

LEG. FINANCE - BILLS 1985 - 1986 2365

CASHB 193 - HB 195 2365

FURTHER:

5/12/85

Date 5/2/86

Mr. President

The Committee on FINANCE considered CSHB 193(RES)

allowing agricultural production credits; efd.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt 5 CS for CS HB 193 (Finance)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
DNR 1/22/86
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Arthur NO REC
Rich Halld NO REC
Paul Frick N. Rec.
William " "
Ferguson " " "

Co - Jan Frick
 Chairman
No Rec
 Chairman recommendation

Offered: 4/12/85
Referred: Finance

Original sponsor: Shultz

1 IN THE HOUSE

Senate Finance Committee
BY THE ~~RESOURCES~~ COMMITTEE

2 *JCS* CS FOR HOUSE BILL NO. 193 (*Finance*)
(~~Resources~~)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act allowing agricultural production credits; and
7 providing for an effective date."

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

9 * Section 1. AS 03.05 is amended by adding a new section to read:

10 Sec. 03.05.015. AGRICULTURAL PRODUCTION CREDITS. (a) The
11 commissioner of natural resources shall establish a program of agri-
12 cultural production credits to be applied against interest due on
13 agricultural loans made under this title and AS 44 and interest due on
14 the sale of agricultural land under AS 38.05. The credits shall be
15 based on agricultural products grown or raised in the state.

16 (b) The annual credit for the years ~~1984~~¹⁹⁸⁶ - 1988 is 10 percent of
17 the total sales as documented by the farmer on Internal Revenue Ser-
18 vice Schedule F (form 1040).

19 (c) A credit granted under this section may not be transferred.

20 * Sec. 2. AS 03.05.015 is repealed December 31, 1989.

21 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
22 10.070(c).

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 1-22-86

REQUEST

Bill/Resolution No.: CSHB 193 (Fik)
Title: Agricultural Production Credits

Sponsor: Rep. Shultz
Requestor: Senate Finance Committee
Date of Request: January 22, 1986

FISCAL DETAIL

Agency Affected: Natural Resources
BRU: Agricultural Management

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

CAPITAL						
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REVENUE **	(2,626.5)	(1,720.0)	(2,064.0)	(2,476.5)		
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FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

**The proposed program could reduce State revenues, in the amounts shown, by reducing the amount of interest paid on State agricultural loans. However, these figures are based on the assumption that the program will increase production and sales of farm products according to the attached schedule. If sales do not increase as projected, the amount of revenue lost will decrease.

Prepared by: Carol Wilson *Carol Wilson* Phone: 465-2400
Division: Commissioner's Office Date: January 22, 1986

Approved by Commissioner: *Wm J. Dunbar, Deputy* Date: 1/22/86
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

The amount of production credits that might be earned during the five years of the program, considering that not all farmers have borrowed from the state, and that agricultural land that is not currently in production is put into production, are estimated as follows:

Year	Projected Sales	Sales Available for Credits*	% Credit	Projected Credits
1984	\$15,925,000	\$11,945,000	10	\$1,194,500
1985	19,110,000	14,320,000	10	1,432,000
1986	22,932,000	17,200,000	10	1,720,000
1987	27,518,000	20,640,000	10	2,064,000
1988	33,022,000	24,765,000	10	2,476,500
Total				\$8,887,000

* Projected sales reduced by 25% to account for non-borrowers.

The following chart gives estimated values for loan default and associated interest losses to the state if the production credit program is not established. Farmers in the Delta area have an especially heavy debt load. Approximately \$12,500,00 is due on clearing loans for the Delta I and Delta II agricultural project parcels. This is an average of \$337,837 of clearing loan debt per farm. Land payments for Delta II parcels average \$180 per acre at 12% interest per year. The average amount of principal owed for each Delta II parcel is approximately \$145,000.

Loan	Amount Outstanding	Possible Default	Collateral Value	Loss to State
ARLF	\$48.5 million	\$23 million	\$15 million	\$8 million
Clear.	17.5 million	8 million	0	8 million
Land	10 million	5 million	3 million	2 million

Interest on \$18 million loss at 8% x 5 years = \$7.2 million

Total estimated loss to the state = \$25.2 million

Copy 47

REQUEST

Bill/Resolution No.: CSHB 193 (Res)
 Title: Agricultural Production Credits

FISCAL DETAIL

Agency Affected: Natural Resources
 Program Category Affected: Agricultural Management
 BRU, Program or Subprogram(s) Affected: _____

Sponsor: Shultz
 Requestor: House Resources Committee
 Date of Request: April 12, 1985

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-	-0-

CAPITAL						
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REVENUE **	(\$1,274.0)	(2,004.2)	(2,547.5)	(3,090.8)	(\$3,634.2)	-0-
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FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

**The proposed program could reduce state revenues, in the amounts shown, by reducing the amount of interest paid on state agricultural loans. However, these figures are based on the assumption that the program will increase production and sales of Alaska farm products according to the attached schedule. If sales do not increase, the amount of revenue lost to the state would decrease.

Prepared By: Bill Heim, Director of Agriculture Phone: 745-7200
 Division: Division of Agriculture Date: March 25, 1985
 Approved by Commissioner: Ann D. Amiel, Deputy Date: 4/12/85
 Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

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

7/1/84

The proposed production credit program could, if successful, reduce state revenues by reducing the total amount of interest paid on state agricultural loans. However, without a program of this type that provides some measure of debt relief to farmers, the state will lose millions of dollars through loan defaults.

The total amount of production credits that might be earned during the five years of the program, considering that not all farmers have borrowed from the state, and that agricultural land that is not currently in production is put into production, are estimated as follows:

Year	Projected Sales	Sales Available for Credits*	% Credit	Estimated Credits
1984	\$15,925,000	\$12,740,000	10	\$1,274,000
1985	\$25,053,000	\$20,042,400	10	2,004,240
1986	\$31,844,000	\$25,475,200	10	2,547,520
1987	\$38,635,000	\$30,908,000	10	3,090,800
1988	\$45,427,000	\$36,341,600	10	3,634,160
Five Year Total				\$12,550,720

* Projected sales reduced by 20% to account for non-borrowers.

The following chart gives estimated values for loan default and associated interest losses to the state if the production credit program is not established. Farmers in the Delta area have an especially heavy debt load. Approximately \$12,500,000 is due on clearing loans for the Delta I and Delta II agricultural project parcels. This is an average of \$337,837 of clearing loan debt per farm. Land payments for Delta II parcels average \$180 per acre at 12% interest per year. The average amount of principal owed for each Delta II parcel is approximately \$145,000.

Loan	Amount Outstanding	Possible Default	Collateral Value	Loss to State
ARLF	\$48.5 mill.	\$23 mill.	\$15 mill.	\$8 mill.
Clearing	\$17.5 mill.	\$ 8 mill.	0	\$8 mill.
Land	\$10 mill.	\$ 5 mill.	\$ 3 mill.	\$2 mill.

Interest on \$18 million loss at 8% x 5 years = \$7.2 mill.

Total estimated loss to state = \$25.2 million.

SECTIONAL ANALYSIS FOR HOUSE BILL 193

An Act allowing agriculture production credits and providing for an effective date

Section 1

Adds a new section to Chapter 5, Powers and Duties of the Commissioners of Natural Resources and Environmental Conservation under Title 3 (Agriculture). This new section states that the Commissioners of DNR shall establish a program of agricultural credits that would be applied against outstanding agricultural loans and interest due on the sale of agricultural land.

An amount equal to ten per cent of the producer's yearly sales would be credited against any outstanding state agricultural loans for the years 1984 to 1988.

The producer must provide verification of sales using income tax records. Credits may not be transferred.

Section 2

Repeals the production credits programs on December 31, 1989.

Section 3

Immediate effective date.

Comments

The sponsor is proposing a Finance Committee Substitute which would raise the production credit to 20 per cent and continue the program till 1994. However, the 20% rate would only apply through 1989 and would be reduced by 2% each year until it is phased out entirely.

Offered: 1/23/86
Referred: Finance

Original sponsor: Shultz

IN THE HOUSE

BY THE RESOURCES COMMITTEE

SENATE CS FOR HOUSE BILL NO. 193 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act allowing agricultural production credits;
and providing for an effective date."

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

* Section 1. AS 03.05 is amended by adding a new section to read:

Sec. 03.05.015. AGRICULTURAL PRODUCTION CREDITS. (a) The commissioner of natural resources shall be applied against interest due on agricultural loans made under this title and AS 44 and interest due on the sale of agricultural land under AS 38.05. The credits shall be based on agricultural products grown or raised in the state.

(b) The annual credit for the years 1984 - 1988 is 20 [10] percent of the total sales as documented by the farmer on Internal Revenue Service Schedule F (form 1040). The portion of total sales as documented by the farmer on Internal Revenue Service Schedule F (form 1040) that may be claimed as a credit under this section for 1989 and each subsequent year shall decrease by two percentage points each year.

(c) A credit granted under this section may not be transferred.

*Sec. 2. AS 03.05.015 is repealed December 31, 1994 [1989].

*Sec. 3. This Act takes effect immediately in accordance with AS 01.-

10.070(c)

Bradley
2/14/86 ✓

Original sponsor: Shultz

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 193 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act allowing agricultural production credits; and
7 providing for an effective date."

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

9 * Section 1. AS 03.05 is amended by adding a new section to read:

10 Sec. 03.05.015. AGRICULTURAL PRODUCTION CREDITS. (a) The
11 commissioner of natural resources shall establish a program of agri-
12 cultural production credits to be applied against interest due on
13 agricultural loans made under this title and AS 44 and interest due on
14 the sale of agricultural land under AS 38.05. The credits shall be
15 based on agricultural products grown or raised in the state.

16 (b) The annual credit for the years 1984 - 1988 is 20 percent of
17 the total sales as documented by the farmer on Internal Revenue Ser-
18 vice Schedule F (form 1040). The portion of total sales as documented
19 by the farmer on Internal Revenue Service Schedule F (form 1040) that
20 may be claimed as a credit under this section for 1989 and each subse-
21 quent year shall decrease by two percentage points each year.

22 (c) A credit granted under this section may not be transferred.

23 * Sec. 2. Section 1 of this Act is retroactive to January 1, 1984.

24 * Sec. 3. AS 03.05.015 is repealed December 31, 1994.

25 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

FACT SHEET - PRODUCTION CREDITS

1. Credits would be applied to the interest on State agricultural loans.
2. These State agricultural loans would be either loans for land purchased from the State or loans from the Agricultural Revolving Loan Fund (ARLF).
3. Since 1978, approximately 500 agricultural tracts have been sold by the State. Almost all of these tracts are still being financed by the State and production credits could be applied against the interest on these loans.
4. ARLF loans have been made to 276 borrowers. Ninety-nine borrowers are from the Matanuska area, 98 from Delta, 41 from the Tanana Valley, 26 from the Kenai area, and 12 borrowers are from other areas of Alaska. Production credits could be applied against the interest on these ARLF loans.

The Effect of Production Credits - Examples of Typical Farms

<u>Annual Income</u>			<u>Potential Production Credits</u>	
<u>Barley</u>				
Delta I Farmer	\$150,000	10% Credit = \$15,000; 20% Credit = \$30,000		
<u>Total State Loans</u>	<u>Annual Loan Payments</u>	<u>Annual Loan Payments</u>	<u>Interest Payment With 10% Credit</u>	<u>Interest Payment With 20% Credit</u>
\$925,600	\$206,976	\$52,637	\$37,637	\$22,637

<u>Annual Income</u>			<u>Potential Production Credits</u>	
<u>Barley</u>				
Delta II Farmer	\$150,000	10% Credit = \$15,000; 20% Credit = \$30,000		
<u>Total State Loans</u>	<u>Annual Loan Payments</u>	<u>Annual Loan Payments</u>	<u>Interest Payment With 10% Credit</u>	<u>Interest Payment With 20% Credit</u>
1,024,000	\$236,708	\$86,390	\$71,390	\$56,390

Annual IncomePotential Production CreditsMilk

1. Pt. MacKenzie Farmer \$375,000 10% Credit = \$37,500; 20% Credit = \$75,000

<u>Total State Loans</u>	<u>Annual Loan Payments</u>	<u>Annual Loan Payments</u>	<u>Interest Payment With 10% Credit</u>	<u>Interest Payment With 20% Credit</u>
\$1,148,100	\$209,633	\$78,357	\$40,857	\$ 3,357

Annual IncomePotential Production CreditsPotatoes

1. Matanuska Valley Farmer \$144,000 10% Credit = \$14,400; 20% Credit = \$28,800

<u>Total State Loans</u>	<u>Annual Loan Payments</u>	<u>Annual Loan Payments</u>	<u>Interest Payment With 10% Credit</u>	<u>Interest Payment With 20% Credit</u>
\$428,800	\$237,910	\$29,376	\$14,976	\$ 576

