

LEG. FINANCE - BILLS 1985 - 1986 2209

HJR 65 cont. - HB 4 2209

The following firms indicated that they would process salmon in 1986:

Alaska Fresh Seafoods
 All Alaska Seafoods
 Alaska Pacific Seafoods
 Columbia Ward
 East Point Seafood
 International Seafoods
 King Crab, Inc.
 Larsen Bay Cannery
 Ursin Seafoods
 Western Alaska Fisheries
 Smokwa Shell
 Aleutian Dragon
 Chignik Pride

	<u>Daily Processing Capacity (Pounds)</u>	
	<u>Frozen</u>	<u>Canned</u>
1. Kodiak, shorebased	85,000 - 90,000	
2. Kodiak, shorebased	200,000	
3. Floater owned by #2	(200,000 tentative after 7/25)	
4. Kodiak, shorebased	160,000	240,000-290,000
5. North-West Side, shorebased	120,000	342,000
6. South-End, shorebased	180,000 - 200,000	500,000
7. Kodiak, shorebased	75,000 (plus 65,000 tentative)	
8. Kodiak, shorebased	100,000 (plus 100,000 tentative)	
9. West-Side, shorebased		(240,000-280,000 tentative)
10. Kodiak, shorebased	(125,000 Tentative)	
11. Floater owned by #10	(125,000 Tentative)	
12. Kodiak, shorebased	150,000 - 170,000	
13. Kodiak, shorebased	60,000	
14. Chignik, shorebased	250,000	

- | | | |
|--------------------------|--|---------|
| 15. Floater owned by #14 | (75,000 - 100,000
tentative after 7/25) | |
| 16. Kodiak, shorebased | 285,000 | 525,000 |
| 17. Chignik, shorebased | 200,000 - 300,000 | |

Those processors that have capacity which is noted as tentative, generally indicated they would utilize that capacity if contracts for sale of fish were obtained, if the price of fish was "right," if fish were available and so on.

Adding the more conservative figures, gives a total daily freezing capacity of 1.9 million pounds and canning capacity of 1.6 million pounds.

Two very large plants account for a production capacity of nearly 1.5 million pounds per day. Obviously, it is critical that these facilities do actually operate as indicated.

While a large part of the required processing capacity seems to exist, there may well be individual fishermen who are unable to gain access to available processing facilities because of tendering problems, unwillingness of processors to commit to service new vessels, and other factors.

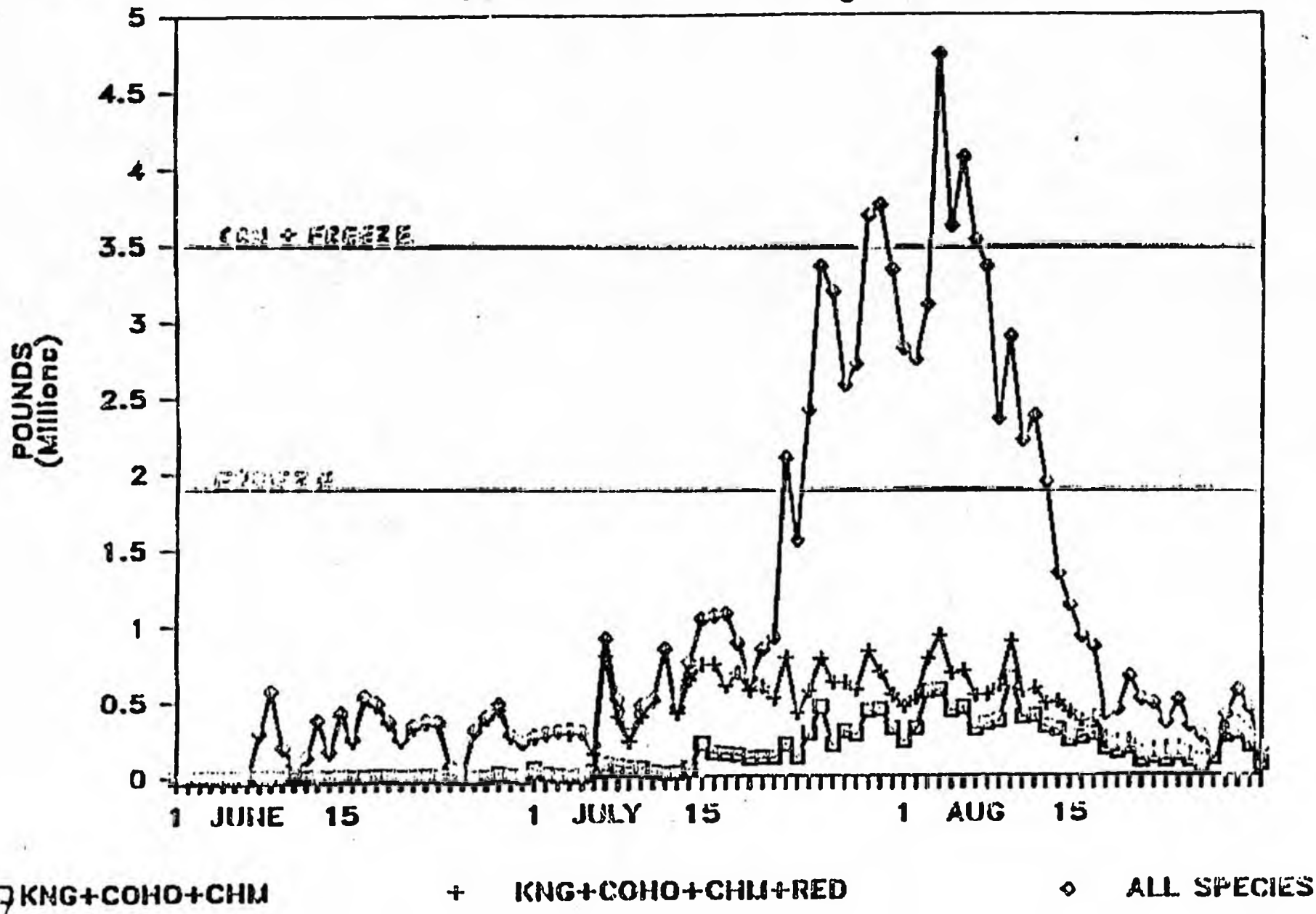
A large part of the question yet to be resolved is the willingness of processors to freeze pink salmon. It is obvious that canning capacity will fall far short of the volume necessary to handle all the pinks.

Processors generally indicated that they would handle Kodiak and Chignik fish before seeking sources of supply outside the area.

RR/sal716s
32686c

KODIAK/CHIGNIK 1986 CATCH PROJECTION

Combined Kodiak and Chignik Areas



Pink salmon glut threatens prices, profits of industry

Salmon problems...

The current oversupply of Alaska canned pink salmon represents an industry-wide crisis with the potential to be as damaging as the 1982 international recall of Alaska canned salmon, many fishing industry experts believe.

Huge inventories of canned pink salmon, teamed with predictions for an all-time record pink salmon run in Alaska this summer spell serious problems both for processors and for Alaska fishermen. The salmon canning business is such a major component of the Alaska seafood industry that its economic woes tend to "ricochet" throughout the industry.

In recent years very large pink salmon runs have allowed canned pink inventories to outstrip demand. The resulting soft wholesale prices have hurt processors' ability to recover the costs of paying for, processing and storing the fish. Product movement also was slowed over the last two years by the high value of the U.S. dollar and by inroads in Alaska's European markets made by salmon canned in Taiwan and Korea.

"The situation is really very grave. The only parallel you can find is the year of the botulism scare," says Bob Nickinovich, chairman of the Alaska Seafood Marketing Institute's canned seafood promotion committee. "It is difficult to overstate the seriousness of the problem."

What the pink surplus will mean to fishermen in terms of 1986 prices is not yet known. Industry officials speculate the result may include both lower prices and a reduction in the number of companies able to buy and process pink salmon this summer. That would be a significant problem in Alaska, which in 1985 saw over 50,000 people employed in fishery-related jobs, with fishermen alone earning over \$700 million from their catches, according to estimates by the Alaska Department of Fish and Game.

What it means to processors is more easily seen.

According to Bill Hudson, ASMI's executive director, United States processors had 2.9 million cases of pink salmon in inventory as of Dec. 1,

(Continued on back page)

Salmon promotion...

Officials of the Alaska Seafood Marketing Institute - after a series of emergency sessions in January - have announced plans to reallocate up to \$450,000 of the institute's funding to launch a drive to spur pink salmon sales nationwide.

Bill Hudson, executive director of the Juneau-based marketing entity, says ASMI's board of directors has voted to shift \$400,000 into efforts to increase canned pink sales plus an additional \$50,000 into efforts to market fresh/frozen salmon.

Hudson says \$350,000 of the canned promotional budget will be spent on radio advertising in the nation's top 12 salmon sales markets.

The radio campaign, which will start after Lent, will run from the last week in April until the last week in May. In the 12 targeted markets, supermarket chains will be given the opportunity to have their names tagged onto the end of 30-second radio spots in return for an agreement to feature Alaska canned salmon prominently in at least two newspaper ads purchased by the store during the promotion.

ASMI is hoping for up to 65 percent participation among retailers in the 12 market cities.

At a cost of an additional \$50,000, ASMI will give store managers an opportunity to win a Chrysler luxury automobile as part of a merchandising incentive program with the theme: "Inch Your Way Into A New Car." Store managers will be able to enter the car contest repeatedly - once for each column-inch of newspaper advertising they devote to canned salmon during the marketing period.

Salmon brokers in the same 12 cities will have a chance of winning a "significant" cash incentive for selling the most salmon to local retailers.

"ASMI doesn't have enough money to stimulate consumer sales significantly by itself, but we hope to encourage retailers to do enough advertising to move the needle, to generate some quick canned sales," explains Bill Woolf, deputy director of ASMI.

"The oversupply represents a huge problem, but it also constitutes a great opportunity. We have a tremendous natural resource. We simply

(Continued on page 2)

Salmon problems...
(Continued from page 1)

1985, including nearly 1.9 million 48-pound cases of tall (one-pound) cans, and 950,000, 24-pound cases of one-half pound cans. At the current industry sales levels of 140,000 cases of one-pound cans a month and just 61,000 cases of half-pound tins, the industry has over a year's worth of one-pound cans and over 15 months worth inventory of one-half pound cans - with only five months to go before the 1986 season begins.

"There is no question that it is to everyone's benefit if something is done to move these tremendous inventories. We need to get people to buy more salmon and buy it fast," says Hudson.

According to the National Food Processors Association, American salmon processors had 472,075 cases of pink salmon caught in 1983 left over when the 1984 harvest began to arrive in warehouses. In 1985, processors had 820,943 cases left over. Current estimates are that processors will have 1.15 million cases of pinks remaining from 1985 when the new pack arrives this summer. The oversupply problem was aggravated by the 1985 Canadian pack of 1.1 million (48-pound) cases - Canada's best production in five years.

Lee Patton, chairman of ASMI's marketing committee, says this year's glut has put the industry, and thus Alaskans who depend on fish sales, in real jeopardy.

"If we can't find a way to sell a lot of salmon quickly, a lot of people are going to be hurt. A lot of people will probably have to take less for their fish this summer and fishermen will tell you they can't afford lower prices. It is not a happy situation," Patton says.

Quality awareness seminars continue

ASMI is continuing with a series of quality awareness workshops, a series started by the institute last fall.

The workshops, open to seafood retailers, processors and wholesalers interested in practical information on how to evaluate the quality of seafood, also cover how to maintain seafood, market it and how to educate the consumer as to its benefits.

The workshop, "Seafood - Harvest the Profits," is being supervised by Tom Bellamore, ASMI's quality control program coordinator. The day-long sessions are conducted by a series of speakers and include hands-on demonstrations using Alaska seafood products.

