Finance)
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 applications for absentee bai-
7 lots."

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

9 * Section 1. AS 15.07.070 is amended by adding a new subsection to
10 read:

11 (g) In preparing forms necessary to achieve the purposes of this
12 chapter, the director shall ensure that a form used by a voter to
13 apply for an absentee ballot also permits the person to register to
14 vote and the director may accept a single application from a person
15 that requests absentee ballots for each state election to be held that
16 year.

17 * Sec. 2. AS 15.20.071(b) is amended to read:

18 (b) Upon receipt of a written application by personal represen-
19 tative, the election official authorized to issue the absentee ballot
20 shall provide the ballot and other absentee voting material to the
21 personal representative if the written application is signed by the
22 applicant [AND IS ACCOMPANIED BY A LETTER FROM A LICENSED PHYSICIAN OR
23 A STATEMENT SIGNED BY TWO QUALIFIED VOTERS STATING THAT THE APPLICANT
24 WILL BE UNABLE TO GO TO THE POLLING PLACE BECAUSE OF PHYSICAL DISABIL-
25 ITY].

26 * Sec. 3. AS 15.20.081(b) is amended to read:

27 (b) An application for an absentee ballot by mail must be post-
28 marked not more than six months nor less than 14 [SEVEN] days before
29 the election for which the absentee ballot is sought.

Offered: 4/8/85
Referred: Finance

Original sponsors: Ray and Kelly

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 252 (State Affairs)
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 applications for absentee
7 ballots."

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

9 * Section 1. AS 15.07.070 is amended by adding a new subsection to
10 read:

11 (g) In preparing forms necessary to achieve the purposes of this
12 chapter, the director shall ensure that a form used by a voter to
13 apply for an absentee ballot also permits the person to register to
14 vote and the director may accept a single application from a person
15 that requests absentee ballots for each state election to be held that
16 year.

Introduced: 3/22/85
Referred: State Affairs

1 IN THE SENATE

BY RAY AND KELLY

2

SENATE BILL NO. 252

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 registration to vote and to
7 applications for a ballot."

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

9 * Section 1. AS 15.07.070 is amended by adding a new subsection to
10 read:

11 (g) In preparing forms necessary to achieve the purposes of this
12 chapter, the director shall ensure that a form used for the registra-
13 tion of a voter also permits the person to request the ballots for
14 each state election to be held that year and the director may accept a
15 single application from a person that requests registration and absen-
16 tee ballots for each state election to be held that year.

17 * Sec. 2. AS 15.20 is amended by adding a new section to read:

18 Sec. 15.20.082. ABSENTEE VOTING BY MAIL FROM OUTSIDE THE UNITED
19 STATES. (a) The director shall prepare special absentee ballots
20 under this section for use in a state primary, state general election,
21 and state special election where the voter expects to be living,
22 working, or traveling outside the United States at the time of the
23 election and unable to return the ballot by air mail within the time
24 required by this chapter.

25 (b) The director may not distribute an absentee ballot prepared
26 under this section earlier than 60 days before the date of the elec-
27 tion. The director shall identify on the ballot prepared under this
28 section the candidates, offices, ballot issues, and ballot questions
29 then expected by the director to be on the ballot. Except as provided

1 in AS 15.25.070, a voter may use the ballot to write in the name of an
2 eligible candidate for each office and vote on the ballot issues and
3 questions appearing on the ballot.

4 (c) Notwithstanding AS 15.20.081(b), an application for a ballot
5 under this section may be postmarked more than six months before an
6 election but the application shall be postmarked during the year in
7 which the election will be held.

COMMITTEE REPORT
SENATE

FURTHER:

Date 5/8/85

Mr. President

The Committee on Small Business considered SB 161

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" [3] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

**STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 263
 Title: An act relating to disqualification for certain loan programs
 Sponsor: Paiks, Halford et al
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: Alaska Housing Finance Corporation

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

SB 263 would not have a fiscal impact on AHFC. The Corporation would require that any loan application must contain verification that there is not a past due child support obligation.

Prepared By: *Alison R. Paik* Phone: 276-5599
 Division: Alaska Housing Finance Corporation Date: _____

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

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

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 263
 Title: Disqualification
 State loan programs . . . Child Support
 Sponsor: Faiks
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Comm. & Econ. Dev.
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____
 Division of Investments

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		3.3				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		3.3				
CAPITAL		-0-				
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		3.3				
FEDERAL FUNDS						
OTHER						
TOTAL		3.3				

POSITIONS:

FULL-TIME		-0-				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

\$3,300 is requested to revise and reprint existing loan application packets for the loan programs affected by this bill. A new credit authorization form will be sent to the Division of Child Support Enforcement, Department of Revenue, prior to application processing.

Prepared By: Paul B. Arnoldt, Director
 Division: Division of Investments Phone: 465-2510
 Date: _____

Approved by Commissioner: Loren H. Lounsbury Date: 4/19/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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

7/1/84

Revision Date: _____

OFFICE OF THE COMMISSIONER
REQUEST

FISCAL DETAIL

Bill/Resolution No.: SB 263
 Title: Disqualification for cer-
tain loans for failure to pay child support
 Sponsor: Faiks
 Requestor: HESS
 Date of Request: 4-2-85

Agency Affected: Revenue
 Program Category Affected: Child Support
Enforcement Division
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL						
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REVENUE	2.5	2.5	2.5	2.5	2.5	2.5
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FUNDING: (Thousands of Dollars)

GENERAL FUND	.75	.75	.8	.8	.85	.85
FEDERAL FUNDS	1.75	1.75	1.7	1.7	1.65	1.65
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This figure represents one notice per year for each case currently in arrears which includes postage, paper goods, computer time, and photocopy costs.

Prepared By: Holli Ploog
 Division: Child Support Enforcement Division

Phone: 276-3441
 Date: 4-4-85

Approved by Commissioner: [Signature]
 Agency: [Signature]

Date: 4/5/85

Distribution (by Agency preparing fiscal note):

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

Introduced: 3/29/85
Referred: Health, Education and
Social Services and
Finance

BY FAIKS, HALFORD,
ELIASON AND STURGULEWSKI

1 IN THE SENATE

2 SENATE BILL NO. 263

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 disqualification for certain
7 state loan programs for failure to pay child sup-
8 port."

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

10 * Section 1. AS 03.10.030 is amended by adding a new subsection to
11 read:

12 (i) A person is not eligible for a loan under this chapter if
13 the person has a past due child support obligation at the time of
14 application.

15 * Sec. 2. AS 14.43.125(a) is amended to read:

16 (a) A person may apply for and obtain a scholarship loan if the
17 person

18 (1) is a resident of the state at the time of application
19 for a scholarship loan;

20 (2) meets the requirements of (b) of this section; [AND]

21 (3) is

22 (A) enrolled as a full-time student in a career educa-
23 tion or associate or baccalaureate or graduate degree program; or

24 (B) a graduate of a high school or scheduled for
25 graduation from a high school within six months, with sufficient
26 credits to be admitted to a career education program or to an
27 accredited college or university; and

28 (4) does not have a past due child support obligation at
29 the time of application.

1 * Sec. 3. AS 14.43.650(a) is amended to read:

2 (a) To be eligible for a teacher scholarship loan, a student
3 must

4 (1) be a graduate of a public or private high school in the
5 state, with sufficient credits to be admitted to an accredited college
6 or university;

7 (2) be enrolled in or show evidence of intent to enroll in
8 a degree program directed at a teaching career at the elementary or
9 secondary school level;

10 (3) meet the conditions set by the student's local school
11 board with respect to the district's requirements for teachers in
12 particular subject areas; [AND]

13 (4) submit to the local school board an application pro-
14 vided by the student financial aid committee under AS 14.43.630(a)(3);
15 an application may be submitted six months before graduation from high
16 school; and

17 (5) not have a past due child support obligation at the
18 time of application.

19 * Sec. 4. AS 16.10.320(a) is amended to read:

20 (a) A loan under AS 16.10.310 - 16.10.370

21 (1) may not exceed a term of 15 years;

22 (2) may not bear interest exceeding 10-1/2 percent;

23 (3) shall be secured by a first priority lien and appropri-
24 ate security agreement; [AND]

25 (4) may not exceed 90 percent of the appraised value of the
26 collateral used to secure the loan, except that a loan granted under
27 AS 16.10.333 for the purchase of an Alaska limited entry permit may
28 not exceed an amount determined in accordance with (f) or (h) of this
29 section; and

1 (5) may not be made to a person who has a past due child
2 support obligation at the time of application.