Annual IncomePotential Production CreditsHay

1. Fairbanks Area Farmer \$104,000 10% Credit = \$10,400; 20% Credit = \$20,800

<u>Total State Loans</u>	<u>Annual Loan Payments</u>	<u>Annual Loan Payments</u>	<u>Interest Payment With 10% Credit</u>	<u>Interest Payment With 20% Credit</u>
\$243,791	\$ 82,500	\$ 22,329	\$ 11,929	\$ 1,529

EF-10 5/10-86
 HB 193 4/23/86

ACTUAL DELTA I FARMER

<u>Loan Type</u>	<u>Total Loan</u>	<u>Annual Loan Payment</u>	<u>Principal Payment</u>	<u>Interest Payment</u>
Land Purchase	\$ 0	\$ 0	\$ 0	\$ 0
Land Clearing	370,600	24,590	3,018	21,572
Chattel	300,000	57,621	45,741	11,879
Farm Development	154,000	15,685	4,578	11,106
Operating	<u>101,000</u>	<u>109,080</u>	<u>101,000</u>	<u>8,080</u>
TOTAL	\$925,600	\$206,976	\$154,337	\$52,637

ACTUAL DELTA II FARMER

Land Purchase	\$324,000	\$ 43,376	\$ 4,496	\$38,880
Land Clearing	307,000	25,745	1,612	24,132
Chattel	181,000	34,765	27,597	7,167
Farm Development	95,000	9,675	2,824	6,851
Operating	<u>117,000</u>	<u>126,360</u>	<u>117,000</u>	<u>9,360</u>
TOTAL	\$1,024,000	\$239,921	\$153,529	\$86,390

ACTUAL POINT MACKENZIE FARMER

Land Purchase	\$ 62,900	\$ 8,420	\$ 872	\$ 7,548
Land Clearing	94,200	7,899	494	7,404
Chattel	265,000	50,899	40,405	10,493
Farm Development	656,000	66,815	19,502	47,312
Operating	<u>70,000</u>	<u>75,600</u>	<u>70,000</u>	<u>5,600</u>
TOTAL	\$1,148,100	\$209,633	\$131,273	\$78,357

An average Delta I or Delta II farmer could expect a gross income (total sales) of approximately \$100,000 to \$125,000 per year, depending on weather conditions, market conditions and many other factors. A Point MacKenzie farmer could expect a gross income of approximately \$427,500 per year.

Based on these estimated yearly incomes and the terms of SB 40, the following amounts would be available each year for credit towards loan interest payments.

1984	20% x \$100,000	=	\$20,000
1985	20% x \$100,000	=	\$20,000
1986	20% x \$100,000	=	\$20,000
1987	20% x \$100,000	=	\$20,000
1988	20% x \$100,000	=	\$20,000
1989	18% x \$100,000	=	\$18,000
1990	16% x \$100,000	=	\$16,000
1991	14% x \$100,000	=	\$14,000
1992	12% x \$100,000	=	\$12,000
1993	10% x \$100,000	=	\$10,000

1984	20% x \$427,500	=	\$85,500
1985	20% x \$427,500	=	\$85,500
1986	20% x \$427,500	=	\$85,500
1987	20% x \$427,500	=	\$85,500
1988	20% x \$427,500	=	\$85,500
1989	18% x \$427,500	=	\$76,950
1990	16% x \$427,500	=	\$68,400
1991	14% x \$427,500	=	\$59,850
1992	12% x \$427,500	=	\$51,300
1993	10% x \$427,500	=	\$42,750

RECEIVED FEB 18 1986

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

February 14, 1986

The Honorable John B. Coghill
The Honorable Jalmar M. Kerttula
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Re: CSSB 349(Res)

Dear Senators Coghill and Kerttula:

This letter is to alert you to a possible constitutional problem with CSSB 349(Res), a bill which relates to the reorganization of private debt incurred as a result of agricultural activities in the Delta area.

Without more information in the bill, it is possible that it violates article II, section 19 of the Alaska Constitution, which provides in relevant part: "The legislature shall pass no local or special act if a general act can be made applicable." The Alaska Supreme Court has held that legislation does not become "local" merely because it operates only on one geographical area of the state; however, legislation is impermissibly "local" if there is nothing in the nature of the specific area which justifies a departure from making the legislation applicable to all similar areas. See Abrams v. State, 534 P.2d 91 (Alaska 1975) (ch. 145, SLA 1974, creating a new Eagle River-Chugiak Borough, held unconstitutional because nothing in the nature of Eagle River-Chugiak area justified departing from the general law scheme for incorporating a new borough).

Nothing in the text of CSSB 349(Res) indicates that there are special circumstances in the Delta area which would justify legislation directed only at agricultural operations in that location. There very well may be such circumstances. To avoid any constitutional difficulty, you may wish to consider including a section in the bill setting out legislative findings which would justify local and special legislation addressing only agricultural operations in that area. In the alternative, the bill could be amended to make it apply to agricultural operations anywhere in the state fitting certain criteria (e.g., lack of adequate transportation systems; lack of available local markets; severe weather-related crop damage; etc.).

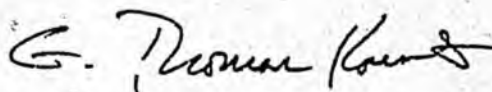
The Honorable John B. Coghill
The Honorable Jalmar M. Kerttula

February 14, 1986
Page 2

I am willing to meet with you, members of your staff, or a representative of the Division of Legal Services in the Legislative Affairs Agency to ensure that there are no constitutional problems with the bill.

Sincerely,

HAROLD M. BROWN
ATTORNEY GENERAL

By: 
G. Thomas Koester
Assistant Attorney General

GTK:dlm

cc: Senator Jan Faiks
Senator John C. Sackett
Senate Finance Committee

Commissioner Esther C. Wunnicke
Department of Natural Resources

Jim Ayers, Legislative Assistant
Office of the Governor

Tamara Cook, Director
Legal Services Division
Legislative Affairs Agency

HOUSE
COMMITTEE REPORT

(11)

Date referred: 3/7/86

FURTHER REFERRALS:

DATE: 3/24/86

The FINANCE Committee has considered HB 194

"An Act relating to sentencing for certain offenses involving discriminatory harassment."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 194 (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
 - zero fiscal note - new & F.N. (Fin) 3/21/86

SIGNING DO PASS:

Bob Clark

Ronald J. [Signature]

Pat [Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature] - no Rec

[Signature] in Rec

[Signature] no Rec

[Signature] no Rec

[Signature] NO REC

[Signature] no Rec.

[Signature] No Recommendation

[Signature] - No Rec

Albert S. [Signature]
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: 3/21/86

REQUEST

Bill/Resolution No.: CSHB 194 (Fin)
 Title: Discriminatory Harassment

Sponsor: Governor
 Requestor: House Finance Committee
 Date of Request: 3/21/86

FISCAL DETAIL

Agency Affected: Governor's Office,
 BRU: Public Safety, Courts

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by: Al Adams, Chair
 Division: House Finance Committee

Phone: 465-3706
 Date: 3/21/86

Approved by Commissioner: _____
 Agency: _____

Date: _____

Distribution (by Agency preparing fiscal note):

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

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 194 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a cause of action and sentencing
7 for certain offenses involving discriminatory harass-
8 ment."

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

10 * Section 1. AS 09.55 is amended by adding a new section to read:

11 ARTICLE 8. DISCRIMINATORY HARASSMENT.

12 Sec. 09.55.650. DISCRIMINATORY HARASSMENT ACTION. (a) A person
13 may maintain an action for discriminatory harassment against another
14 person, or against the parent or legal guardian of a minor, who has
15 caused physical injury to the person or damage to the property of the
16 person, with the intent to intimidate or harass the person because of
17 the person's sex, sexual orientation, race, color, religion, national
18 origin, or physical or mental disability.

19 (b) Actual and punitive damages may be awarded to a prevailing
20 plaintiff in an action brought under this section. An award of dam-
21 ages against the parent or legal guardian of a minor under this sec-
22 tion must be predicated upon conduct of the parent or legal guardian
23 that is at least negligent. An award of damages under this section
24 does not preclude a person from seeking other remedies available under
25 law.

26 (c) A party filing a complaint or an answer under this section,
27 shall serve an informational copy on the executive director of the
28 Alaska State Commission for Human Rights.

29 * Sec. 2. AS 12.55.155(c)(22) is amended to read:

1 (22) the defendant knowingly directed the conduct consti-
2 tuting the offense at a victim because of that person's race, sex,
3 sexual orientation, color, creed, ancestry, religion, or national
4 origin;
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**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

R.O. 3/24/86

Rec'd 4/17/86

Revision Date : _____

REQUEST

Bill/Resolution No. : CSHR 194(FIN)
 Title : "An Act relating to a cause of action and certain offenses involving discriminatory harassment."
 Sponsor : Judiciary
 Requestor : House Judiciary
 Date of Request : 4/2/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Francis C. Allan *F.C.A.* Phone : 269-5691
 Division : Alaska State Troopers Date : 4/2/86

Approved by Commissioner : *[Signature]* Date : 4/3/86
 Agency : Public Safety

Distribution (by Agency preparing fiscal note):

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

Alaska State Legislature

Lou



House of Representatives House Judiciary Committee

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

MEMORANDUM

To: Rep. Al Adams, Chairman
House Finance Committee

From: Rep. M.M. Miller, Chairman *M.M. Miller*
House Judiciary Committee

Re: CSHB 194, "An Act relating to a cause of action
and sentencing for certain offenses involving
discriminatory harassment.

Date: March 10, 1986

The House Judiciary Committee recently heard and passed out CSHB 194 (Jud). The bill as originally presented to the committee by the Rules Committee by request of the Governor was a lengthy bill with which the committee had a number of problems. The scope of the bill was narrowed considerably by the committee to its present form. The committee substitute bill also reduced the fiscal impact of the legislation to zero.

The original bill included a provision requiring the court system to submit a lengthy and involved annual report to the Human Rights Commission. This created a substantial fiscal impact on the court system. That section was removed from the committee substitute. Another section of the original bill, which was also deleted in the substitute, was one requiring an informational copy of any civil action filed for discriminatory harassment to be served on the director of the Human Rights Commission.

The Human Rights Commission had requested that this latter section be added back to the committee substitute. During committee debate on the substance of the substitute, this request was not discussed and therefore was not added back into the committee substitute. The executive director of the commission has stated that this provision has no fiscal impact but is necessary in order to fulfill

Chairman Al Adams
page 2
March 10, 1986
re: CSHB 277(Jud)

the commission's statutory monitoring functions of human rights violations in the state.

When your committee hears this bill, you might want to consider reinstating the provision requiring the service on the commission of an informational copy of a civil action filed under the act. Attached is a copy of the letter from the director of the Human Rights Commission on the bill.

STATE OF ALASKA

HUMAN RIGHTS COMMISSION

BILL SHEFFIELD, GOVERNOR

AGENCY HEADQUARTERS
630 "A" STREET, SUITE 202
ANCHORAGE, ALASKA 99501-3628
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□ NORTHERN REGION
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(907) 452-1561

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(907) 274-4992

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POUCHAM
314 GOLDSTEIN BUILDING
JUNEAU, ALASKA 99911
(907) 465-3560

March 6, 1986

The Honorable M. Mike Miller
Chairman,
House Judiciary Committee
P.O. Box V
Juneau, AK 99811

Re: CS for House Bill 194 (Judiciary)

Dear Representative Miller:

I have received and reviewed the proposed committee substitute for the original bill introduced at the request of the Commission by Governor Sheffield prohibiting certain offenses involving discriminatory harassment, HB 194.

This bill is the result of substantial effort on the part of the Human Rights Commission, the Anchorage Equal Rights Commission and members of a Task Force assembled by state and local commissions over the past two and one half years. This Task Force collected and studied incidents of discriminatory harassment in the state and determined that there was a need for legislation to deal with this problem.

The Alaska Human Rights Commission has advocated for legislation prohibiting acts of discriminatory harassment since 1981. HB 194 represents our third attempt at passage of such legislation. It appears that while all have agreed that this legislation is desirable, considerable debate has taken place about the technical approaches to incorporating the provisions of the criminal section of the bill into the existing criminal code. Most recently, members of your committee have raised concerns about the section of HB 194 which provided for escalation of sentences for criminal acts already punishable by presumptive sentencing. Within the Native community, we have heard serious objections voiced about the impact of presumptive sentencing on Alaska Natives. We are also sensitive to the problem of the increasing numbers of inmates in the correctional institutions and the enormous burden this places on the state. For these reasons we have been amenable to amending HB 194.

Quite simply, there is considerable frustration at this point in moving forward toward our goal of protecting Alaskans from acts of discriminatory harassment by passage of legislation which recognizes the special character of acts motivated by bigotry and prejudice.

Miller
Page 2
March 6, 1986

Nonetheless, the Commission supports the proposed judiciary committee substitute with the following comments:

First, we note that the protections in the committee substitute have been expanded to include sexual orientation. Since this protection was not included in HB 194 as originally proposed, the Commission has not considered this question. Eight years ago, the Alaska Human Rights Commission passed a motion endorsing the addition of "sexual preference" as a protected class to the agency's enabling legislation.

