

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

CSSB 18 thru SB 21 *Final* 8

CSSB 18

HOUSE COMMITTEE REPORT

Date referred: 1/22/88

FURTHER REFERRALS:

DATE: 2-1-88

The Finance Committee has considered CSSB 18(C&RA)

"An Act creating the Anchorage Coastal Wildlife Refuge and renaming the Potter Point State Game Refuge as the Anchorage Coastal Wildlife Refuge; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note
- zero with analysis same as previous zero fiscal note published _____

SIGNING-DO PASS:

ADAMS Al Adams

POURCHOT Pat Pourchot

LARSON Ronald D. Larson

SWACK-HAMMER Bob Swack-Hammer

WALLIS Way Wallis

DAVIS Michelle Davis

SIGNING OTHER RECOMMENDATIONS:

BOYER Mark Boyer NO-REC

RIEGER Steve Rieger No Recommendation

FRANK Frank No Rec.

BROWN Tay Brown - No Rec

Al Adams
Chairman's signature

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 13 (C&RA)
PUBLISH DATE: 2/9/87

FISCAL NOTE

REQUEST:

Revision Date: 2/9/87
 Title: An Act creating Anchorage Coastal Wildlife Refuge
 Sponsor: Szymanski, Sturgulewski, et al
 Requestor: Hse Res Comm
 Agency Affected: Fish and Game
 BRU: Habitat
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

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)

Prepared by: Roland Shanks Phone: 465-4100
 Division: Commissioner's Office Date: 1/18/88

Approved by Commissioner: [Signature] Date: 1-18-88
 Agency: Fish and Game

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

RECEIVED
 JAN 19 1988

LEGISLATIVE FINANCE

Original sponsors: Szymanski, Sturgulewski,
Josephson and Kerttula

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 18 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act creating the Anchorage Coastal Wildlife
7 Refuge and renaming the Potter Point State Game
8 Refuge as the Anchorage Coastal Wildlife Refuge; and
9 providing for an effective date."

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

11 * Section 1. AS 16.20 is amended by adding a new section to read:

12 Sec. 16.20.031. ANCHORAGE COASTAL WILDLIFE REFUGE. (a) The
13 following described state-owned land and water is established as the
14 Anchorage Coastal Wildlife Refuge and shall be managed as a state game
15 refuge for the protection of waterfowl, shorebirds, salmon, and other
16 fish and wildlife species, and their habitat and for the use and
17 enjoyment of the people of the state:

18 (1) Township 13 North, Range 4 West, Seward Meridian

19 Section 20: SE 1/4 seaward of the 20 foot elevation
20 contour

21 SE 1/4 NE 1/4 seaward of the 20 foot elevation con-
22 tour

23 Section 29: E 1/2 seaward of the 20 foot elevation
24 contour

25 SW 1/4 seaward of the 20 foot elevation contour

26 Section 30: SE 1/4 SE 1/4

27 Section 31: All seaward of the 20 foot elevation
28 contour except NW 1/4 NW 1/4

29 Section 32: All seaward of the 20 foot elevation

1 contour
2 (2) Township 13 North, Range 5 West, Seward Meridian
3 Section 36: S 1/2
4 S 1/2 N 1/2
5 (3) Township 12 North, Range 4 West, Seward Meridian
6 Sections 6 - 9: Seaward of the 20 foot elevation
7 contour
8 Section 15: NW 1/4 seaward of the 20 foot elevation
9 contour
10 SW 1/4 NE 1/4 seaward of the 20 foot elevation
11 contour
12 Government Lot 5 and the remainder of the W 1/2 SE
13 1/4, all
14 SW 1/4
15 Section 16: Seaward of the 20 foot elevation contour
16 Sections 17 - 22
17 Section 23: Government Lot 1 and the remainder of the
18 SW 1/4, all seaward of the 20 foot elevation contour
19 Government Lot 2 and the remainder of the S 1/2 NW
20 1/4, all seaward of the 20 foot elevation contour
21 Government Lots 3 and 4, and the remainder of the SE
22 1/4, all seaward of the 20 foot elevation contour
23 Section 24: Tract A, Shorecrest Subdivision (Plat No.
24 81-68, Anchorage Recording District)
25 Section 25: Government Lots 1 and 2, and the remainder
26 of the W 1/2, all
27 Tract A, Johns Park Estates, and the remainder of the
28 NE 1/4, excluding Skyway Park Estates, Addition No. 1
29 all seaward of the 20 foot elevation contour Govern-

