

LEG. FINANCE - BILLS 1985 - 1986 2279

SJR 15 cont. - SCR 23 2279

Offered: 2/6/86
Referred: Finance

Original sponsors: Josephson, V.Fischer,
Kelly and Sturgulewski

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE JOINT RESOLUTION NO. 15 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska creating a
7 commission on compensation of elected
8 officials.

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

10 * Section 1. Article II, sec. 7, Constitution of the State of Alaska is
11 amended to read:

12 SECTION 7. SALARY AND EXPENSES. Legislators shall receive
13 annual salaries. They may receive a per diem allowance for expenses
14 while in session and are entitled to travel expenses going to and from
15 sessions. Presiding officers may receive additional compensation.
16 Compensation of legislators shall be set by the Commission on Compensa-
17 sation of Elected Officials.

18 * Sec. 2. Article III, sec. 15, Constitution of the State of Alaska is
19 amended to read:

20 SECTION 15. COMPENSATION. The compensation of the governor and
21 the lieutenant governor shall be prescribed by the Commission on
22 Compensation of Elected Officials [LAW] and shall not be diminished
23 during their term of office, unless by order of the commission consis-
24 tent with a general law applying to all salaried officers of the
25 State.

26 * Sec. 3. Article XII, Constitution of the State of Alaska is amended
27 by adding new sections to read:

28 SECTION 14. COMPENSATION COMMISSION. There is established a
29 Commission on Compensation of Elected Officials. The commission is

1 composed of five members appointed by the governor, subject to confir-
2 mation by a majority of the members of the legislature in joint ses-
3 sion. Members serve for staggered terms of six years. The governor
4 shall appoint members without regard to political affiliation. A
5 member of the commission may not be employed by the state during the
6 member's term and may not hold an elective state office during the
7 term or within one year thereafter. The legislature may establish
8 other qualifications for members of the commission.

9 SECTION 15. POWERS AND DUTIES OF THE COMMISSION. Except for
10 retirement benefits, which shall be established by general law appli-
11 cable to all officers of the state, the commission shall establish the
12 compensation of the governor, lieutenant governor, and members of the
13 legislature, including their salaries, benefits, per diem, and allow-
14 ances, if any. An order of the commission takes effect at the begin-
15 ning of the next fiscal year of the state. The commission shall hold
16 a public hearing before issuing an order that changes the compensation
17 of an elected official. At least every two years, but not more fre-
18 quently than every year, the commission shall review the compensation
19 of elected officials. The commission shall issue an order with re-
20 spect to salaries not later than thirty days before the end of the
21 fiscal year.

22 SECTION 16. FINALITY OF ORDER. An order setting the compensa-
23 tion of an elected official is not subject to veto by the governor.
24 An order of the commission is subject to initiative and referendum in
25 the same manner as an act of the legislature. The legislature shall
26 appropriate money to fund the orders of the commission.

27 * Sec. 4. The amendments proposed by this resolution shall be placed
28 before the voters of the state at the next general election in conformity
29 with art. XIII, sec. 1, Constitution of the State of Alaska, and the

1 election laws of the state.

Introduced: 2/18/85
Referred: State Affairs, Judiciary
and Finance

1 IN THE SENATE

BY JOSEPHSON

2

SENATE JOINT RESOLUTION NO. 15

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Proposing an amendment to the Constitu-

6

tion of the State of Alaska creating a

7

commission on compensation of elected

8

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

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13 annual salaries. They may receive a per diem allowance for expenses
14 while in session and are entitled to travel expenses going to and from
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19 amended to read:

20 SECTION 15. COMPENSATION. The compensation of the governor and
21 the lieutenant governor shall be prescribed by the Commission on
22 Compensation of Elected Officials [LAW] and shall not be diminished
23 during their term of office, unless by order of the commission consis-
24 tent with a general law applying to all salaried officers of the
25 State.

26 * Sec. 3. Article XII, Constitution of the State of Alaska is amended
27 by adding new sections to read:

28 SECTION 14. COMPENSATION COMMISSION. There is established a
29 Commission on Compensation of Elected Officials. The commission is

1 composed of five members appointed by the governor, subject to confir-
2 mation by a majority of the members of the legislature in joint ses-
3 sion. Members serve for terms of six years. The membership shall
4 include at least one business executive, one representative of a
5 nonpartisan voters' organization, one person with experience in public
6 administration, and one representative of a labor organization. A
7 member of the commission may not be employed by the state during the
8 member's term and may not hold an elective state office during the
9 term or within one year thereafter.

10 SECTION 15. POWERS AND DUTIES OF THE COMMISSION. Except for
11 retirement benefits, which shall be established by general law appli-
12 cable to all officers of the state, the commission shall establish the
13 compensation of the governor, lieutenant governor, and members of the
14 legislature, including their salaries, benefits, per diem, and allow-
15 ances, if any. An order of the commission takes effect at the begin-
16 ning of the next fiscal year of the state. The commission shall hold
17 a public hearing in each judicial district before issuing an order
18 that changes the compensation of an elected official. At least every
19 two years, but not more frequently than every year, the commission
20 shall review the compensation of elected officials. The commission
21 shall issue an order with respect to salaries not later than thirty
22 days before the end of the fiscal year.

23 SECTION 16. FINALITY OF ORDER. An order setting the compensa-
24 tion of an elected official is not subject to veto by the governor.
25 An order of the commission is subject to initiative and referendum in
26 the same manner as an act of the legislature. The legislature shall
27 appropriate morey to fund the orders of the commission.

28 * Sec. 4. The amendments proposed by this resolution shall be placed
29 before the voters of the state at the next general election in conformity

1 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
2 tion laws of the state.

COMMITTEE REPORT
SENATE

FURTHER:

3/11/85

Date _____

Mr. President

The Committee on FINANCE considered SJR 19

urging the United States Congress to amend the Deficit Reduction Act of 1984.

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

Introduced: 3/11//85
Referred: Finance

1 IN THE SENATE

BY COGHILL

2 SENATE JOINT RESOLUTION NO. 19

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Urging the United States Congress to
6 amend the Deficit Reduction Act of 1984.