Second, we note that the requirement for the informational copy to the Commission of complaints filed under the remaining civil section has been deleted. The Commission feels strongly about this reporting requirement and urges its inclusion in the substitute bill.

Nationally, reporting provisions for this type of activity are deemed a critical factor in opposing the spread of racial and religious violence. The Alaska Commission and the Discriminatory Harassment Task Force have pledged to monitor incidents of discriminatory harassment in Alaska. The Commission's receipt of informational copies of court actions filed under the proposed committee substitute are essential to our objective. AS 18.80.060(5) gives the Commission the duty "to foster through community effort or goodwill, cooperation and conciliation among the groups and elements of the population of the state". The Commission and the Task Force will work together to develop educational programs based on the information collected as a result of this legislation.

Finally, the Commission hopes that passage of CS HB 194 (Judiciary) will create an awareness in the Legislature and throughout Alaska of a continuing need for even more comprehensive legislation on this subject. The Human Rights Commission, sadly enough, believes that we must increase our vigilance and redouble our efforts to combat the spread of bigotry and racism in Alaska.

Sincerely,

Janet L. Bradley

Janet L. Bradley
Executive Director

JLB/b

BILL SHEFFIELD, GOVERNOR

HUMAN RIGHTS COMMISSION

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(907) 465-3560

March 17, 1986

The Honorable Al Adams
Chairman
House Finance Committee
P.O. Box V
Juneau, AK 99811

Re: CS for HB 194 (Judiciary)

Dear Representative Adams:

The Commission requests your committee to amend CS HB 194 (Judiciary) by reinserting Section 09.55.650(c) of the original HB 194.

This subsection provides for an informational copy of complaints filed under the Discriminatory Harassment Action section of the bill to be sent to the Commission. HB 194 is supported by a Discriminatory Harassment Task Force comprised of constituent groups which have joined the Alaska Human Rights Commission and the Anchorage Equal Rights Commission for the past two years in efforts to deal with incidents of racism and bigotry in Alaska. The Task Force is pledged to monitor this growing concern and believes that informational copies of actions filed in court as provided by HB 194 is essential to their objective.

AS 18.80.060 (5) gives the Commission the duty "to foster through community effort or goodwill, cooperation and conciliation among the groups and elements of the population of the state". The Commission and the Task Force will develop educational programs in response to court actions and incidents of discriminatory harassment.

The Commission's request for re-insertion of the informational copy as provided by Section 09.55.650(c) will not require a fiscal note.

The Commission urges passage of HB 194 to combat the spread of bigotry and racism in Alaska.

Sincerely,

Janet L. Bradley by Fletcher

Janet L. Bradley
Executive Director

JLB/b

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER

Support

March 5, 1986

HB194 - "An Act relating to sentencing for certain offenses involving discriminatory harassment."

Our interpretation of the intent of this legislation is that it is an attempt to curb discriminatory harassment by making it a felony crime.

No additional enforcement activity is anticipated, but the Division supports the legislation as an effective tool in fighting these types of crimes.


Robert J. Sundberg
Commissioner

Suspect

Continued from Page C-1

opened that night diverge.

Fraties told jurors Decker left the table at a pre-arranged signal, got a weapon from another part of the home, came up behind Barker and brought the club down on his head five times, crushing his skull and killing him.

The murder weapon was a willow branch, about 18 inches long, with a large knot at one end.

But the defense argued Cole was just an observer and left the room while Barker was still alive, after two blows had been struck. When he came back, having cut the telephone cord, the victim was lying in a pool of blood with a rug over his head, Ashburn said.

Color slides taken at the death scene show Barker sprawled on his back, his overturned chair nearby and his dinner napkin still clutched in his hand.

In Ashburn's version, Decker robbed the house and the two drove off in Barker's blue, three-quarter ton pickup, later recovered by police in Bootlegger's Cove.

The day after the murder, someone telephoned Crimetoppers and reported two people he knew were boasting about having robbed and beaten a man. Police put a hidden transmitter on the informant and recorded a conversation between him and the two defendants, which led to their arrest.

Ashburn said the recording will show that the two men did not intend to kill Barker, that they thought they left him alive.

Fraties told jurors the five blows to the victim's head is proof they intended to kill.

Intentional murder — first-degree murder — carries a prison term of from 20 to 99 years. Unintentional killing during the commission of a felony is second degree murder and carries a prison term of from 5 to 99 years.

The trial continues today before Judge Mark Rowland.

Suspect on trial in clubbing death

By SHEILA TOOMEY
Daily News reporter

One of two men accused of letting a 55-year-old carpenter pick them up in a bar so they could rob him went on trial for murder Tuesday in Anchorage Superior Court.

Charles Cole, 21 and Matthew Decker, 19, are charged with first-degree murder in the April 3 death of Ray Barker, found clubbed to death in his trailer home at 3440 E. 64 Ave. Cole and Decker were arrested the next day.

In his opening statement against Cole on Tuesday, Assistant District Attorney Gail Fraties said the two defendants were broke and went looking for a victim among homosexual men who frequent several downtown bars.

"They decided to troll a gay bar and pick up somebody and rob them," he said.

They killed Barker deliberately, he said, and then complained because they got only \$70, a television and Barker's truck.

But defense attorney Mark

Ashburn said the two men played different roles in the crime. Decker, not Cole, set the plan in motion, he said. Decker, not Cole, had a history of going home with gay men and robbing their homes in the middle of the night.

Cole was out of the room when the killing blows were struck, Ashburn said.

The two men found Barker earlier that evening at The Raven, a bar on Gambell Street, and arranged to meet him at another bar, The Jade Room, Fraties said. Barker was "a great big bear of a man ... a rather gentle, friendly person" who befriended street people "and not necessarily for sexual purposes."

He took the men home and cooked them a fried chicken and green bean dinner. During the dinner, said Ashburn, Barker asked his guests if they "were into sexual activities."

Here the prosecution and defense versions of what hap-

Continued on Page C-3, SUSPECT

Anch. Daily News Sept. 11, 1985

ROSE RESTAURANT AND A BAR-RESTAURANT-HOTEL IN KENAI CALLED THE KATHAI PINES. (10)

PRESIDENT FREDERICK MCCORRISTON DECLINED COMMENT ON THE FILING, OTHER THAN TO SAY ALL THREE ESTABLISHMENTS WILL REMAIN OPEN WHILE REORGANIZATION TAKES PLACE.

MCCORRISTON AND WAYNE ROSS BOUGHT THE PINES IN 1984, REPORTEDLY PAYING MORE THAN \$2 MILLION FOR THE 20,000-SQUARE-FOOT ESTABLISHMENT.

IT WAS OWNED PREVIOUSLY BY RUSSELL AND JERI PACE, WHO BOUGHT IN 1965 AND EXPANDED IT FROM A 40-SEAT BAR INTO A 600-SEAT RESTAURANT AND DANCE HALL.

THE CLUB FEATURES LIVE MUSIC NIGHTLY, ALONG WITH OCCASIONAL CONCERTS, BOXING MATCHES, POLKA FESTS AND COMEDY ROUTINES.

Y

ALASKA TIGHTENS BELT AS OIL REVENUES SAG

BY PAUL JENKINS

ASSOCIATED PRESS WRITER

ANCHORAGE, ALASKA (AP) - ALASKANS RIDING OUT THE PLUNGE IN OIL PRICES MAY HAVE TO TRIM SOME OF THE PORK OUT OF STATE GOVERNMENT, BUT THEY STILL WILL BE LIVING FAIRLY HIGH ON THE HOG.

"WE WERE ONCE FILTHY RICH," SAID STATE HOUSE SPEAKER BEN GRUSSENDORF OF SITKA. "AND NOW WE'RE JUST WEALTHY."

WHILE LEGISLATORS TRY TO MAKE SOME SENSE OF THE EVER-CHANGING OIL PRICE AND STATE INCOME NUMBERS, A HAIR-PULLING, EAR-BITING ELECTION-YEAR DONNYBROOK MAY BE SHAPING UP OVER THE SHRINKING, YET STILL SUBSTANTIAL, REVENUES. THE BATTLE IS OVER SPENDING AND SAVING, ACTING NOW OR ACTING LATER.

"THE BIG FIGHT HAS ALREADY STARTED," SAYS SENATE PRESIDENT DON BENNETT OF FAIRBANKS. "THE ONLY THING IS THAT EVERYBODY IS NOT SURE OF THEIR ARMAMENT OR AMMUNITION."

IN ALASKA, OIL IS KING. IT GENERATES 85 CENTS OF EVERY DOLLAR THE STATE TAKES IN. FISHING, TIMBER AND TOURISM PALE BY COMPARISON. THERE IS LITTLE OTHER INDUSTRY.

EVERY TIME MIDDLE EAST DEVELOPMENTS JOLT PRICES BY A DOLLAR, THERE

THE STATE GOVERNMENT THERE ARE NO STATE

KILLER GETS 85 YEARS

PALMER (AP) - SAYING "NO ONE SHOULD HAVE TO DIE FOR BEING THE WRONG COLOR;" a PALMER JUDGE THURSDAY SENTENCED 23-YEAR-OLD JOHN DUNKIN TO 85 YEARS IN PRISON FOR THE SHOOTING DEATH OF A BLACK MAN LAST SPRING. THE SENTENCE MEANS DUNKIN, WHO IS WHITE, WON'T BE ELIGIBLE FOR PAROLE FOR 50 YEARS. DUNKIN WAS CONVICTED IN OCTOBER OF FIRST-DEGREE MURDER FOR KILLING 43-YEAR-OLD JULIUS MARSHALL. (9)

SUPERIOR COURT JUDGE BEVERLY CUTLER CITED NUMEROUS EXAMPLES OF WHAT SHE CALLED THE RACIAL MOTIVATION FOR THE MURDER.

"THESE ARE NOT MERE ALLEGATIONS OF RACISM;" SHE SAID. "IT'S OVERWHELMING PROOF."

AT DUNKIN'S TRIAL, WITNESSES SAID DUNKIN REFERRED TO MARSHALL AS A "NIGGER" OR "BOOPER" AND AT ONE POINT TOLD A COMPANION HE WAS GOING TO "WASTE THE SPOOK."

DUNKIN DENIED THAT RACE HAD ANYTHING TO DO WITH THE CRIME, WHICH HE DID NOT DENY COMMITTING. HE DENIED BEING A RACIST, AND SAID HE WAS DRUNK AT THE TIME.

CUTLER SAID THE CRIME WAS EVEN LESS EXCUSABLE BECAUSE MARSHALL HAD SPENT A GOOD PART OF MAY 26 GETTING DUNKIN'S FOUR-WHEEL-DRIVE VEHICLE UNSTUCK FROM THE KNIK RIVER FLATS AND GETTING THE VEHICLE RUNNING AGAIN.

DEFENSE ATTORNEY FRED DEMEY'S ARGUMENTS THAT DUNKIN HAD A SUCCESSFUL STINT IN THE MILITARY, WORKING ALONGSIDE PEOPLE OF ALL COLORS, DREW LITTLE SYMPATHY FROM CUTLER. A VERY HIGH PROPORTION OF MURDER CONVICTIONS INVOLVE MILITARY PERSONNEL OR VETERANS, SHE SAID.

"MILITARY PEOPLE GET SOME PRETTY GRANDIOSE NOTIONS OF WHAT THEY CAN DO WITH GUNS...AND WHAT THEIR POWER IS," CUTLER SAID.

CUTLER ORDERED THAT DUNKIN'S FUTURE PERMANENT FUND DIVIDEND CHECKS BE DEPOSITED IN A TRUST FUND FOR MARSHALL'S TWO YOUNG CHILDREN. THE MONEY WON'T REPLACE THEIR FATHER, CUTLER SAID, BUT IT WILL HELP A LITTLE.

"I HOPE NONE OF YOU ARE EVER GOING TO LIVE IN FEAR IN THE STATE OF ALASKA," CUTLER TOLD MARSHALL'S FAMILY AND OTHER BLACKS IN THE

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 13, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that addresses the problem of discriminatory harassment -- that is, wrongful acts committed with the intent to intimidate or harass another because of the race, color, religion, national origin, or physical handicap of that person.

The bill does two things: (1) it establishes a private right of action called "discriminatory harassment" under which a person can bring a civil lawsuit for the damages caused by discriminatory acts, such as the painting of a swastika on a synagogue or on a person's home; and (2) it creates new presumptive and mandatory minimum criminal sentencing provisions to be used when crimes committed are motivated by this sort of discrimination. The thrust behind this bill is to properly identify the character of harassment and violence motivated by racial bias and religious bigotry and to increase the penalties for such acts because of that motivation.