3 * Sec. 5. AS 18.56.096(a) is amended to read:

4 (a) The corporation may not make, participate in the making of,
5 purchase, or participate in the purchase of

6 (1) a first mortgage loan under this chapter for a duplex,
7 triplex, or four-plex that exceeds the limitations on first mortgage
8 loans for similar housing purchased by the Federal National Mortgage
9 Association as to principal amount and loan-to-value ratio;

10 (2) a second mortgage loan for a duplex, triplex, or four-
11 plex the amount of which, when combined with the principal balance of
12 a first mortgage loan on the property, exceeds the limitation on the
13 amount set out in (1) of this subsection; that has a loan-to-value
14 ratio, when considered with the principal balance of the first mort-
15 gage loan, that exceeds 90 percent;

16 (3) a mortgage loan to finance the purchase of new housing
17 or for the improvement or rehabilitation of existing housing, unless
18 the construction, improvement, or rehabilitation work has been per-
19 formed by a contractor who is registered to work as a contractor under
20 AS 08.18; this paragraph does not apply if the construction, improve-
21 ment, or rehabilitation work

22 (A) has been totally or substantially performed by the
23 borrower;

24 (B) has been performed by a borrower who acts as the
25 contractor for the construction, improvement, or rehabilitation
26 work; or

27 (C) has been performed in an area designated by the
28 corporation as exempt from the requirements of this paragraph
29 because of the unavailability of registered contractors in that

1 area;

2 (4) a first mortgage loan for a single-family residence
3 that exceeds the limitations on first mortgage loans for similar
4 housing purchased by the Federal National Mortgage Association as to
5 principal amount by more than 10 percent, or has a loan-to-value ratio
6 that exceeds 95 percent, or a second mortgage loan for a single-family
7 residence, the amount of which, when combined with the principal
8 balance of a first mortgage loan on the property, exceeds the limi-
9 tations on loans for similar housing purchased by the Federal National
10 Mortgage Association as to principal amount by more than 10 percent,
11 or has a loan-to-value ratio, when considered with the principal
12 balance of the first mortgage loan, that exceeds 90 percent; or

13 (5) a first or second mortgage loan for rental housing
14 unless the borrower agrees not to discriminate against tenants or
15 prospective tenants because of sex, marital status, changes in marital
16 status, pregnancy, parenthood, race, religion, color, national origin,
17 or status as a student; [OR]

18 (6) a first mortgage loan if the borrower has an outstand-
19 ing first mortgage housing loan under this chapter or an outstanding
20 first mortgage loan for owner-occupied housing under AS 44.47; or

21 (7) a loan to a person who has a past due child support
22 obligation at the time of application.

23 * Sec. 6. AS 26.15.130 is amended by adding a new subsection to read:

24 (c) A person who has a past due child support obligation at the
25 time of application is not eligible for a loan under this chapter.

26 * Sec. 7. AS 27.09.020 is amended by adding a new subsection to read:

27 (b) A person who has a past due child support obligation at the
28 time of application is not eligible for a loan under this chapter.

29 * Sec. 8. AS 44.47.390 is amended to read:

1 Sec. 44.47.390. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN
2 FUND. The director may not use the money in the housing assistance
3 loan fund to

4 (1) originate a direct loan or purchase or participate in
5 the purchase of a nonconforming or rural housing mortgage loan that
6 exceeds the limitations on mortgage loans purchased by the Federal
7 National Mortgage Association as to principal amount or loan-to-value
8 ratio;

9 (2) originate a direct loan or purchase or participate in
10 the purchase of a loan made for building materials for nonconforming
11 or rural housing

12 (A) that exceeds \$45,000 or exceeds

13 (i) 80 percent of the appraised value of the work
14 completed on the nonconforming or rural housing for which
15 the loan is made if the nonconforming or rural housing is
16 pledged as collateral for the loan; or

17 (ii) 90 percent of the value of other property
18 that is pledged as security for the loan and that is satis-
19 factory to the director as collateral;

20 (B) unless the terms of the loan agreement require
21 inspections and certifications, as required by regulations of the
22 director, at the expense of the borrower; and

23 (C) unless the period of time allowed for repayment of
24 the loan is equal to or less than 15 years;

25 (3) originate direct loans or purchase or participate in
26 the purchase of a nonconforming or rural housing mortgage loan that is
27 secured by real property the marketable title to which is shown in
28 accordance with AS 44.47.420(b)(2) if the total amount of outstanding
29 nonconforming and rural housing mortgage loans held by the division

1 exceeds 10 times the amount of money in the restricted title loss
2 reserve account (AS 44.47.430);

3 (4) originate a direct loan for nonconforming or rural
4 housing or purchase or participate in the purchase of a nonconforming
5 or rural housing mortgage loan, other than a loan for the repair,
6 remodeling, rehabilitation, or expansion of an existing owner-
7 occupied residence, if the borrower has an outstanding housing loan
8 made under a state loan program, other than a loan for nonowner-
9 occupied housing under AS 44.47.520, that bears interest at a rate
10 that was less than the prevailing market interest rate for similar
11 housing loans at the time the loan was made;

12 (5) originate a direct mortgage loan or purchase or partic-
13 ipate in the purchase of a mortgage loan for rental housing unless the
14 borrower agrees not to discriminate against tenants or prospective
15 tenants because of sex, marital status, changes in marital status,
16 pregnancy, parenthood, race, religion, color, national origin, or
17 status as a student;

18 (6) originate, purchase, or participate in a loan to a
19 person who has a past due child support obligation at the time of
20 application.

21 * Sec. 9. AS 45.88.020 is amended by adding a new subsection to read:

22 (c) The department may not make a loan under this chapter to a
23 person who has a past due child support obligation at the time of
24 application.

25 * Sec. 10. AS 45.89.030 is amended by adding a new subsection to read:

26 (k) The department may not make a loan under this chapter to a
27 person who has a past due child support obligation at the time of
28 application.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 263
 Title: Disqualification
 State loan programs . . . Child Support
 Sponsor: Faiks
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Comm. & Econ. Dev.
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____
 Division of Investments

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		3.3				
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		3.3				
CAPITAL		-0-				
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		3.3				
FEDERAL FUNDS						
OTHER						
TOTAL		3.3				

POSITIONS:

FULL-TIME		-0-				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

\$3,300 is requested to revise and reprint existing loan application packets for the loan programs affected by this bill. A new credit authorization form will be sent to the Division of Child Support Enforcement, Department of Revenue, prior to application processing.

Prepared By: Paul B. Arnoldt, Director Phone: 465-2510
 Division: Division of Investments Date: _____

Approved by Commissioner: Loren H. Lounsbury Date: 4/19/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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

7/1/84

APR 7 1985

OFFICE OF THE COMMISSIONER

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 263
 Title: Disqualification for cer-
 tain loans for failure to pay child support
 Sponsor: Faiks
 Requestor: HESS
 Date of Request: 4-2-85

FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Child Support
 Enforcement Division
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

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

REVENUE	2.5	2.5	2.5	2.5	2.5	2.5
----------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	.75	.75	.8	.8	.85	.85
FEDERAL FUNDS	1.75	1.75	1.7	1.7	1.65	1.65
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This figure represents one notice per year for each case currently in arrears which includes postage, paper goods, computer time, and photocopy costs.

Prepared By: Holli Ploog / HP Phone: 276-3441
 Division: Child Support Enforcement Division Date: 4-4-85

Approved by Commissioner: [Signature] Date: 4/5/85
 Agency: [Signature]

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

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: SB 263
 Title: An act relating to disqualification for certain loan programs
 Sponsor: Faiks, Halford et al
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL
 Agency Affected: Revenue
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: Alaska Housing Finance Corporation

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

SB 263 would not have a fiscal impact on AHFC. The Corporation would require that any loan application must contain verification that there is not a past due child support obligation.

Prepared By: Alfonso P. [Signature] Phone: 276-5599
 Division: Alaska Housing Finance Corporation Date: _____

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

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

7/1/84

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SB 263
 Title : An acting relating to
disqualification for certain loan
programs.
 Sponsor : Fajks, Halford, et al
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Revenue
 BRU : Alaska Housing Finance Corporation

 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						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

SB 263 would not have a fiscal impact on AHFC. The Corporation would require that any loan application must contain verification that there is not a past due child support obligation.

Prepared by : Ron Lehr Phone : 276-5599
 Division : Alaska Housing Finance Corporation Date : _____
 Approved by Commissioner : [Signature] Date : 3/13/86
 Agency : Revenue

Distribution (by Agency preparing fiscal note):

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SB 263
 Title : Disqualificatio for certain
loans for failure to pay child
support
 Sponsor : Faiks
 Requestor : HESS
 Date of Request : 3/13/86

FISCAL DETAIL

Agency Affected : Revenue
 BRU : Child Support Enforcement
Division
 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						
TOTAL OPERATING						

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

REVENUE	2.5	2.5	2.5	2.5	2.5	2.5
---------	-----	-----	-----	-----	-----	-----

FUNDING : (Thousands of Dollars)

GENERAL FUND	.75	.75	.8	.8	.85	.85
FEDERAL FUNDS	1.75	1.75	1.7	1.7	1.65	1.65
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This figure represents one notice per year for each case currently in arrears which includes postage, paper goods, computer time, and photocopy costs.

Prepared by : Holli Ploog Phone : 276-3441
 Division : Child Support Enforcement Division Date : _____
 Approved by Commissioner : *[Signature]* Date : 3/13/86
 Agency : Revenue

Distribution (by Agency preparing fiscal note):

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

Introduced: 3/29/85
Referred: Health, Education and
Social Services and
Finance

BY FAIKS, HALFORD,
ELIASON AND STURGULEWSKI

1 IN THE SENATE

2

SENATE BILL NO. 263

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 disqualification for certain
7 state loan programs for failure to pay child sup-
8 port."

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

10 * Section 1. AS 03.10.030 is amended by adding a new subsection to
11 read:

12 (i) A person is not eligible for a loan under this chapter if
13 the person has a past due child support obligation at the time of
14 application.

15 * Sec. 2. AS 14.43.125(a) is amended to read:

16 (a) A person may apply for and obtain a scholarship loan if the
17 person

18 (1) is a resident of the state at the time of application
19 for a scholarship loan;

20 (2) meets the requirements of (b) of this section; [AND]

21 (3) is

22 (A) enrolled as a full-time student in a career educa-
23 tion or associate or baccalaureate or graduate degree program; or

24 (B) a graduate of a high school, or scheduled for
25 graduation from a high school within six months, with sufficient
26 credits to be admitted to a career education program or to an
27 accredited college or university; and

28 (4) does not have a past due child support obligation at
29 the time of application.