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

8 WHEREAS the Deficit Reduction Act of 1984 (P.L. 98-369) made certain
9 changes in the requirements of the Internal Revenue Service for business
10 income tax reporting; and

11 WHEREAS, as a result of that Act, the IRS now requires a trade or
12 business to keep "adequate contemporaneous records" to substantiate deduc-
13 tions and tax credits for certain items; and

14 WHEREAS a trade or business that fails to keep these records cannot
15 claim certain deductions or investment tax credits on its income tax re-
16 turns; and

17 WHEREAS a trade or business may no longer use "sufficient evidence" to
18 establish the amounts of deductions; and

19 WHEREAS the new recordkeeping and reporting requirements are very
20 burdensome and time-consuming for businesses; and

21 WHEREAS the changes in the depreciation requirements by the Deficit
22 Reduction Act of 1984 may discourage businesses from purchasing more equip-
23 ment or hiring people to maintain tax records on the use of the equipment;
24 and

25 WHEREAS the Deficit Reduction Act of 1984 has already had adverse
26 effects on many businesses in the state;

27 BE IT RESOLVED by the Alaska State Legislature that it respectfully
28 urges the U.S. Congress to amend the Deficit Reduction Act of 1984 (P.L.
29 98-369) to replace the "adequate contemporaneous records" requirement with
S

COMMITTEE COPY

1 the former "sufficient evidence" requirement for establishing income tax
2 deductions and investment tax credits, and to return to the former rules
3 for depreciating business equipment.

4 COPIES of this resolution shall be sent to the Honorable Ronald
5 Reagan, President of the United States; and to the Honorable Ted Stevens
6 and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don
7 Young, U.S. Representative, members of the Alaska delegation in Congress.
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ALASKA STATE LEGISLATURE

Legislature Session

SENATE RESOL. NO. 14

By

9

Bill to amend the deficit reduction Act of 1934.

Introduced in the Senate ... 19..

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

3 11

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 3/11/85
Referred: Finance

1 IN THE SENATE

BY COGHILL

2

SENATE JOINT RESOLUTION NO. 19

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Urging the United States Congress to

6

amend the Deficit Reduction Act of 1984.

7

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

8

WHEREAS the Deficit Reduction Act of 1984 (P.L. 98-369) made certain
9 changes in the requirements of the Internal Revenue Service for business
10 income tax reporting; and

11

WHEREAS, as a result of that Act, the IRS now requires a trade or
12 business to keep "adequate contemporaneous records" to substantiate deduc-
13 tions and tax credits for certain items; and

14

WHEREAS a trade or business that fails to keep these records cannot
15 claim certain deductions or investment tax credits on its income tax re-
16 turns; and

17

WHEREAS a trade or business may no longer use "sufficient evidence" to
18 establish the amounts of deductions; and

19

WHEREAS the new recordkeeping and reporting requirements are very
20 burdensome and time-consuming for businesses; and

21

WHEREAS the changes in the depreciation requirements by the Deficit
22 Reduction Act of 1984 may discourage businesses from purchasing more equip-
23 ment or hiring people to maintain tax records on the use of the equipment;
24 and

25

WHEREAS the Deficit Reduction Act of 1984 has already had adverse
26 effects on many businesses in the state;

27

BE IT RESOLVED by the Alaska State Legislature that it respectfully
28 urges the U.S. Congress to amend the Deficit Reduction Act of 1984 (P.L.
29 98-369) to replace the "adequate contemporaneous records" requirement with

1 the former "sufficient evidence" requirement for establishing income tax
2 deductions and investment tax credits, and to return to the former rules
3 for depreciating business equipment.

4 COPIES of this resolution shall be sent to the Honorable Ronald
5 Reagan, President of the United States; and to the Honorable Ted Stevens
6 and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don
7 Young, U.S. Representative, members of the Alaska delegation in Congress.

COMMITTEE REPORT
SENATE

FURTHER:

11/17/65

Date 11/17/65

Mr. President

The Committee on FINANCE considered SEN. P.

Joint Special Committee on Legislative Salaries.

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 SEN. P.
- 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

Ford
4/16/85 ✓

Original sponsor: Rules Committee

1
2 IN THE SENATE BY THE FINANCE COMMITTEE
3 CS FOR SENATE CONCURRENT RESOLUTION NO. 19 (Finance)
4 IN THE LEGISLATURE OF THE STATE OF ALASKA
5 FOURTEENTH LEGISLATURE - FIRST SESSION

6 Establishing a Joint Special Committee
7 on Legislative Salaries.

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

9 WHEREAS there exists considerable public concern over the issues of
10 legislative salaries, per diem, and allowances; and

11 WHEREAS the legislature desires to encourage confidence in the legis-
12 lative process and to streamline expenditures and reduce operating costs of
13 the legislature;

14 BE IT RESOLVED by the Alaska State Legislature that under Uniform Rule
15 21 a Joint Special Committee on Legislative Salaries is established con-
16 sisting of three members of the Senate appointed by the President of the
17 Senate and three members of the House of Representatives appointed by the
18 Speaker of the House to examine legislative salaries, per diem, and allow-
19 ances; and be it

20 FURTHER RESOLVED that the committee, when constituted, be directed to
21 compare the approach taken by the state regarding salaries with the ap-
22 proach taken by other states and to develop recommendations for reducing
23 operating expenses; and be it

24 FURTHER RESOLVED that the committee is authorized to meet during and
25 between sessions of the legislature and is to report its recommendations
26 and findings on the first day of the Second Session of the Fourteenth
27 Legislature and is terminated on the first day of the Second Session of the
28 Fourteenth Legislature.

29

STATE OF ALASKA 1985 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date: _____

<p><u>REQUEST</u> Bill/Resolution No.: <u>CSSCR 19 (Fin)</u> Title: <u>Establishing a Joint</u> Special Committee on Legislative Sponsor: <u>Rules</u> Requestor: _____ Date of Request: _____</p>	<p><u>FISCAL DETAIL</u> Agency Affected: <u>Legislative Affairs</u> Program Category Affected: <u>Legislative Council</u> Salaries. <u>Leadership</u> BRU, Program or Subprogram(s) Affected: _____</p>
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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						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-				

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

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Jan Faiks, Co-chairman Phone: 465-4523
 Division: Senate Finance Committee Date: 4/22/85

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

ANALYSIS FOR SENATE CONCURRENT RESOLUTION 19

Establishing a Joint Special Committee on Legislative Salaries

This resolution establishes a Joint Special Committee on Legislative Salaries which would be composed of three members from the Senate (appointed by the President) and three from the House (appointed by the Speaker). This committee would examine legislative salaries, per diem, allowances and staffing levels of the Legislature.

The committee would be authorized to meet during the session as well as the interim and report their findings on the first day of the Second Session.

There is a proposed Finance Committee Substitute which deletes all references to legislative staff.