The final workshops scheduled will be held March 18 at the Airport Park Hotel in Inglewood, Calif.; March 19 at the Holiday Inn in Ventura, Calif.; March 20 at the Holiday Inn in Ontario, Calif.; March 25 at the Holiday Inn in Tacoma, Wash.; April 1 at the Northern Lights Inn in Anchorage, Alaska; April 2 at the Travelers Inn in Fairbanks, Alaska; and on April 3 at Centennial Hall in Juneau, Alaska. All seminars start at 8 a.m. and run through lunch to 1:30 p.m.

People wishing to attend should pre-register. Information and pre-registration can be made by calling Carol Ovens or Pat Thomas at the Washington Sea Grant Program, University of Washington, 3716 Brooklyn Ave., N.E., Seattle, Wash. 98105 or (206)543-6600.

MEDIA NOTE: For further information on any of the items contained in the monthly ASMI-Gram, contact Bill Woolf, deputy director, at the Alaska Seafood Marketing Institute in Juneau, Alaska at (907) 586-2902.

Alaska Seafood
MARKETING INSTITUTE

526 Main Street
Juneau, Alaska 99801
Bill Hudson, Executive Director

Offered: 3/26/86
Referred: Labor & Commerce
and Finance

Original sponsors: Herrmann and Grussendorf

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE JOINT RESOLUTION NO. 65 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 Relating to foreign marketing of Alaska
6 pink salmon products.
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 WHEREAS record-setting runs have been forecasted for the pink salmon
9 fisheries of Alaska during 1986; and
10 WHEREAS the present inventories of processed pink salmon have reached
11 such high levels that even the recent increase in efforts of marketing have
12 not resulted in sale of the product on hand; and
13 WHEREAS because of the high pink salmon product inventory, the commer-
14 cial fishermen of the state may be faced with economically insufficient
15 price settlements for their catch; and
16 WHEREAS because of the high pink salmon product inventory, the seafood
17 processors of the state may be faced with economically insufficient price
18 settlements for their sales; and
19 WHEREAS the income derived from the pink salmon fisheries is necessary
20 to supplement fishermen's income from other fisheries they rely on and is
21 also extremely necessary in situations where the pink salmon fishery is the
22 sole source of income; and
23 WHEREAS due to the abundance of pink salmon stocks, with both fore-
24 casted run and inventory supply, the fishermen may be faced with no market
25 whatsoever or catch limits imposed by the seafood processors; and
26 WHEREAS alternate pink salmon product form development has been initi-
27 ated in the state and may have great potential in foreign markets; and
28 WHEREAS in certain foreign countries there currently exist no markets
29 of pink salmon from United States domestic processors;

1 BE IT RESOLVED that the Alaska State Legislature respectfully requests
2 that the Governor aggressively pursue the establishment of markets in these
3 foreign countries for pink salmon and innovative pink salmon products; and
4 be it

5 FURTHER RESOLVED that in trade negotiations and other dealings with
6 the Chinese during the upcoming Targeted Trade Mission of the Office of
7 Pacific Rim Relations, the Governor is respectfully requested to initiate
8 this foreign marketing effort, not only with respect to reducing the pre-
9 sent inventories of processed pink salmon, but also with respect to estab-
10 lishing outlets for purchasing and processing the surplus of this year's
11 catch; and be it

12 FURTHER RESOLVED that in establishing new foreign marketing outlets,
13 the Governor is also requested to discourage the foreign countries from
14 re-exporting United States pink salmon to other foreign countries that are
15 already buying from United States domestic processors.

Introduced: 2/17/86
Referred: Resources, Labor & Commerce
and Finance

1 IN THE HOUSE

BY HERRMANN AND GRUSSENDORF

2

HOUSE JOINT RESOLUTION NO. 65

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

Relating to foreign marketing of Alaska

6

pink salmon products.

7

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

8

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9

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4 Pacific Rim Relations, the Governor is respectfully requested to initiate
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6 sent inventories of processed pink salmon, but also with respect to estab-
7 lishing outlets for purchasing and processing the surplus of this year's
8 catch; and be it

9 FURTHER RESOLVED that in establishing new foreign marketing outlets,
10 the Governor is also requested to discourage the foreign countries from
11 re-exporting United States pink salmon to other foreign countries that are
12 already buying from United States domestic processors.

HOUSE
COMMITTEE REPORT

(11)

Date referred: 4/26/86

FURTHER REFERRALS:

DATE: 5-2-86

The FINANCE Committee has considered HJR 71

Proposing amendments to the Constitution of the State of Alaska creating the Alaska research development endowment.

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with (S HJR 71 (FIN)) same title
- new title

and recommends no recommendation

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note 5-1-86
 - zero fiscal note

SIGNING DO PASS:

Cebers? Adams

John Conquistador

Mike Smeraldi

Mark

Dolme B. B. B.

SIGNING OTHER RECOMMENDATIONS:

Jim Duncan - no rec.

Ronald J. J. J. - no rec.

Fat Pouchot no rec

Karl Kelly (NO REC)

Steve Thompson No Recommendation

Sam Costa NO REC

Cebers? Adams
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date : _____

REQUEST

FISCAL DETAIL

Bill/Resolution No. : SHJR 71 (FIN)
 Title : Proposing amendments to the Constitution of the State of Alaska creating the Alaska Research Development Endowment.
 Sponsor : House Finance Committee
 Requestor : House Finance Committee
 Date of Request : 5/1/86

Agency Affected : Alaska Research Development
 BRU : Endowment
 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						
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REVENUE		(480.0)	(480.0)	(480.0)	(480.0)	(480.0)
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FUNDING : (Thousands of Dollars)

GENERAL FUND		(480.0)	(480.0)	(480.0)	(480.0)	(480.0)
FEDERAL FUNDS						
OTHER						
TOTAL		(480.0)	(480.0)	(480.0)	(480.0)	(480.0)

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary This bill dedicates 20% of all state royalties and royalty sale proceeds from natural gas north of the Alaska Range to the Alaska Research Development Endowment. Currently, approximately \$2.4 million is received by the state from those sources. Consequently, \$480.0 would be dedicated. ($\$2.4 \text{ million} \div 20\% = \480.0)

Prepared by : Robert P. Adams Phone : _____
 Division : Finance Committee Chairman Date : 5/1/86

Approved by Commissioner : _____ Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

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

Original sponsor: Finance Committee

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 71 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska creating the
7 Alaska research development endowment.

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

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

11 SECTION 7. DEDICATED FUNDS. The proceeds of any state tax or
12 license shall not be dedicated to any special purpose, except as
13 provided in Section 15 and Section 17 of this article or when required
14 by the federal government for state participation in federal programs.
15 This provision shall not prohibit the continuance of any dedication
16 for special purposes existing upon the date of ratification of this
17 section by the people of Alaska.

18 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended
19 by adding a new section to read:

20 SECTION 17. ALASKA RESEARCH DEVELOPMENT ENDOWMENT. At least 20
21 percent of all royalties and royalty sale proceeds received by the
22 state from natural gas from the area north of the Alaska Range shall
23 be deposited in the Alaska research development endowment; however,
24 the total deposits from royalties and royalty sale proceeds may not
25 exceed \$1,000,000,000. These deposits shall be considered fund
26 principal and shall be invested as provided by law. Income from
27 investment of the endowment shall be available for appropriation as
28 provided by law. Appropriations may not be made from the Alaska
29 research development endowment except for research grants and the

1 costs of administration as provided by law.

2 * Sec. 3. The amendments proposed by this resolution shall be placed
3 before the voters of the state at the next general election in conformity
4 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
5 tion laws of the state.
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Offered: 4/26/86
Referred: Finance

Original sponsor: Finance Committee

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE JOINT RESOLUTION NO. 71 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the Constitution
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14 by the federal government for state participation in federal programs.
15 This provision shall not prohibit the continuance of any dedication
16 for special purposes existing upon the date of ratification of this
17 section by the people of Alaska.

18 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended
19 by adding a new section to read:

20 SECTION 17. ALASKA RESEARCH DEVELOPMENT ENDOWMENT. Up to 20
21 percent of all royalties and royalty sale proceeds from North Slope
22 natural gas received by the state shall be deposited in the Alaska
23 research development endowment; however, the total deposits from
24 royalties and royalty sale proceeds may not exceed \$1,000,000,000.
25 All income from investment of the endowment shall be deposited in the
26 Alaska research development endowment. Appropriations may not be made
27 from the Alaska research development endowment except for the conduct
28 of research as provided by law.

29 * Sec. 3. The amendments proposed by this resolution shall be placed

1 before the voters of the state at the next general election in conformity
2 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
3 tion laws of the state.

Introduced: 4/2/86
Referred: Resources, Judiciary
and Finance

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 HOUSE JOINT RESOLUTION NO. HJR 71

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska creating the
7 Alaska research development endowment.

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13 provided in section 15 and section 17 of this article or when required
14 by the federal government for state participation in federal programs.
15 This provision shall not prohibit the continuance of any dedication
16 for special purposes existing upon the date of ratification of his
17 section by the people of Alaska.

18 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended
19 by adding a new section to read:

20 SECTION 17. ALASKA RESEARCH DEVELOPMENT ENDOWMENT. At least
21 one-third of all royalties and royalty sale proceeds from North Slope
22 natural gas received by the state shall be deposited in the Alaska
23 research development endowment. All income from investment of the
24 endowment shall be deposited in the Alaska research development endow-
25 ment. Appropriations may not be made from the Alaska research devel-
26 opment endowment except for the conduct of research as provided by
27 law.

28 * Sec. 3. 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
HOUSE

(11)

FURTHER:

2/1/85

Date: 2-6-85

The Committee on FINANCE has had HB 1

"An Act authorizing the ferry system to transport certain items for charitable organizations without charge."

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 No Recommendation
- 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

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

No Rec - [Signature]

No Rec Fat [Signature]

No Rec Rich [Signature]

No Rec [Signature]

[Signature]

CHAIRMAN

Offered: 2/1/85
Referred: Finance

Original sponsors: M.M.Miller, Goll,
Sund and Duncan

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
2 CS FOR HOUSE BILL NO. 1 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items without charge."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 19.65 is amended by adding new sections to read:
10 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZA-
11 TIONS. (a) To the extent that unsold space is available, the commis-
12 sioner of transportation and public facilities may provide to au-
13 thorized nonprofit charitable organizations free transportation of
14 vans and vehicles on Alaska marine highway system vessels between
15 Alaska ports only. A van or vehicle transported under this section
16 may contain only clothing and household furnishings that are to be
17 distributed without charge to needy individuals and families.
18 (b) The commissioner shall determine which organizations are
19 authorized to receive free transportation services under (a) of this
20 section and shall maintain a list of those organizations. Authoriza-
21 tion is limited to organizations that have been in existence at least
22 three years. The commissioner may establish additional criteria for
23 authorization. A nonprofit charitable organization not authorized
24 under this subsection may submit a written request for authorization.
25 The request shall include the organization's justification for au-
26 thorization.
27 (c) An organization may lose its authorization for failing to
28 comply with the provisions of this section or regulations adopted
29 under this section.

1 Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. The commis-
2 sioner of transportation and public facilities may provide for the
3 free transportation of goods on Alaska marine highway system vessels
4 during an emergency declared by the governor.

5 * Sec. 2. AS 19.65.030 is repealed three years after the effective date
6 of this Act.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 1
Title: Transportation of goods for Charitable Organizations

Sponsor: M. Miller, Goli, Sund & Duncan
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Dent. of Transp. & P.F.
Program Category Affected: Transportation

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
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-	-0-

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

It is assumed that those "Charitable Organizations" requesting free transportation for a van or vehicle containing clothing and household goods for distribution to needy persons certify this need by formal written request and that free passage will be granted by pass with no liability of the State to those organizations.

* - Historical information not available to calculate revenue loss.