1 * Sec. 3. AS 14.43.650(a) is amended to read:

2 (a) To be eligible for a teacher scholarship loan, a student
3 must

4 (1) be a graduate of a public or private high school in the
5 state, with sufficient credits to be admitted to an accredited college
6 or university;

7 (2) be enrolled in or show evidence of intent to enroll in
8 a degree program directed at a teaching career at the elementary or
9 secondary school level;

10 (3) meet the conditions set by the student's local school
11 board with respect to the district's requirements for teachers in
12 particular subject areas; [AND]

13 (4) submit to the local school board an application pro-
14 vided by the student financial aid committee under AS 14.43.630(a)(3);
15 an application may be submitted six months before graduation from high
16 school; and

17 (5) not have a past due child support obligation at the
18 time of application.

19 * Sec. 4. AS 16.10.320(a) is amended to read:

20 (a) A loan under AS 16.10.310 - 16.10.370

21 (1) may not exceed a term of 15 years;

22 (2) may not bear interest exceeding 10-1/2 percent;

23 (3) shall be secured by a first priority lien and appropri-
24 ate security agreement; [AND]

25 (4) may not exceed 90 percent of the appraised value of the
26 collateral used to secure the loan, except that a loan granted under
27 AS 16.10.333 for the purchase of an Alaska limited entry permit may
28 not exceed an amount determined in accordance with (f) or (h) of this
29 section; and

1 (5) may not be made to a person who has a past due child
2 support obligation at the time of application.

3 * Sec. 5. AS 18.56.096(a) is amended to read:

4 (a) The corporation may not make, participate in the making of,
5 purchase, or participate in the purchase of

6 (1) a first mortgage loan under this chapter for a duplex,
7 triplex, or four-plex that exceeds the limitations on first mortgage
8 loans for similar housing purchased by the Federal National Mortgage
9 Association as to principal amount and loan-to-value ratio;

10 (2) a second mortgage loan for a duplex, triplex, or four-
11 plex the amount of which, when combined with the principal balance of
12 a first mortgage loan on the property, exceeds the limitation on the
13 amount set out in (1) of this subsection or that has a loan-to-value
14 ratio, when considered with the principal balance of the first mort-
15 gage loan, that exceeds 90 percent;

16 (3) a mortgage loan to finance the purchase of new housing
17 or for the improvement or rehabilitation of existing housing, unless
18 the construction, improvement, or rehabilitation work has been per-
19 formed by a contractor who is registered to work as a contractor under
20 AS 08.18; this paragraph does not apply if the construction, improve-
21 ment, or rehabilitation work

22 (A) has been totally or substantially performed by the
23 borrower;

24 (B) has been performed by a borrower who acts as the
25 contractor for the construction, improvement, or rehabilitation
26 work; or

27 (C) has been performed in an area designated by the
28 corporation as exempt from the requirements of this paragraph
29 because of the unavailability of registered contractors in that

1 area;

2 (4) a first mortgage loan for a single-family residence
3 that exceeds the limitations on first mortgage loans for similar
4 housing purchased by the Federal National Mortgage Association as to
5 principal amount by more than 10 percent, or has a loan-to-value ratio
6 that exceeds 95 percent, or a second mortgage loan for a single-family
7 residence, the amount of which, when combined with the principal
8 balance of a first mortgage loan on the property, exceeds the limi-
9 tations on loans for similar housing purchased by the Federal National
10 Mortgage Association as to principal amount by more than 10 percent,
11 or has a loan-to-value ratio, when considered with the principal
12 balance of the first mortgage loan, that exceeds 90 percent; or

13 (5) a first or second mortgage loan for rental housing
14 unless the borrower agrees not to discriminate against tenants or
15 prospective tenants because of sex, marital status, changes in marital
16 status, pregnancy, parenthood, race, religion, color, national origin,
17 or status as a student; [OR]

18 (6) a first mortgage loan if the borrower has an outstand-
19 ing first mortgage housing loan under this chapter or an outstanding
20 first mortgage loan for owner-occupied housing under AS 44.47; or

21 (7) a loan to a person who has a past due child support
22 obligation at the time of application.

23 * Sec. 6. AS 26.15.130 is amended by adding a new subsection to read:

24 (c) A person who has a past due child support obligation at the
25 time of application is not eligible for a loan under this chapter.

26 * Sec. 7. AS 27.09.020 is amended by adding a new subsection to read:

27 (b) A person who has a past due child support obligation at the
28 time of application is not eligible for a loan under this chapter.

29 * Sec. 8. AS 44.47.390 is amended to read:

1 Sec. 44.47.390. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN
2 FUND. The director may not use the money in the housing assistance
3 loan fund to

4 (1) originate a direct loan or purchase or participate in
5 the purchase of a nonconforming or rural housing mortgage loan that
6 exceeds the limitations on mortgage loans purchased by the Federal
7 National Mortgage Association as to principal amount or loan-to-value
8 ratio;

9 (2) originate a direct loan or purchase or participate in
10 the purchase of a loan made for building materials for nonconforming
11 or rural housing

12 (A) that exceeds \$45,000 or exceeds

13 (i) 80 percent of the appraised value of the work
14 completed on the nonconforming or rural housing for which
15 the loan is made if the nonconforming or rural housing is
16 pledged as collateral for the loan; or

17 (ii) 90 percent of the value of other property
18 that is pledged as security for the loan and that is satis-
19 factory to the director as collateral;

20 (B) unless the terms of the loan agreement require
21 inspections and certifications, as required by regulations of the
22 director, at the expense of the borrower; and

23 (C) unless the period of time allowed for repayment of
24 the loan is equal to or less than 15 years;

25 (3) originate direct loans or purchase or participate in
26 the purchase of a nonconforming or rural housing mortgage loan that is
27 secured by real property the marketable title to which is shown in
28 accordance with AS 44.47.420(b)(2) if the total amount of outstanding
29 nonconforming and rural housing mortgage loans held by the division

1 exceeds 10 times the amount of money in the restricted title loss
2 reserve account (AS 44.47.430);

3 (4) originate a direct loan for nonconforming or rural
4 housing or purchase or participate in the purchase of a nonconforming
5 or rural housing mortgage loan, other than a loan for the repair,
6 remodeling, rehabilitation, or expansion of an existing owner-
7 occupied residence, if the borrower has an outstanding housing loan
8 made under a state loan program, other than a loan for nonowner-
9 occupied housing under AS 44.47.520, that bears interest at a rate
10 that was less than the prevailing market interest rate for similar
11 housing loans at the time the loan was made;

12 (5) originate a direct mortgage loan or purchase or partic-
13 ipate in the purchase of a mortgage loan for rental housing unless the
14 borrower agrees not to discriminate against tenants or prospective
15 tenants because of sex, marital status, changes in marital status,
16 pregnancy, parenthood, race, religion, color, national origin, or
17 status as a student;

18 (6) originate, purchase, or participate in a loan to a
19 person who has a past due child support obligation at the time of
20 application.

21 * Sec. 9. AS 45.88.020 is amended by adding a new subsection to read:

22 (c) The department may not make a loan under this chapter to a
23 person who has a past due child support obligation at the time of
24 application.

25 * Sec. 10. AS 45.89.030 is amended by adding a new subsection to read:

26 (k) The department may not make a loan under this chapter to a
27 person who has a past due child support obligation at the time of
28 application.

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

3/29/85

Date 4-23-85

Mr. President

The Committee on HESS considered SB 263
relating to disqualification for certain state loan programs for failure
to pay child support.

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

Edna De Vries
Paul Frank
Joe Rosenbom
Curtis Sturgis

Lettie Fabrenberg
 Chairman
Do Pass
 Chairman recommendation

HOUSE

COMMITTEE REPORT

(11)

Date referred: 4/16/86

FURTHER REFERRALS:

DATE: 5-6-86

The FINANCE Committee has considered SB 263

"An Act relating to disqualifications for certain state loan programs for failure to pay child support."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS SB 263 (HCS) same title
- new title

and recommends DO PASS

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 5/5/86 ~~e~~
New

SIGNING DO PASS:

[Handwritten signatures]

SIGNING OTHER RECOMMENDATIONS:

[Handwritten signature]
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : H CS SB 263 (HESS)
 Title : No loan unless nav child support

Sponsor : Senator Faiks
 Requestor : House Finance Committee
 Date of Request : 5/5/86

FISCAL DETAIL

Agency Affected : All with Loan Programs
 BRU : _____

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

CAPITAL		-0-	-0-	-0-	-0-	-0-
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REVENUE		-0-	-0-	-0-	-0-	-0-
---------	--	-----	-----	-----	-----	-----

FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Any costs can be absorbed within existing budgets.

APA

Prepared by : Representative Adams - Chairman
 Division : House Finance Committee

Phone : 465-3757
 Date : 5/5/86

Approved by Commissioner : _____
 Agency : _____

Date : _____

Distribution (by Agency preparing fiscal note) :

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

Alaska State Legislature

CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740

IAN FAIKS
POUCH V
CAPITOL BUILDING
UNREAU, ALASKA 99511

Senate

April 11, 1985

MEMORANDUM

TO: Senator Bettye Fahrenkamp, Chairman

FROM: Senator Jan Faiks *Jan Faiks*

SUBJECT: Background on Senate Bill 263, an Act relating to disqualification for certain state loan programs for failure to pay child support.