Introduced: 4/11/85
Referred: Finance

1 IN THE SENATE BY THE RULES COMMITTEE
2 SENATE CONCURRENT RESOLUTION NO. 19
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 Relating to establishing a Joint Special
6 Committee on Legislative Salaries.
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 WHEREAS there exists considerable public concern over the issues of
9 legislative salaries, per diem, and allowances; and
10 WHEREAS there has been significant change in legislative employment
11 over the past few years such that a comprehensive review is needed; and
12 WHEREAS the legislature desires to encourage confidence in the legis-
13 lative process and to streamline expenditures and reduce operating costs of
14 the legislature;
15 BE IT RESOLVED by the Alaska State Legislature that under Uniform Rule
16 21 a Joint Special Committee on Legislative Salaries is established con-
17 sisting of three members of the Senate appointed by the President of the
18 Senate and three members of the House of Representatives appointed by the
19 Speaker of the House to examine legislative salaries, per diem, and allow-
20 ances, as well as the functions and staffing levels of legislative personal
21 staff, and legislative service agencies; and be it
22 FURTHER RESOLVED that the committee, when constituted, be directed to
23 compare the approach taken by the state regarding salaries and staffing
24 with the approach taken by other states and to develop recommendations for
25 reducing operating expenses, increasing effectiveness and productivity of
26 staff and service agencies, and to streamline service agencies; and be it
27 FURTHER RESOLVED that the committee is authorized to meet during and
28 between sessions of the legislature and is to report its recommendations
29 and findings on the first day of the Second Session of the Fourteenth

- 1 Legislature and is terminated on the first day of the Second Session of the
- 2 Fourteenth Legislature.

COMMITTEE REPORT
SENATE

FURTHER:

5/1/85

Date _____

Mr. President

The Committee on FINANCE considered SCR 20

insurance of fishing vessels.

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

4/12/85

Date

1 MAY 85

Mr. President
The Committee on Labor & Commerce SCR 20
considered insurance of fishing vessels.

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 SCR 20
- 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

1 [Signature]
1 [Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS

1 [Signature]
Chairman
Do Pass
Chairman recommendation

Offered: 5/2/85
Referred: Finance

Original sponsors: Zharoff, Eliason
and P.Fischer

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE CONCURRENT RESOLUTION NO. 20 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to insurance of fishing ves-
6 sels.

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

8 WHEREAS the cost of marine hull insurance for commercial fishing
9 vessels in the state is prohibitively expensive, and often this insurance
10 is only available in part or not available at all; and

11 WHEREAS this problem occurs statewide and is preventing vessel owners
12 from diversifying into other fisheries and in some cases preventing vessel
13 owners from fishing; and

14 WHEREAS this situation has resulted primarily from the high number of
15 fishing accidents in recent years; and

16 WHEREAS the high number of accidents has resulted in tragic and in
17 almost all cases, avoidable instances of loss of life; and

18 WHEREAS underwriters of marine insurance in the state have ceased
19 issuing policies of insurance for this type of risk due to this situation;
20 and

21 WHEREAS many marine insurance underwriters are not familiar with the
22 fishing industry and the causes of fishing accidents;

23 BE IT RESOLVED by the Alaska State Legislature that the Governor is
24 requested to direct the Department of Commerce and Economic Development,
25 division of insurance, to conduct a study to provide the underwriters of
26 marine insurance in the state with information concerning fisheries
27 management and safety that will encourage them to make insurance available
28 at competitive rates; and be it

29 FURTHER RESOLVED that the study
S

1 (1) quantify the contribution of operator factors and
2 nonoperator factors, such as weather;

3 (2) identify which of these operator and nonoperator factors
4 could be reduced by changes in fisheries management policy;

5 (3) identify specific types of safety problems;

6 (4) determine the viability of a statewide or industry insurance
7 pool;

8 (5) make recommendations designed to achieve safer vessel
9 operations; and be it

10 FURTHER RESOLVED that the findings of this study be reported to the
11 legislature on the first day of the Second Session of the Fourteenth
12 Legislature and to the Department of Public Safety so that they may
13 consider adoption of safety regulations that address the factors causing an
14 increase in the cost of marine insurance.

Introduced: 4/12/85
Referred: Labor & Commerce

BY ZHAROFF, ELIASON
AND P.FISCHER

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO. 20

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to insurance of fishing ves-
6 sels.

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

8 WHEREAS the cost of marine hull insurance for crab, trawl, and
9 diversified seine fishing vessels in the state is prohibitively expensive,
10 and often this insurance is only available in part or not available at all;
11 and

12 WHEREAS this problem occurs statewide and is preventing vessel owners
13 from diversifying into other fisheries and in some cases preventing vessel
14 owners from fishing; and

15 WHEREAS this situation has resulted primarily from the high number of
16 fishing accidents in recent years; and

17 WHEREAS the high number of accidents has resulted in tragic and in
18 almost all cases, avoidable instances of loss of life; and

19 WHEREAS underwriters of marine insurance in the state have ceased
20 issuing policies of insurance for this type of risk due to this situation;
21 and

22 WHEREAS many marine insurance underwriters are not familiar with the
23 fishing industry and the causes of fishing accidents;

24 BE IT RESOLVED by the Alaska State Legislature that the Governor is
25 requested to direct the Department of Commerce and Economic Development,
26 division of insurance, to conduct a study to provide the underwriters of
27 marine insurance in the state with information concerning fisheries
28 management and safety that will encourage them to make insurance available
29 at competitive rates; and be it
S

1 FURTHER RESOLVED that the study

2 (1) quantify the contribution of operator factors and
3 nonoperator factors, such as weather;

4 (2) identify which of these operator and nonoperator factors
5 could be reduced by changes in fisheries management policy;

6 (3) identify specific types of safety problems;

7 (4) determine the viability of a statewide or industry insurance
8 pool;

9 (5) make recommendations designed to achieve safer vessel
10 operations; and be it

11 FURTHER RESOLVED that the findings of this study be reported to the
12 Alaska State Legislature and to the State Board of Fisheries so that they
13 may consider adoption of safety regulations that address the factors
14 causing an increase in the cost of marine insurance.
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ALASKA STATE LEGISLATURE

14th... Legislature FIRST... Session

SENATE CONC...RESOL.. NO. .20....

By ANAROFF, ELIASON, P. FISCHER

Relating to insurance of fishing vessels.

Introduced in the Senate ... 4/12., 19. 85

HISTORY IN THE SENATE

19 85	Read first time and referred to Committee on												
4 12	<i>L&C</i>												
4 30	<i>Fin added</i>												
5 2	Reported back with recommendation that <i>replace</i>												
	<i>of CS to en</i>												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Sent to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

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

HISTORY IN THE SENATE

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

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SCR 20
 Title: Relating to Insurance
of Fishing Vessels
 Sponsor: Zharoff
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.
 Program Category Affected: _____
Consumer Protection
 BRU, Program or Subprogram(s) Affected: _____
Insurance

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		75.0				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	75.0	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	75.0				
FEDERAL FUNDS					
OTHER					
TOTAL	75.0				

POSITIONS:

FULL-TIME	-0-				
PART-TIME					
TEMPORARY					

ANALYSIS: Attach a separate page if necessary

Prepared By: John George, Director Phone: 465-2515
 Division: Insurance Date: 4/24/85
 Approved by Commissioner: Loren H. Lounsbury Date: 4/26/85
 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

Offered: 5/2/85
Referred: Finance

Original sponsors: Zharoff, Eliason
and P.Fischer

1 IN THE SENATE BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR SENATE CONCURRENT RESOLUTION NO. 20 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to insurance of fishing ves-

6 sels.