1 ment Lots 3 and 4, and the remainder of the SE 1/4,
2 all
3 Sections 26 - 36
4 (4) Township 12 North, Range 5 West, Seward Meridian
5 Sections 1 - 2
6 Sections 11 - 14
7 Sections 23 - 26
8 Sections 35 - 36
9 (5) Township 12 North, Range 3 West, Seward Meridian
10 Section 29: That portion of the SW 1/4 southwesterly
11 of the Alaska Railroad right-of-way and southerly of
12 Oceanview Subdivision, Addition No. 6
13 Section 30: That portion of Tract A, Johns Park
14 Estates, seaward of the 20 foot elevation contour
15 Government Lot 2 and that portion of the SE 1/4 NW
16 1/4 southwesterly of Oceanview West Subdivision,
17 Addition No. 1
18 Government Lots 3 and 4 and the remainder of the SW
19 1/4, all
20 That portion of the SW 1/4 NE 1/4 and the SE 1/4
21 southwesterly of Oceanview Subdivision, Addition No.
22 4 and Addition No. 6
23 Section 31
24 Section 32: All land southwesterly of the Alaska
25 Railroad right-of-way
26 Section 33: All land westerly of the Alaska Railroad
27 right-of-way
28 (6) Township 11 North, Range 3 West, Seward Meridian
29 Section 3: Government Lot 5

1 Section 4: That portion southwesterly of the Old
2 Seward Highway right-of-way and The Landings
3 Subdivision which is northeasterly of the New Seward
4 Highway right-of-way

5 That portion southwesterly of the Alaska Railroad
6 right-of-way

7 Sections 5 - 8

8 Section 9: That portion southwesterly of the Alaska
9 Railroad right-of-way

10 That portion northeasterly of the New Seward Highway
11 right-of-way

12 Section 10: That portion westerly of the Old Seward
13 Highway right-of-way which is northeasterly of
14 the New Seward Highway right-of-way

15 That portion southwesterly of the Alaska Railroad
16 right-of-way

17 (7) Township 11 North, Range 4 West, Seward Meridian

18 Sections 1 - 4

19 Sections 10 - 12

20 (b) Except as provided in (d) of this section, the Department of
21 Fish and Game and the Department of Natural Resources shall exercise
22 their respective authorities over the Anchorage Coastal Wildlife
23 Refuge consistent with a management plan prepared by the Department of
24 Fish and Game in consultation with the Department of Natural
25 Resources.

26 (c) A public right-of-way for surface transportation and a
27 utility corridor are created across state-owned land and water within
28 the Anchorage Coastal Wildlife Refuge between the Anchorage mainland
29 and Fire Island. The management plan prepared under (b) of this

1 section shall identify the actual location on the land and water of
2 the right-of-way and of the utility corridor between the Anchorage
3 mainland and Fire Island.

4 (d) Land owned by the Municipality of Anchorage that lies within
5 the boundary of the Anchorage Coastal Wildlife Refuge described in (a)
6 of this section may be included in the Anchorage Coastal Wildlife
7 Refuge. An agreement between the Department of Fish and Game and the
8 Municipality of Anchorage for the management of the land within the
9 Anchorage Coastal Wildlife Refuge that is owned by the Municipality of
10 Anchorage shall be approved by the Municipality of Anchorage and by
11 the Department of Fish and Game.

12 (e) The state or the Municipality of Anchorage may not acquire
13 privately owned land within the Anchorage Coastal Wildlife Refuge
14 described in (a) of this section by eminent domain for inclusion
15 within the Anchorage Coastal Wildlife Refuge. The Department of Fish
16 and Game or the Municipality of Anchorage may acquire privately owned
17 land within the Anchorage Coastal Wildlife Refuge by purchase, ex-
18 change, or otherwise, except by eminent domain.