This bill will disqualify persons who have an overdue child support obligation from participating in certain state loan programs. Persons who are delinquent in their payments to the Child Support Enforcement Division of the Department of Revenue (CSED) will be prevented from receiving loans from any of the following programs:

<u>Section of Bill</u>	<u>Loan Program</u>
Section 1	Agricultural Loan Program
Sections 2 & 3	Alaska Student Loan Program
Section 4	Commercial Fishing Loan Program
Section 5	Alaska Housing Finance Corporation
Section 6	Veteran's Loan Assumption

Background Memo

Section 7	Mining Loan Program
Section 8	Housing Assistance Loan Program
Section 9	Alternative Technology and Energy Loan Program
Section 10	Residential Energy Conservation Loan Program

Delinquent child support is a monumental problem in Alaska. As of April 2 of this year, CSED has 7198 cases having a total arrearage balance of over \$30,000,000. The Division is now determining what portion of this debt is owed by loan recipients. Once this information is available, I will forward it to the committee.

The Division's files are computerized, and it can share information with loan agencies in three ways. Upon receiving a call from an agency, CSED can respond within minutes with a status report on a particular loan applicant. The Division can match computer tapes with any agency which has a system which is compatible with its IBM equipment. Finally, CSED sends a monthly statement to all absent parents which verifies their current obligation status. The parents can provide a copy of this statement to the lending agency when they file their loan applications, or upon request, CSED can verify their obligations in writing.

Support payments are a debt that is owed to the children of Alaska. When payments are not made, our public assistance programs must often pick up the cost of maintaining our children's health, safety, and comfort. To alleviate hardship and reduce our public welfare costs, I ask you to act favorably on this bill.

Alaska State Legislature



CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740

JAN FAIKS
POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Senate

March 10, 1986

MEMORANDUM

TO: Representative Niilo Koponen, Co-Chairman
Representative Max Gruenberg, Co-Chairman
House Health, Education, and Social Services
Committee

FROM: Senator Jan Faiks

SUBJECT: Additional Background Information on Senate Bill
263, an Act relating to disqualification for
certain loan programs for failure to pay child
support.

Last October, the Child Support Enforcement Commission published a report to the Governor. Through statistics, this report identifies the scope of the child support enforcement problem.

For example, it appears that only 59% of the people who are entitled to receive support actually have a court order that establishes this obligation. Of these people, only half receive full payment, while 28% receive no support at all from the non-custodial parent.

There has never been doubt that the nonpayment of support adds to the public cost of social welfare programs. The CSEC report estimates insufficient child support is the reason that 80% of the cases in the Aid to Families with Dependent Children program qualify for this type of welfare.

Also during the interim, the Alaska Housing Finance Corporation adopted the principles of Senate Bill 263 in its loan application procedure.

OUT OF SESSION

The Corporation has begun requiring loan applicants to disclose any unsatisfied child support obligations and to allow verification of their statements with the Child Support Enforcement Agency. CSEA then cross-checks a list of all AHFC applicants against its delinquency records. Any applicant who is overdue in his child support payments is denied a loan.

Although it is too early to quantify the results, it appears that this system is working. CSEA has found that approximately 5% of loan applicants have overdue support obligations. According to the agency director, most these persons readily pay up their debt so that they can qualify for the housing loans. In some instances, this has resulted in payments of up to \$10,000 going directly to their dependents.

I congratulate AHFC for taking this initiative. Its experience shows that SB 263 can be implemented without placing an undue administrative burden on the agencies even when they must manually cross-check their records. Since the other loan programs have computerized record systems which are compatible with those of the CSEA, verification of their applicants will involve even less effort.

The interaction between the loan agencies and CSEA will have another benefit. It is often difficult for CSEA to locate property of certain debtors in order to satisfy judgments against them. Through contact with the agencies, CSEA can learn about loan collateral which can be attached if a borrower later becomes delinquent in his support obligation.

The results of the new AHFC policy are an exciting preview of what Senate Bill 263 can achieve when it is applied across the board to all state loan programs. It shows that this Act will be an effective tool for securing the financial support of our dependent children.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No. CSB 263 (New) No. 1
 Title: Disqualification for certain loans for failure to pay child support
 Sponsor: Faiks
 Requestor: HESS
 Date of Request: 3/13/86

FISCAL DETAIL

Agency Affected: Revenue
 BRU: Child Support Enforcement Division
 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						
TOTAL OPERATING						

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

REVENUE	2.5	2.5	2.5	2.5	2.5	2.5
---------	-----	-----	-----	-----	-----	-----

FUNDING : (Thousands of Dollars)

GENERAL FUND	.75	.75	.8	.8	.85	.85
FEDERAL FUNDS	1.75	1.75	1.7	1.7	1.65	1.65
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This figure represents one notice per year for each case currently in arrears which includes postage, paper goods, computer time, and photocopy costs.

Prepared by: Holli Ploog
 Division: Child Support Enforcement Division
 Approved by Commissioner: [Signature]
 Agency: Revenue

Phone: 276-3441
 Date: _____
 Date: 3/13/86

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 3/14/86

REQUEST

Bill Resolution No. : SB 263 No. 2
 Title : Disqualification...State loan programs...Child Support
 Sponsor : Faiks
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affairs : Commerce & Econ. Devel.
 BRU : Division of Investments
 Components : Economic Development

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		3.3				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	3.3	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING : (Thousands of Dollars)

GENERAL FUND		3.3				
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	3.3	-0-	-0-	-0-	-0-

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

\$3,300 is requested to revise and reprint existing loan application packets for the loan programs affected by this bill. A new credit authorization form will be sent to the Division of Child Support Enforcement, Department of Revenue, prior to application processing.

Prepared by: Paul B. Arnoldt, Director

Phone: 465-2510

Division: Investments

Date: 3/14/86

Approved by Commissioner: Loren H. Lounsbury

Date: _____

Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

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

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

Revision Date : _____

REQUEST

Bill Resolution No. SB 263 (New) No. 3
 Title: An acting relating to
disqualification for certain loan
programs.
 Sponsor: Faiks, Halford, et al
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Revenue
 BRU: Alaska Housing Finance Corporation

 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						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

SB 263 would not have a fiscal impact on AHFC. The Corporation would require that any loan application must contain verification that there is not a past due child support obligation.

Prepared by: Ron Lehr Phone: 276-5599
 Division: Alaska Housing Finance Corporation Date: _____
 Approved by Commissioner: William H. Steudale Date: 3/13/86
 Agency: Revenue

Distribution (by Agency preparing fiscal note):

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

Offered: 3/17/86
Referred: House Special Committee on
State Loans and Finance

Original sponsors: Faiks, Halford,
Eliason, and Sturgulewski

1 IN THE SENATE
2 HOUSE CS FOR SENATE BILL NO. 263 (HESS)
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 disqualification for certain
7 state loan programs for failure to pay child sup-
8 port."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 03.10.030 is amended by adding a new subsection to
11 read:
12 (i) A person is not eligible for a loan under this chapter if
13 the person has a past due child support obligation established by
14 court order or by the child support enforcement division under AS 47.-
15 23.160 - 47.23.220 at the time of application.
16 * Sec. 2. AS 14.43.125(a) is amended to read:
17 (a) A person may apply for and obtain a scholarship loan if the
18 person
19 (1) is
20 (A) enrolled as a full-time student in a career
21 education, associate, baccalaureate, or graduate degree program;
22 or
23 (B) a graduate of a high school or the equivalent, or
24 scheduled for graduation from a high school within six months,
25 with sufficient credits to be admitted to a career education
26 program or to an accredited college or university;
27 (2) is not delinquent or in default on a previously awarded
28 scholarship loan; and
29 (3) is a resident of the state at the time of application

1 for the loan; for purposes of this section, a person qualifies as a
2 resident of the state if at the time of application for the loan the
3 person

4 (A) has been physically present in the state for at
5 least two years immediately before the time of application for
6 the loan;

7 (B) is dependent on a parent or guardian for care, the
8 parent or guardian has been present in the state for at least two
9 years immediately before the time of application for the loan and
10 the person has been present in the state for at least one year of
11 the immediately preceding five years except that the commission
12 may by a two-thirds vote, acting upon a written appeal by the
13 person, grant an exemption to the requirement that the person has
14 been present in the state for one year of the immediately preced-
15 ing five years;

16 (C) has been physically present in the state, or is a
17 dependent of a parent or guardian who has been physically present
18 in the state, for at least two years immediately before the
19 applicant was absent from the state and the absence is due solely
20 to

21 (i) serving an initial period of up to six years
22 on active duty as a member of the armed forces of the United
23 States;

24 (ii) serving, for up to three years, as a full-
25 -time volunteer under the Peace Corps Act;

26 (iii) serving, for up to three years, as a full-
27 time volunteer under the Domestic Volunteer Service Act of
28 1973;

29 (iv) required medical care for the applicant or

1 the applicant's immediate family;

2 (v) being a person who otherwise qualifies as a
3 resident and is accompanying a spouse who qualifies as a
4 resident under (i) - (iv) of this paragraph; or

5 (D) has been physically present in the state, or is a
6 dependent of a parent or guardian who has been physically present
7 in the state, for at least two years immediately before the
8 applicant or the parent or guardian was absent from the state and
9 the absence is due solely to

10 (i) participating in a foreign exchange student
11 program recognized by the commission;

12 (ii) attending a school as a full-time student;

13 (iii) full-time employment by the state;

14 (iv) being a member of or employed full-time by
15 the state's congressional delegation;

16 (v) being a person who otherwise qualifies as a
17 resident and is accompanying a spouse who qualifies as a
18 resident under (i) - (iv) of this paragraph; and

19 (4) does not have a past due child support obligation
20 established by court order or by the child support enforcement divi-
21 sion under AS 47.23.160 - 47.23.220 at the time of application.