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

8 WHEREAS the cost of marine hull insurance for commercial fishing

9 vessels in the state is prohibitively expensive, and often this insurance

10 is only available in part or not available at all; and

11 WHEREAS this problem occurs statewide and is preventing vessel owners

12 from diversifying into other fisheries and in some cases preventing vessel

13 owners from fishing; and

14 WHEREAS this situation has resulted primarily from the high number of

15 fishing accidents in recent years; and

16 WHEREAS the high number of accidents has resulted in tragic and in

17 almost all cases, avoidable instances of loss of life; and

18 WHEREAS underwriters of marine insurance in the state have ceased

19 issuing policies of insurance for this type of risk due to this situation;

20 and

21 WHEREAS many marine insurance underwriters are not familiar with the

22 fishing industry and the causes of fishing accidents;

23 BE IT RESOLVED by the Alaska State Legislature that the Governor is

24 requested to direct the Department of Commerce and Economic Development,

25 division of insurance, to conduct a study to provide the underwriters of

26 marine insurance in the state with information concerning fisheries

27 management and safety that will encourage them to make insurance available

28 at competitive rates; and be it

29 FURTHER RESOLVED that the study

1 (1) quantify the contribution of operator factors and
2 nonoperator factors, such as weather;

3 (2) identify which of these operator and nonoperator factors
4 could be reduced by changes in fisheries management policy;

5 (3) identify specific types of safety problems;

6 (4) determine the viability of a statewide or industry insurance
7 pool;

8 (5) make recommendations designed to achieve safer vessel
9 operations; and be it

10 FURTHER RESOLVED that the findings of this study be reported to the
11 legislature on the first day of the Second Session of the Fourteenth
12 Legislature and to the Department of Public Safety so that they may
13 consider adoption of safety regulations that address the factors causing an
14 increase in the cost of marine insurance.

Introduced: 4/12/85
Referred: Labor & Commerce

BY ZHAROFF, ELIASON
AND P.FISCHER

1 IN THE SENATE

2

SENATE CONCURRENT RESOLUTION NO. 20

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to insurance of fishing ves-

6

sels.

7

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

8

WHEREAS the cost of marine hull insurance for crab, trawl, and

9

diversified seine fishing vessels in the state is prohibitively expensive,

10

and often this insurance is only available in part or not available at all;

11

and

12

WHEREAS this problem occurs statewide and is preventing vessel owners

13

from diversifying into other fisheries and in some cases preventing vessel

14

owners from fishing; and

15

WHEREAS this situation has resulted primarily from the high number of

16

fishing accidents in recent years; and

17

WHEREAS the high number of accidents has resulted in tragic and in

18

almost all cases, avoidable instances of loss of life; and

19

WHEREAS underwriters of marine insurance in the state have ceased

20

issuing policies of insurance for this type of risk due to this situation;

21

and

22

WHEREAS many marine insurance underwriters are not familiar with the

23

fishing industry and the causes of fishing accidents;

24

BE IT RESOLVED by the Alaska State Legislature that the Governor is

25

requested to direct the Department of Commerce and Economic Development,

26

division of insurance, to conduct a study to provide the underwriters of

27

marine insurance in the state with information concerning fisheries

28

management and safety that will encourage them to make insurance available

29

at competitive rates; and be it

1 FURTHER RESOLVED that the study
2 (1) quantify the contribution of operator factors and
3 nonoperator factors, such as weather;
4 (2) identify which of these operator and nonoperator factors
5 could be reduced by changes in fisheries management policy;
6 (3) identify specific types of safety problems;
7 (4) determine the viability of a statewide or industry insurance
8 pool;
9 (5) make recommendations designed to achieve safer vessel
10 operations; and be it

11 FURTHER RESOLVED that the findings of this study be reported to the
12 Alaska State Legislature and to the State Board of Fisheries so that they
13 may consider adoption of safety regulations that address the factors
14 causing an increase in the cost of marine insurance.

COMMITTEE REPORT
SENATE

FURTHER:

5/1/85

Date _____

Mr. President

The Committee on FINANCE considered SCR 21

report on maximizing local hire.

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:

John J. ...

4/19/85

Date 1 MAY 85

Mr. President

The Committee on Labor & Commerce considered SCR 21
relating to a report on maximizing local hire.

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 FINANCE Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

John J. ...

Bill Kay No Ref

Fred J. ...
Chairman
Do Pass
Chairman recommendation

Introduced: 4/19/85
Referred: Labor and Commerce

1 IN THE SENATE BY JOSEPHSON AND ZHAROFF
2 SENATE CONCURRENT RESOLUTION NO. 21
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to a report on maximizing local
6 hire.

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

8 WHEREAS the unemployment and underemployment of Alaskans causes seri-
9 ous social and economic problems in the state; and

10 WHEREAS the legislature is seeking ways to remedy the unemployment and
11 underemployment of Alaskans;

12 BE IT RESOLVED by the Alaska State Legislature that the attorney
13 general and the commissioner of labor are requested to report to the legis-
14 lature by the first day of the Second Session of the Fourteenth Legislature
15 on a course of action the state may take in order to maximize local hire.

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COMMITTEE COPY

ALASKA STATE LEGISLATURE

.14th.. Legislature FIRST. Session

SENATE CONC. RESOL. NO. 21.....

By JOSEPHSON, ZHAROFF.....

Relating to a report on maximizing local hire.

Introduced in the Senate ...4/19., 19...85

HISTORY IN THE SENATE

19 85	Read first time and referred to Committee on										
4	19 Labor & Commerce										
5	2 Reported back with <i>L.C.</i> recommendation that <i>2d pass</i> <i>1 no rec, refer to Finance.</i>										
	Read second time and										
	Read third time and										
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reconsideration										
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by President										
	Sent to House										

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

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

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SCR 21
 Title: "Relating to a report on
 maximizing local hire"
 Sponsor: Josephson and Zharoff
 Requestor: Senate Labor & Commerce
 Date of Request: 4/22/85

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Public
 Protection
 BRU, Program or Subprogram(s) Affected:
Commissioner's Office

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		69.0				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	69.0	0	0	0	0

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		69.0				
FEDERAL FUNDS						
OTHER						
TOTAL	0	69.0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

(This analysis reflects costs if HB 295 passes)

Prepared By: Jim Robison

Division: Commissioner

Phone: 465-2700

Date: 4/22/85

Approved by Commissioner: Jim Robison

Agency: Labor

Date: 4/22/85

Distribution (by Agency preparing fiscal note):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

7/1/84

FISCAL NOTE ANALYSIS

THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE
BILL/RESOLUTION NO.: SCR 21
TITLE: "Relating to a report on maximizing local hire"
AGENCY AFFECTED: Department of Labor

This resolution requests a report to the legislature on a course of action to maximize local hire.