Prepared By: Joe D. Camp, Deputy Commissioner

Phone: 465-3950

Division: Alaska Marine Highway System

Date: 01/18/85

Approved by Commissioner: _____
Agency: DOT&PF

Date: 01/21/85

Distribution (by Agency preparing fiscal note):

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

SECTION ANALYSIS: HB 1

SECTION 1: Amends AS 19.65 (Highways and Ferries) by adding new sections -- AS 19.65.30 TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZATIONS: and AS 19.65.040 EMERGENCY TRANSPORTATION OF GOODS.

Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZATIONS. This section has three subsections.

Subsection (a) (Page 1, lines 11-17): Provides that the commissioner of transportation and public facilities may provide free transportation of vans and vehicles aboard state ferries to charitable nonprofit organizations to the extent that unsold space is available. Vehicles transported under this section may contain only clothing and household furnishings that are to be distributed free to needy individuals.

Subsection (b) (Page 1, lines 18-26): Provides that the commissioner shall decide which organizations may be eligible for free transportation under (a) and maintain a list of those organizations. The section defines that only organizations which have been in existence for at least three years are eligible to apply for authorization, and that the commissioner may establish other criteria for authorization. Nonprofit charitable organizations not on the authorization list may submit a written request for authorization; that request must include the organization's justification for being authorized to transport charitable goods.

Subsection (c) (Page 1, lines 27-29) is intended to minimize any potential for abuse of this service, by providing that an organization may lose authorization for failing to comply with the provisions of (a) and (b) or with administrative regulations adopted to implement this section.

Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. This section is intended authorize the ferry system to transport goods free of charge during an emergency declared by the governor.

SECTION 2: This is a sunset provision, repealing Sec. 19.65.030 only, three years after this legislation were to take effect. This requires the authorization to transport goods for charitable organizations to come back before the legislature to continue; this will enable the legislature to judge the effectiveness of the provision.

There is no effective date section.

Alaska State Legislature



House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

MEMO: Feb. 4, 1985.

TO: Hon. Al Adams
Chairman, House Finance Committee

FROM: Rep. M. Mike Miller

RE: HB 1/authorizing ferry system to transport certain items
without charge

You currently have in your committee House Bill 1, which would allow the Alaska Marine Highway System to authorize certain nonprofit charitable organizations to transport clothing and household goods at no charge on state ferries, on a space-available basis, if those goods are intended for free distribution to the needy.

Under provisions of the bill, transportation of vans or automobiles containing such goods would be free of charge to the charitable organizations on a space available basis, to the extent that unsold space is available. To control the use, as well as potential abuse, of this service, the commissioner of transportation and public facilities is authorized to maintain a list of eligible organizations as well as to establish criteria which must be met to receive authorization. I anticipate no fiscal impact as a result of this legislation.

The bill came about as a result of consultation with the Salvation Army, which provides charitable contributions of clothing and household goods to outlying communities now. Currently, the Salvation Army transports goods only when it can make arrangements with individuals who are traveling or transporting vehicles to outlying communities. This means, first of all, that such individuals must be found who have space available and who are willing to take the goods. The ferry system will not accept packages or containers of goods unaccompanied by passengers, and vehicle transportation is prohibitively expensive to an organization such as the Salvation Army. The bill would allow occasional vans or carloads of goods to be transported on a planned basis to needy people in outlying communities.

The bill further allows the ferry system, through the commissioner of DOT/PF, to authorize emergency free transportation of goods during emergency situations. This section of the bill results from the recent Thanksgiving Day storm which devastated the community of Tenekee Springs. The ferry system did provide free transportation of disaster relief goods -- food, clothing and such -- following that declared emergency; however, they found in the process that they have no statutory authorization to do so. This section would establish that authorization.

Attached is a section analysis of HB 1.

If you have any further questions, please contact me personally, or have your staff contact Bob Speed of my office.

HB 1: An Act authorizing the ferry system to transport certain items for charitable organizations without charge.

The Department of Transportation and Public Facilities is opposed to the transport of items for charitable organizations without charge. The multitude of charitable organizations in the state would inundate the Alaska Marine Highway with requests. According to Department of Labor statistics, there are 892 potential charitable organizations in the State. The investigation and processing of these requests would require administrative time that could evolve into a requirement for additional personnel.

Small communities usually have a low economic base therefore high ratio of needy individuals and families. With many it is a way of life preferred over urban dwelling. The free carriage of these items could have a definite effect on the economy of a small community and would compete with private industry both in transportation and local businesses.

Operationally it is not feasible to carry vans on a space available basis. Vans are required to be loaded prior to other vehicles.

However we believe that HB 1 should be amended to provide this assistance to needy individuals in communities that have been declared a disaster area by the Governor.

Position on CS per Camp: 1/29/85
Still opposed to concept of bill but
prefer CS to original bill.

HOUSE TRANSPORTATION
STANDING COMMITTEE
January 22, 1985
7:02 a.m.

Members Present: Representative Cato, Chairman
Representative Davis, Vice-Chairman
Representative Shultz
Representative Herrmann
Representative Furnace
Representative Pignalberi
Representative Marrou

Members Absent: None

COMMITTEE CALENDAR

HB 1 "An Act authorizing the ferry system to transport certain items for charitable organizations without charge." Sponsored by Representative Mike M. Miller.

WITNESS REGISTER

Representative Mike M. Miller
House of Representatives
Pouch V
Juneau, Alaska 99811
Telephone: 465-4990

Joe D. Camp, Deputy Commissioner
Alaska Marine Highway System
Department of Transportation and Public Facilities
1591 Glacier Avenue
Juneau, Alaska 99811
Mail Stop: 2505
Telephone: 465-3955

Lieutenant Bradford Russell
The Salvation Army
6044 Pine Street
Juneau, Alaska 99801

PREVIOUS ACTION

01/14/85 Read the first time and referred to the Transportation, Finance, and Rules Committees.

ACTION NARRATIVE

Tape 1
Side 1
Recording Number
003

Chairman Cato called the meeting to order at 7:02 a.m. and noted for the record, the following members present: Representatives Davis, Shultz, Herrmann, and Marrou. She brought before the committee House Bill 1 sponsored by Representatives Miller, Goll, Sund, and Duncan. She then asked Representative Miller to come before the committee and to speak about his bill.

025 Representative Miller explained that his bill addresses the free transportation of goods used for charitable purposes on the Alaska Marine Highway System. He emphasized that the goods would only be transported on the ferry system on a space available basis and stressed that this bill is limited to intra-Alaska transportation.

128 Chairman Cato asked if this applied solely to clothing and household furnishings and excluded the transportation of food. Representative Miller stated that only clothing and household furnishings could be transported and NOT food.

145 Representative Marrou asked how to prevent the potential abuses of this bill. Representative Miller responded that this bill does not make its enactment mandatory. The bill says the commissioner of Department of Transportation and Public Facilities "may" provide free transportation to charitable organizations. The commissioner has the authority to define.

177 Chairman Cato noted for the record that Representative Pignalberi has joined the committee some time ago.

179 Representative Davis expressed his fear of abuses by officers of charities. He also asked if the bill would support a chain of outlet stores in Southeast Alaska.

200 Representative Miller said that the bill does not apply to re-sale items. He suggested amending the bill by adding "free" to ensure that only free good would be transported. He stressed, again, that the word, "may" allows the commissioner to police abuses.

245 Representative Herrmann asked why the goods must be transported by van. Representative Miller explained that the Marine Highway System does not transport freight unless it is on a vehicle.

- 264 Chairman Cato noted for the record that Representative Furnace joined the committee some time ago.
- 266 Representative Marrou again expressed his fear of the bill being abused and suggested adding the word "free" in line 17 between the words "distributed" and "to." He also suggested inserting the word "unsold" to line 12 between the words "that" and "space."
- 278 Representative Furnace asked if the Marine Highway System has some authority now to move charitable goods. Representative Miller said that it does not except in cases of emergency.
- 311 Representative Davis commented on a case where a business was affected economically by a charitable organization.
- 336 Representative Furnace stated that the bill is plain as it is and the Salvation Army good.
- 352 Chairman Cato called the next witness--Lieutenant Lieutenant Russell, the local officer of the Salvation Army and had him state his name for the record.
- 360 Lieutenant Russell noted that the Salvation Army in Juneau and other larger communities has a surplus of goods; whereas, in smaller communities, such a condition does not exist. The bill addresses a way to balance the surplus of goods with needy, out-lying communities.
- 368 Representative Shultz asked if the Salvation Army had tried using the U.S. Coast Guard to transport goods. Lieutenant Russell that although the Anchorage Air Force Reserve helps out during Christmas, it and the Coast Guard cannot be expected to transport charitable goods on a regular basis.
- 382 Representative Furnace asked how often would the Salvation Army use the ferry system. Lieutenant Russell said that he would not expect it to be too often--perhaps two to three ships per community per year. He also listed the communities to which the Salvation Army provides services: Angoon, Haines, Sitka, Ketchikan, Kake, Wrangell, Hoonah, and Petersburg. The Salvation Army also works with churches and other charitable organizations.
- 401 Representative Davis asked if the Salvation Army would be using the Marine Highway System to restock stores. Lieutenant Russell stated that in large communities

there are thrift stores. In small communities there are not. In those communities the Salvation Army ships goods used only for distribution.

424

Chairman Cato called to the table Joe Camp, Deputy Commissioner of the Alaska Marine Highway System, and asked him to state his name for the record.

427

Mr. Camp expressed the Department of Transportation's opposition to the bill. If it were to apply strictly to the Salvation Army, he would have no objection. He state that there are 892 charitable organizations which would qualify. He then cited abuses in free transportation now being offered by the Marine Highway System.

486

Mr. Camp commented on the zero fiscal note. The word "may" is not a panacea against abuses.

501

Mr. Camp asserted that the bill would create an inconvenience in loading. Currently, vans are loaded first. Not until all vehicles are loaded is it known whether or not the ship is full--when it is too inconvenient to load vans.

Mr. Camp does not object to amending the bill to allow for free transportation during times of emergencies. He recalled how the Marine Highway System came to the aide to Tenakee during the Thanksgiving 1984 disaster.

536

Representative Furnace recommended the following amendments:

1) Have the Department of Transportation and Public Facilities develop a list of authorized organizations in order to narrow the number of charities which could use the system for free.

2) Additional charitable organizations must petition the commissioner with written justification to be admitted to that list.

3) Violators or abusers of the bill would be excluded from the list.

4) Declare emergencies--let the Marine Highway System transport goods for free during times of emergencies.

547

Mr. Camp thought that the bill with Representative Furnace's recommendations would be more acceptable than what is offered now.

550

Representative Furnace suggested getting with the sponsor of the bill in order to make changes.

565 Representative Pignalberi addressed the issue of loading vans onto the ferry and stated that, really, loading is not an insurmountable problem.

604 Representative Marrou suggested charging a fifty percent discount to charitable organizations which would use the Marine Highway System to transport charitable goods. Mr. Camp said that that may not prevent abuses, but he had no objections to that idea.

On the issue of loading, Mr. Camp said that 60% to 70% of the time, the Marine Highway System would know whether or not it could load the van.

615 Representative Davis asked Mr. Camp what abuses he could foresee with this bill. He responded that he feared that the Marine Highway System would become a free-distribution center and that loading times would be increased. He was also concerned about personal abuses such as someone affiliating himself with a church, say, and use the system to transport personal goods for free.

644 Representative Shultz: "Could you end up with a non-profit that is actually state funded transporting goods on the ferry system?"

Mr. Camp: "Charitable, no, probably." He then gave two examples where the Marine Highway System had transported goods for the Arts Council and for a private television firm which was making a public services document.

665 Representative Pignalberi posited limiting use of free ferry transport to the United Way organization.

Tape 1
Side 2
Recording Number
003

Representative Miller returned to the table to address what had been said. He refuted the issues of free ferry use by senior citizens noting that those who do not have a ferry ticket should not be allowed to make reservations for automobile transport and cabin use. He also took point on what Mr. Camp had said on the 892 organizations who may use the system saying that it was up to the commissioner to decide who may use the system under the terms of this bill. He also doubted that this bill would cause too much time to perform but only a little extra time.