More specifically, the first section of the bill creates a statutory private right of action under which a person can sue another for physical harm or property damage caused with the intent to intimidate or harass another person because of the sex, race, color, religion, national origin, or physical handicap of that person. The court may award actual and punitive damages to a prevailing plaintiff. Creating a special civil action such as this gives specific statutory authority for such an action, rather than the broad authority of common law. It also allows for easier tracking of lawsuits involving discriminatory harassment, because an informational copy of a complaint filed under this statute, along with the answer to it, is to be served on the executive director of the Alaska State Commission for Human Rights.

In the criminal law sections (secs. 2 -- 13 of the bill), the bill creates new presumptive and mandatory minimum sentencing provisions to address sentencing of these types of crimes with dependable consistency.

Under the state criminal code (AS 11 and AS 12), criminal conduct is classified according to its seriousness, and an appropriate penalty level is attached. This bill leaves this statutory scheme intact, but establishes mandatory minimum and presumptive terms that must be imposed if the defendant committed the offense with the intent to intimidate or harass another person because of the person's race, color, religion, national origin or physical handicap. The structure and theory behind this bill is similar to legislation passed in 1983 which established comparable sentences for assaults on a peace officer. (See AS 12.55.125(c)(2), (d) and (e); AS 12.55.135(d) and (e); AS 12.55.155(c)(13) and (e)).

Under current law, a person convicted of a first offense class A felony would ordinarily face a presumptive term of five years imprisonment. If the defendant's criminal act was motivated by discriminatory intent, this bill would require the imposition of a seven-year presumptive sentence. During a presumptive term, the offender is not eligible for probation or parole.

Under current law, presumptive terms are not imposed upon a first conviction for either a class B or class C felony. This bill imposes presumptive sentences upon first offenders convicted of class B or C felonies if the act was committed with discriminatory intent. The class B felony presumptive term is two years, and the class C felony presumptive term is one year.

If a person commits a class A misdemeanor with discriminatory intent, such as assault in the fourth degree, the defendant must be sentenced to serve at least 30 days in jail. Depending upon the defendant's prior criminal record and the facts of the offense, a court may impose up to the maximum of one year in jail.

If a defendant is convicted of a class B misdemeanor that was committed with discriminatory intent, the defendant must be sentenced to serve at least 10 days in jail. Again, depending upon the defendant's prior criminal record and the facts of the offense, a court may impose up to the maximum of 90 days in jail -- except in cases where a lesser maximum sentence is established by law, such as the 10-day maximum

that can be imposed for convictions of disorderly conduct under AS 11.61.110.

Under current law it is an "aggravating factor" in sentencing if the defendant knowingly directed the conduct constituting the offense at a victim because of that person's race, sex, color, creed, ancestry, or national origin. This bill, in sec. 7, adds religion and physical handicap to that list. A presumptive term may be increased if the court finds the existence of an aggravating factor.

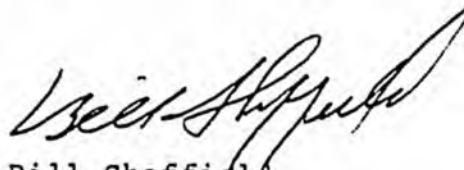
In practice, this aggravating factor may only be used to increase the sentence of a repeat offender, as an aggravating factor may not be considered if it is the same reason that a presumptive sentence must be imposed to begin with. Thus, a person being sentenced for a first felony offense who is facing a certain presumptive term because he committed a crime with discriminatory intent, could not also be subject to aggravation of his sentence for the same reason.

The amendments contained in sec. 5, 8, 9, and 13 are made to ensure that all provisions that deal with some aspect of presumptive sentencing refer to all of the presumptive terms found under AS 12.55.125. As the criminal code has been amended, and presumptive penalties have been added or changed, necessary conforming amendments were not always made or were not made completely. This bill cures past discrepancies, and eliminates the problem for the future, by simply substituting a general reference to "presumptive terms" in several statutes that now contain a list of specific subsections.

Finally the bill provides that the Alaska Court System keep a record of all civil actions and criminal sentencings involving discriminatory intent. In this way, the Human Rights Commission can keep track of the type and number of such incidents occurring in Alaska.

To discourage discriminatory conduct in Alaska and to treat this conduct with the severity and seriousness it deserves, I urge your prompt and favorable action on this bill.

Sincerely,



Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 194
 Title: Discriminatory Harassment
 Sponsor: Rules/Governor
 Requestor: Governor
 Date of Request: Feb. 5, 1985

FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Due Process
 BRU, Program or Subprogram(s) Affected: Human Rights Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Michael A. Nizich, Director Phone: 465-3544
 Division: Administrative Services Date: 2/5/85

Approved by Commissioner: *Laura J. Wilman* Date: 2/5/85
 Agency: Office of the Governor

Distribution (by Agency preparing fiscal note):

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

7/1/84

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 194
 Title : "An Act relating to sentencing for certain offenses involving discriminatory harassment."
 Sponsor : Rules/Governor
 Requestor : House Judiciary
 Date of Request : 3/6/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Alaska State Troopers
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : *K Niles* Kathy Niles, Admin. Assistant
 Division : Commissioner's Office

Phone : 465-4336
 Date : 3/5/86

Approved by Commissioner : *[Signature]*
 Agency : Public Safety

Date : 3/5/86

Distribution (by Agency preparing fiscal note) :

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

Offered: 3/7/86
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 194 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a cause of action and sentencing
7 for certain offenses involving discriminatory harass-
8 ment."

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

10 * Section 1. AS 09.55 is amended by adding a new section to read:

11 ARTICLE 8. DISCRIMINATORY HARASSMENT.

12 Sec. 09.55.650. DISCRIMINATORY HARASSMENT ACTION. (a) A person
13 may maintain an action for discriminatory harassment against another
14 person, or against the parent or legal guardian of a minor, who has
15 caused physical injury to the person or damage to the property of the
16 person, with the intent to intimidate or harass the person because of
17 the person's sex, sexual orientation, race, color, religion, national
18 origin, or physical or mental disability.

19 (b) Actual and punitive damages may be awarded to a prevailing
20 plaintiff in an action brought under this section. An award of dam-
21 ages against the parent or legal guardian of a minor under this sec-
22 tion must be predicated upon conduct of the parent or legal guardian
23 that is at least negligent. An award of damages under this section
24 does not preclude a person from seeking other remedies available under
25 law.

26 * Sec. 2. AS 12.55.155(c)(22) is amended to read:

27 (22) the defendant knowingly directed the conduct consti-
28 tuting the offense at a victim because of that person's race, sex,
29 sexual orientation, color, creed, ancestry, religion, or national

1 origin;

Introduced: 2/13/85
Referred: Judiciary and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 194

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 sentencing for certain offenses
7 involving discriminatory harassment."

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

9 * Section 1. AS 09.55 is amended by adding a new section to read:

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13 person, or against the parent or legal guardian of a minor, who has
14 caused physical injury to the person or damage to the property of the
15 person, with the intent to intimidate or harass the person because of
16 the person's sex, race, color, religion, national origin, or physical
17 handicap.

18 (b) Actual and punitive damages may be awarded to a prevailing
19 plaintiff in an action brought under this section. An award of dam-
20 ages against the parent or legal guardian of a minor under this sec-
21 tion must be predicated upon conduct of the parent or legal guardian
22 that is at least negligent. An award of damages under this section
23 does not preclude a person from seeking other remedies available under
24 law.

25 (c) An informational copy of a complaint filed under this sec-
26 tion, and of the answer to it, must be served on the executive direc-
27 tor of the Alaska State Commission for Human Rights.

28 * Sec. 2. AS 12.55.125(c) is amended to read:

29 (c) A defendant convicted of a class A felony may be sentenced

1 to a definite term of imprisonment of not more than 20 years, and must
2 [SHALL] be sentenced to the following presumptive terms, subject to
3 adjustment as provided in AS 12.55.155 -- 12.55.175:

4 (1) if the offense is a first felony conviction and does
5 not involve circumstances described in (2) of this subsection, five
6 years;

7 (2) if the offense is a first felony conviction, other than
8 for manslaughter, and

9 (A) the defendant possessed a firearm, used a danger-
10 ous instrument, or caused serious physical injury during the
11 commission of the offense, seven years; [OR]

12 (B) the defendant knowingly directed the conduct
13 constituting the offense at a uniformed or otherwise clearly
14 identified peace officer, fire fighter, correctional officer,
15 emergency medical technician, paramedic, ambulance attendant, or
16 other emergency responder who was engaged in the performance of
17 official duties at the time of the offense, seven years; or

18 (C) the defendant committed the offense with the
19 intent to intimidate or harass another person because of the
20 person's race, color, religion, national origin, or physical
21 handicap, seven years;

22 (3) if the offense is a second felony conviction, 10 years;

23 (4) if the offense is a third felony conviction, 15 years.

24 * Sec. 3. AS 12.55.125(d) is amended to read:

25 (d) A defendant convicted of a class B felony may be sentenced
26 to a definite term of imprisonment of not more than 10 years, and must
27 [SHALL] be sentenced to the following presumptive terms, subject to
28 adjustment as provided in AS 12.55.155 -- 12.55.175:

29 (1) if the offense is a second felony conviction, four

1 years;

2 (2) if the offense is a third felony conviction, six years;

3 (3) if the offense is a first felony conviction, and the
4 defendant knowingly directed the conduct constituting the offense at a
5 uniformed or otherwise clearly identified peace officer, fire fighter,
6 correctional officer, emergency medical technician, paramedic, ambu-
7 lance attendant, or other emergency responder who was engaged in the
8 performance of official duties at the time of the offense, two years;

9 (4) if the offense is a first felony conviction, and the
10 defendant committed the offense with the intent to intimidate or
11 harass another person because of the person's race, color, religion,
12 national origin, or physical handicap, two years.

13 * Sec. 4. AS 12.55.125(e) is amended to read:

14 (e) A defendant convicted of a class C felony may be sentenced
15 to a definite term of imprisonment of not more than five years, and
16 must [SHALL] be sentenced to the following presumptive terms, subject
17 to adjustment as provided in AS 12.55.155 -- 12.55.175:

18 (1) if the offense is a second felony conviction, two
19 years;

20 (2) if the offense is a third felony conviction, three
21 years;

22 (3) if the offense is a first felony conviction, and the
23 defendant knowingly directed the conduct constituting the offense at a
24 uniformed or otherwise clearly identified peace officer, fire fighter,
25 correctional officer, emergency medical technician, paramedic, ambu-
26 lance attendant, or other emergency responder who was engaged in the
27 performance of official duties at the time of the offense, one year;

28 (4) if the offense is a first felony conviction, and the
29 defendant committed the offense with the intent to intimidate or

1 harass another person because of the person's race, color, religion,
2 national origin, or physical handicap, one year.

3 * Sec. 5. AS 12.55.125(g) is amended to read:

4 (g) If a defendant is sentenced to a presumptive term under
5 [(c), (d)(1), (d)(2), (e)(1), (e)(2), OR (i) OF] this section, except
6 to the extent permitted under AS 12.55.155 -- 12.55.175,

7 (1) imprisonment may not be suspended under AS 12.55.080;

8 (2) imposition of sentence may not be suspended under
9 AS 12.55.085;

10 (3) terms of imprisonment may not be otherwise reduced.

11 * Sec. 6. AS 12.55.135(e) is amended to read:

12 (e) A defendant convicted of a class A misdemeanor who committed
13 the offense with the intent to intimidate or harass another person
14 because of the person's race, color, religion, national origin, or
15 physical handicap must be sentenced to a minimum term of imprisonment
16 of 30 days [THE EXECUTION OF A SENTENCE UNDER (c) OR (d) OF THIS
17 SECTION MAY NOT BE SUSPENDED AND PROBATION OR PAROLE MAY NOT BE GRAN-
18 TED UNTIL THE MINIMUM TERM OF IMPRISONMENT HAS BEEN SERVED. IMPOSI-
19 TION OF A SENTENCE UNDER (c) OR (d) OF THIS SECTION MAY NOT BE SUS-
20 PENDED, EXCEPT UPON CONDITION THAT THE DEFENDANT BE IMPRISONED FOR NO
21 LESS THAN THE MINIMUM TERM OF IMPRISONMENT PROVIDED IN (c) OR (d) OF
22 THIS SECTION AND THE MINIMUM SENTENCE PROVIDED FOR IN (c) OR (d) OF
23 THIS SECTION MAY NOT BE OTHERWISE REDUCED].

24 * Sec. 7. AS 12.55.135 is amended by adding new subsections to read:

25 (f) A defendant convicted of a class B misdemeanor who committed
26 the offense with the intent to intimidate or harass another person
27 because of the person's race, color, religion, national origin, or
28 physical handicap must be sentenced to a minimum term of imprisonment
29 of 10 days.

1 (g) If a defendant is sentenced to a minimum term under this
2 section,

3 (1) imprisonment may not be suspended and probation or
4 parole may not be granted until the minimum term of imprisonment has
5 been served;

6 (2) imposition of sentence may not be suspended under
7 AS 12.55.085, except on condition that the defendant be imprisoned for
8 no less than the minimum term of imprisonment provided under this
9 section;

10 (3) terms of imprisonment may not be otherwise reduced
11 until the minimum term of imprisonment has been served.