Assumptions:

1. Further research is necessary to: a) establish an accurate benchmark of nonresident to resident employees and wages by industry and area; b) survey employees for reasons associated with high nonresident hire; and c) analyze the benchmark data and employer responses for policy implications.
2. Work would begin July 1, 1985, and be conducted with a written report to be submitted to the Alaska Legislature on January 14, 1986.
3. The Alaska Department of Labor will assign a Labor Economist III for three months, a Labor Economist II for six months, and a Statistical Technician I for six months to research and provide this information.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SCR 21
 Title: "Relating to a report on
 maximizing local hire"
 Sponsor: Josephson and Zharoff
 Requestor: Senate Labor & Commerce
 Date of Request: 4/22/85

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Public
 Protection
 BRU, Program or Subprogram(s) Affected:
Commissioner's Office

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		89.0				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	89.0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		89.0				
FEDERAL FUNDS						
OTHER						
TOTAL	0	89.0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

(This analysis reflects costs if HB 295 does not pass)

Prepared By: Jim Robison
 Division: Commissioner

Phone: 465-2710
 Date: 4/22/85

Approved by Commissioner: Jim Robison
 Agency: Labor

Date: 4/22/85

Distribution (by Agency preparing fiscal note):

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

7/1/84

FISCAL NOTE ANALYSIS

THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE
BILL/RESOLUTION NO.: SCR 21
TITLE: "Relating to a report on maximizing local hire"
AGENCY AFFECTED: Department of Labor

This resolution requests a report to the legislature on a course of action to maximize local hire.

Assumptions:

1. Further research is necessary to: a) establish an accurate benchmark of nonresident to resident employees and wages by industry and area; b) survey employees for reasons associated with high nonresident hire; and c) analyze the benchmark data and employer responses for policy implications.
2. Work would begin July 1, 1985, and be conducted with a written report to be submitted to the Alaska Legislature on January 14, 1986.
3. If House Bill 295 is funded at \$100,000 then the costs associated with this resolution would be reduced by \$20,000.
4. The Alaska Department of Labor will assign a Labor Economist III for three months, a Labor Economist II for six months, and a Statistical Technician I for six months to research and provide this information.

Introduced: 4/19/85
Referred: Labor and Commerce

1 IN THE SENATE

BY JOSEPHSON AND ZHAROFF

2

SENATE CONCURRENT RESOLUTION NO. 21

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to a report on maximizing local

6

hire.

7

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

8

WHEREAS the unemployment and underemployment of Alaskans causes seri-

9

ous social and economic problems in the state; and

10

WHEREAS the legislature is seeking ways to remedy the unemployment and

11

underemployment of Alaskans;

12

BE IT RESOLVED by the Alaska State Legislature that the attorney

13

general and the commissioner of labor are requested to report to the legis-

14

lature by the first day of the Second Session of the Fourteenth Legislature

15

on a course of action the state may take in order to maximize local hire.

COMMITTEE REPORT
SENATE

FURTHER:

4/12/85

Date _____

Mr. President

The Committee on FINANCE considered SJR 23

urging the United States Olympic Committee to select Anchorage as the United States nominee for the site of the 1992 Winter Olympic Games.

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

Introduced: 4/12/85
Referred: Finance

BY FAIKS, DEVRIES, STURGULEWSKI,
KELLY, KERTTULA, ABOOD, BENNETT,
FERGUSON, V. FISCHER AND RODEY

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S

IN THE SENATE

SENATE JOINT RESOLUTION NO. 23

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

Urging the United States Olympic
Committee to select Anchorage as the
United States nominee for the site of
the 1992 Winter Olympic Games.

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

WHEREAS the Anchorage Organizing Committee is working to bring the
1992 Winter Olympic Games to Anchorage, Alaska; and

WHEREAS worldwide attention would be focused on the grandeur, spirit,
and bright promise of the state if the 1992 Winter Olympic Games were held
in Anchorage; and

WHEREAS this attention would encourage tourism in the state and stimu-
late the economy of the state; and

WHEREAS Anchorage, as a three-time All American City, is representa-
tive of the can-do spirit that is an inherent trait of the people of North
America; and

WHEREAS Anchorage and the southcentral region of the state where
Anchorage is located already possess many winter sport facilities of
Olympic caliber, including three of the four Olympic-size hockey rinks in
the United States, a world-class alpine ski run at Alyeska Ski Resort,
Nordic cross-country ski trails and training facilities, and winter
biathlon trails and training facilities; and

WHEREAS Alaska is ideally situated on the globe to facilitate world-
wide broadcasting of the 1992 Winter Olympics; and

WHEREAS Anchorage is an air crossroads of the world and an inter-
national community; and

COMMITTEE COPY

1 WHEREAS all Alaskans share the spirit of adventure that is necessary
2 to Olympic competition; and

3 WHEREAS Alaska possesses the technology, willingness of spirit, and
4 warm hospitality necessary for a successful Olympiad;

5 BE IT RESOLVED by the Alaska State Legislature that it fully endorses
6 the efforts of the Anchorage Organizing Committee to bring the 1992 Winter
7 Olympic Games to the state and urges the United States Olympic Committee to
8 select Anchorage, Alaska as the United States nominee for the site of the
9 1992 Winter Olympic Games.

10 COPIES of this resolution shall be sent to the United States Olympic
11 Committee and to the Anchorage Organizing Committee.

ALASKA STATE LEGISLATURE

14th... Legislature FIRST Session

SENATE JOINT RESOL. NO. ... 23..

By FAIKS, DEVRIES, KELLY,
KERTTULA, ABOOD, BENNETT,
FERGUSON, V.FISCHER, RODEY

Urging the United States
Olympic Committee to select
Anchorage as the United States
nominee for the site of the
1992 Winter Olympic Games.

Introduced in the Senate . 4/12... , 19.. 85

HISTORY IN THE SENATE

19 85 .