On the issue of loading vans first, he said that this doesn't have to be done and went on to say that the

Marine Highway System is "inventing problems that don't need to exist." He also refuted the notion that the Marine Highway System would become a "major distribution network."

102

Representative Miller agreed with Representative Furnace's recommendations and vehemently opposes the notion of giving a 50% discount to charitable organizations.

125

Representative Shultz wanted to know if wealthier, charitable organizations which well-off enough to exchange good would be allowed to use the ferry system. Representative Miller replied that trade is a system of bartering and thus, they would not be eligible to use the ferry system under the terms of this bill.

205

Representative Miller pointed out that, unlike the Salvation Army, churches do not belong to the United Way. He further pointed out that they would be excluded if the free ferry transport were restricted to organizations belonging to the United Way.

He reiterated that the bill allows the commissioner to draw up the list of charitable organizations which could use the ferries under the terms of this bill and that the commissioner would have the power to define the qualifications for belonging to the list.

244

Chairman Cato suggested that the committee staff join Representatives Miller, Furnace, and anyone else who would like to contribute to fine tuning the bill. Representative Furnace made the motion that this be done. Chairman Cato asked if there were any objections. Being none, so ordered.

254

Chairman Cato adjourned the meeting at 8:02.

HOUSE TRANSPORTATION
STANDING COMMITTEE
January 31, 1985
7:00 a.m.

Members Present: Representative Bette Cato, Chairman
Representative Mike Davis, Vice-Chairman
Representative Dick Shultz
Representative Adelheid Herrmann
Representative Andre Marrou

Members Absent: Representative Walt Furnace
Representative Marco Pignalberi

COMMITTEE CALENDAR

HB 1 "An Act authorizing the ferry system to transport
certain items for charitable organizations without charge."

WITNESS REGISTER

Representative Mike M. Miller
House of Representative
Pouch V
Juneau, AK 99811
Telephone: (907) 465-4990
Position Statement: Supported the Committee Substitute for HB 1

Joe Camp
Deputy Commissioner
Alaska Marine Highway System
Department of Transportation and Public Facilities
Pouch Z
Juneau, AK 99811
Telephone: (907) 465-3950
Position Statement: Opposed bill but approved the amendments in the
Committee Substitute

Susan Fleischhauer
Legislative Liaison
Department of Transportation and Public Facilities
Pouch Z
Juneau, AK 99811
Telephone: (907) 465-3900
Position Statement: Observer

PREVIOUS ACTION

HB 1 Please refer to the House Transportation Committee
Minutes of 01/22/85.

ACTION NARRATIVE

Tape 1

Side 1

Recording

Number 004 Chairman Cato called the meeting to order at 7:05 and noted for the record the following members present: Representative Davis, Representative Shultz, Representative Herrmann, Representative Marrou, and Representative Cato. She noted for the record that Representative Furnace was unable to attend today's meeting. She brought before the committee Committee Substitute for House Bill 1 entitled, "An Act authorizing the ferry system to transport certain items without charge." She then introduced and called to the table the sponsor of the original bill, Representative Mike M. Miller.

Number 026 Representative Miller thanked the chairman for the speedy manner in which the committee had addressed this bill. He told the committee that he had looked at the Committee Substitute for House Bill 1 and said that it "meets everything that I wanted to see in the bill. It meets all the criteria that were established to the committee." He also agreed with the sunset clause which was added to the bill. He ended by saying, "I think your staff did an admirable job on the committee substitute, and I would endorse it."

Number 054 Representative Cato thanked him for the compliment and then called on Deputy Commissioner Joe Camp to comment on the Committee Substitute. He did not wish to testify, so Representative Cato asked the committee members if they had any questions.

Number 058 Representative Davis also said that the Committee Substitute covered the committee's concerns and then asked Mr. Camp whether some of his fears had been alleviated by the substitute. Mr. Camp said he thought so.

Number 066 Representative Shultz mentioned that the last time Mr. Camp was before the committee, he opposed the bill because it had "opened the door to all kinds of things." He wanted to know if "that door," or those loopholes, had been addressed by the substitute. Mr. Camp said, "Basically, the department is still opposed to it, but this [the Committee Substitute] does close some of the loopholes." He feared that the bill has the potential for being abused.

Number 082 Representative Davis commented that the phrase, "[the commissioner] may establish additional criteria for authorization" would enable the department to close any loopholes which may arise.

Number 094 Representative Cato asked if there were any more question.

Number 108 Representative Davis moved to adopt Committee Substitute for House Bill 1. Representative Cato asked if there were any objections. Being none, she asked for a motion to move the bill out of committee.

Number 116 Representative Davis moved to pass the Committee Substitute for House Bill 1 and its fiscal note out of committee with individual

recommendations. Representative Cato asked if there were any objections. Being none, so ordered.

Number 135 Representative Marrou asked for clarification on the committee report, on individual recommendations, and on protocol for quorums.

Number 190 Representative Cato adjourned the meeting at 7:15.

Offered: 2/1/85
Referred: Finance

Original sponsors: M.M.Miller, Goll,
Sund and Duncan

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
2 CS FOR HOUSE BILL NO. 1 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items without charge."

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

9 * Section 1. AS 19.65 is amended by adding new sections to read:

10 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZA-
11 TIONS. (a) To the extent that unsold space is available, the commis-
12 sioner of transportation and public facilities may provide to au-
13 thorized nonprofit charitable organizations free transportation of
14 vans and vehicles on Alaska marine highway system vessels between
15 Alaska ports only. A van or vehicle transported under this section
16 may contain only clothing and household furnishings that are to be
17 distributed without charge to needy individuals and families.

18 (b) The commissioner shall determine which organizations are
19 authorized to receive free transportation services under (a) of this
20 section and shall maintain a list of those organizations. Authoriza-
21 tion is limited to organizations that have been in existence at least
22 three years. The commissioner may establish additional criteria for
23 authorization. A nonprofit charitable organization not authorized
24 under this subsection may submit a written request for authorization.
25 The request shall include the organization's justification for au-
26 thorization.

27 (c) An organization may lose its authorization for failing to
28 comply with the provisions of this section or regulations adopted
29 under this section.

1 Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. The commis-
2 sioner of transportation and public facilities may provide for the
3 free transportation of goods on Alaska marine highway system vessels
4 during an emergency declared by the governor.

5 * Sec. 2. AS 19.65.030 is repealed three years after the effective date
6 of this Act.

Introduced: 1/14/85
Referred: Transportation and
Finance

BY M.M.MILLER, GOLL, SUND AND
DUNCAN

1 IN THE HOUSE

2 HOUSE BILL NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items for charitable organizations without
8 charge."

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

10 * Section 1. AS 19.65 is amended by adding a new section to read:

11 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZATIONS.
12 To the extent that space is available, the commissioner of
13 transportation and public facilities may provide to nonprofit charita-
14 ble organizations free transportation of vans and vehicles on Alaska
15 marine highway system vessels. A van or vehicle transported under
16 this section may contain only clothing and household furnishings that
17 are to be distributed to needy individuals and families.

COMMITTEE REPORT
SENATE

FURTHER:

4/11/85

Date _____

Mr. President

The Committee on FINANCE considered CSHB 1(Trsp)
authorizing the ferry system to transport certain items without charge.

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

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

3/4/85

Date APRIL 10, 1985

Mr. President

The Committee on TRANSPORTATION considered CSHB 1(Trsp) authorizing the ferry system to transport certain items without charge.

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

Joe P. Josephson

MEMBERS HAVING
OTHER RECOMMENDATIONS

Michael Wood To Pass
Paul Finley - Do not pass
unless amended

[Signature]
Chairman
[Signature]
Chairman recommendation

Offered: 2/1/85
Referred: Finance

Original sponsors: M.M. Miller, Goll,
Sund and Duncan

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 1 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items without charge."

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

9 * Section 1. AS 19.65 is amended by adding new sections to read:

10 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZA-
11 TIONS. (a) To the extent that unsold space is available, the commis-
12 sioner of transportation and public facilities may provide to au-
13 thorized nonprofit charitable organizations free transportation of
14 vans and vehicles on Alaska marine highway system vessels between
15 Alaska ports only. A van or vehicle transported under this section
16 may contain only clothing and household furnishings that are to be
17 distributed without charge to needy individuals and families.

18 (b) The commissioner shall determine which organizations are
19 authorized to receive free transportation services under (a) of this
20 section and shall maintain a list of those organizations. Authoriza-
21 tion is limited to organizations that have been in existence at least
22 three years. The commissioner may establish additional criteria for
23 authorization. A nonprofit charitable organization not authorized
24 under this subsection may submit a written request for authorization.
25 The request shall include the organization's justification for au-
26 thorization.

27 (c) An organization may lose its authorization for failing to
28 comply with the provisions of this section or regulations adopted
29 under this section.

COMMITTEE COPY

1 Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. The commis-
2 sioner of transportation and public facilities may provide for the
3 free transportation of goods on Alaska marine highway system vessels
4 during an emergency declared by the governor.

5 * Sec. 2. AS 19.65.030 is repealed three years after the effective date
6 of this Act.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

100
4/21/85

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 1(Trsp)
Title: Transportation of goods for Charitable Organizations

FISCAL DETAIL

Agency Affected: Dept. of Transp. & P.F.
Program Category Affected: Transportation

Sponsor: M. Miller, Goll. Sund & Duncan
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

It is assumed that those "Charitable Organizations" requesting free transportation for a van or vehicle containing clothing and household goods for distribution to needy persons certify this need by formal written request and that free passage will be granted by pass with no liability of the State to those organizations.

* - Historical information not available to calculate revenue loss.

Prepared By: Joe D. Camp, Deputy Commissioner
Division: Alaska Marine Highway System

Phone: 465-3950
Date: 01/18/85

Approved by Commissioner: _____
Agency: DOT&PF

Date: 01/21/85

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

113

ALASKA STATE LEGISLATURE

14th Legislature FIRST Session

HOUSE BILL NO. 1

By M.M. MILLER, GOLL, SUND, DUNCAN

"An Act Authorizing the ferry system to transport certain items for charitable organizations without charge."

CSHB 1(Trsp) BY TRSP

Offered: 2/1/85
Referred: Finance

TITLE: "An Act authorizing the ferry system to transport certain items without charge."

Ferry System/Charitable Organizations

Introduced in the House ... 1/14, 19.85

HISTORY IN THE HOUSE

19 85

Jan. 14 Read first time and referred to Committee on TRANSPORTATION and

Feb 1 Reported back with FINANCE recommendation that Transportation - CS (Trsp) 5 do pass, 1 no rec. To Fin

Feb 8 Finance - CS (Trsp) 4 do pass 5 no rec. To Rules

Mar 1 Read second time and CS (Trsp) adopted today

Mar 1 Read third time and

Mar 1

PASSED		Effective Date
Yeas 32		Yeas
Nays 4		Nays
Absent 0		Absent
Excused 4		Excused

Reconsideration

PASS		Effective Date
Yeas		Yeas
Nays		Nays
Absent		Absent
Excused		Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

Bernie Pastun

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 85

3/4 Read first time and referred to Committee on Transportation

4/11 Reported back with recommendation that Fin 2 do pass, 1 no rec, 1 do not pass unless amended to Fin

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
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor
..... by Governor

Filed with Lt. Governor

Chapter No.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

48

110
4/27/85

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 1(Trsp)
Title: Transportation of goods for Charitable Organizations

FISCAL DETAIL

Agency Affected: Dept. of Transp. & P.F.
Program Category Affected: Transportation

Sponsor: M. Miller, Goll, Sund & Duncan
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
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-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

It is assumed that those "Charitable Organizations" requesting free transportation for a van or vehicle containing clothing and household goods for distribution to needy persons certify this need by formal written request and that free passage will be granted by pass with no liability of the State to those organizations.

* - Historical information not available to calculate revenue loss.