12 * Sec. 8. Sec. 12.55.145(a) is amended to read:

13 (a) For purposes of considering prior convictions in imposing
14 sentence under AS 12.55.125[(c), (d)(1), (d)(2), (e)(1), (e)(2), OR
15 (i)]

16 (1) a prior conviction may not be considered if a period of
17 10 or more years has elapsed between the date of the defendant's
18 unconditional discharge on the immediately preceding offense and
19 commission of the present offense unless the prior conviction was for
20 an unclassified or class A felony;

21 (2) a conviction in this or another jurisdiction of an
22 offense having elements similar to those of a felony defined as such
23 under Alaska law at the time the offense was committed is considered a
24 prior felony conviction;

25 (3) two or more convictions arising out of a single, con-
26 tinuous criminal episode during which there was no substantial change
27 in the nature of the criminal objective are considered a single con-
28 viction unless the defendant was sentenced to consecutive sentences
29 for the crimes; offenses committed while attempting to escape or avoid

1 detection or apprehension after the commission of another offense are
2 not part of the same criminal episode or objective.

3 * Sec. 9. AS 12.55.155(a) is amended to read:

4 (a) If a defendant is convicted of an offense and is subject to
5 a presumptive term [SENTENCING] under AS 12.55.125[(c), (d)(1),
6 (d)(2), (e)(1), (e)(2), OR (i)] and

7 (1) the presumptive term is four years or less, the court
8 may decrease the presumptive term by an amount as great as the pre-
9 sumptive term for factors in mitigation or may increase the presump-
10 tive term up to the maximum term of imprisonment for factors in aggra-
11 vation;

12 (2) the presumptive term of imprisonment is more than four
13 years, the court may decrease the presumptive term by an amount as
14 great as 50 percent of the presumptive term for factors in mitigation
15 or may increase the presumptive term up to the maximum term of impris-
16 onment for factors in aggravation.

17 * Sec. 10. AS 12.55.155(c) is amended to read:

18 (c) The following factors must [SHALL] be considered by the
19 sentencing court and may aggravate the presumptive terms set out in
20 AS 12.55.125:

21 (1) a person, other than an accomplice, sustained physical
22 injury as a direct result of the defendant's conduct;

23 (2) the defendant's conduct during the commission of the
24 offense manifested deliberate cruelty to another person;

25 (3) the defendant was the leader of a group of three or
26 more persons who participated in the offense;

27 (4) the defendant employed a dangerous instrument in fur-
28 therance of the offense;

29 (5) the defendant knew or reasonably should have known that

1 the victim of the offense was particularly vulnerable or incapable of
2 resistance due to advanced age, disability, ill health, or extreme
3 youth or was for any other reason substantially incapable of exercis-
4 ing normal physical or mental powers of resistance;

5 (6) the defendant's conduct created a risk of imminent
6 physical injury to three or more persons, other than accomplices;

7 (7) a prior felony conviction considered for the purpose of
8 invoking the presumptive terms of this chapter was of a more serious
9 class of offense than the present offense;

10 (8) the defendant's prior criminal history includes conduct
11 involving aggravated or repeated instances of assaultive behavior;

12 (9) the defendant knew that the offense involved more than
13 one victim;

14 (10) the conduct constituting the offense was among the most
15 serious conduct included in the definition of the offense;

16 (11) the defendant committed the offense under [PURSUANT TO]
17 an agreement that the defendant either pay or be paid for the commis-
18 sion of the offense, and the pecuniary incentive was beyond that
19 inherent in the offense itself;

20 (12) the defendant was on release under AS 12.30.020 or
21 12.30.040 for another felony charge or conviction or for a misdemeanor
22 charge or conviction having assault as a necessary element;

23 (13) the defendant knowingly directed the conduct constitut-
24 ing the offense at an active officer of the court or at an active or
25 former judicial officer, prosecuting attorney, law enforcement offi-
26 cer, correctional employee, fire fighter, emergency medical techni-
27 cian, paramedic, ambulance attendant, or other emergency responder
28 during or because of the exercise of official duties;

29 (14) the defendant was a member of an organized group of

1 five or more persons, and the offense was committed to further the
2 criminal objectives of the group;

3 (15) the defendant has three or more prior felony convic-
4 tions;

5 (16) the defendant's criminal conduct was designed to obtain
6 substantial pecuniary gain and the risk of prosecution and punishment
7 for the conduct is slight;

8 (17) the offense was one of a continuing series of criminal
9 offenses committed in furtherance of illegal business activities from
10 which the defendant derives a major portion of the defendant's income;

11 (18) the offense was a crime specified in AS 11.41 and was
12 committed against a spouse, a former spouse, or a member of the social
13 unit comprised of those living together in the same dwelling as the
14 defendant;

15 (19) the defendant's prior criminal history includes an
16 adjudication as a delinquent for conduct that would have been a felony
17 if committed by an adult;

18 (20) the defendant was on furlough under AS 33.30 or on
19 parole or probation for another felony charge or conviction;

20 (21) the defendant has a criminal history of repeated in-
21 stances of conduct violative of criminal laws, whether punishable as
22 felonies or misdemeanors, similar in nature to the offense for which
23 the defendant is being sentenced under this section;

24 (22) the defendant knowingly directed the conduct constitut-
25 ing the offense at a victim because of that person's race, sex, color,
26 creed, ancestry, religion, or national origin;

27 (23) the defendant is convicted of an offense specified in
28 AS 11.71 and the offense involved the delivery of a controlled sub-
29 stanced under circumstances manifesting an intent to distribute the

1 substance as part of a commercial enterprise;

2 (24) the defendant is convicted of an offense specified in
3 AS 11.71 and the offense involved the transportation of controlled
4 substances into the state;

5 (25) the defendant is convicted of an offense specified in
6 AS 11.71 and the offense involved large quantities of a controlled
7 substance;

8 (26) the defendant is convicted of an offense specified in
9 AS 11.71 and the offense involved the distribution of a controlled
10 substance that had been adulterated with a toxic substance.

11 * Sec. 11. AS 12.55.155(e) is amended to read:

12 (e) If a factor in aggravation is a necessary element of the
13 present offense, or requires the imposition of a presumptive term
14 under AS 12.55.125(c)(2), (d)(3) or (4), or (e)(3) or (4), that factor
15 may not be used to aggravate the presumptive term. If a factor in
16 mitigation is raised at trial as a defense reducing the offense
17 charged to a lesser included offense, that factor may not be used to
18 mitigate the presumptive term.

19 * Sec. 12. AS 12.55 is amended by adding a new section to read:

20 Sec. 12.55.160. RECORDS OF DISCRIMINATORY CONDUCT. The adminis-
21 trative director of the Alaska Court System shall prepare an annual
22 report to the Alaska Human Rights Commission concerning cases involv-
23 ing civil suits brought under AS 09.55.650, cases involving sentences
24 imposed under AS 12.55.125(c)(2)(C), (d)(4), (e)(4), and AS 12.55.-
25 145(f) and (g) and cases in which a court has found the existence of
26 the aggravating factor in AS 12.55.155(c)(22). The report shall
27 include the number of cases, the types of civil action brought and
28 amount of damages awarded, the types of crimes involved and sentences
29 imposed, and the geographical distribution of the cases.

1 * Sec. 13. AS 12.55.165 is amended to read:
2 Sec. 12.55.165. EXTRAORDINARY CIRCUMSTANCES. If the defendant
3 is subject to a presumptive term [SENTENCING] under AS 12.55.125[(c),
4 (d)(1), (d)(2), (e)(1), (e)(2), OR (i)] and the court finds by clear
5 and convincing evidence that manifest injustice would result from
6 failure to consider relevant aggravating or mitigating factors not
7 specifically included in AS 12.55.155 or from imposition of the pre-
8 sumptive term, whether or not adjusted for aggravating or mitigating
9 factors, the court shall enter findings and conclusions and cause a
10 record of the proceedings to be transmitted to a three-judge panel for
11 sentencing under AS 12.55.175.

Dierdorff
5/10/85✓

Original sponsor: Rules/Governor

Funding Information

General Fund - \$180,548,281
Other Funds - 25,132,956
- \$205,681,237

IN THE HOUSE

BY THE FINANCE COMMITTEE

CS FOR HOUSE BILL NO. 195 (2d Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making, amending, transferring, and repealing operating and capital appropriations; and providing for an effective date."

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

* Section 1. The sum of \$487,000 is appropriated from the general fund to the Department of Administration to finance additional state match for the Teachers' Retirement System for the fiscal year ending June 30, 1984.

* Sec. 2. The sum of \$3,500,000 is appropriated from the general fund to the Department of Administration to finance additional state match for the Teachers' Retirement System for the fiscal year ending June 30, 1985.

* Sec. 3. (a) Section 256, ch. 141, SLA 1982, page 37, line 1 is amended to read:

Sec. 256. The sum of \$966,700 [\$1,000,000] is appropriated from the general fund to the Department of Administration for trooper housing.

(b) The sum of \$33,300 is appropriated from the general fund to the Department of Administration for the purpose of operation and maintenance of the employee housing program.

* Sec. 4. The sum of \$278,300, representing program receipts of the employee housing program, is appropriated from the general fund to the Department of Administration for the purpose of operation and maintenance of the employee housing program for the fiscal year ending June 30, 1985.

* Sec. 5. The sum of \$416,900 is appropriated from the general fund to the Department of Law to pay judgments and claims against the state for the

1 fiscal year ending June 30, 1985.

2 * Sec. 6. Section 21, ch. 122, SLA 1984, page 4, lines 15 - 19, as
3 amended by sec. 1, ch. 12, SLA 1985, is amended to read:

4 Sec. 21. The sum of \$466,769.553 [\$483,398,400] is appropriated
5 to the Department of Education for foundation program entitlements for
6 fiscal year 1985 from the following funding sources:

7 Public Law 81-874 Funds \$11,900,000

8 General Fund \$454,869.553 [\$471,498,400]

9 * Sec. 7. Section 25, ch. 171, SLA 1984 is amended to read:

10 Sec. 25. The sum of \$4,969,404 [\$5,677,700] is appropriated from
11 the general fund to the Department of Education for pupil transporta-
12 tion and state contract programs for the fiscal year ending June 30,
13 1984.

14 * Sec. 8. The sum of \$708,296 is appropriated from the general fund to
15 the Department of Education for the Fairbanks on-base school contract for
16 the fiscal year ending June 30, 1984.

17 * Sec. 9. The sum of \$146,263 is appropriated from the general fund to
18 the Department of Education to pay the settlement of claims against the
19 state by the Bering Strait School District for its Adventure Based Educa-
20 tion program during the 1980-81 school year.

21 * Sec. 10. The sum of \$1,017,400 is appropriated from the general fund
22 to the Department of Education for increased costs of the state contract
23 schools, state tuition, and pupil transportation programs for the fiscal
24 year ending June 30, 1985.

25 * Sec. 11. The sum of \$417,300 is appropriated from the general fund to
26 the Office of the Governor for additional costs associated with the Inland
27 Boatmen's Union of the Pacific negotiated salary agreement for the fiscal
28 year ending June 30, 1985.

29 * Sec. 12. The sum of \$172,000 is appropriated from the general fund to
CSHB 195(2d Fin)

1 the Department of Transportation and Public Facilities, Southeast Region,
 2 Maintenance and Operations, to repair highway damage in Craig for the
 3 fiscal year ending June 30, 1985.

4 * Sec. 13. The sum of \$25,400 is appropriated from federal funds and
 5 \$25,400 is appropriated from the general fund to the Department of Educa-
 6 tion, Alaska Postsecondary Education Commission for the Student Incentive
 7 Grant Programs for the fiscal year ending June 30, 1985.

8 * Sec. 14. The sum of \$26,500 is appropriated from the general fund to
 9 the Department of Health and Social Services, Division of Public Health, to
 10 meet obligations of the Post Mortem Program for the fiscal year ending
 11 June 30, 1985.

12 * Sec. 15. Section 32, ch. 107, SLA 1983, page 21, line 10 is amended
 13 to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Nursing	<u>7,815,900</u>	<u>6,606,900</u>	
	[8,125,300]	[6,916,300]	1,209,000

14 * Sec. 16. Section 32, ch. 107, SLA 1983, page 21, line 21 is amended
 15 to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Child & Family Health	<u>8,431,900</u>	<u>5,571,400</u>	
	[8,115,200]	[5,254,700]	2,860,500

16 * Sec. 17. Section 32, ch. 107, SLA 1983, page 22, line 10 is amended
 17 to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Public Health			
Administration	<u>3,109,500</u>	<u>2,813,500</u>	

[3,116,800] [2,820,800] 296,000

* Sec. 18. The sum of \$38,400 is appropriated from the general fund to the Department of Commerce and Economic Development, division of occupational licensing, to pay for additional board travel and per diem costs for the fiscal year ending June 30, 1985.