4 12

Read first time and referred
to Committee on

Reported back with
recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred
to Committee on

Reported back with
recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 4/12/85
Referred: Finance

BY KELLY, JOSEPHSON, STURGULEWSKI,
DEVRIES, FAIKS, RODEY, ABOOD,
KERTTULA, FERGUSON, V. FISCHER
AND FAHRENKAMP

1 IN THE SENATE

2

SENATE BILL NO. 283

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 Winter Olympic funding; and
7 providing for an effective date."

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

9 * Section 1. AS 05.35 is amended by adding a new section to read:

10 Sec. 05.35.100. ALASKA WINTER OLYMPICS ACCOUNT. (a) There is
11 created in the general fund an Alaska Winter Olympics account. The
12 Department of Revenue shall prepare the permanent fund dividend appli-
13 cation to allow applicants to designate that \$5 of the dividend be
14 subtracted from their check and contributed to the Alaska Winter
15 Olympics account. Permanent fund dividend contributions shall be
16 deposited in the Alaska Winter Olympics account.

17 (b) The Alaska Winter Olympics account shall be held in trust by
18 the Department of Administration for distribution to the official
19 United States Olympic Committee in Alaska to be used to develop
20 facilities for Winter Olympic training and competition and to attract
21 the Winter Olympics to Alaska.

22 * Sec. 2. This Act takes effect July 1, 1985.

COMMITTEE REPORT
SENATE

FURTHER:

Date _____

Mr. President

The Committee on _____ considered _____

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

Offered: 5/1/85
Referred: Finance

1 IN THE SENATE

BY SACKETT

2

SENATE CONCURRENT RESOLUTION NO. 23

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to a legislative committee to

6

study local option elections.

7

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

8

WHEREAS there is an ever increasing need to find solutions to problems

9

associated with alcohol abuse in the state; and

10

WHEREAS the problems associated with alcohol abuse are particularly

11

disruptive to rural communities; and

12

WHEREAS local option elections offer a means for rural communities to

13

address local alcohol problems; and

14

WHEREAS the legislature desires to explore the advisability of local

15

option elections on the question of banning possession of alcoholic

16

beverages within a community;

17

BE IT RESOLVED by the Alaska State Legislature that under Uniform

18

Rule 21 a joint special committee on local option laws is established

19

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ANALYSIS FOR SENATE CONCURRENT RESOLUTION 23

Relating to a legislative committee to study local option elections

This resolution would establish a joint special committee in the Legislature on local option laws. It would be composed of three members from the Senate (appointed by the President) and three members in the House (appointed by the Speaker).

The Committee would hold public hearings in rural communities to take testimony and collect data about local option elections to ban the possession of alcoholic beverages within the community.

This would be a temporary interim committee and would cease to exist on the 10th day of the second session. However, before the Committee went out of existence, it would be required to submit a written report to the Legislature that addressed the merits of local option elections. In addition, they could also make recommendations.

CW

Alaska State Legislature

SENATOR

John C. Sackett

CO-CHAIRMAN
SENATE FINANCE COMMITTEE



Senate

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P O BOX 11
RUBY, ALASKA 99761

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
TELEPHONE 465-3753

ANCHORAGE
TELEPHONE 272-3404

MEMBER
LABOR & COMMERCE COMMITTEE
BUDGET & AUDIT COMMITTEE
SENATE ADVISORY COUNCIL
COMMITTEE ON COMMITTEES

MEMORANDUM

Date: May 2, 1985

To: Members, Senate Finance

From: Senator John Sackett *JS*

Subj: SCR-23, local option study

SCR-23 (and a companion resolution in the House by Representative Binkley, HCR-35) would permit the appointment of a joint special committee composed of three members from each body to hold hearings on local option laws relating to alcohol.

Many rural communities have opted to ban the importation of alcohol. Some communities have expressed an interest in also banning the possession of alcohol. Presently, even though the importation of alcohol is illegal, personal possession is not, and in some cases has resulted in making it very difficult for law enforcement personnel to effectively control alcohol use within city limits.

The Department of Law advises that prior to consideration of legislation permitting local communities to exercise the local option law to ban possession of alcohol it would be advisable to take public testimony to lay the groundwork for justification of such legislation. Such justification would give the Department of Law legal resources to defend in court any legislation that might be enacted and subsequently challenged.

SCR-23 calls for the special committee to dissolve on the 10th day of the Second Session of the 14th Legislature and submit a report of their findings by that date.

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ALCOHOL LOCAL OPTION LAWS - A FIFTH OPTION

A Position Paper

by

Representative John Binkley
Yukon-Kuskokwim Delta

February 1985

ALASKA'S LOCAL OPTION LAWS - A FIFTH OPTION

In 1980 the Alaska Legislature amended Title 4 of the Alaska Statutes to provide for local option elections in rural villages controlling alcohol. The statute provides for four options:

- prohibition of sale
- prohibition of sale and importation
- restricted license by type
- restricted sales through community stores

Since passage of the statutes, a number of villages have elected to use the State law local option to prohibit sale and importation into the villages. By and large, these efforts have not been as successful as proponents of the legislation envisioned. As reported in one study, proponents of local option efforts feel generally that the law is bereft with "loopholes" and does not result in a "dry village" which is sought. See, Lonner & Duff Village Alcohol Control and the Local Option Law: A Report to the Alaska Legislature (1983). Additionally, this study pointed to a need for cooperation of external agencies and village people for the local option to be effective. Finally, the study indicated a need to internalize the law-making function implied in the local option process by involving local institutions.

in which State authorities decline to prosecute for lack of evidence, despite villagers' observations that an apparent violation has occurred. From the village perspective, such declination is perceived as a lack of official support for the law, or the presence of corruption in the State system of law enforcement. Repeated declination or apparent erratic enforcement erodes general support for the law and destroys local willingness to testify against or report violators.

In contrast, an option banning possession is more readily provable; i.e., either the alcohol is present or it is not. The more complex proof, required to sustain a charge of importation, would not be necessary, and a more uniform enforcement effort would be achieved. Such a ban would remove the apparent "loopholes" which exist, and more accurately reflect the apparent perceptions of villagers as to what the law is and ought to be.

The original proposal to authorize the prohibition of possession raised a number of concerns over the constitutionality of the legislation. These concerns are based upon the decision in Ravin v. State, 537 P.2d 494 (Alaska 1975) in which the Supreme Court struck down legislation prohibiting possession of marijuana as an unjustified infringement upon the right to privacy guaranteed under Alaska's Constitution. Many critics suggested wrongly that a ban on possession in general was unconstitutional under Ravin. That decision, however, rested upon the Court's finding that the State failed to prove marijuana a significant danger to the public health or safety. The Court in

violence, and child neglect/abuse in rural areas are directly related to alcohol. There is no question that there is a direct correlation between access and use of alcohol and violence in the villages. The Court in Harrison noted, under such conditions, the constitutionality of prohibiting possession is clearly permissible.