22 * Sec. 3. AS 14.43.650(a) is amended to read:

23 (a) To be eligible for a teacher scholarship loan, a student
24 must

25 (1) be a graduate of a public or private high school in the
26 state, with sufficient credits to be admitted to an accredited college
27 or university;

28 (2) be enrolled in or show evidence of intent to enroll in
29 a degree program directed at a teaching career at the elementary or

1 secondary school level;

2 (3) meet the conditions set by the student's local school
3 board with respect to the district's requirements for teachers in
4 particular subject areas; [AND]

5 (4) submit to the local school board an application pro-
6 vided by the student financial aid committee under AS 14.43.630(a)(3);
7 an application may be submitted six months before graduation from high
8 school; and

9 (5) not have a past due child support obligation establi-
10 shed by court order or by the child support enforcement division under
11 AS 47.23.160 - 47.23.220 at the time of application.

12 * Sec. 4. AS 16.10.320(a) is amended to read:

13 (a) Except as permitted in (h) of this section, a loan under
14 AS 16.10.300 - 16.10.370

15 (1) may not exceed a term of 15 years, except for exten-
16 sions under AS 16.10.310(a)(4);

17 (2) may not bear interest exceeding 10 1/2 percent;

18 (3) must be secured by a first priority lien and appropri-
19 ate security agreement; [AND]

20 (4) may not exceed 90 percent of the appraised value of
21 the collateral used to secure the loan; and

22 (5) may not be made to a person who has a past due child
23 support obligation established by court order or by the child support
24 enforcement division under AS 47.23.160 - 47.23.220 at the time of
25 application.

26 * Sec. 5. AS 18.56.096(a) is amended to read:

27 (a) The corporation may not make, participate in the making of,
28 purchase, or participate in the purchase of

29 (1) a first mortgage loan under this chapter for a duplex,

1 triplex, or four-plex that exceeds the limitations on first mortgage
2 loans for similar housing purchased by the Federal National Mortgage
3 Association as to principal amount and loan-to-value ratio;

4 (2) a second mortgage loan for a duplex, triplex, or four-
5 plex the amount of which, when combined with the principal balance of
6 a first mortgage loan on the property, exceeds the limitation on the
7 amount set out in (1) of this subsection or that has a loan-to-value
8 ratio, when considered with the principal balance of the first mort-
9 gage loan, that exceeds 90 percent;

10 (3) a mortgage loan to finance the purchase of new housing
11 or for the improvement or rehabilitation of existing housing, unless
12 the construction, improvement, or rehabilitation work has been per-
13 formed by a contractor who is registered to work as a contractor under
14 AS 08.18; this paragraph does not apply if the construction, improve-
15 ment, or rehabilitation work

16 (A) has been totally or substantially performed by the
17 borrower;

18 (B) has been performed by a borrower who acts as the
19 contractor for the construction, improvement, or rehabilitation
20 work; or

21 (C) has been performed in an area designated by the
22 corporation as exempt from the requirements of this paragraph
23 because of the unavailability of registered contractors in that
24 area;

25 (4) a first mortgage loan for a single-family residence
26 that exceeds the limitations on first mortgage loans for similar
27 housing purchased by the Federal National Mortgage Association as to
28 principal amount by more than 10 percent, or has a loan-to-value ratio
29 that exceeds 95 percent, or a second mortgage loan for a single-family

1 residence, the amount of which, when combined with the principal
2 balance of a first mortgage loan on the property, exceeds the limi-
3 tations on loans for similar housing purchased by the Federal National
4 Mortgage Association as to principal amount by more than 10 percent,
5 or has a loan-to-value ratio, when considered with the principal
6 balance of the first mortgage loan, that exceeds 90 percent; or

7 (5) a first or second mortgage loan for rental housing
8 unless the borrower agrees not to discriminate against tenants or
9 prospective tenants because of sex, marital status, changes in marital
10 status, pregnancy, parenthood, race, religion, color, national origin,
11 or status as a student; [OR]

12 (6) a first mortgage loan, if the borrower has an outstand-
13 ing first mortgage housing loan under this chapter or an outstanding
14 first mortgage loan for owner-occupied housing under AS 44.47; or

15 (7) a loan to a person who has a past due child support
16 obligation established by court order or by the child support enforce-
17 ment division under AS 47.23.160 - 47.23.220 at the time of applica-
18 tion.

19 * Sec. 6. AS 26.15.130 is amended by adding a new subsection to read:

20 (c) A person who has a past due child support obligation estab-
21 lished by court order or by the child support enforcement division
22 under AS 47.23.160 - 47.23.220, at the time of application is not
23 eligible for a loan under this chapter.

24 * Sec. 7. AS 27.09.020 is amended by adding a new subsection to read:

25 (b) A person who has a past due child support obligation estab-
26 lished by court order or by the child support enforcement division
27 under AS 47.23.160 - 47.23.220 at the time of application is not
28 eligible for a loan under this chapter.

29 * Sec. 8. AS 44.47.390 is amended to read:

1 Sec. 44.47.390. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN
2 FUND. The director may not use the money in the housing assistance
3 loan fund to

4 (1) originate a direct loan or purchase or participate in
5 the purchase of a nonconforming or rural housing mortgage loan that
6 exceeds the limitations on mortgage loans purchased by the Federal
7 National Mortgage Association as to principal amount or loan-to-value
8 ratio;

9 (2) originate a direct loan or purchase or participate in
10 the purchase of a loan made for building materials for nonconforming
11 or rural housing

12 (A) that exceeds \$45,000 or exceeds

13 (i) 80 percent of the appraised value of the work
14 completed on the nonconforming or rural housing for which
15 the loan is made if the nonconforming or rural housing is
16 pledged as collateral for the loan; or

17 (ii) 90 percent of the value of other property
18 that is pledged as security for the loan and that is satis-
19 factory to the director as collateral;

20 (B) unless the terms of the loan agreement require
21 inspections and certifications, as required by regulations of the
22 director, at the expense of the borrower; and

23 (C) unless the period of time allowed for repayment of
24 the loan is equal to or less than 15 years;

25 (3) originate direct loans or purchase or participate in
26 the purchase of a nonconforming or rural housing mortgage loan that is
27 secured by real property the marketable title to which is shown in
28 accordance with AS 44.47.420(b)(2) if the total amount of outstanding
29 nonconforming and rural housing mortgage loans held by the division

1 exceeds 10 times the amount of money in the restricted title loss
2 reserve account (AS 44.47.430);

3 (4) originate a direct loan for nonconforming or rural
4 housing or purchase or participate in the purchase of a nonconforming
5 or rural housing mortgage loan, other than a loan for the repair,
6 remodeling, rehabilitation, or expansion of an existing owner- occu-
7 pied residence, if the borrower has an outstanding housing loan made
8 under a state loan program, other than a loan for nonowner-occupied
9 housing under AS 44.47.520, that bears interest at a rate that was
10 less than the prevailing market interest rate for similar housing
11 loans at the time the loan was made;

12 (5) originate a direct mortgage loan or purchase or partic-
13 ipate in the purchase of a mortgage loan for rental housing unless the
14 borrower agrees not to discriminate against tenants or prospective
15 tenants because of sex, marital status, changes in marital status,
16 pregnancy, parenthood, race, religion, color, national origin, or
17 status as a student;

18 (6) originate, purchase, or participate in a loan to a
19 person who has a past due child support obligation established by
20 court order or by the child support enforcement division under AS 47.-
21 23.160 - 47.23.220 at the time of application.

22 * Sec. 9. AS 45.88.020 is amended by adding a new subsection to read:

23 (c) The department may not make a loan under this chapter to a
24 person who has a past due child support obligation established by
25 court order or by the child support enforcement division under
26 AS 47.23.160 - 47.23.220 at the time of application.

27 * Sec. 10. AS 45.89.030 is amended by adding a new subsection to read:

28 (k) The department may not make a loan under this chapter to a
29 person who has a past due child support obligation established by

- 1 court order or by the child support enforcement division under AS 47.-
- 2 23.160 - 47.23.220 at the time of application.

Introduced: 3/29/85
Referred: Health, Education and
Social Services and
Finance

BY FAIKS, HALFORD,
ELIASON AND STURGULEWSKI

1 IN THE SENATE

2

SENATE BILL NO. 263

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 disqualification for certain

7

state loan programs for failure to pay child sup-

8

port."

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

10 * Section 1. AS 03.10.030 is amended by adding a new subsection to
11 read:

12 (i) A person is not eligible for a loan under this chapter if
13 the person has a past due child support obligation at the time of
14 application.

15 * Sec. 2. AS 14.43.125(a) is amended to read:

16 (a) A person may apply for and obtain a scholarship loan if the
17 person

18 (1) is a resident of the state at the time of application
19 for a scholarship loan;

20 (2) meets the requirements of (b) of this section; [AND]

21 (3) is

22 (A) enrolled as a full-time student in a career educa-
23 tion or associate or baccalaureate or graduate degree program; or

24 (B) a graduate of a high school, or scheduled for
25 graduation from a high school within six months, with sufficient
26 credits to be admitted to a career education program or to an
27 accredited college or university; and

28 (4) does not have a past due child support obligation at
29 the time of application.

1 * Sec. 3. AS 14.43.650(a) is amended to read:

2 (a) To be eligible for a teacher scholarship loan, a student
3 must

4 (1) be a graduate of a public or private high school in the
5 state, with sufficient credits to be admitted to an accredited college
6 or university;

7 (2) be enrolled in or show evidence of intent to enroll in
8 a degree program directed at a teaching career at the elementary or
9 secondary school level;

10 (3) meet the conditions set by the student's local school
11 board with respect to the district's requirements for teachers in
12 particular subject areas; [AND]

13 (4) submit to the local school board an application pro-
14 vided by the student financial aid committee under AS 14.43.630(a)(3);
15 an application may be submitted six months before graduation from high
16 school; and

17 (5) not have a past due child support obligation at the
18 time of application.