Prepared By: Joe D. Camp, Deputy Commissioner
Division: Alaska Marine Highway System

Phone: 465-3950
Date: 01/18/85

Approved by Commissioner: [Signature]
Agency: DOT&PF

Date: 01/21/85

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

7/1/84

116

Offered: 2/1/85
Referred: Finance

Original sponsors: M.M. Miller, Goll,
Sund and Duncan

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

6 For an Act entitled: "An Act authorizing the ferry system to transport
7 certain items without charge."

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

9 * Section 1. AS 19.65 is amended by adding new sections to read:

10 Sec. 19.65.030. TRANSPORTATION OF GOODS FOR CHARITABLE ORGANIZA-
11 TIONS. (a) To the extent that unsold space is available, the commis-
12 sioner of transportation and public facilities may provide to au-
13 thorized nonprofit charitable organizations free transportation of
14 vans and vehicles on Alaska marine highway system vessels between
15 Alaska ports only. A van or vehicle transported under this section
16 may contain only clothing and household furnishings that are to be
17 distributed without charge to needy individuals and families.

18 (b) The commissioner shall determine which organizations are
19 authorized to receive free transportation services under (a) of this
20 section and shall maintain a list of those organizations. Authoriza-
21 tion is limited to organizations that have been in existence at least
22 three years. The commissioner may establish additional criteria for
23 authorization. A nonprofit charitable organization not authorized
24 under this subsection may submit a written request for authorization.
25 The request shall include the organization's justification for au-
26 thorization.

27 (c) An organization may lose its authorization for failing to
28 comply with the provisions of this section or regulations adopted
29 under this section.

1 Sec. 19.65.040. EMERGENCY TRANSPORTATION OF GOODS. The commis-
2 sioner of transportation and public facilities may provide for the
3 free transportation of goods on Alaska marine highway system vessels
4 during an emergency declared by the governor.

5 * Sec. 2. AS 19.65.030 is repealed three years after the effective date
6 of this Act.

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

3/4/85

Date APRIL 10, 1985

Mr. President

The Committee on TRANSPORTATION considered CSHB 1(Trsp)
authorizing the ferry system to transport certain items without charge.

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

Mr. P. Josephson

MEMBERS HAVING
OTHER RECOMMENDATIONS

Mike Wood To Pass
Paul Fisher - Do not pass
unless amended

[Signature]
Chairman
[Signature]
Chairman recommendation

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

3/6/85

Date: 3 11 85

Mr. Speaker:

The Committee on FINANCE has had HB 2

"An Act relating to adoption medical records; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HR 2 (S. 2) same title
 new title
- and recommends do pass
- 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:

Albert P. Adams

Mike Dymally

John K. R. King

Ronald J. Searles

Fat Fournier

Thomson

Neil

Bob

Paul Velby (No Rec.)

Sen. Carter (No Rec.)

Albert P. Adams

CHAIRMAN

Offered: 3/6/85
Referred: Finance

Original sponsors: Szymanski, Goll
and Boucher

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 2 (Judiciary)
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 adoption medical records; and
7 providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 18.50 is amended by adding new sections to read:
10 Sec. 18.50.214. ACCESS TO ADOPTION INFORMATION. Upon request,
11 the state registrar shall provide the adoptive parents of a person or
12 the adopted person with whatever nonidentifying information is avail-
13 able on the medical history of each biological parent, adopted person,
14 and blood relative of each biological parent. The information shall
15 be on a standardized form prepared by the department.
16 Sec. 18.50.216. MAINTENANCE OF RECORDS. (a) The department, a
17 child adoption agency, or a person placing a person for adoption shall
18 furnish the state registrar the information concerning biological
19 parents required under AS 18.50.214 for all adoptions. If the infor-
20 mation concerning biological parents and adopted person and blood
21 relatives of each biological parent required under AS 18.50.214 is
22 requested but is not available for an adoption, the state registrar
23 shall attempt to obtain the required information from the child adop-
24 tion agency, records of the department, or court adoption records, or
25 a person placing a person for adoption.
26 (b) A child adoption agency licensed under AS 47.35.100 and a
27 person placing a person for adoption shall maintain records required
28 under this chapter or by the regulations of the commissioner. If a
29 child adoption agency or a person placing a person for adoption ceases

1 to place persons for adoption, it shall transfer its records to the
2 commissioner.

3 * Sec. 2. AS 18.50.370 is amended by adding new paragraphs to read:

4 (14) "adoptive parent" means a parent who adopted a person
5 under AS 25.23;

6 (15) "biological parent" means a birth parent who is named
7 on the original certificate of birth of an adopted person;

8 (16) "child adoption agency" means a child adoption agency
9 licensed under AS 47.35.100;

10 (17) "medical history" means information identifying pre-
11 vious medical conditions and their treatment, immunization records,
12 and other medical information that would be relevant to the health
13 care of a genetically-related person.

14 * Sec. 3. AS 25.23.080(c) is amended to read:

15 (c) A certified copy of the birth certificate or verification of
16 the birth record of the person to be adopted, if available, the non-
17 identifying information specified in AS 18.50.214, if available, and
18 the required consents, relinquishments, and termination orders shall
19 be filed with the clerk by the person or agency petitioning for
20 adoption.

21 * Sec. 4. AS 25.23 is amended by adding a new section to read:

22 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or
23 agency petitioning for adoption shall attempt to obtain from each
24 known biological parent of the adopted person for the state registrar
25 the information described in AS 18.50.214 on a form prepared by the
26 department.

27 (b) The information provided by a biological parent under (a) of
28 this section shall be filed with the state registrar.

29 * Sec. 5. This Act takes effect January 1, 1986.

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

Revision Date: _____

REQUEST

Bill/Resolution No.: SH B 2 (JW)
 Title: Adoption Medical Records

FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: Health

Sponsor: Szymanski, Goll & Boucher
 Requestor: _____
 Date of Request: 1/17/85

BRU, Program or Subprogram(s) Affected: _____
 Div. of Planning, Bureau of Vital Statistics

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						
TOTAL						

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: John P. Brooks
 Division: Planning/Bureau of Vital Statistics

Phone: 465-3391
 Date: 1/17/85

Approved by Commissioner: John R. Payne
 Agency: HEALTH & SOCIAL SERVICES

Date: 1/21/85 JCC

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget

*Rec'd 3/14/85
After mtg*

POSITION PAPER

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2 (Judiciary)

"An Act relating to adoption medical records"

The Judiciary Committee substitute for House Bill No. 2 incorporates the language changes recommended in the Department's position paper approved on January 20, 1985. In addition, it combines the new definitions generated by this amendment to the Vital Statistics Act with those already listed under AS 18.50.370.

The Department of Health & Social Services supports the passage of Committee Substitute for House Bill No. 2 (Judiciary).

RECOMMENDED BY: *Jean P. Brooks*
JOAN P. BROOKS
STATE REGISTRAR OF VITAL STATISTICS

DATE: *March 11, 1985*

RECOMMENDED BY: *Patricia R. Alexander*
PATRICIA R. ALEXANDER
DIRECTOR
DIVISION OF PLANNING

DATE: *3/11/85*

APPROVED BY: *John R. Fugh*
JOHN R. FUGH
COMMISSIONER

DATE: *3/12/85*

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

Revision Date: March 11, 1985

REQUEST

Bill/Resolution No.: CS HB 2 (Jud.)
Title: Adoption Medical Records

FISCAL DETAIL

Agency Affected: Health & Social Services
Program Category Affected: Health

Sponsor: Szymanski, Goll & Boucher
Requestor: _____
Date of Request: 3/11/85

BRU, Program or Subprogram(s) Affected:
Div. of Planning/ Bureau of Vital Statistics

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
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Patricia A. Alexander
Jean P. Chalk

Prepared By: Jean P. Chalk
Division: Planning/ Bureau of Vital Statistics

Phone: 465-3391
Date: March 11, 1985 3/11/85

Approved by Commissioner: John R. Egan
Agency: Health & Social Services

Date: 3/12/85 JCC

Distribution (by Agency preparing fiscal note):

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



Alaska State Legislature

House of Representatives

Representative Mike Szymanski

1920 Johns Road
Anchorage, Alaska 99515
Phone (907) 349-3373

While in Session:
Pouch V
State Capitol

Juneau, Alaska 99811
(907) 465-4978/4979

Finance Committee
Oil and Gas Committee

March 8, 1985

TO: HOUSE FINANCE COMMITTEE
FROM: Representative Mike Szymanski MS
SUBJECT: HB 2, relating to adoption medical records

This legislation, which I first introduced two years ago, has been endorsed by both the Alaska Department of Health and Social Services and the Alaska Court System.

Under present statute, there is no provision which would make it mandatory for an adopted child's medical history and records to be made available to both the adopted child and the adoptive parents. While, in fact, such information is often obtained and provided by the person or agency placing the child, there are many instances, especially in the area of private adoptions, where this information is not provided, nor is an attempt made to obtain the information.

A constituent of mine had contacted me because her adopted child had developed an illness which was "predictable" had the child's medical history/records been available.

It is the intent of this legislation to accomplish the following:

1. the legislation would require that information relating to the medical history of an adopted child be collected and recorded on a form provided by the Department of Health and Social Services and attached to the adoption records at the time of adoption. This would be for all adoptions -- through a private individual such as an attorney, a private agency, or a state agency.
2. For those adoptions which have occurred prior to the effective date of this legislation, the Department of Health and Social Services would now be required to obtain this information, if it is available, and if requested by the child or the adoptive parents.

3. This legislation would make the information available upon request to the adoptive parents and to the adopted child.

4. It is the intent of the legislation that the information which will be included will be nonidentifying information.

This bill has had hearings in the House HESS Committee and the House Judiciary Committee. In both cases, a committee substitute was adopted and changes were made that were technical in nature, to "clean up" the language of the legislation. An explanation follows of the changes:

CSHB 2 (HESS), changed the language on Page 1, lines 18 & 28 from "a person authorized by law to place a person for adoption" to "a person placing a person for adoption". The reasoning for this is that not all persons placing a child for adoption are required to be authorized by law. It is also consistent with the wording on Page 1, line 26 and Page 2, line 1. Additionally, the HESS CS changes the wording on Page 2, line 24 from "a person or agency petitioning for adoption shall obtain " to "shall attempt to obtain" in recognition of the fact that there will be times when this information is simply not available.

CSHB 2(Judiciary) Changes the statute reference in Section 1 from AS 18.50.500 and AS.50.510 and to AS 18.50.214, AS 18.50.216, respectively and changes the statute reference for the Definitions from AS 18.50.520 to AS 18.50.370 where it was deemed more appropriate.

The Department of Health and Social Services is supportive of these changes.

I appreciate the Committee's consideration of this legislation.

POSITION PAPER

HOUSE BILL NO. 2

"An Act relating to adoption medical records"

House Bill No. 2 amends the Vital Statistics Act and the adoption statute to require collection of nonidentifying information on the health history of each biological parent, adopted person, and blood relatives of each biological parent, if available.

The Department agrees that this information should be collected because of its usefulness to adoptees and adoptive parents, but much of that information, particularly about blood relatives, has not been collected for past adoptions mainly because the majority of adoptions in Alaska are not handled through agencies.

The Department proposes the following changes to Page 1, lines 18 and 28 from "a person authorized by law to place a person for adoption" to "a person placing a person for adoption". This change is suggested because not all persons placing a person for adoption are required to be authorized by law. An example would be an attorney who handles only one or two adoptions a year. This change is consistent with the wording on Page 1, line 26 and Page 2, line 1.

With these changes, the Department of Health and Social Services would support passage of House Bill No. 2.