* Sec. 19. The sum of \$10,000 is appropriated from the general fund to the Department of Military and Veterans' Affairs for increased costs of the flood control program for the fiscal year ending June 30, 1985.

* Sec. 20. The sum of \$41,900 is appropriated from the general fund and \$37,900 from federal funds to the Department of Military and Veterans' Affairs for increased utility costs at National Guard facilities for the fiscal year ending June 30, 1985.

* Sec. 21. (a) Section 22, ch. 122, SLA 1984, page 35, lines 16 - 20 is amended to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND	OTHER FUNDS
Alaska National				
Guard		<u>6,613,100</u>	<u>3,187,400</u>	
		[6,568,400]	[3,142,700]	3,425,700
Office of Adju-				
tant General	<u>1,492,600</u>			
(27 positions)	[1,457,600]			
Facilities				
Maintenance/				
Army	<u>4,066,900</u>			
	[4,057,200]			
Air Training				
Support	1,046,300			
Alaska Military				

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Academy 7,300

(b) Section 22, ch. 122, SLA 1984, page 35, lines 21 - 23 is amended to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND
Alaska National Guard			
Benefits		<u>1,897,800</u>	<u>1,897,800</u>
		[1,942,500]	[1,942,500]
Retention Benefits	<u>558,800</u>		
	[603,500]		
Retirement Benefits	1,339,000		

(c) Section 22, ch. 122, SLA 1984, page 35, line 24 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Veterans' Services	<u>434,100</u>	<u>434,100</u>
	[442,100]	[442,100]

* Sec. 22. Section 30, ch. 82, SLA 1981, page 154, line 11 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Training Academy <u>Expansion and</u> <u>Improvements</u> [LAND PROCUREMENT]	820,000	820,000

* Sec. 23. The sum of \$520,000 is appropriated from the general fund to the Department of Public Safety for the Village Public Safety Officers Program contracts for the fiscal year ending June 30, 1985.

* Sec. 24. The sum of \$300,000 is appropriated from the general fund to the Department of Public Safety for the Violent Crimes Compensation Board for payment of claims for the fiscal year ending June 30, 1985.

1 * Sec. 25. The sum of \$50,000 is appropriated from the general fund to
 2 the Department of Public Safety for the Alaska State Troopers Narcotics
 3 Unit for the fiscal year ending June 30, 1985.

4 * Sec. 26. (a) Section 22, ch. 122, SLA 1984, page 43, lines 21 - 23,
 5 and page 44, lines 13 and 14, is amended to read:
 6

		APPROPRIATION	GENERAL	OTHER
	ALLOCATIONS	ITEMS	FUND	FUNDS
Administration		<u>7,381,600</u>	<u>7,328,500</u>	
		[7,881,600]	[7,828,500]	53,100
Contract Jails	3,376,000			
Commissioner's				
Office	775,400			
Training Academy	<u>1,073,100</u>			
	[1,573,100]			
Administrative				
Services	2,157,100			

18 (b) Section 22, ch. 122, SLA 1984, page 42, lines 17 - 21, and page
 19 43, lines 4 - 9, is amended to read:

		APPROPRIATION	GENERAL	OTHER
	ALLOCATIONS	ITEMS	FUND	FUNDS
Alaska State				
Troopers		<u>35,859,300</u>	<u>35,753,300</u>	
		[35,359,300]	[35,253,300]	106,000
Detachments &				
Criminal Inves-				
tigations Bureau	<u>25,032,800</u>			
	[24,532,800]			
Narcotics Unit	2,528,700			
Director's Office	856,800			

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Laboratory Services	979,600
Central Communica-	
tions	1,196,700
Community Services	136,800
Judicial Services	3,372,700
Prisoner Transpor-	
tation	850,000
Search and Rescue	269,900
Building Security	635,300

* Sec. 27. The sum of \$1,542,700 is appropriated from the general fund to the Office of the Governor for the Public Safety Employees Association bargaining unit agreement for additional costs of salaries and benefits for the fiscal year ending June 30, 1985.

* Sec. 28. Section 34, ch. 107, SLA 1983, page 82, line 9, is amended to read:

ALLOCATION

Petersburg - Water Storage Facility	
(ED 1)	<u>173,500</u> [338,500]
<u>Petersburg Scow Bay Area Sewer System</u>	<u>165,000</u>

* Sec. 29. Section 22, ch. 122, SLA 1984, page 59, lines 6 - 25 and page 60, lines 1 - 20, is amended to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND	OTHER FUNDS
Administration of Justice				
Administration and				
Support		<u>18,095,600</u>	<u>17,130,400</u>	
		[17,781,700]	[16,816,500]	965,200
Commissioner's Office	637,800			
Parole Board	334,900			

1	Facility-Capital			
2	Improvement Unit	262,200		
3	Administrative			
4	Services	1,460,000		
5	Statewide Programs	<u>6,522,800</u>		
6		[6,442,200]		
7	Correctional Indus-			
8	tries Administration	524,200		
9	Correctional Indus-			
10	tries Product Cost	703,000		
11	Training Unit	532,700		
12	Out-of-State Con-			
13	tractual	3,118,700		
14	Major Medical	<u>3,736,100</u>		
15		[3,502,800]		
16	Data and Word			
17	Processing	263,200		
18				
19	Northern and Interior		<u>12,025,000</u>	<u>12,025,000</u>
20	Region		[11,867,200]	[11,867,200]
21	Director's Office	194,900		
22	Fairbanks Correc-			
23	tional Center	<u>6,384,100</u>		
24		[6,226,300]		
25	Nome Correctional			
26	Center	1,338,700		
27	Bethel Correc-			
28	tional Center	2,742,200		
29	Probation	1,365,100		

1	Southcentral Region		<u>33,900,900</u>	<u>33,900,900</u>
2			[34,906,600]	[34,906,600]
3	Director's Office	172,200		
4	Palmer Correctional			
5	Center	5,333,900		
6	Hiland Mountain Cor-			
7	rectional Center	<u>5,282,200</u>		
8		[5,302,300]		
9	Meadow Creek Correc-			
10	tional Center	1,289,200		
11	Cook Inlet Pre-			
12	trial Facility	<u>6,889,900</u>		
13		[7,525,400]		
14	Anchorage State Cor-			
15	rectional Center	1,991,800		
16	Anchorage Annex Cor-			
17	rectional Center	2,793,800		
18	Ridgeview Correc-			
19	tional Center	1,056,900		
20	Wildwood Correc-			
21	tional Center	4,629,700		
22	Goose Bay Correc-			
23	tional Center	<u>2,332,400</u>		
24		[2,682,500]		
25	Probation	2,128,900		
26	Southeast Region		<u>9,179,800</u>	<u>9,179,800</u>
27			[8,645,800]	[8,645,800]
28	Director's Office	146,300		
29	Juneau Correctional			

1	Center	<u>5,170,100</u>
2		[4,735,500]
3	Johnson Human	
4	Services Center	889,600
5	Ketchikan Correc-	
6	tional Center	<u>2,259,400</u>
7		[2,185,000]
8	Probation	<u>714,400</u>
9		[689,400]

10 * Sec. 30. The sum of \$325,000 is appropriated from the general fund to
 11 the Department of Community and Regional Affairs to pay additional benefit
 12 payments due under the Homeowners Property Tax Exemption Program for the
 13 fiscal year ending June 30, 1985.

14 * Sec. 31. The sum of \$75,000 is appropriated from the general fund to
 15 the Department of Community and Regional Affairs for additional payments to
 16 municipalities under the Agricultural Land Exemption Program for the fiscal
 17 year ending June 30, 1985.

18 * Sec. 32. The sum of \$20,000 is appropriated from the general fund to
 19 the Department of Community and Regional Affairs for additional payments to
 20 municipalities under the Senior Citizens Motor Vehicle Tax Exemption Pro-
 21 gram for the fiscal year ending June 30, 1985.

22 * Sec. 33. The sum of \$498,800 is appropriated from the general fund to
 23 the Department of Transportation and Public Facilities, Southeast Region,
 24 for costs associated with repairing storm damage for the fiscal year ending
 25 June 30, 1985.

26 * Sec. 34. The sum of \$227,400 is appropriated from the general fund to
 27 the Department of Transportation and Public Facilities, division of marine
 28 marketing and services, for costs associated with establishing the new
 29 Alaska Marine Highway reservation system for the fiscal year ending

1 June 30, 1985.

2 * Sec. 35. The sum of \$344,100 is appropriated from the general fund to
3 the Department of Transportation and Public Facilities to reimburse the
4 federal government for right-of-way acquisition expenditures.

5 * Sec. 36. The sum of \$85,000 is appropriated from the general fund to
6 the University of Alaska to pay for emergency structural repairs to Build-
7 ings G and H at Anchorage Community College.

8 * Sec. 37. Section 22, ch. 122, SLA 1984 is amended by adding the fol-
9 lowing on page 61, after line 13:

10 Notwithstanding the provisions of AS 37.25.010, federal receipts
11 budgeted in the organized research allocation continue for the life of
12 the specific grant or contract. The unexpended balance of appropria-
13 tions from other than state general fund sources lapses December 31,
14 1985. The university shall provide state fiscal year reports on these
15 appropriations.

16 * Sec. 38. The unexpended and unobligated portion of the appropriation
17 made in sec. 22, ch. 122, SLA 1984, page 61, line 14, allocated for the
18 International Symposium on Arctic Haze, lapses into the general fund
19 June 30, 1986.

20 * Sec. 39. Section 6, ch. 121, SLA 1980 is amended to read:

21 Sec. 6. The amount of \$37,270,000 is appropriated from the
22 "1980 Education, Library, and University of Alaska Facilities Con-
23 struction Fund" to the University of Alaska in the amounts and for the
24 projects listed in this section:

25 PROJECT	26 LOCATION	27 AMOUNT
28 University Center, Phase I	Juneau	3,500,000
29 Sewer Connection	Sitka Community College	75,000
Marine Center-Phase I	Seward	1,000,000

1	Library and Classroom	Matanuska-Susitna	
2	Building	Community College	3,500,000
3	Applied Science Building	Anchorage Community	
4		College	5,000,000
5	Arts, theater, bookstore,		
6	and classroom building	Anchorage	5,200,000
7	Purchase adult basic	Anchorage Community	
8	education building	College	<u>133,000</u>
9			[220,000]
10	Classroom, shop	Kenai	5,600,000
11	Adult learning center	Kodiak Community	
12		College	2,300,000
13	Rasmussen Library, Phase II	Fairbanks	8,500,000
14	Central receiving	Fairbanks	1,300,000
15	Utilities Modification	statewide	800,000
16	Handicapped barrier removal	statewide	<u>362,000</u>
17			[275,000]

18 * Sec. 40. Section 30, ch. 82, SLA 1981, page 125, line 22, is amended
 19 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
22	<u>Forest Sciences and Natural</u>	
23	<u>Resources Combined Laboratory</u>	
24	875,000	875,000

25 * Sec. 41. The sum of \$27,500 is appropriated from the general fund to
 26 the Commission on Judicial Conduct for increased operating costs for the
 27 fiscal year ending June 30, 1985'.

28 * Sec. 42. The sum of \$261,803 is appropriated from the general fund,
 29 or other funds as indicated, to the following entities to pay miscellaneous
 claims and stale-dated warrants:

1	Department of Administration	145,136
2	Department of Education	2,132
3	Department of Health and Social Services	29,788
4	Department of Commerce and Economic Development	
5	(Includes \$280 from Real Estate Surety Fund)	356
6	Department of Fish and Game	2,341
7	Department of Public Safety	5,239
8	Department of Corrections	4,782
9	Department of Community and Regional Affairs	25,503
10	Department of Transportation and	
11	Public Facilities	25,038
12	Alaska Court System	20,681
13	Office of the Governor	807

14 * Sec. 43. Section 2, ch. 10, SLA 1983, page 25, line 9 is amended to
15 read:

16		APPROPRIATION	GENERAL
17		ITEMS	FUND
18	Sitka-Mt. Edgecumbe Road		
19	Paving <u>and Cascade Creek</u>		
20	<u>Road Construction</u> (ED 3)	\$1,600,000	\$1,600,000

21 * Sec. 44. Section 30, ch. 82, SLA 1981, page 123, line 12 (Eagle
22 school heat recovery - \$21,500) is repealed.

23 * Sec. 45. Section 4, ch. 88, SLA 1981 is amended to read:

24 Sec. 4. The sum of \$214,000 [\$236,000] is appropriated from the
25 general fund for payment as grants for solid waste disposal site
26 construction in the following communities:

27	(1) Saint Mary's	\$100,000
28	[(2) EAGLE	22,000]
29	(3) Holy Cross	50,000

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(4) Kaltag	22,000
(5) Nikolai	20,000
(6) Shageluk	22,000

* Sec. 46. The sum of \$43,500 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as a grant under AS 37.05.317 to the Eagle Village Council for landfill road construction and landfill material.