19 * Sec. 4. AS 16.10.320(a) is amended to read:

20 (a) A loan under AS 16.10.310 - 16.10.370

21 (1) may not exceed a term of 15 years;

22 (2) may not bear interest exceeding 10-1/2 percent;

23 (3) shall be secured by a first priority lien and appropri-
24 ate security agreement; [AND]

25 (4) may not exceed 90 percent of the appraised value of the
26 collateral used to secure the loan, except that a loan granted under
27 AS 16.10.333 for the purchase of an Alaska limited entry permit may
28 not exceed an amount determined in accordance with (f) or (h) of this
29 section; and

1 (5) may not be made to a person who has a past due child
2 support obligation at the time of application.

3 * Sec. 5. AS 18.56.096(a) is amended to read:

4 (a) The corporation may not make, participate in the making of,
5 purchase, or participate in the purchase of

6 (1) a first mortgage loan under this chapter for a duplex,
7 triplex, or four-plex that exceeds the limitations on first mortgage
8 loans for similar housing purchased by the Federal National Mortgage
9 Association as to principal amount and loan-to-value ratio;

10 (2) a second mortgage loan for a duplex, triplex, or four-
11 plex the amount of which, when combined with the principal balance of
12 a first mortgage loan on the property, exceeds the limitation on the
13 amount set out in (1) of this subsection or that has a loan-to-value
14 ratio, when considered with the principal balance of the first mort-
15 gage loan, that exceeds 90 percent;

16 (3) a mortgage loan to finance the purchase of new housing
17 or for the improvement or rehabilitation of existing housing, unless
18 the construction, improvement, or rehabilitation work has been per-
19 formed by a contractor who is registered to work as a contractor under
20 AS 08.18; this paragraph does not apply if the construction, improve-
21 ment, or rehabilitation work

22 (A) has been totally or substantially performed by the
23 borrower;

24 (B) has been performed by a borrower who acts as the
25 contractor for the construction, improvement, or rehabilitation
26 work; or

27 (C) has been performed in an area designated by the
28 corporation as exempt from the requirements of this paragraph
29 because of the unavailability of registered contractors in that

1 area;

2 (4) a first mortgage loan for a single-family residence
3 that exceeds the limitations on first mortgage loans for similar
4 housing purchased by the Federal National Mortgage Association as to
5 principal amount by more than 10 percent, or has a loan-to-value ratio
6 that exceeds 95 percent, or a second mortgage loan for a single-family
7 residence, the amount of which, when combined with the principal
8 balance of a first mortgage loan on the property, exceeds the limi-
9 tations on loans for similar housing purchased by the Federal National
10 Mortgage Association as to principal amount by more than 10 percent,
11 or has a loan-to-value ratio, when considered with the principal
12 balance of the first mortgage loan, that exceeds 90 percent; or

13 (5) a first or second mortgage loan for rental housing
14 unless the borrower agrees not to discriminate against tenants or
15 prospective tenants because of sex, marital status, changes in marital
16 status, pregnancy, parenthood, race, religion, color, national origin,
17 or status as a student; [OR]

18 (6) a first mortgage loan if the borrower has an outstand-
19 ing first mortgage housing loan under this chapter or an outstanding
20 first mortgage loan for owner-occupied housing under AS 44.47; or

21 (7) a loan to a person who has a past due child support
22 obligation at the time of application.

23 * Sec. 6. AS 26.15.130 is amended by adding a new subsection to read:

24 (c) A person who has a past due child support obligation at the
25 time of application is not eligible for a loan under this chapter.

26 * Sec. 7. AS 27.09.020 is amended by adding a new subsection to read:

27 (b) A person who has a past due child support obligation at the
28 time of application is not eligible for a loan under this chapter.

29 * Sec. 8. AS 44.47.390 is amended to read:

1 Sec. 44.47.390. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN
2 FUND. The director may not use the money in the housing assistance
3 loan fund to

4 (1) originate a direct loan or purchase or participate in
5 the purchase of a nonconforming or rural housing mortgage loan that
6 exceeds the limitations on mortgage loans purchased by the Federal
7 National Mortgage Association as to principal amount or loan-to-value
8 ratio;

9 (2) originate a direct loan or purchase or participate in
10 the purchase of a loan made for building materials for nonconforming
11 or rural housing

12 (A) that exceeds \$45,000 or exceeds

13 (i) 80 percent of the appraised value of the work
14 completed on the nonconforming or rural housing for which
15 the loan is made if the nonconforming or rural housing is
16 pledged as collateral for the loan; or

17 (ii) 90 percent of the value of other property
18 that is pledged as security for the loan and that is satis-
19 factory to the director as collateral;

20 (B) unless the terms of the loan agreement require
21 inspections and certifications, as required by regulations of the
22 director, at the expense of the borrower; and

23 (C) unless the period of time allowed for repayment of
24 the loan is equal to or less than 15 years;

25 (3) originate direct loans or purchase or participate in
26 the purchase of a nonconforming or rural housing mortgage loan that is
27 secured by real property the marketable title to which is shown in
28 accordance with AS 44.47.420(b)(2) if the total amount of outstanding
29 nonconforming and rural housing mortgage loans held by the division

1 exceeds 10 times the amount of money in the restricted title loss
2 reserve account (AS 44.47.430);

3 (4) originate a direct loan for nonconforming or rural
4 housing or purchase or participate in the purchase of a nonconforming
5 or rural housing mortgage loan, other than a loan for the repair,
6 remodeling, rehabilitation, or expansion of an existing owner-
7 occupied residence, if the borrower has an outstanding housing loan
8 made under a state loan program, other than a loan for nonowner-
9 occupied housing under AS 44.47.520, that bears interest at a rate
10 that was less than the prevailing market interest rate for similar
11 housing loans at the time the loan was made;

12 (5) originate a direct mortgage loan or purchase or partic-
13 ipate in the purchase of a mortgage loan for rental housing unless the
14 borrower agrees not to discriminate against tenants or prospective
15 tenants because of sex, marital status, changes in marital status,
16 pregnancy, parenthood, race, religion, color, national origin, or
17 status as a student;

18 (6) originate, purchase, or participate in a loan to a
19 person who has a past due child support obligation at the time of
20 application.

21 * Sec. 9. AS 45.88.020 is amended by adding a new subsection to read:

22 (c) The department may not make a loan under this chapter to a
23 person who has a past due child support obligation at the time of
24 application.

25 * Sec. 10. AS 45.89.030 is amended by adding a new subsection to read:

26 (k) The department may not make a loan under this chapter to a
27 person who has a past due child support obligation at the time of
28 application.

COMMITTEE REPORT
SENATE

FURTHER:

5/7/86

Date _____

Mr. President

The Committee on Finance considered SB 264
relating to unlawful conduct of minors; and amending Rule 24 of the
Alaska Rules of Children's Procedure.

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

4/18/86

Date 5/6/86

Mr. President

The Committee on JUDICIARY considered SB 264
relating to unlawful conduct of minors; and amending Rule 24 of the
Alaska Rules of Children's Procedure.

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

- do pass SENATE BILL (NOT AS)
- 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

Tim Kelly
Zung

MEMBERS HAVING
OTHER RECOMMENDATIONS

Rick Stelford NO REC

Patricia Ryden
Chairman
DO PASS
Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER: JUDICIARY
FINANCE

3/29/85

Date 4-16-86

Mr. President

The Committee on HESS considered SB 264

relating to unlawful conduct of minors; and amending Rule 24 of the Alaska Rules of Children's Procedure.

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 264 (HESS)
- 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

✓ Edna Hill

✓ Paul Frisk

MEMBERS HAVING
OTHER RECOMMENDATIONS

1 Do Not Pass

3 Curtis Hingulund No Rec

1 Dittie Johnson-Kemp Do Not Pass
Chairman

Chairman recommendation

Offered: 4/18/85
Referred: Judiciary and Finance

Original sponsors: Rodey, Faiks,
Abood, et al

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 264 (HESS)

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 the waiver of children's court
7 jurisdiction, and to the detention, fingerprinting,
8 and sentencing of minors; and amending Rule 24 of the
9 Alaska Rules of Children's Procedure."

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

11 * Section 1. AS 12.55.015 is amended by adding a new subsection to
12 read:

13 (e) If the court sentences a defendant to a term of imprisonment
14 and the defendant is a minor over whom children's court jurisdiction
15 is waived under AS 47.10.060, the court shall

16 (1) order that the defendant be confined in an institution
17 designated by the Department of Health and Social Services for offend-
18 ers under 18 years of age; and

19 (2) order that the defendant be transferred to an adult
20 correctional facility when the defendant reaches 18 years of age if
21 more than one year then remains of the defendant's term of imprison-
22 ment.

23 * Sec. 2. AS 12.55.125 is amended by adding a new subsection to read:

24 (j) A person convicted of a first felony offense after waiver of
25 children's court jurisdiction under AS 47.10.060 is not subject to the
26 mandatory minimum and presumptive sentences required for first offen-
27 ders.

28 * Sec. 3. AS 47.10.060 is repealed and reenacted to read:

29 Sec. 47.10.060. WAIVER OF JURISDICTION. (a) The court shall
S

1 order a case closed, and a minor may be prosecuted as an adult, if the
2 court finds at a hearing on a petition

3 (1) that the minor was 16 years of age or older at the time
4 of the offense and that there is probable cause to believe that the
5 minor has violated AS 11.41.100, 11.41.110, 11.41.300, 11.41.410, or
6 11.41.434; or

7 (2) that the minor is not amenable to treatment under this
8 chapter and there is probable cause to believe that the minor is
9 delinquent.