To adopt such legislation, however, the Legislature should hold hearings which:

- (1) address the level of alcohol related incidents of suicide, violent assaults, murders, rapes, domestic violence and child abuse/neglect, and
- (2) document the correlation of alcohol and the above statistics, and
- (3) attest to local support for such options.

State agencies, especially the Department of Public Safety should be requested to supply this information. After considering such legislation, the Legislature should either make specific findings in a legislative report or in the legislation itself that a direct correlation exists between possession/access to alcohol and such health and safety problems. Such a finding would greatly aid the defense of local options addressing possession from constitutional attack.

An Option to Define Community in Established Villages

Under current law, a local option in an established village applies within five miles of the village site. Road villages and villages within five (5) miles of an existing city present a particular problem. Adoption of a local option, while generally supported, is considered to infringe upon close neighboring communities, which may be suspicious of attempts to impose external controls. In these cases, an option allowing an established village to adopt a boundary up to a five (5) mile radius may be more appropriate in order to adjust the option to local geographic conditions.

Authorize Cooperation in Enforcement of Federal Indian Liquor Laws

Several Villages have elected to use the Federal Indian Liquor Laws (18 U.S.C. 1161) rather than State local option laws. The primary difference between the two sets of laws is that the federal options allow more flexibility and must rely primarily upon local enforcement. The federal laws are more flexible, since the village must draft its own ordinance, which is then approved and published in the Federal Register. This allows greater flexibility in control options. Additionally, the village must provide initial enforcement. Federal prosecutions occur only if the villages fail to collect a fine or otherwise effectively enforce the ordinance. In this sense, external enforcement is designed as a back-up only to local control.

and external enforcement efforts. Finally, the strengthened local option laws will pass constitutional muster if supported by data indicating a correlation between the presence of alcohol and health and safety. This correlation should be easily demonstrable given the high incidence of alcohol-related causes in rural violence.

Scr 23

STATE OF ALASKA

MEMBER
FINANCE COMMITTEE
SPECIAL COMMITTEE ON FISHERIES



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PO BOX 1065
BETHEL ALASKA 99551
(907) 543 2922

REPRESENTATIVE JOHNE BINKLEY

MEMORANDUM

Re: Position Paper - Local Option in Controlling Alcohol
From: Representative John Binkley *John Binkley*
Date: April 1985

Alcohol abuse is the number one health and safety problem in the State today and has been for several years. There is no question that alcohol abuse is directly related to higher incidence of violent behavior such as assaults, murder, rapes, domestic violence, and our tragic record of child abuse and neglect.

Title 4 of the state law was amended in 1980 to provide local option elections in rural villages. It presently provides four options:

- prohibition of sale of alcohol
- prohibition of sale and importation
- restriction of license by type
- restriction of sales through community stores

I am considering proposing a fifth option that will help close the loopholes which are still resulting in alcohol abuse in the villages. This option would allow local control of the problem by banning or limiting possession of alcohol. Villagers could then choose to either ban alcohol from their village, or to limit the amount of alcohol a person could possess.

Prior to drafting such legislation I have asked the Governor to appoint a committee consisting of three members of the Senate and three members of the House of Representatives to hold public hearings in rural communities and to take testimony and collect information about the question of allowing local communities to hold local option elections on banning possession of alcohol in a given community.

The attached proposal looks at the local control options in more detail. Legislation will be introduced next session; however, I am requesting co-sponsors and support for the attached resolution to be introduced soon.

If you have any questions or suggestion on this issue I would be most happy to hear from you.

Offered: 5/1/85
Referred: Finance

1 IN THE SENATE

BY SACKETT

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SENATE CONCURRENT RESOLUTION NO. 23

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

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Relating to a legislative committee to

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

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associated with alcohol abuse in the state; and

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COMMITTEE REPORT
HOUSE

(11)

FURTHER:

3/5/25

Date: 5-6-25

The Committee on FINANCE SCR 23 has had relating to a legislative committee to study local election elections.

under consideration and recommends:

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Robert S. ...

...

...

For ...

...

...

Robert S. ...

CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: SCR 23
 Title: Re: Legislative committee
to study local option elections
 Sponsor: Representative Binkley
 Requestor: House Finance Committee
 Date of Request: 5/3/85

FISCAL DETAIL
 Agency Affected: Legislature
 Program Category Affected: _____
 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		-0-				
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-				

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

APA

Prepared By: Representative Adams - Chairman Phone: 465-3706
 Division: House Finance Committee Date: 5/3/85

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

Offered: 5/1/85
Referred: Finance

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FOUCH
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PO BOX 1065
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REPRESENTATIVE JOHNE BINKLEY

MEMORANDUM

TO: Representative Al Adams, Chairman
House Finance Committee

DATE: May 3, 1985

FROM: Representative Johne Binkley 

RE: HCR 35 - Relating to a legislative committee
to study local option elections.

In 1980 the Alaska Legislature amended Title 4 of the Alaska Statutes to provide for local option elections in rural villages to control alcohol. The statute provides for four options:

- prohibition of sale of alcohol
- prohibition of sale and importation
- restriction of license by type
- restriction of sales through community stores

Since passage of the statutes a number of villages have elected to use the state law local options to prohibit sale and importation into the villages. By and large, these efforts have not been as successful as proponents of the legislation had envisioned.

Implementation of local option laws has been difficult. Under the current option prohibiting "sale and importation," a criminal prosecution must prove beyond a reasonable doubt that the accused actually imported the alcohol into the village. Such a conviction is impossible unless the accused is caught in the act of importing.

An option banning possession, however, is more readily provable. Either alcohol is present or it is not. Expanding the options available to communities under Title 4 to allow a fifth option to ban possession would more directly meet the needs and desires of many villages. It would simplify enforcement and close the loopholes in the current laws, and in some cases, encourage primary enforcement at the local level.

The attached letter from the Department of Law addresses the feasibility of revising the local option laws to include a ban on possession of alcohol. It specifically addresses concerns over the constitutionality of such an option, recommending that the legislature establish a comprehensive record of the compelling need for such an option.

Alcohol abuse continues to be the number one health and safety problem in our state. Clearly, existing laws have not provided satisfactory solutions. It is time to seek new solutions; I urge your support for HCR 35 creating a legislative committee to examine the merits and ramifications of local option and to make recommendations for the legislature's consideration early next year.