* Sec. 47. Section 319, ch. 171, SLA 1984, page 66, line 9 (Eagle-Public Safety Officers Equipment - \$20,000) is repealed.

* Sec. 48. The sum of \$20,000 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as a grant under AS 37.05.317 to the Eagle Village Council for public safety officers equipment.

* Sec. 49. Section 80, ch. 101, SLA 1982, page 70, line 20 (Alaska Power Authority; Anderson-City Hall coal conversion - \$50,000) is repealed.

* Sec. 50. The sum of \$50,000 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Anderson for a Nenana River erosion study.

* Sec. 51. Section 34, ch. 107, SLA 1983, page 82, line 12 is amended to read:

ALLOCATIONS

Port Alexander- <u>water system</u> [ULTRA VIOLET DISINFECTION UNIT] (ED 3)	\$150,000
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* Sec. 52. Section 2, ch. 20, SLA 1984, page 5, line 7 is amended to read:

APPROPRIATION	GENERAL
ITEMS	FUND
<u>North Slope Borough-</u>	
Anaktuvuk Pass-water	

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and sewer and solid

waste disposal (ED 22) \$500,000 \$500,000

* Sec. 53. Section 144, ch. 106, SLA 1983, is amended to read:

Sec. 144. The sum of \$60,000 [\$300,000] is appropriated from the general fund for payment as a grant to the City of Elim for a dock/-harbor.

* Sec. 54. The sum of \$240,000 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Elim for construction of a combined facility.

* Sec. 55. Section 2, ch. 19, SLA 1984, page 7, line 20 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Sitka School District Maintenance	<u>\$158,000</u>	<u>\$158,000</u>
Building Construction (ED 3)	[\$240,000]	[\$240,000]

* Sec. 56. Section 2, ch. 45, SLA 1984, page 14, line 14 (Sitka School District Maintenance Building - \$957,000) is repealed.

* Sec. 57. The sum of \$1,039,000 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.-315 to the City and Borough of Sitka for the Green Lake settlement.

* Sec. 58. Section 30, ch. 82, SLA 1981, page 186, line 19 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Seldovia-Erosion Control	<u>\$173,600</u>	<u>\$173,600</u>
Study (ED 13)	[\$190,000]	[\$190,000]

* Sec. 59. The sum of \$16,400 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Seldovia for the reserve equipment fund for purchase of a

1 road grader.

2 * Sec. 60. Section 80, ch. 101, SLA 1982, page 74, line 16 is amended
3 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
San Juan Dock Repair	<u>\$36,000</u>	<u>\$36,000</u>
	[\$500,000]	[\$500,000]

8 * Sec. 61. Section 34, ch. 107, SLA 1983, page 76, line 12 is amended
9 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Port San Juan Ferry Dock	<u>\$62,900</u>	<u>\$62,900</u>
Repair (ED 6)	[\$750,000]	[\$750,000]

14 * Sec. 62. The sum of \$155,000 is appropriated from the general fund to
15 the Department of Fish and Game for payment as a grant under AS 37.05.316
16 to the Prince William Sound Aquaculture Association, for the purpose of
17 Gulkana Salmon Hatchery and Copper River Lake investigation studies.

18 * Sec. 63. The sum of \$300,000 is appropriated from the general fund to
19 the Department of Health and Social Services for payment as a grant under
20 AS 37.05.316 to Horizons Unlimited for the purpose of operating two group
21 homes for developmentally disabled persons in the City of Valdez for the
22 fiscal year ending June 30, 1986.

23 * Sec. 64. The sum of \$50,000 is appropriated from the general fund to
24 the Department of Community and Regional Affairs for payment as a grant
25 under AS 37.05.317 to the unincorporated community of Bear Creek for the
26 purchase of a fire tanker and equipment.

27 * Sec. 65. The sum of \$15,500 is appropriated from the general fund to
28 the Department of Administration for payment as a grant under AS 37.05.315
29 to the City of Whittier for the purchase of Whittier Medical Clinic

1 equipment and materials.

2 * Sec. 66. The sum of \$214,000 is appropriated from the general fund to
3 the Department of Fish and Game, Fisheries Rehabilitation Enhancement and
4 Development Division for the Prince William Sound pink salmon tagging study
5 for the fiscal year ending June 30, 1986.

6 * Sec. 67. Section 9, ch. 204, SLA 1972, page 28, line 8 (Barrow
7 Museum-\$500,000) is repealed.

8 * Sec. 68. The sum of \$200,000 is appropriated from the general fund to
9 the Department of Education for payment as a grant under AS 37.05.316 to
10 the Alaska Native Foundation for Alaska Native Leadership Project opera-
11 tions for the fiscal year ending June 30, 1986.

12 * Sec. 69. The sum of \$300,000 is appropriated from the general fund to
13 the Department of Administration for payment as a grant under AS 37.05.315
14 to the City of Selawik for the multi-purpose facility completion.

15 * Sec. 70. The sum of \$120,000 is appropriated from the general fund to
16 the Department of Community and Regional Affairs for payment as a grant
17 under AS 37.05.316 to the Alaska Consumer Advocacy Project for consumer
18 representation on utility issues for the fiscal year ending June 30, 1986.

19 * Sec. 71. Section 30, ch. 82, SLA 1981, page 185, lines 4 and 5 are
20 amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
21		
22		
23		
24	Comprehensive Road	
25	Plan for Eagle River,	
26	Chugiak, Birchwood,	
27	Peters Creek Areas	
28	<u>95,000</u>	<u>95,000</u>
29	(ED 7-12)	
	[100,000]	[100,000]

* Sec. 72. Section 1, ch. 54, SLA 1980, as amended by sec. 49, ch. 120,
SLA 1980, sec. 52, ch. 90, SLA 1981, sec. 21, ch. 141, SLA 1982, and sec.

102, ch. 106, SLA 1983 is amended to read:

Section 1. The sum of \$19,854,700 [\$21,275,000] is appropriated from the general fund to the Alaska Power Authority to be allocated as grants or loans as determined in each instance by the director of the Office of Management and Budget [BUDGET AND MANAGEMENT] in the Office of the Governor for the following projects:

Project	Amount
(1) Dillingham - Lake Elva	\$. 550,000
(2) Lake Tye	15,000,000
(3) Haines - Dyeabus	400,000
(4) Larsen Bay	<u>64,900</u> [200,000]
(5) Angoon power project	<u>110,200</u> [250,000]
(6) Village electrical cooperative fuel conversion project	125,000
(7) Office of the Governor - Susitna plan of study revisions	1,365,000
(8) Elim village electrical cooperative project	25,800
(9) Togiak village electrical cooperative project	40,000
(10) Goodnews Bay village electrical cooperative project	<u>29,600</u> [45,000]
(11) Akutan	127,000
(12) Savoonga	24,100
(13) White Mountain	24,100
(14) Projects in Ouzinkie, Chuathbaluk, Red Devil, Stony River, Nikolai, Hughes, Russian Mission, Crooked Creek, Sleetmute, Takotna, Telida,	

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	Koyukuk, Sheldon Point, Ambler, Grayling, Crater Lake, Buckland, Tanana reconnaissance studies	200,000
(15)	Kaltag	20,000
(16)	Shungnak	10,600
(17)	Kiana	38,400
(18)	Tazimina	<u>49,300</u> [50,000]
(19)	Iliamna-Newhalen electric cooperative	300,000
(20)	Nushagak electrical cooperative	150,000
(21)	Unalakleet wind project	100,000
(22)	Northwest coal resources investigation	250,000
(23)	Demonstration projects of rural waste heat recapture	<u>497,600</u> [500,000]
(24)	Kotzebue geothermal engineering feasi- bility and equipment	60,000
(25)	Unalaska geothermal engineering feasi- bility and equipment	100,000
(26)	Old Harbor	<u>63,100</u> [990,000]
(27)	Skagway wind project	100,000
[(28)	CENTRAL	200,000]

* Sec. 73. The sum of \$139,800 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Angoon for construction of a water tank.

* Sec. 74. Section 28, ch. 82, SLA 1981, page 81, line 26 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Craig-Rorough Study	<u>115,100</u>	<u>115,100</u>
	[125,000]	[125,000]

1 * Sec. 75. Section 1, ch. 134, SLA 1978 is amended to read:

2 Section 1. The sum of \$109,359,700 [\$110,000,000] is appropri-
 3 ated from the general fund to the Department of Transportation and
 4 Public Facilities for school construction projects, as set out below:

5	(1) Rural School Insurance		
6	Reconstruction	<u>\$2,318,800</u>	[\$ 2,500,000]
7	(2) Northwest Arctic REAA	<u>11,673,900</u>	[12,011,400]
8	(3) Bering Straits REAA		12,370,700
9	(4) Lower Yukon REAA		5,770,500
10	(5) Lower Kuskokwim REAA		24,435,700
11	(6) Kuspuk REAA		4,450,000
12	(7) Southwest REAA		6,420,900
13	(8) Lake and Peninsula REAA		5,226,700
14	(9) Aleutian Chain REAA		2,417,400
15	(10) Adak REAA		2,000,000
16	(11) Pribilof REAA	<u>913,900</u>	[1,000,000]
17	(12) Iditarod REAA		3,501,500
18	(13) Yukon/Koyukuk REAA		7,436,000
19	(14) Yukon Flats REAA		2,410,100
20	(15) Alaska Gateway REAA	<u>2,073,400</u>	[2,090,000]
21	(16) Alaska Central Railbelt REAA		3,400,000
22	(17) Chatham REAA		1,900,000
23	(18) Southeast REAA		571,000
24	(19) Craig City Schools	<u>1,231,100</u>	[1,250,000]
25	(20) Ouzinkie		1,001,000
26	(21) Larsen Bay		1,637,100
27	(22) Kake		500,000
28	(23) Wrangell School District		3,000,000
29	(24) Haines School District		200,000

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(25) Skagway City School District 2,500,000

* Sec. 76. Section 2, ch. 21, SLA 1984, page 6, line 15 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Craig - <u>Health</u> [EMERGENCY]	<u>193,800</u>	<u>193,800</u>
<u>Facilities and Equipment</u> (ED 2)	[165,000]	[165,000]

* Sec. 77. Section 30, ch. 82, SLA 1981, page 184, line 15 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Parking Lot Lighting (ED 7-12)	<u>103,100</u>	<u>103,100</u>
	[120,000]	[120,000]

* Sec. 78. Section 30, ch. 82, SLA 1981, page 143, line 15 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Lynden Neighborhood	<u>112,100</u>	<u>112,100</u>
Park (ED 7-12)	[112,500]	[112,500]

* Sec. 79. Section 30, ch. 82, SLA 1981, page 186, line 5 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Sherwood Acres Street	<u>307,000</u>	<u>307,000</u>
Repair (ED 7-12)	[310,000]	[310,000]

* Sec. 80. Section 30, ch. 82, SLA 1981, page 185, line 23 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND

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Providence Drive/University

Avenue Improvements (ED 7-12)	<u>520,000</u>	<u>520,000</u>
	[700,000]	[700,000]

* Sec. 81. Section 30, ch. 82, SLA 1981, page 143, line 14 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Spenard Neighborhood	<u>3,531,000</u>	<u>3,531,000</u>
Project (ED 7-12)	[5,431,000]	[5,431,000]

* Sec. 82. Section 30, ch. 82, SLA 1981, page 143, line 11 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Chugiak/Eagle River	<u>9,000</u>	<u>9,000</u>
Recreation Board (ED 7-12)	[10,300]	[10,300]

* Sec. 83. Section 30, ch. 82, SLA 1981, page 149, line 9 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Eagle River-Fire Service	<u>106,400</u>	<u>106,400</u>
Area Fire Tanker (ED 7-12)	[106,500]	[106,500]

* Sec. 84. Section 230, ch. 106, SLA 1983, is amended to read:

Sec. 230. The sum of \$7,400 [\$40,000] is appropriated from the general fund to the Department of Environmental Conservation for the purpose of conducting a water and sewer feasibility study at Napaskiak..

* Sec. 85. Section 34, ch. 107, SLA 1983, page 75, line 25 is amended to read:

APPROPRIATION	GENERAL
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1		ITEMS	FUND
2	Newtok-Gravel Acquisition (ED 25)	<u>2,500</u>	<u>2,500</u>
3		[60,000]	[60,000]
4	* Sec. 86. The sum of \$16,800 is appropriated from the general fund to		
5	the Office of the Governor for the establishment and operation of the		
6	Martin Luther King, Jr. State Holiday Commission in support of the Federal		
7	Holiday Commission for the fiscal year ending June 30, 1986.		
8	* Sec. 87. Section 286, ch. 50, SLA 1980, page 54, line 18 is amended		
9	to read:		
10		APPROPRIATION	GENERAL
11		ITEMS	FUND
12	Yukon-Kuskokwim Health		
13	Corporation (ED 17)	<u>243,000</u>	<u>243,000</u>
14		[380,000]	[380,000]
15	* Sec. 88. The sum of \$25,000 is appropriated from the general fund to		
16	the University of Alaska, Kuskokwim Community College for the Yupik		
17	Language Program for the fiscal year ending June 30, 1986.		
18	* Sec. 89. The sum of \$350,000 is appropriated from the general fund to		
19	the Department of Community and Regional Affairs for payment as a grant		
20	under AS 37.05.316 to the Bering Sea Fishermen's Association for fisheries		
21	programs for the fiscal year ending June 30, 1986.		
22	* Sec. 90. The sum of \$14,000 is appropriated from the general fund to		
23	the Department of Health and Social Services for payment as a grant under		
24	AS 37.05.316 to Bethel Prematernal Home for operating costs for the fiscal		
25	year ending June 30, 1986.		
26	* Sec. 91. The sum of \$25,000 is appropriated from the general fund to		
27	the Department of Community and Regional Affairs for payment as a grant		
28	under AS 37.05.317 to the unincorporated community of Kongiganak for a		
29	sewage and solid waste disposal study.		