19 (f) The land and water areas of the Anchorage Coastal Wildlife
20 Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275.

21 * Sec. 2. The initial management plan prepared under AS 16.20.031(b) as
22 enacted in sec. 1 of this Act shall be completed within three years after
23 the effective date of this Act.

24 * Sec. 3. AS 16.20.030(b) is repealed.

25 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 18 (C&RA)
PUBLISH DATE: 2/9/87

FISCAL NOTE

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SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

POSITIONS:

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PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

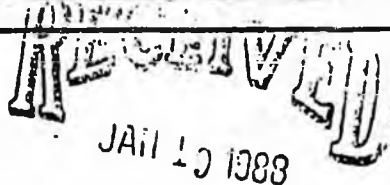
Prepared by: Roland Shanks
Division: Commissioner's Office

Phone: 465-4100
Date: 1/18/88

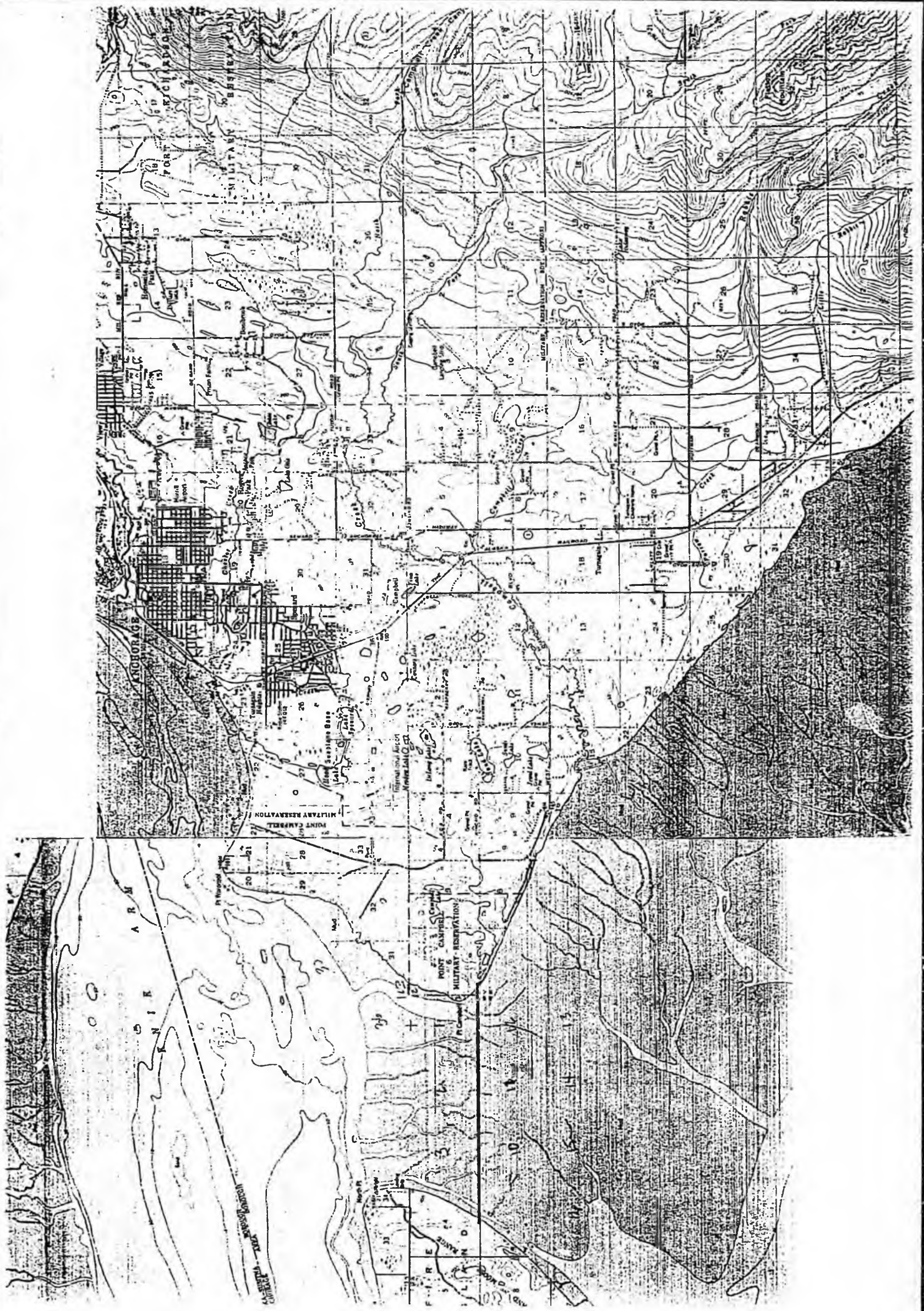
Approved by Commissioner: [Signature]
Agency: Fish and Game