RECOMMENDED BY: Joan P. Brooks
JOAN P. BROOKS
STATE REGISTRAR OF VITAL STATISTICS

DATE: January 17, 1985

RECOMMENDED BY: Newton Chase
NEWTON CHASE
ACTING DIRECTOR
DIVISION OF PLANNING

DATE: 1/17/85

APPROVED BY: John R. Pugh
JOHN R. PUGH
COMMISSIONER

DATE: 1/20/85

January 24, 1984

M E M O R A N D U M

TO: Rep. Niilo Koponen
Rep. Max Gruenberg
Co-Chairmen, House Health, Education
and Social Services Committee

FROM: Karla Forsythe *Karla Forsythe*
General Counsel
Alaska Court System

SUBJECT: HB 2

I have been asked by Deborah Niedermeyer, committee aide, to inform the committee of the Alaska Court System's views about HB 2.

The Alaska Court System takes no position on the merits of this legislation. With regard to the administrative and procedural impact on the courts, no fiscal impact is anticipated. The duties assigned to the court by this bill are appropriate to the court's role in adoption cases.

Thank you for the opportunity to comment on this legislation.

c: Arthur H. Snowden, II



Fairbanks Counseling and Adoption

222 Front St. Graphl
P.O. Box 1544
Fairbanks, Alaska 99707
(907) 456-4729

January 25, 1985

Niilo Koponen
Chair Person
House Hess

Dear Mr. Koponen:

We fully support House Bill 2, pertaining to adoption medical records. We believe that an adopted person should have access to nonidentifying medical information relating to his/her birth background. This information could be crucial to an adopted person's health and well being.

However, we also feel that this housebill is too limited in scope. While we feel that nonidentifying information related to medical needs is important, other information can also be of great importance to an adopted person. Therefore, we would support a bill that provides for the disclosure to the adoptive parents of a person or the adopted person the following non-identifying information;

- 1) the age of the biological parent at the birth of the adopted person but not the birth date of the biological parent;
- 2) the heritage of the biological parent, including:
 - (A) national origin;
 - (B) ethnic background; and
 - (C) race;
- 3) education, which is the number of years of school completed by the biological parent at the time of the adopted person;
- 4) general physical appearance of the biological parent at the time of the birth of the adopted person in terms of height, weight, color of hair, eyes, skin, and other information of a similar nature;



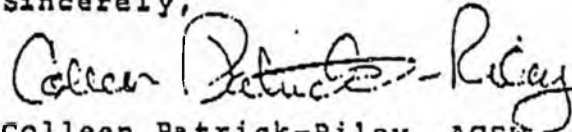
A United Way Member Agency

- 5) talents, hobbies, and special interests of the biological parent;
- 6) the existence of another child or children of the biological parent;
- 7) whether the parental rights of the biological parent were voluntarily relinquished or involuntarily terminated;
- 8) the religion of the biological parent;
- 9) the legal relationship, if any, between the biological parents.

The type of nonidentifying information that we have outlined in this letter can be extremely helpful to an adolescent or young adult who is in the process of forming an identity. Since an adopted person's identity is in part, a blending of his birth and adoptive backgrounds it is important he/she have knowledge of his total heritage.

We hope your committee will consider the needs of adoptees by endorsing HB 2.

Sincerely,



Colleen Patrick-Riley, ACSW
Executive Director

Offered: 3/6/85
Referred: Finance

Original sponsors: Szymanski, Goll
and Boucher

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 2 (Judiciary)

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 adoption medical records; and
7 providing for an effective date."

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

9 * Section 1. AS 18.50 is amended by adding new sections to read:

10 Sec. 18.50.214. ACCESS TO ADOPTION INFORMATION. Upon request,
11 the state registrar shall provide the adoptive parents of a person or
12 the adopted person with whatever nonidentifying information is avail-
13 able on the medical history of each biological parent, adopted person,
14 and blood relative of each biological parent. The information shall
15 be on a standardized form prepared by the department.

16 Sec. 18.50.216. MAINTENANCE OF RECORDS. (a) The department, a
17 child adoption agency, or a person placing a person for adoption shall
18 furnish the state registrar the information concerning biological
19 parents required under AS 18.50.214 for all adoptions. If the infor-
20 mation concerning biological parents and adopted person and blood
21 relatives of each biological parent required under AS 18.50.214 is
22 requested but is not available for an adoption, the state registrar
23 shall attempt to obtain the required information from the child adop-
24 tion agency, records of the department, or court adoption records, or
25 a person placing a person for adoption.

26 (b) A child adoption agency licensed under AS 47.35.100 and a
27 person placing a person for adoption shall maintain records required
28 under this chapter or by the regulations of the commissioner. If a
29 child adoption agency or a person placing a person for adoption ceases

1 to place persons for adoption, it shall transfer its records to the
2 commissioner.

3 * Sec. 2. AS 18.50.370 is amended by adding new paragraphs to read:

4 (14) "adoptive parent" means a parent who adopted a person
5 under AS 25.23;

6 (15) "biological parent" means a birth parent who is named
7 on the original certificate of birth of an adopted person;

8 (16) "child adoption agency" means a child adoption agency
9 licensed under AS 47.35.100;

10 (17) "medical history" means information identifying pre-
11 vious medical conditions and their treatment, immunization records,
12 and other medical information that would be relevant to the health
13 care of a genetically-related person.

14 * Sec. 3. AS 25.23.080(c) is amended to read:

15 (c) A certified copy of the birth certificate or verification of
16 the birth record of the person to be adopted, if available, the non-
17 identifying information specified in AS 18.50.214, if available, and
18 the required consents, relinquishments, and termination orders shall
19 be filed with the clerk by the person or agency petitioning for
20 adoption.

21 * Sec. 4. AS 25.23 is amended by adding a new section to read:

22 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or
23 agency petitioning for adoption shall attempt to obtain from each
24 known biological parent of the adopted person for the state registrar
25 the information described in AS 18.50.214 on a form prepared by the
26 department.

27 (b) The information provided by a biological parent under (a) of
28 this section shall be filed with the state registrar.

29 * Sec. 5. This Act takes effect January 1, 1986.

Offered: 2/6/85
Referred: Judiciary and
Finance

Original sponsors: Szymanski, Goll
and Boucher

1 IN THE HOUSE
2
3 CS FOR HOUSE BILL NO. 2 (HESS)
4 IN THE LEGISLATURE OF THE STATE OF ALASKA
5 FOURTEENTH LEGISLATURE - FIRST SESSION
6 A BILL
7 For an Act entitled: "An Act relating to adoption medical records; and
8 providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 18.50 is amended by adding new sections to read:
11 ARTICLE 6. ADOPTION INFORMATION.
12 Sec. 18.50.500. ACCESS TO ADOPTION INFORMATION. Upon request,
13 the state registrar shall provide the adoptive parents of a person or
14 the adopted person with whatever nonidentifying information is avail-
15 able on the medical history of each biological parent, adopted person,
16 and blood relative of each biological parent. The information shall
17 be on a standardized form prepared by the department.
18 Sec. 18.50.510. MAINTENANCE OF RECORDS. (a) The department, a
19 child adoption agency, or a person placing a person for adoption shall
20 furnish the state registrar the information concerning biological
21 parents required under AS 18.50.500 for all adoptions. If the infor-
22 mation concerning biological parents and adopted person and blood
23 relatives of each biological parent required under AS 18.50.500 is
24 requested but is not available for an adoption, the state registrar
25 shall attempt to obtain the required information from the child adop-
26 tion agency, records of the department, or court adoption records, or
27 a person placing a person for adoption.
28 (b) A child adoption agency licensed under AS 47.35.100 and a
29 person placing a person for adoption shall maintain records required
under this chapter or by the regulations of the commissioner. If a

1 child adoption agency or a person placing a person for adoption ceases
2 to place persons for adoption, it shall transfer its records to the
3 commissioner.

4 Sec. 18.50.520. DEFINITIONS. In AS 18.50.500 - 18.50.520

5 (1) "adoptive parent" means a parent who adopted a person
6 under AS 25.23;

7 (2) "biological parent" means a birth parent who is named
8 on the original certificate of birth of an adopted person;

9 (3) "child adoption agency" means a child adoption agency
10 licensed under AS 47.35.100;

11 (4) "medical history" means information identifying pre-
12 vious medical conditions and their treatment, immunization records,
13 and other medical information that would be relevant to the health
14 care of a genetically-related person.

15 * Sec. 2. AS 25.23.080(c) is amended to read:

16 (c) A certified copy of the birth certificate or verification of
17 the birth record of the person to be adopted, if available, the non-
18 identifying information specified in AS 18.50.500, if available, and
19 the required consents, relinquishments, and termination orders shall
20 be filed with the clerk by the person or agency petitioning for
21 adoption.

22 * Sec. 3. AS 25.23 is amended by adding a new section to read:

23 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or
24 agency petitioning for adoption shall attempt to obtain from each
25 known biological parent of the adopted person for the state registrar
26 the information described in AS 18.50.500 on a form prepared by the
27 department.

28 (b) The information provided by a biological parent under (a) of
29 this section shall be filed with the state registrar.

1 * Sec. 4. This Act takes effect January 1, 1986.

2

Introduced; 1/14/85
Referred: Health, Education &
Social Services, Judiciary and
Finance

1 IN THE HOUSE

BY SZYMANSKI, GOLL AND BOUCHER

2 HOUSE BILL NO. 2

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 adoption medical records; and
7 providing for an effective date."

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

9 * Section 1. AS 18.50 is amended by adding new sections to read:

10 ARTICLE 6. ADOPTION INFORMATION.

11 Sec. 18.50.500. ACCESS TO ADOPTION INFORMATION. Upon request,
12 the state registrar shall provide the adoptive parents of a person or
13 the adopted person with whatever nonidentifying information is avail-
14 able on the medical history of each biological parent, adopted person,
15 and blood relative of each biological parent. The information shall
16 be on a standardized form prepared by the department.

17 Sec. 18.50.510. MAINTENANCE OF RECORDS. (a) The department, a
18 child adoption agency, or a person authorized by law to place a person
19 for adoption shall furnish the state registrar the information con-
20 cerning biological parents required under AS 18.50.500 for all adop-
21 tions. If the information concerning biological parents and adopted
22 person and blood relatives of each biological parent required under
23 AS 18.50.500 is requested but is not available for an adoption, the
24 state registrar shall attempt to obtain the required information from
25 the child adoption agency, records of the department, or court adop-
26 tion records, or a person placing a person for adoption.

27 (b) A child adoption agency licensed under AS 47.35.100 and a
28 person authorized by law to place a person for adoption shall maintain
29 records required under this chapter or by the regulations of the

1 commissioner. If a child adoption agency or a person placing a person
2 for adoption ceases to place persons for adoption, it shall transfer
3 its records to the commissioner.

4 Sec. 18.50.520. DEFINITIONS. In AS 18.50.500 - 18.50.520

5 (1) "adoptive parent" means a parent who adopted a person
6 under AS 25.23;

7 (2) "biological parent" means a birth parent who is named
8 on the original certificate of birth of an adopted person;

9 (3) "child adoption agency" means a child adoption agency
10 licensed under AS 47.35.100;

11 (4) "medical history" means information identifying pre-
12 vious medical conditions and their treatment, immunization records,
13 and other medical information that would be relevant to the health
14 care of a genetically-related person.

15 * Sec. 2. AS 25.23.080(c) is amended to read:

16 (c) A certified copy of the birth certificate or verification of
17 the birth record of the person to be adopted, if available, the non-
18 identifying information specified in AS 18.50.500, if available, and
19 the required consents, relinquishments, and termination orders shall
20 be filed with the clerk by the person or agency petitioning for
21 adoption.

22 * Sec. 3. AS 25.23 is amended by adding a new section to read:

23 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or
24 agency petitioning for adoption shall obtain from each known biologi-
25 cal parent of the adopted person for the state registrar the informa-
26 tion described in AS 18.50.500 on a form prepared by the department.

27 (b) The information provided by a biological parent under (a) of
28 this section shall be filed with the state registrar.

29 * Sec. 4. This Act takes effect January 1, 1986.