10 (b) In determining whether a minor is amenable to treatment
11 under this chapter, the court shall consider

12 (1) the seriousness of the offense;

13 (2) whether the offense constituted a substantial danger to
14 the public;

15 (3) whether the offense was committed in an aggressive,
16 violent, premeditated, or willful manner;

17 (4) whether the offense was against persons or against
18 property, greater weight being given to an offense against persons,
19 especially if personal injury resulted;

20 (5) whether the offense is a part of a repetitive pattern
21 of delinquent acts, even though previous offenses may have been less
22 serious;

23 (6) the age, maturity, educational background, and degree
24 of criminal sophistication of the minor;

25 (7) the success of any previous attempts to rehabilitate
26 the minor;

27 (8) whether children's court jurisdiction over the minor
28 can be retained long enough to allow for effective treatment or reha-
29 bilitation; and

1 (9) the treatment resources available under children's
2 court proceedings.

3 (c) The court shall determine the weight to be given to each of
4 the factors listed in (b) of this section and shall issue a written
5 decision. A finding that a minor is not amenable to treatment under
6 this chapter may be based on any one or a combination of the factors.

7 (d) A minor ordered held pending trial or sentencing as an adult
8 under (a) of this section shall be confined in an institution design-
9 nated by the Department of Health and Social Services for offenders
10 under 18 years of age.

11 * Sec. 4. AS 47.10 is amended by adding a new section to read:

12 Sec. 47.10.125. FINGERPRINTING OF MINORS. (a) A law enforce-
13 ment agency or the Department of Health and Social Services may fin-
14 gerprint a minor only

15 (1) in accordance with a search warrant;

16 (2) if children's court jurisdiction over the minor has
17 been waived under AS 47.10.060(a) and the minor is being prosecuted
18 as an adult;

19 (3) if the minor is adjudicated a delinquent for the
20 commission of an offense that would constitute a felony if committed
21 by an adult;

22 (4) with the consent of the minor and a parent or legal
23 guardian of the minor, both of whom shall have been advised that the
24 fingerprints may not be taken without their consent; or

25 (5) by order of the court.

26 (b) Fingerprints of a minor shall be kept separate from those of
27 adults, shall be kept within the state rather than at a federal cen-
28 tral depository, and shall be made available on request only to the
29 following:

1 (1) a public agency for use in the investigation and prose-
2 cution of criminal offenses for which the fingerprinted minor is a
3 suspect;

4 (2) the minor or the minor's attorney.

5 (c) Fingerprints of a minor taken under this section shall be
6 destroyed by the authority charged with their maintenance

7 (1) if the minor is adjudicated for the offense regarding
8 which the minor's fingerprints were taken and is found not to be
9 within the jurisdiction of the court for the offense; or

10 (2) if the minor is not adjudicated for the offense regard-
11 ing which the minor's fingerprints were taken within two years of the
12 date the fingerprints were taken.

13 * Sec. 5. AS 47.10.130 is amended to read:

14 Sec. 47.10.130. DETENTION. A [NO] minor under 18 years of age
15 who is detained pending hearing may not be incarcerated in a jail
16 unless assigned to separate quarters so that the minor cannot communi-
17 cate with or view prisoners 18 years of age or older except those
18 incarcerated under AS 47.10.100 (ADULT PRISONERS CONVICTED OF, UNDER
19 ARREST FOR, OR CHARGED WITH A CRIME). When a minor is detained pend-
20 ing hearing, the minor's parent, guardian, or custodian shall be
21 notified immediately.

22 * Sec. 6. AS 47.10.190 is amended to read:

23 Sec. 47.10.190. CONDITIONS GOVERNING DETENTION. When the court
24 commits a minor to the custody of the department, the department shall
25 arrange to place the minor (JUVENILE) in a detention home, facility or
26 another suitable place that (WHICH) the department designates for that
27 purpose. A minor (JUVENILE) detained in a jail or similar institution
28 at the request of the department shall be held in custody in a room or
29 other place apart and separate from prisoners 18 years of age or older

1 except those incarcerated under AS 47.10.105 (ADULTS).

2 * Sec. 7. Rule 24, Alaska Rules of Children's Procedure, is amended to
3 read:

4 No child shall be [FINGERPRINTED OR] photographed while in custo-
5 dy except with the consent of the children's court upon good cause
6 shown. Such cause exists where the child is in custody for a serious
7 offense against persons or property or where identification of the
8 child appears necessary for the safety of the child or others.

9 * Sec. 8. Section 7 amends Rule 24 of the Alaska Rules of Children's
10 Procedure by deleting the reference to fingerprints.

11 * Sec. 9. Rule 24, Alaska Rules of Children's Procedure, is amended by
12 adding a new subsection to read:

13 (b) A child may not be fingerprinted while in custody except in
14 accordance with AS 47.10.125.

15 * Sec. 10. Section 9 amends Rule 24 of the Alaska Rules of Children's
16 Procedure by incorporating the statutory requirements for obtaining finger-
17 prints from a child in custody.

Introduced: 3/29/85
Referred: Health, Education and
Social Services and
Judiciary

BY RODEY, FAIKS, ABOOD, DEVRIES
KELLY, ZHAROFF, STURGULEWSKI,
RAY, COGHILL AND P. FISCHER

1 IN THE SENATE

2 SENATE BILL NO. 264

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 unlawful conduct of minors; and
7 amending Rule 24 of the Alaska Rules of Children's
8 Procedure."

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

10 * Section 1. AS 12.55.015 is amended by adding a new subsection to
11 read:

12 (e) If the court sentences a defendant to a term of imprisonment
13 and the defendant is a minor over whom children's court jurisdiction
14 is waived under AS 47.10.060, the court shall

15 (1) order that the defendant be confined in an institution
16 designated by the Department of Health and Social Services for offend-
17 ers under 18 years of age; and

18 (2) order that the defendant be transferred to an adult
19 correctional facility when the defendant reaches 18 years of age if
20 more than one year then remains of the defendant's term of imprison-
21 ment.

22 * Sec. 2. AS 34.50.020(a) is amended to read:

23 (a) Except as provided in (e) of this section, a [A] person,
24 municipal corporation, association, village, school district or reli-
25 gious or charitable organization, incorporated or unincorporated, may
26 recover damages in a civil action in an amount not to exceed \$5,000
27 [\$2,000] and court costs, from either parent or both parents or the
28 legal guardian or person having the legal custody of an unemancipated
29 minor under the age of 18 years, who maliciously or wilfully destroys
S

1 real or personal property belonging to the person, municipal corpora-
2 tion, association, village, school district or religious or charitable
3 organization.

4 * Sec. 3. AS 34.50.020 is amended by adding new subsections to read:

5 (c) For the purposes of this section a minor is considered
6 emancipated and a parent or legal guardian or person having legal
7 custody is not liable for property damage caused by the minor if the
8 court determines that

9 (1) the disabilities of minority have been removed under
10 AS 09.55.590;

11 (2) the minor is a resident of the state, is at least 16
12 years of age, is living separate and apart from the minor's parents or
13 legal guardian or person having legal custody, and is capable of
14 self-support and of managing personal financial affairs; or

15 (3) the minor is living separate and apart from the minor's
16 parents or legal guardian or person having legal custody and engages
17 in conduct that results in a judgment under AS 47.10.080(a) that the
18 minor is a delinquent minor and that also is the basis for a civil
19 action for damages to property under this section.

20 (d) If the court determines that a minor is emancipated under
21 (c) of this section, the minor may be sued in a civil action for
22 injuries caused by the minor as if the minor were an adult.

23 (e) The provisions of (a) of this section do not apply to de-
24 struction of property by an unemancipated minor under the age of 18
25 years who maliciously or wilfully destroys property at the time the
26 minor is a ward of the state under AS 47.10.080(f).

27 * Sec. 4. AS 47.10.020(a) is amended to read:

28 (a) Whenever a person informs the court of the facts which bring
29 a minor within this chapter, the court shall appoint a competent

1 person or agency to make a preliminary inquiry and report for the
2 information of the court to determine whether the interests of the
3 public or of the minor require that further action be taken. Upon the
4 receipt of the report, the court may informally adjust or dispose of
5 the matter without a hearing, or it may authorize the person having
6 knowledge of the facts of the case to file with the court a petition
7 setting out the facts. Where the court informally adjusts or disposes
8 of the matter, the minor may not be detained or taken into the custody
9 of the court, and the matter shall be closed by the court upon adjust-
10 ment or disposition. Upon request of the victim or the victim's
11 parent or guardian, the court shall disclose to the victim of the
12 minor or to the victim's parent or guardian the manner in which it
13 informally adjusted or disposed of the matter. The court may not
14 disclose the identity of the minor.

15 * Sec. 5. AS 47.10.060(a) is repealed and reenacted to read:

16 (a) The court shall order a case closed and, subject to the
17 provisions of AS 12.55.015(e), the minor may be prosecuted as if the
18 minor were an adult if the court finds at a hearing on a petition

19 (1) that the minor was 16 years of age or older at the time
20 of the offense and that there is probable cause to believe that the
21 minor has committed an unclassified felony or a class A felony; or

22 (2) that the minor is not amenable to treatment under this
23 chapter and there is probable cause to believe that the minor is
24 delinquent.