Date: 1-18-88

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



LEGISLATIVE FINANCE





Alaska State Legislature

Senator Mike Szymanski

While in Session:
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4978/4979

M E M O R A N D U M

TO: Senate Resource Committee Members

FROM: Senator Mike Szymanski

SUBJECT: SB 18 - Anchorage Coastal Wildlife Refuge
Background/Intent

DATE: February 14, 1987

Interim
11920 Johns Rd.
Anchorage, AK 99515
(907) 349-3373

1024 W. 6th
Anchorage, AK 99501
(907) 276-6739

In 1971, the Alaska State Legislature created Potter Point State Game Refuge (AS 16.20.030(b)) which extends southeasterly along the coastline of Anchorage from Pt. Campbell to Potter Creek. This easily accessible, urban refuge provides excellent wildlife viewing opportunities for city residents, and it enhances the Anchorage economy through its value as a tourist attraction.

In June 1983, the Municipality of Anchorage (MOA) established the Potter Marsh Task Force to address management problems that were developing both within and around the Refuge, and to subsequently make recommendations for improving management of the refuge. The Task Force is supported by the MOA, Alaska Department of Fish and Game (ADF&G), Alaska Department of Natural Resources (DNR) and interested public members.

SB 18 is supported by the Administration, the Rabbit Creek Community Council, the Oceanview Community Council, the National Rifle Association, the Municipality of Anchorage and various environmental and development groups in the Anchorage area. It is an example of multiple-use legislation which has been developed and supported by diverse groups and individuals and I respectfully request its passage by the Committee.

SB 18 would:

1) Rename the existing Potter Point State Game Refuge the "Anchorage Coastal Wildlife Refuge".

Section 1, AS 16.20.031 (a) would establish the Anchorage Coastal Wildlife Refuge to be managed for the protection of waterfowl, shore birds, salmon, and other fish and wildlife species, and their habitat and for the use and enjoyment of the people of the State. Section 3 repeals AS 16.20.030(b) which is the existing statute establishing the Potter Point State Game Refuge. This new name more accurately reflects the Refuge's location and relation to the city of Anchorage.

2) Provide a precise legal description, in surveyable section lines, of the boundaries of the State-owned land and water included in the Refuge.

The 1971 legislation reads, "The following described state-owned land and adjacent state water, excluding existing and applied-for highway, pipelines and railway rights-of-way as of May 20, 1971, are established as the Potter Point State Game Refuge: All land and water south and west of and adjacent to the toe of the bluff which extends from Campbell Point southeasterly to Potter Creek." This language does not define any real or measurable limit as to how far the Refuge boundary extends seaward, and the inland boundary is open to wide interpretation. Many times, this lack of clarity has resulted in confusion for state agencies, private development interests, and the general public. Therefore, SB 18 in Section 1, subsections (1) through (7) describes in detail the legal refuge boundaries.

3) Add additional tidelands and near shore upland to the existing refuge.

The MOA has asked that Refuge boundaries be expanded northward from Pt. Campbell to Pt. Woronzof to include municipally owned wetlands within the Refuge for management by ADF&G. In 1979, under the Anchorage Coastal Zone Management Plan, these lands were identified as Areas Meriting Special Attention and classified as Preservation Wetlands. Inclusion of these lands within the Refuge does not afford them any more protection than they already have under the preservation status, but would facilitate the uniform management of Anchorage's coastal lands. The new boundaries (described in Section 1, subsections (1) through (7)) were cooperatively drawn by the MOA, ADF&G, and DNR.