#

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

3/20/85

Date: 4-4-85

The Committee on FINANCE has had HB 4

"An Act relating to debt of the state, its agencies, and municipalities; and providing for an effective date."

under consideration and recommends:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 4 (LOANS) same title
 new title
and recommends DO PASS

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

Albert B. G. [Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

Albert B. G. [Signature]
CHAIRMAN

Offered: 3/20/85
Referred: Finance

Original sponsors: Uehling and Gruenberg

1 IN THE HOUSE BY THE HOUSE SPECIAL
COMMITTEE ON STATE LOANS
2 CS FOR HOUSE BILL NO. 4 (Loans)
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 debt of the state, its agencies,
7 and municipalities; and providing for an effective
8 date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 37.15.110 is amended to read:
11 Sec. 37.15.110. CREATION AND MEMBERSHIP OF STATE BOND COMMITTEE.
12 There is created within the Department of Revenue a committee known as
13 the "state bond committee," the members of which are the commissioner
14 of commerce and economic development, the commissioner of administra-
15 tion, and the commissioner of revenue. If a member of the committee is
16 absent or otherwise unable to act, the member's designee [IN THE
17 DEPARTMENT] shall act as a member of the committee in the member's
18 place.
19 * Sec. 2. AS 37.15.130 is amended to read:
20 Sec. 37.15.130. OFFICERS, RECORDS AND PROCEEDINGS. (a) The
21 commissioner of revenue [COMMERCE AND ECONOMIC DEVELOPMENT] is the
22 chairman of the state bond committee [AND THE COMMISSIONER OF REVENUE
23 IS THE SECRETARY]. A majority of the members of the committee consti-
24 tute a quorum. The committee shall keep a full, complete, and perma-
25 nent record of its proceedings. All records and correspondence of the
26 committee shall be kept in the office of the commissioner of revenue.
27 (b) The committee may meet and transact business by electronic
28 media if
29 (1) public notice of the time and locations where the

1 meeting will be held by electronic media has been given in the same
2 manner as if the meeting were held in a single location;

3 (2) participants and members of the public in attendance
4 can hear and have the same right to participate in the meeting as if
5 the meeting were conducted in person; and

6 (3) copies of pertinent reference materials, statutes,
7 regulations, and audio-visual materials are reasonably available to
8 participants and to the public.

9 (c) A meeting by electronic media as provided in this section
10 has the same legal effect as a meeting in person.

11 (d) For the purposes of this chapter public notice of 24 hours
12 or more is adequate notice of a meeting of the committee at which the
13 issuance of bonds is authorized.

14 * Sec. 3. AS 37.15.140 is amended to read:

15 Sec. 37.15.140. DUTIES OF STATE BOND COMMITTEE. (a) The state
16 bond committee shall adopt the resolution and prepare the documents
17 necessary for the issuance, sale, and delivery of bonds issued on
18 behalf of the state.

19 (b) The state bond committee shall prepare an annual report to
20 be submitted to the governor and legislature before January 31 of each
21 year. The report must show (1) all outstanding debt of debt issuing
22 entities of the state; (2) the anticipated impact on the finances and
23 credit of the state, including the effect on long-term debt capacity
24 and creditworthiness resulting from that debt; (3) which long-term
25 debt is tax supported and which is supported only by revenues attrib-
26 utable to the project being financed by the debt; (4) all long-term
27 capital lease obligations of the state; (5) the volume of short-term
28 debt issued and retired during the year by debt issuing entities of
29 the state; (6) specific identification of each issue for which the

1 state has pledged some form of indirect support for the debt including
2 any moral obligation of the state to support the debt; (7) future
3 bonding and debt capacity implications of legislation enacted in the
4 previous legislative session; and (8) the recommended debt issuance
5 capacity of the state for the next two years following the year of the
6 report. The committee may require that any information needed to
7 prepare the report be furnished by debt issuing entities of the state
8 at a time determined by the committee. The state bond committee shall
9 publicize the existence of the report submitted under this section and
10 shall make the report available to the public upon request.

11 (c) The state bond committee may develop written policies
12 concerning debt of the state.

13 (d) The committee may develop written informational guidelines
14 for management of debt of municipalities of the state and debt of
15 instrumentalities of the state authorized to issue tax exempt obliga-
16 tions.

17 (e) The policies and guidelines developed under (c) and (d) of
18 this section shall include bidding procedures, and bid awards and
19 compensation for financial service.

20 (f) The state bond committee shall request the debt issuing
21 entities of the state to (1) prepare and submit to the committee by
22 January 31 of each year a calendar of all debt proposed to be issued
23 during the calendar year showing the amount and type of the debt and
24 the month in which issuance is proposed, and (2) prepare and submit
25 monthly a report showing all proposed changes to the calendar sub-
26 mitted.

27 (g) In this section the term "debt issuing entities of the
28 state" includes the state, each agency or instrumentality of the state
29 authorized to issue tax exempt obligations, and each municipality of

1 the state.

2 (h) In this section the term "debt" means (1) long-term bonded
3 indebtedness secured by the full faith and credit of the government
4 unit, (2) long-term bonded indebtedness secured by a mortgage or lien
5 on specific properties or receivables, (3) short-term notes, (4)
6 warrants, and (5) capital lease obligations; but "debt" does not in-
7 clude debt owed within the debt issuing entity or to another debt
8 issuing entity.

9 * Sec. 4. AS 37.15.150 is amended to read:

10 Sec. 37.15.150. STAFF AND [COMMITTEE MAY EMPLOY] SPECIAL SER-
11 VICES. The state bond committee may appoint an executive director who
12 may with approval of the committee select and employ additional staff
13 as necessary. Employees of the committee are in the partially exempt
14 service under AS 39.25.120. If the [STATE BOND] committee considers
15 it necessary and advisable, it may procure architectural or engineer-
16 ing, fiscal agent or municipal investment, legal and other expert or
17 specialized services at reasonable and customary fees to assist it in
18 accomplishing the most advantageous sale of the state bonds. The fees
19 may be paid from the proceeds of the sale or advanced from the contin-
20 gency fund in the office of the governor or otherwise.

21 * Sec. 5. AS 39.25.120(c) is amended by adding a new paragraph to read:

22 (19) employees of the state bond committee.

23 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 4 (Loans)
Title: Debt of the State

FISCAL DETAIL

Agency Affected: Revenue
Program Category Affected: _____

Sponsor: Representative Uehling BRU, Program or Subprogram(s) Affected: _____
Requestor: House Finance Committee
Date of Request: 4/3/85

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-				

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

REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

CS HB 4 (Loans) no longer requires development of policies and informational guidelines. Therefore, funds expended for these purposes can be absorbed in the Department's FY 86 Budget.

APA

Prepared By: Representative Adams - Chairman Phone: 465-3706
Division: House Finance Committee Date: 4/3/85

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

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: ^{CS} HB 4 (FIN)
 Title: Debt of State, Agencies, and Municipalities
 Sponsor: Uehling
 Requestor: Special Loans Committee
 Date of Request: January 22, 1985

FISCAL DETAIL

Agency Affected: Department of Revenue
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: Treasury

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	-	50.0	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	50.0	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	50.0	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	50.0	-	-	-	-

POSITIONS:

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

ANALYSIS: Attach a separate page for analysis.

Prepared By: Milt Barker MB
 Division: Treasury

Phone: 465-2350
 Date: January 22, 1985

Approved by Commissioner: [Signature]
 Agency: Department of Revenue

Date: 1/23/85

Distribution (by Agency preparing fiscal note):

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

HB 4
Fiscal Note Analysis

Funds for development of policies and informational guidelines
by State Bond Committee financial advisor.

Alaska State Legislature

ANCHORAGE
DOWNTOWN
DISTRICT TWELVE

AIRPORT HEIGHTS
CITY VIEW
DOWNTOWN
FAIRVIEW
GOVERNMENT HILL
INLET VIEW
SOUTH ADDITION



House of Representatives

Representative

RICK UEHLING

MEMBER

HOUSE FINANCE COMMITTEE

HOUSE SPECIAL COMMITTEE
ON STATE LOANS

HOUSE FINANCE SUBCOMMITTEE ON
ADMINISTRATION, REVENUE
AND THE GOVERNOR'S OFFICE

MEMORANDUM

Date: April 3, 1985

To: Representative Al Adams, Chair
House Finance Committee

From: Representative Rick Uehling 

Subject: CS House Bill 4 (Loans), "An Act relating to the debt of the State, its agencies, and municipalities; and providing for an effective date."

The following is an outline of the background and provisions of HB 4:

The Background

As a part of the work of the House Special Committee on State Loans of the 13th Legislature, the Committee examined a recent report to the Legislative Budget and Audit Committee by the Government Finance Research Center entitled "A review of the Debt Management and Debt Capacity of the State of Alaska." The House Special Committee on State Loans held a major hearing in Anchorage, at which Wesley Hough, Manager of the Government Finance Research Center and the author of the report, presented it to the Committee.

The report makes a series of recommendations concerning the State's Debt Management practices. In addition, the report speaks specifically to the General Obligation Debt capacity of the State. HB 4 is an attempt to institute many of the report's recommendations for managing State Debt.

During the last Session a similar bill passed the House 40-0 but died in Senate Rules in the last days of the Session.

There has been a growing concern on the part of both the Legislature and the public with the amount of debt that is being incurred by the State of Alaska. As the State looks to financing many large projects that are important to the State, the capacity of the State to issue General Obligation bonds becomes an increasingly important factor. Additionally, a great deal of attention has focused on the

Page Two

"debt issuing entities" of the State, the municipalities and agencies which are authorized to incur debt.

This attention has focused on the Alaska Housing Finance Corporation and the North Slope Borough which together have issued almost four times the amount of State General Obligation debt.

While the debt that is incurred by the Alaska Housing Finance Corporation (AHFC) is supported by mortgage revenues, and the debt of the North Slope Borough is supported by the property tax revenues of the borough, there remain concerns about the State's ultimate moral obligation. Furthermore, there is the overriding question of at what point the growing debt issuance of the AHFC and the North Slope Borough will negatively impact the overall capacity of the State to issue debt.

HB 4 contains four major provisions:

1. The Chair of the State Bond Committee would be changed from the Commissioner of Commerce and Economic Development to the Commissioner of Revenue.
2. The State Bond Committee would be responsible for a yearly report to the Legislature and the Public on the State's bonded indebtedness. HB 4 states very specifically what the report will contain.
3. The State Bond Committee would be allowed but not required to issue written policies and guidelines for the management of State debt and local debt.
4. The State Bond Committee would be responsible for coordinating a calendar of State-wide debt issuance.

While HB 4 contains many of the provisions called for by the GFRC report, it does not provide for some of more controversial recommendations such as a ceiling on municipal debt or new provisions controlling the School Debt Retirement Program. It is a first step towards the Legislature recognizing the need to maintain an active role in the management of the debt issuance of the State, its municipalities and agencies.

Page Three

The Provisions.

Section 1 AS 37.15.110

The State Bond Committee is placed for Administrative purposes within the Department of Revenue. It currently does not exist within a Department. The State Bond Committee would retain its current three members: The Commissioner of Revenue, the Commissioner of Commerce & Economic Development and the Commissioner of Administration.

Section 2 AS 37.15.130

The Commissioner of Revenue replaces the Commissioner of Commerce & Economic Development as the Chair of the State Bond Committee.

This section also provides at the request of the Department of Revenue, provisions allowing for meetings to be held by electronic means and a special provision allowing 24 hour notice of a meeting for the purpose of authorizing the issuance of bonds. These provisions are substantially the same as those concerning meetings of the Board of Directors of AHFC.

Section 3 AS 37.15.140

a) The words "issued on behalf of the State" have been added to existing statute in order to clarify that the statute relates only to bonds issued on behalf of the State and does not pertain to municipalities.

b) The State Bond Committee is required to prepare an annual report to the Legislature and the Governor outlining the current status of outstanding State Debt before January 31st of each year. Material to be included in the report is very specific in accordance with the recommendations of Wesley Hough of the Government Finance Research Center.

The report must show:

1) All outstanding debt of the debt issuing entities of the State including the municipalities and those entities authorized to issue tax exempt bonds such as AHFC.