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* Sec. 92. The sum of \$250,000 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as a grant under AS 37.05.316 to the Association of Village Council Presidents Regional Housing Authority for planning and development of housing units in rural Alaska.

* Sec. 93. The sum of \$90,000 is appropriated from the general fund to the Department of Health and Social Services for payment as a grant under AS 37.05.316 to the Yukon-Kuskokwim Health Corporation for the emergency medical services training program and for equipment for village health aides.

* Sec. 94. The sum of \$75,000 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as a grant under AS 37.05.316 to Nunam Kitlutsisti for a fur trapping program.

* Sec. 95. The sum of \$200,000 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Nightmute for riverfront improvements.

* Sec. 96. The sum of \$57,000 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Akiak for electrification improvements.

* Sec. 97. The sum of \$22,800 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.315 to the City of Chefnak for clinic renovations.

* Sec. 98. Section 286, ch. 50, SLA 1980, page 98, line 4 is amended to read:

APPROPRIATION	GENERAL
ITEMS	FUND
Fairbanks-23rd & Wilbur Street	
<u>Extension and city-wide</u>	
<u>sewage and drainage</u>	

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improvements (ED 20) 150,000 150,000

* Sec. 99. Section 2, ch. 10, SLA 1983, page 8, line 19 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Wrangell-Evergreen water/ sewer extension (ED 1)	<u>889,000</u>	<u>889,000</u>
	[1,046,000]	[1,046,000]

* Sec. 100. Section 30, ch. 82, SLA 1981, page 141, line 18 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Wrangell-water tower renovation (ED 2)	<u>70,100</u>	<u>70,100</u>
	[105,000]	[105,000]

* Sec. 101. The sum of \$191,900 is appropriated from the general fund to the Department of Administration for payment as a grant under AS 37.05.-315 to the City of Wrangell for development of the Wrangell industrial subdivision project.

* Sec. 102. Section 34, ch. 107, SLA 1983, page 114, line 10 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Houston-Roads <u>and Equipment</u> (ED 16)	80,000	80,000

* Sec. 103. Section 2, ch. 45, SLA 1984, page 26, line 7 is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND

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Akutan-Municipal Waste

Incinerator and solid waste

facility (ED 26) 50,000 50,000

* Sec. 104. Section 34, ch. 107, SLA 1983, page 72, lines 4 - 5 is amended to read:

APPROPRIATION GENERAL
ITEMS FUND

Tanana Valley Fairgrounds

Facilities Improvements

[AGRICULTURE MUSEUM COMPLETION]

(ED 18 - 21) 100,000 100,000

* Sec. 105. Section 2, ch. 21, SLA 1984, page 4, line 18 is amended to read:

APPROPRIATION GENERAL
ITEMS FUND

Tanana Valley Fair Facilities

Improvements [AGRICULTURE

MUSEUM] (ED 19 - 21) 80,000 80,000

* Sec. 106. Section 80, ch. 101, SLA 1982, page 79, line 17 is amended to read:

APPROPRIATION GENERAL
ITEMS FUND

Goose Lake Policy Committee 85,000 85,000

[100,000] [100,000]

* Sec. 107. Section 80, ch. 101, SLA 1982, page 81, line 23 is amended to read:

APPROPRIATION GENERAL
ITEMS FUND

Anchorage-Medic-Unit 167,500 167,500

1 Replacement [168,000] [168,000]
 2 * Sec. 108. Section 30, ch. 82, SLA 1981, page 178, line 21 is amended
 3 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
4 Acquisition of Tidelands,	<u>27,100</u>	<u>27,100</u>
5 Auke Bay (ED 4)	[300,000]	[300,000]

6 * Sec. 109. Section 319, ch. 171, SLA 1984, page 68, line 6 is amended
 7 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
8 Juneau-Areawide boat harbor	<u>2,472,900</u>	<u>2,472,900</u>
9 improvements (ED 4)	[2,200,000]	[2,200,000]

10 * Sec. 110. Section 47, ch. 90, SLA 1981, is amended to read:

11 * Sec. 47. The sum of \$1,418,400 [\$1,420,000] is appropriated from
 12 the general fund to the Department of Commerce and Economic Develop-
 13 ment, division of energy and power development, for the following
 14 projects:

15 (1) Holy Cross wind project	\$ 40,000
16 (2) Kotzebue wind generator	200,000
17 (3) Pilgrim Hot Springs geothermal	
18 project	700,000
19 (4) Sheldon Point wind project	300,000
20 (5) Skagway construction of wind	
21 generating system	100,000
22 (6) Mary's Igloo -- design of an energy-	
23 efficient community in conjunction	
24 with relocation	50,000
25 (7) Port Alexander wind project	<u>28,400</u> [30,000]

1 * Sec. 111. The sum of \$1,600 is appropriated from the general fund to
 2 the Department of Administration for payment as a grant under AS 37.05.315
 3 to the City of Tenakee for costs associated with the 1984 Thanksgiving Day
 4 disaster.

5 * Sec. 112. Section 30, ch. 82, SLA 1981, page 177, line 11 is amended
 6 to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
Petersburg Roads (ED 2)	<u>1,252,900</u>	<u>1,252,900</u>
	[1,300,000]	[1,300,000]

11 * Sec. 113. Section 4, ch. 24, SLA 1984, page 66, line 5 is amended to
 12 read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Petersburg Main	<u>947,100</u>	<u>119,100</u>	828,000
Street (ED 1)	[900,000]	[72,000]	

13 * Sec. 114. Section 146, ch. 171, SLA 1984 is amended to read:

14 * Sec. 146. The sum of \$1,000,000 is appropriated from the general
 15 fund to the Department of Health and Social Services for the cata-
 16 strophic illness program for fiscal year 1986 [1985].

17 * Sec. 115. Section 171, ch. 171, SLA 1984 is amended to read:

18 * Sec. 171. The sum of \$420,000 is appropriated from the general
 19 fund to the Department of Community and Regional Affairs for payment
 20 as a grant under AS 05.317 to the unincorporated community of
 21 Koliganek [ENVIRONMENTAL CONSERVATION] for construction of a sanitary
 22 landfill and access road [AT KOLIGANEK].

23 * Sec. 116. Section 34, ch. 107, SLA 1983, page 122, line 18 (Portage
 24 Creek-Heavy Equipment - \$100,000) is repealed.

25 * Sec. 117. The sum of \$100,000 is appropriated from the general fund

1 to the Department of Community and Regional Affairs for payment as a grant
 2 under AS 37.05.317 to the unincorporated community of Portage Creek for
 3 completion of the electrification and bulk fuel project.

4 * Sec. 118. The sum of \$89,325,664 is appropriated to the general fund
 5 from the following enterprise funds:

6	Historical District Loan Fund (AS 45.98)	\$ 500,000
7	Residential Energy Conservation Loan Fund	
8	(AS 45.89)	7,312,533
9	Power Development Revolving Loan Fund	
10	(AS 44.33.600)	14,000,000
11	World War II Veterans' Revolving Loan Fund	
12	(AS 26.15)	8,824,933
13	Mining Revolving Loan Fund (AS 27.09)	19,931,080
14	Fishery Product Revolving Loan Guarantee	
15	Account (AS 45.92)	38,757,118

16 * Sec. 119. Section 4, ch. 24, SLA 1984, page 70, line 25 is amended to
 17 read:

18		APPROPRIATION	GENERAL
19		ITEMS	FUND
20	Shared Resource <u>Computer/</u>	345,000	345,000
21	Word Processing Application		
22	(ED 99)		

23 * Sec. 120. The sum of \$9,036,000 in reserves for claims is appropri-
 24 ated from the Power Development Revolving Loan Fund (AS 44.33.600) to the
 25 general fund.

26 * Sec. 121. Section 301, ch. 171, SLA 1984 (Alaska Housing Finance
 27 Corp. - \$16,000,000) is repealed.

28 * Sec. 122. Section 28, ch. 82, SLA 1981, page 106, line 7 as amended
 29 by sec. 17, ch. 101, SLA 1982, is amended to read:

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	APPROPRIATION ITEMS	GENERAL FUND
Permanent Fund Dividend	<u>149,593,600</u>	<u>149,593,600</u>
	[149,961,800]	[149,961,800]

* Sec. 123. (a) Section 53, ch. 120, SLA 1980, page 85, line 6 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND	OTHER FUNDS
Central Region Marine Transportation	<u>10,775,400</u>	410,000	<u>10,365,400</u>
	[56,210,000]		[55,800,000]

(b) Section 53, ch. 120, SLA 1980, page 85, line 8 is amended to read:

	ALLOCATIONS
Tustumena Replacement	<u>1,065,400</u>
	[46,500,000]

* Sec. 124. Section 80, ch. 101, SLA 1982, page 84, line 13 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Northwood Storm System Extension	<u>38,000</u>	<u>38,000</u>
	[404,000]	[404,000]

* Sec. 125. Section 80, ch. 101, SLA 1982, page 99, line 15 is amended to read:

	APPROPRIATION ITEMS	GENERAL FUND
Muldoon/DeBarr Area Planning	<u>1,100</u>	<u>1,100</u>
	[30,000]	[30,000]

* Sec. 126. (a) Section 4, ch. 25, SLA 1982, page 15, line 7 is

1 amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Central Region	<u>99,763,000</u>	<u>9,701,000</u>	<u>90,062,000</u>
	[103,165,000]	[9,903,000]	[93,262,000]

6 (b) Section 4, ch. 25, SLA 1982, page 15, line 17 is amended to read:

	ALLOCATIONS
Girdwood Bike Path (ED 7-12)	<u>1,248,000</u>
	[1,300,000]

10 (c) Section 4, ch. 25, SLA 1982, page 15, line 18, is amended to
11 read:

	ALLOCATIONS
Aviation Project Contingency	<u>850,000</u>
	[1,000,000]

16 (d) Section 4, ch. 25, SLA 1982, page 15, line 21 (Runway 6/L Over-
17 lay, Anchorage - \$3,200,000) is repealed.

18 * Sec. 127. Section 34, ch. 107, SLA 1983, page 77, line 14 is amended
19 to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Nome-Taylor Highway	<u>370,400</u>	120,000	<u>250,400</u>
MP8-North (ED 23)	[1,500,000]		[1,380,000]

24 * Sec. 128. (a) Section 53, ch. 120, SLA 1980, page 87, line 5 is
25 amended to read:

	APPROPRIATION	OTHER
	ITEMS	FUNDS
Interior Region Airports	<u>4,273,500</u>	<u>4,273,500</u>
	[4,598,400]	[4,598,400]

29 (b) Section 53, ch. 120, SLA 1980, page 87, line 8 (Manley runway -

1 \$324,900) is repealed.

2 * Sec. 129. (a) Section 4, ch. 25, SLA 1982, page 18, line 11 is
3 amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
4 Southeast Region	<u>20,124,300</u>	<u>3,639,500</u>	<u>16,484,800</u>
	[25,968,300]	[3,992,000]	[21,976,300]

5 (b) Section 4, ch. 25, SLA 1982, page 18, line 15 is amended to read:

	ALLOCATIONS
6 North Douglas Highway	<u>902,200</u>
7 Overlay (ED 4)	[1,306,300]

8 (c) Section 4, ch. 25, SLA 1982, page 18, line 17 is amended to read:

	ALLOCATIONS
9 Klondike Highway Paving (ED 4)	<u>1,260,100</u>
	[1,710,000]

10 (d) Section 4, ch. 25, SLA 1982, page 18, line 20 is amended to read:

	ALLOCATIONS
11 <u>Angoon Seaplane Facilities</u>	
12 [AIRPORT] Construction (ED 2)	<u>1,500,000</u>
	[6,160,000]

13 (e) Section 4, ch. 25, SLA 1982, page 19, line 7 is amended to read:

	ALLOCATIONS
14 Archives Center Foundation (ED 4)	<u>132,000</u>
	[462,000]

15 * Sec. 130. (a) Section 53, ch. 120, SLA 1980, page 91, line 14 is
16 amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
17 Transportation Planning	<u>10,295,900</u>	4,800,000	<u>5,495,900</u>