4) Restrict the state and municipality from acquiring property by eminent domain for inclusion within the Refuge.

This would protect private property owners by requiring that property to be included within the Anchorage Coastal Wildlife Refuge be acquired through purchase, exchange, or otherwise (Section 1(e)), and prohibiting acquisition by eminent domain.

5) Provide for management of the Refuge by ADF&G and DNR.

Section 1(b) provides that, as in the past, both ADF&G and DNR would exercise their respective authorities over the Refuge, except as provided in Section 1(d). Management of the Anchorage Coastal Wildlife Refuge will be consistent with a management plan prepared by the ADF&G under AS16.20.040-16.20.060. The plan will be completed within one year of the effective date of the Act (Section 2).

The management plan prepared by ADF&G shall also provide for a corridor for transportation and utilities between Fire Island and the Anchorage mainland (Section 1(c)). This is to ensure access to the island's owners for future development and would also be of economic benefit to the MOA.

Hunting, as in the past and in accordance with state regulations will continue to be allowed on state-owned lands within the Refuge west and north of the Alaska Railroad.

While the land and water areas of the Anchorage Coastal Wildlife Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275, the boundary extension north of Pt. Campbell was drawn so that all previously issued offshore mining permits were excluded from within the Refuge. Oil and gas leasing will not be affected (Section 1(f)) by this legislation

Municipality of Anchorage

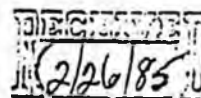


P.O. BOX 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4960

TONY HAWKLES
MAYOR

INTERGOVERNMENTAL AFFAIRS

February 20, 1985



Hon. Edna DeVries
Pouch V
Juneau, Alaska 99811

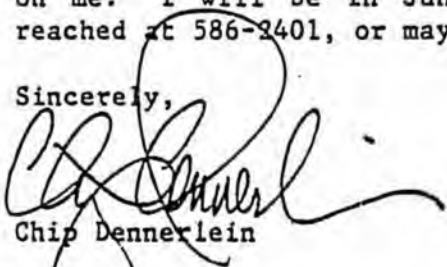
Dear Sen. DeVries:

During a recent hearing concerning S.B. 19, creating the Anchorage Coastal State Wildlife Refuge, you asked whether the Anchorage Assembly supported the legislation. At that time, I responded by highlighting several actions which the Assembly had taken with respect to the management of lands within the Refuge for preservation and public recreation purposes, including adoption of the Coastal Zone Management Plan and an Anchorage Wetlands Plan. While both of these documents and other actions spoke directly to land use, we wanted to make certain that the Assembly had an opportunity to speak directly on the issue of S.B. 19 itself.

Attached is Assembly Resolution 85-42, recommending enactment of S.B. 19 creating the Anchorage Coastal State Wildlife Refuge, which was passed by the Assembly on February 19, 1985.

If I can be of any further assistance in moving along S.B. 19, please call on me. I will be in Juneau the first three days of next week, and can be reached at 586-3401, or may see you on the Hill.

Sincerely,



Chip Dennerlein

Enclosure

cc: Sen. Vic Fischer
Rep. Mike Szymanski



Rabbit Creek Community Council

16350 Sandpiper Drive,
Anchorage, Alaska 99516

February 12, 1987

Senate Resource Committee,
Juneau, Alaska

Dear Senators,

We respectfully request this letter be read into the Resource Committee hearing minutes on February 25th, 1987.

The Rabbit Creek Community Council (RCCC) is pleased that the bill creating Anchorage Coastal Wildlife Refuge has been reintroduced into the legislature as Senate Bill 18. We unanimously support this bill which provides a refuge for the protection of waterfowl, shorebirds, salmon, and other fish and wildlife species, and their habitat and for the enjoyment and use of the people of the state. We trust that the Senate and House will take positive and immediate action on SB 18 that has the wide support of your constituents.