25 * Sec. 6. AS 47.10.060 is amended by adding a new subsection to read:

26 (f) If a case is closed under (a)(1) of this section, the minor
27 may petition the court within 10 days to reopen the case. The case
28 shall be reopened if the court finds by a preponderance of the evi-
29 dence that the interests of justice would be best served if the minor

1 is not prosecuted as an adult. In making this finding, the court
2 shall consider

3 (1) the criminal and personal history of the minor and the
4 likelihood of rehabilitation;

5 (2) the seriousness of the minor's present offense in
6 relation to other offenses committed by the minor;

7 (3) the need to confine the minor to prevent further harm
8 to the public;

9 (4) the circumstances of the offense and the extent to
10 which the offense harmed a victim or endangered the public safety or
11 order;

12 (5) the effect of prosecuting the minor as an adult in
13 deterring the minor or other minors from future criminal conduct;

14 (6) the best interest of the minor.

15 * Sec. 7. AS 47.10.080(a) is amended to read:

16 (a) The court, at the conclusion of the hearing, or thereafter
17 as the circumstances of the case may require, shall find and enter a
18 judgment that the minor is or is not delinquent or a child in need of
19 aid. The court shall disclose the results of the hearing in accor-
20 dance with AS 47.10.020(a).

21 * Sec. 8. AS 47.10.090 is amended by adding a new subsection to read:

22 (d) The provisions of this section prohibiting disclosure of
23 information relating to a minor do not apply to a disclosure to a
24 victim or the victim's parent or guardian under AS 47.10.020(a),
25 47.10.080(a), and 47.10.140(d).

26 * Sec. 9. AS 47.10 is amended by adding a new section to read:

27 Sec. 47.10.125. FINGERPRINTING OF MINORS. (a) A law enforce-
28 ment agency or the Department of Health and Social Services may fin-
29 gerprint a minor only

- 1 (1) in accordance with a search warrant;
- 2 (2) when the minor is being prosecuted as an adult under
- 3 AS 47.10.060(a);
- 4 (3) when the minor is in custody for an offense that if
- 5 committed by an adult would constitute a felony and the custodial
- 6 agency secures the fingerprints to further the investigation of the
- 7 offense;
- 8 (4) when the minor is adjudicated a delinquent for the
- 9 commission of an offense that if committed by an adult would consti-
- 10 tute a felony;
- 11 (5) upon consent of both the minor and a parent or legal
- 12 guardian of the minor who have been advised that the fingerprints
- 13 cannot be taken without their consent; or
- 14 (6) by order of the court.

15 (b) Fingerprints of a minor shall be kept separate from those of
16 adults, shall be kept within the state rather than at a federal cen-
17 tral depository, and shall be made available only to the following
18 upon request:

19 (1) public agencies for use in the investigation and prose-
20 cution of criminal offenses for which the fingerprinted minor is a
21 suspect;

22 (2) the minor when named in a juvenile court or adult court
23 proceeding or the minor's attorney.

24 (c) Fingerprints of a minor taken under this section shall be
25 destroyed by the authority charged with their maintenance

26 (1) when the minor is adjudicated for the offense regarding
27 which the minor's fingerprints were taken and found not to be within
28 the jurisdiction of the court for the offense; or

29 (2) when the minor is not adjudicated for the offense

1 regarding which the minor's fingerprints were taken within two years
2 of the date the fingerprints were taken.

3 * Sec. 10. AS 47.10.140(d) is amended to read:

4 (d) If the court finds that probable cause exists, it shall
5 determine whether the minor should be detained pending the hearing on
6 the petition or released. It may either order the minor held in
7 detention or released to the custody of a suitable person pending the
8 hearing on the petition. If the court finds no probable cause, it
9 shall order the minor released and close the case. The court shall
10 disclose the results of the hearing in accordance with AS 47.10.-
11 020(a).

12 * Sec. 11. Rule 24, Alaska Rules of Children's Procedure, is amended to
13 read:

14 No child shall be [FINGERPRINTED OR] photographed while in
15 custody except with the consent of the children's court upon good
16 cause shown. Such cause exists where the child is in custody for a
17 serious offense against persons or property or where identification of
18 the child appears necessary for the safety of the child or others.

19 * Sec. 12. Section 11 amends Rule 24 of the Alaska Rules of Children's
20 Procedure by deleting the reference to fingerprints.

21 * Sec. 13. Rule 24, Alaska Rules of Children's Procedure, is amended by
22 adding a new subsection to read:

23 (b) A child may not be fingerprinted while in custody except in
24 accordance with AS 47.10.125.

25 * Sec. 14. Section 13 amends Rule 24 of the Alaska Rules of Children's
26 Procedure by incorporating the statutory requirements for obtaining finger-
27 prints from a child in custody.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 264 (HESS)
 Title: "An Act relating to the waiver of children's court jurisdiction, and to the fingerprinting of minors..."
 Sponsor: Senator Rodey
 Requestor: Senate Judiciary
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 BRU: Alaska State Troopers

 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						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: Kathy Niles, Admin. Assistant Phone: 465-4336
 Division: Commissioner's Office Date: 4/23/86
 Approved by Commissioner: [Signature] Date: 4/24/86
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER - CSSB 264 (HESS)

Neutral

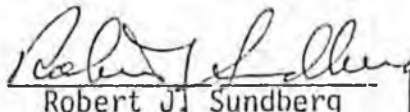
April 23, 1986

CSSB 264 (HESS) - "An Act relating to the waiver of children's court jurisdiction, and to the detention, fingerprint, and sentencing of minors; and amending Rule 24 of the Alaska Rules of Children's Procedure."

Section 4, AS 47.10.125 (B), requires that we maintain files separate from adults. This would serve no practical purpose since our files are kept in a computer. We could keep them in state without a problem and the hard copy could be kept in separate cabinets, but the data from the minutia should be in the computer.

Fingerprints obtained under this section should not be purged.

Prince George County in Maryland has an Automated Fingerprint System. They also fingerprint juveniles. They found their data base consists of 6% juveniles and 94% adults. Over half of the latent prints identified from an investigation, using their equipment, are identified as juvenile prints contained in their files.


Robert J. Sundberg

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 3

REQUEST

Bill/Resolution No.: SB 264
 Title: "An Act Relating to Unlawful Conduct of Minors"
 Sponsor: Rodev
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Due Process
 BRU, Program or Subprogram(s) Affected: Public Defender Agency

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		70.8	75.0	79.5	84.3	89.4
200 TRAVEL		5.0	5.3	5.6	5.9	6.3
300 CONTRACTUAL		8.0	8.5	9.0	9.5	10.1
400 SUPPLIES		3.0	3.2	3.4	3.6	3.9
500 EQUIPMENT		1.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	88.3	92.0	97.5	103.3	109.6

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		88.3	92.0	97.5	103.3	109.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	1.0	1.0	1.0	1.0	1.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Dana Fabe, Public Defender Phone: 279-7541
 Division: Public Defender Agency Date: 4/18/85

Approved by Commissioner: Lisa Rudd Date: 4/26/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

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

FISCAL NOTE ANALYSIS

SB 264
April 18, 1985

This bill provides that persons 16 or 17 years of age who are charged with unclassified or Class A felonies may be automatically prosecuted in adult court upon petition of the District Attorney. Within a ten-day period, the juvenile defendant may petition the court to be returned to juvenile jurisdiction. The juvenile would then have the burden of proof to show that he should not be prosecuted as an adult.

The result of this legislation will be to increase the number of persons age 16 or 17 who are charged and prosecuted as adults for serious felonies. Unclassified and Class A felonies are the most serious cases that this agency handles, including Murder, Manslaughter, Kidnapping, Sexual Assault, Robbery, Aggravated Assault and others. Transferring these cases into the more adversarial adult justice system will require a great deal of additional attorney time. This is particularly true given the fact that under this bill, mandatory presumptive sentences will apparently apply to these juvenile offenders, making the probability of a full blown trial quite high. When these cases are dealt with in juvenile court, they rarely proceed to trial. Since the additional trials of these most serious types of felonies will require a great deal of additional attorney time, and convictions of these serious offenses will inevitably result in appeals, requiring still more attorney time, one full-time Assistant Public Defender will be needed in Anchorage if this bill is enacted.

FISCAL ANALYSIS

(One full-time Attorney IV in the Third District, Anchorage)

1st Year (FY86)

Personal Services		77.8
Travel		5.0
Contractual		
Communications	2.0	
Experts	6.0	8.0
Commodities		
Office Supplies	1.0	
Law Library	2.0	3.0
Equipment (One Time)		<u>1.5</u>
Total		88.3

1.	POSITION TITLE Attorney IV			RANGE/STEP 24A	BARG. UNIT PX	PAGE/LINE	COY.	APPROV.	DISA.P.
2.	TYPE OF POSITION PET	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL	ADDITION			JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	\$4663/mo	55,956						
6.	Benefits		9,499						
7.	Supplemental Benefits		2,580						
8.	Fixed Benefits		2,630						
9.	TOTAL PERSONAL SERVICES	01	70,765						
10.	Travel		5,000						
11.	Contractual		8,000						
12.	Commodities		3,000						
13.	Equipment		1,500						
14.	Other								
15.	TOTAL COST		88,265						
	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 H&M USE ONLY KEY NUMBER _____									

This full-time Attorney IV position will be needed to handle the additional serious felony cases that will result from enactment of the juvenile waiver bill. The full working level of Attorney will be required because those cases to be tried will be unclassified felonies, which are the most serious criminal offenses.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Administration
PROGRAM Due Process
BRU Public Defender Agency
COMPONENT Third Judicial District

FY 86

Page 3 of 3
Revised Date _____

0598 Edwards . . .