Page Four

- 2) The anticipated impact of that debt on the finances and credit of the State including the effect on the State's long term debt capacity and credit worthiness.
- 3) Which long term debt is tax supported and which long term debt is supported by revenues attributable to the project being financed.
- 4) All long term capital lease obligations of the State.
- 5) The volume of short term debt issued and retired by the debt issuing entities of the State.
- 6) Specific identification of each debt issuance for which the State has pledged some form of indirect support for the debt including any moral obligation of the State.
- 7) Future bonding and debt capacity implications of legislation enacted in the previous legislative session.
- 8) The recommended debt capacity of the State for the two years following the year of the report.

Additionally, the State Bond Committee is required to publicize the existence of the report and that copies be made available to the public.

The changes made in (c), (d) and (e) of the Loans Committee Substitute have been made at the request of the Dept. of Revenue

- c) The State Bond Committee is allowed but not required to develop written policies concerning the debt of the State. (The Loans version has made this optional.)
- d) The State Bond Committee is allowed but not required to develop written informational guidelines for the management of debt for the municipalities and the debt issuing entities of the State authorized to issue tax exempt obligations. (The Loans Version has made this optional)
- e) These policies and guidelines may include bidding procedures and awards, and compensation for financial service. (The Loans version has deleted from the policies and guidelines "recommended level of debt and debt management")

Page Five

f) The State Bond Committee will develop a statewide debt issuance calendar by January 31st of each year. The Bond Committee will require the debt issuing entities of the State to submit a calendar of all debt proposed to be issued including the amount and type of debt, and the month in which it is to be issued. The calendar will be updated on a monthly basis.

g) For drafting purposes "Debt issuing entities of the State" is defined as the State, each agency or instrumentality of the State authorized to issue tax exempt obligations and each municipality of the State.

h) For the purposes of this section, "Debt" is defined as:

- 1) Long-term bonded indebtedness secured by the full faith and credit of the government unit (general obligation bonds).
- 2) Long-term bonded indebtedness secured by a mortgage or lien on specific properties or revenues (revenue supported bonds).
- 3) Short term notes.
- 4) Warrants.
- 5) Capital lease obligations.

Debt does not include inter-agency debt or debt owed from one debt issuing entity to another. This definition has been provided to us by Wesley Hough of the Government Finance Research Center.

Section 4 AS 37.15.150

The State Bond Committee is given the authority to appoint an executive director and hire staff as necessary.

Section 5 AS 39.25.120

Employees of the State Bond Committee are in the partially exempt service.

Section 6

HB 4 has an immediate effective date.

- (b) The commissioner of revenue may
- (1) invest and reinvest the principal of the funds;
 - (2) sell, exchange, convey, transfer, or otherwise dispose of investments of the funds by private contract or at public auction;
 - (3) vote upon a stock, bond, or other security; give a general or special proxy or power of attorney with or without power of substitution; exercise a conversion privilege, subscription right, or other option and make payments incidental to it; consent to or participate in a corporate reorganization or other change affecting corporate securities, delegate discretionary power, pay an assessment or charge in connection with the delegation; and generally exercise any of the powers of an owner with respect to stocks, bonds, securities, or other investments held in the funds;
 - (4) make, execute, acknowledge, and deliver documents of transfer and conveyance and instruments necessary or appropriate to carry out the powers granted;
 - (5) register investments held in a fund in the name of the board having the power to approve investments for a fund;
 - (6) do all acts whether or not expressly authorized which are considered proper for the protection of the investments held in the funds.
- (§ 4 ch 182 SLA 1978)

Chapter 15. State Bonding Act.

Article

1. General Obligation Bonds (§§ 37.15.010 — 37.15.220)
2. Bond Anticipation Notes (§§ 37.15.300 — 37.15.390)
3. International Airports Revenue Bonds (§§ 37.15.410 — 37.15.550)

Article 1. General Obligation Bonds.

Section	Section
10. Full faith and credit for general obligation bonds	120. Regulations
12. Continuing debt service appropriation	130. Officers, records and proceedings
15. Committee shall publish notice of existing state indebtedness before election	140. Duties of state bond committee
20. Manner and amounts of sale	150. Committee may employ special services
30. Interest rate and maturity	155. Prohibited bidding on bonds and anticipation notes
40. Sale of bonds	160. Contents of resolution
50. Redemption	170. State bond committee to certify annual principal, interest, and reserve requirements
60. Form and registration of bonds	180. Remedies of bondholders
70. Place of payment	190. Negotiability
80. Signatures and seal	200. Bonds as legal investments
90. Terms and conditions	210. Refunding bonds
100. Trustee	215. Official statements
110. Creation and membership of state bond committee	220. Short title

Sec. 37.15.010. Full faith and credit for general obligation bonds. The full faith, credit and resources of the state are hereby pledged to the payment of the principal of and interest and redemption premium, if any, on all general obligation bonds of the state authorized pursuant to art. IX, § 8 of the constitution. (§ 1 ch 175 SLA 1960; am § 1 ch 104 SLA 1967)

Collateral references. — 63 Am.Jur.2d, Public Funds, §§ 23-32. 64 Am.Jur.2d, Public Securities and Obligations, § 1 et seq.
81A C.J.S., States, §§ 250-262.
Funding or refunding obligations as

subject to conditions respecting approval by voters, 97 ALR 442.

Validity of bond issue in excess of amount permitted by law within authorized debt, tax or voted limit, 175 ALR 823.

Sec. 37.15.012. Continuing debt service appropriation. The amounts required annually to pay the principal, interest, and redemption premium on all issued and outstanding general obligation bonds of the state are appropriated on July 1 of each year from the general fund to the state bond committee to make all required payments of principal, interest, and redemption premium. (§ 1 ch 100 SLA 1981)

Opinions of attorney general. — This section does not represent an unconstitutional dedication of public funds under § 7, art. IX, of the state constitu-

tion, as that section of the constitution contains an implied exception for bond obligations. November 30, 1982, Op. Att'y Gen.

Sec. 37.15.015. Committee shall publish notice of existing state indebtedness before election. (a) Before a general or special election in which a bond issue is offered for ratification, the state bond committee shall publish a notice of existing state bonded indebtedness at least once a week for three consecutive weeks in a newspaper of general circulation in each of the four judicial districts of the state. The first notice shall be published at least 20 days before the date of the election. A notice shall contain

- (1) the current total bonded indebtedness of the state,
- (2) the cost of the debt service on the current indebtedness.

(b) Neither the failure to publish the notice of existing state bonded indebtedness nor a defect in the publication affects the validity of the bond issue offered for ratification or of a general or special election in which a bond issue is offered for ratification. (§ 2 ch 50 SLA 1964; am § 1 ch 8 SLA 1969)

Collateral references. — Effect of inclusion in call for election, or in proposal for bond issue submitted to people, of unauthorized method of payment or retirement, 93 ALR 362.

Bonds issued by state officer of board payable solely out of proceeds of obli-

gations of political subdivisions pledged as within constitutional or statutory provisions which impose a limit on state indebtedness or require consent of electors, 100 ALR 1114.

Mistake, ambiguity, or omission in statement as to indebtedness, in call for

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§ 37.15.020

PUBLIC FINANCE

§ 37.15.050

election or proposal for bond issue, as affecting validity of election or bonds issued pursuant thereto, 116 ALR 1258.

Effect of delay after authorization by voters on power of governmental unit to issue bonds, 135 ALR 768.

Validity, within authorized debt, tax, or voted limit, of bond issue in excess of amount permitted by law, 175 ALR 823.

Sec. 37.15.020. Manner and amounts of sale. The state bond committee shall sell the bonds of each authorization in the amounts or series and at the times which it finds are for the best interests of the state and its inhabitants. (§ 1 ch 175 SLA 1960)

Sec. 37.15.030. Interest rate and maturity. Each issue or series of bonds shall bear interest at an effective rate over the life of the bonds not to exceed 11 percent a year or that rate of interest which is 110 percent of the rate of the Bond Buyer Index of 20 Municipal Bond Average Yields for the week previous to the date of sale of the bonds, whichever is higher. The bonds shall mature in not more than 30 years from date of issue, unless a longer period is specifically authorized by statute. (§ 1 ch 175 SLA 1960; am § 2 ch 104 SLA 1967; am § 1 ch 92 SLA 1970; am § 1 ch 29 SLA 1976; am § 1 ch 85 SLA 1980; am § 1 ch 110 SLA 1982)

Effect of amendments. — The 1980 amendment substituted "10" for "eight" preceding "percent a year" at the end of the first sentence.

The 1982 amendment substituted the language beginning "11 percent a year" for

"10 percent a year" at the end of the first sentence.

Collateral references. — Right to call governmental bonds in advance of their maturity, 109 ALR 988.

Sec. 37.15.040. Sale of bonds. Before selling an issue or series of bonds, the state bond committee shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If the state bond committee determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received. (§ 1 ch 175 SLA 1960; am § 3 ch 104 SLA 1967; am § 1 ch 43 SLA 1969)

Sec. 37.15.050. Redemption. The state bond committee may determine whether the bonds are subject to redemption before their fixed maturities and may fix the premium for and all other terms of the redemption. No bond may be subject to redemption before its fixed maturity date unless the right to so redeem the bond is expressly mentioned on the face of the bond. (§ 1 ch 175 SLA 1960; am § 4 ch 104 SLA 1967; am § 1 ch 26 SLA 1968; am § 7 ch 143 SLA 1968)

Collateral references. — 81A C.J.S., States, § 261.

Funding or refunding obligations as subject to conditions respecting limitation

of indebtedness, 97 ALR 442. amount permitted by law within authorized debt, tax or voted limit, 175 ALR 823.
 Validity of bond issue in excess of

Sec. 37.15.060. Form and registration of bonds. An issue or series of bonds may be issued in coupon form payable to bearer or in fully registered form, and bonds in coupon form may be made registrable as to principal or principal and interest, as determined by the state bond committee. (§ 1 ch 175 SLA 1960; am § 2 ch 26 SLA 1968)

Sec. 37.15.070. Place of payment. The state bond committee may fix the place or places of payment of the principal, interest and redemption premium, if any. (§ 1 ch 175 SLA 1960; am § 5 ch 104 SLA 1967)

Sec. 37.15.080. Signatures and seal. (a) Each bond shall be signed on behalf of the state by the governor and attested by the lieutenant governor, which signatures may be facsimile signatures. The seal of the state shall be impressed, imprinted or otherwise reproduced on each bond. Each interest coupon attached to the bond shall be signed by the facsimile signatures of the governor and lieutenant governor. If an officer whose signature appears on the bonds or coupons ceases to be an officer before delivery of the bonds, the signature is, nevertheless, valid and sufficient for all purposes, as if the officer had remained in office until delivery.

(b) A signature required on a bond issued by a political subdivision of the state may be a facsimile signature. (§ 1 ch 175 SLA 1960; am § 6 ch 104 SLA 1967)

Collateral references. — Printing, lithographing, or other mechanical signature on public bonds, coupons, or other pecuniary obligation, 94 ALR 768.

Sec. 37.15.090. Terms and conditions. Each issue or series of bonds shall be issued under and subject to the terms, conditions, and covenants providing for the payment of the principal and the interest and other terms, conditions, covenants, and protective provisions safeguarding the payment as found reasonably necessary by the state bond committee for the most advantageous sale. The terms, conditions, and covenants may include the setting aside and maintaining of certain reserves to secure the payment of principal and interest. (§ 1 ch 175 SLA 1960)

Collateral references. — Effect of inclusion in call for election, or in proposal for bond issue submitted to people, of unauthorized method of payment or retirement, 93 ALR 362.

Power of legislature to add to or make more onerous the conditions or limitations

prescribed by Constitution upon incurring public debts, 106 ALR 231.

Power and discretion of officer or board authorized to issue bonds of governmental unit as regards terms or conditions to be included therein, 119 ALR 190.