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION

BILL SHEFFIELD, GOVERNOR

REPLY TO

OFFICE OF THE CHIEF PROSECUTOR
POUCH KC
JUNEAU, ALASKA 99811
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTIONS
AND APPEALS
1031 WEST 4TH AVENUE, SUITE 318
ANCHORAGE, ALASKA 99501-5993
PHONE: (907) 279-7424

April 16, 1985

Honorable John Binkley
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Binkley:

You have asked our advice regarding the feasibility of revising the local option laws to include a ban on the possession of alcohol as an option available to individual communities. Ordinarily, the best course of action would be to simply introduce a bill to fulfill this purpose and then pursue its passage in the usual manner. However, because of the various policy considerations which we previously have discussed, and particularly because of the significant potential for constitutional attack, we would recommend that a bill not be introduced until the proper groundwork has been laid by compiling a substantial factual record which will assist in both the passage and defense of the bill.

If a ban on possession of alcohol is instituted, the law will most certainly be challenged under Alaska's explicit constitutional right to privacy (Art. I, Sec. 22). It was under this constitutional provision that the Alaska Supreme Court in 1975 held that the state could not prohibit possession of marijuana by adults in their own homes for personal use. The court held that the state had not demonstrated the existence of a legitimate state interest which was strong enough to justify the regulation of this conduct. Ravin v. State, 537 P.2d 497 (Alaska 1975).

Although the Alaska Supreme Court has stated in Harrison v. State, 687 P.2d 332 (Alaska 1984) that there is no fundamental right to possess or consume alcohol, any ban on possession of alcohol would be challenged under Alaska's constitutional right to privacy. The test used by the court in Ravin read as follows:

It is appropriate in this case to resolve Ravin's privacy claims by determining whether there is a proper governmental interest in imposing restrictions on marijuana use and whether the means chosen bear

a substantial relationship to the legislative purpose. If government restrictions interfere with the individual's right to privacy, we will require that the relationship between means and ends be not merely reasonable but close and substantial.

In State v. Erickson, 574 P.2d 1 (Alaska 1978), the court applied the Ravin standard to a claim that the prohibition against cocaine possession and use in the home violated the right to privacy. The court noted, in its analysis, that a special protection is accorded to the home, stating that "where the right to privacy is manifested in terms of interests more squarely within personal autonomy, the balance [of the individual's interest in privacy and the government's interest in health and safety] requires a heavier burden on the state to sustain the legislation in light of the right involved." Erickson, 574 P.2d at 22 n. 144.

The court, in Harrison, has already recognized an unmistakable correlation between alcohol consumption and poor health, death, family violence, child abuse, and crime. The court expressly recognized the deleterious effects of consuming alcoholic beverages. The court also recognized that marijuana, and even cocaine (State v. Erickson, 574 P.2d 22 (Alaska 1978)), are less dangerous.

But it must be noted that the court in the Harrison case did not rule on the constitutionality of a complete ban on the possession of alcohol. They ruled that a ban on importation and distribution of alcohol did not violate Alaska's constitutional right to privacy. The court saw a definite relationship between a ban on importation and its ultimate effect on possession, but they also made it perfectly clear that the right to consume alcohol in the home was not directly at issue in this case. Harrison 687 P.2d at 338.

One way to enact a defensible law would be to establish a comprehensive legislative record of the compelling need for expanding the options available to include a complete ban on possession. That is, the legislature's consideration of the bill should include extensive public hearings, debate on the social policy merits of the proposal, and the collection of the most recent scientific, medical, and pharmacological studies regarding the physical, emotional, and social effects of alcohol consumption. If, after reviewing the data, the legislature concludes that the danger inherent in the consumption of alcohol, especially in the home, is significant enough to justify a complete ban on possession of alcohol, it makes it much easier for the court to uphold the constitutionality of the measure. In making its decision, the court can rely, to a great extent,

on the data collected, the findings made, and the strong legislative intent expressed.

If you desire to pursue this process, the following steps are recommended:

(1) A legislative resolution should be drafted which would (a) establish the desire of the legislature to seek new solutions to the alcohol abuse problem, especially in rural areas; (b) establish the desire of the legislature to explore the possibility of offering a local option to individual communities of a complete ban on possession of alcohol; (c) establish a select committee consisting of representatives from rural communities, the medical profession, social services agencies, law enforcement agencies, prosecution agencies, and the legislature; and (d) establish the mandate of this committee as examining the merits and ramifications of such a local option--with duties including the holding of public hearings, the collection of data, and the preparation of written recommendations for the legislature's consideration by the beginning of next session.

As we discussed at our lunch meeting with Mike Wallery, the appropriate places for these public meetings would be in areas such as the NANA region, the Bethel and St. Mary's region, the Tanana Chiefs Conference (TCC) region, the Southeast region and the Anchorage area. Also, as we discussed, sufficient publicity should be provided ahead of time which encourages community members to attend and testify--especially family members who have experienced the effects of alcohol abuse in their home and those persons who have had problems with alcohol themselves. Special effort should be made to notify representatives from the fields of law enforcement, prosecution, social work, alcohol counselling, and medicine.

Once the committee's written recommendations are submitted, they should be put in the form of legislative proposals. The legislative committee hearings on these legislative proposals should establish a good factual record--leading to the preparation and adoption of specific legislative findings. The legislative hearings will not be able to be as extensive as the public hearings held by the select committee, but the same type of testimony should be gathered, in summary form, which was used to substantiate the select committee's findings.

Once this process is completed, and all hearings and findings clearly establish that the danger of alcohol consumption in the home is significant, it will be much more difficult for the court to find that a ban on possession in the home does not bear a close and substantial relationship to the legislative purpose of protecting the public health and welfare. It will be difficult for the court to say that under Alaska's

constitution, the privacy interest in being able to have a glass of wine in one's own home outweighs the need to protect the public from harm to themselves and others.

For your information, a subcommission and public hearing process was also used to develop the revised criminal code in 1978. And furthermore, since the recriminalization of possession of small amounts of marijuana suffers the same potential of constitutional challenge, we have recommended a similar approach for that legislative proposal, as well. Another approach would entail the use of a legislative interim committee, instead of a select committee made up of community members with special expertise.

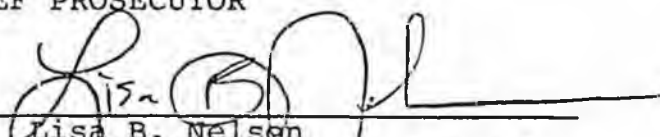
The Department of Law will be happy to review the resolution drafted by your Division of Legal Affairs and provide any other assistance needed.

Very truly yours,

NORMAN C. GORSUCH
ATTORNEY GENERAL

DANIEL W. HICKEY
CHIEF PROSECUTOR

By:



Lisa B. Nelson
Assistant Attorney General

Offered: 5/1/85
Referred: Finance

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