The RCCC looks forward to working with you throughout this legislative session. If there are any questions or concerns that you might have with which we could help, please contact me (h. 345-2453, w.261-4664).

Sincerely,

Maureen McCrea
Maureen McCrea
President



NATIONAL RIFLE ASSOCIATION OF AMERICA
INCORPORATED 1871

1600 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20036

RUPE ANDREWS
FIELD REPRESENTATIVE
ALASKA

9416 LONGRUN DRIVE
JUNEAU AK 99801
907/789-7422

March 14, 1986

Senator Edna DeVries
427-Capitol
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator DeVries:

Other professional committments will prevent me from personally testifying before your committee on Senate CS for CS for House Bill 186, "An Act Creating the Anchorage Coastal Wildlife Refuge".

Section 16.20.031 (d), clearly states that any management plan adopted by ADF&G may not restrict the area where the present Rabbit Creek Range is located, and further, this section describes said rifle range boundaries. This section protects in perpetuity the shooting facilities.

From the perspective of the National Rifle Association, we support HB 186 in the above version and urge its' approval and adoption by your committee and adoption by the Alaska Senate.

Thank you for letting me take this means to comment.

Sincerely,

Rupe Andrews, Alaska Field Representative

League of Women Voters of Alaska

9151 Skywood Lane
Juneau, Alaska 99801
February 26, 1985

The Honorable Adelheid Herrmann, Co-Chairman
The Honorable Richard Shultz, Co-Chairman
House Resources Committee
Alaska Legislature
Pouch V
Juneau, Alaska 99811

Re: HB 186: Anchorage Coastal Wildlife Refuge

Dear Representatives Herrmann and Shultz:

The League of Women Voters of Alaska supports HB 186, creating the Anchorage Coastal Wildlife Refuge. We think the bill, as presently structured, sets aside and protects a unique area that is de facto critical habitat for a large population of water fowl and other wildlife, and which should be preserved in its natural state for the protection of the wildlife and the enjoyment of people who wish to view the wildlife.

Speaking from personal experience, when I first arrived in Alaska eight years ago, during my first week as an Anchorage resident, one the most memorable experiences for myself and my small daughter was a visit to the area of the proposed refuge, where we spent several hours enjoying the viewing of a wide variety of water fowl (including their young). The availability of such an experience is especially important in a location close to a large population center such as Anchorage, where it can be enjoyed by many people, including children. The protection and wise management of that area is an important step toward preserving the kind of experiences that attracted most of us to become Alaskans.

Thank you for considering our views.

Sincerely,



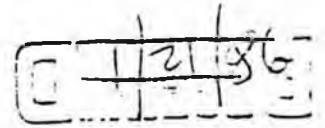
Elizabeth Cuadra, Board Member
(Natural Resources Portfolio)

DEC:sd

cc: Committee Members (Wallis, Sund, Thompson, M. W. Miller,
Cato, Pearce, and Jenkins)
Sponsors (Szymanski and Clocksin)

ALASKA WATERFOWL ASSOCIATION

3105A LAKESHORE DRIVE, SUITE 102
ANCHORAGE, ALASKA 99503
TEL. (907) 243-3235



January 14, 1986

Senator Edna DeVries, Chair
Senate Community & Regional Affairs
Box V
Juneau, Alaska 99811

RE: HB 186
Anchorage Coastal
Wildlife Refuge

Dear Senator DeVries:

Our organization of over 200 people support the Anchorage Coastal Wildlife Refuge. We would urge you to report it out of your committee with a do pass. If there are any problems with this bill please let me know by return mail. We believe it is time to finish this worthwhile task and proceed to the next one. Hopefully our great grandchildren will hear the sounds of waterfowl 100 years in the future.

Very truly yours,


John W. Hendrickson
President

cc: Mayor Tony Knowles
Senator Vic Fischer
Representative Szymanski ✓

JWH:kmf



ANCHORAGE
Audubon Society, Inc.
A CHAPTER OF THE NATIONAL AUDUBON SOCIETY

February 12, 1986

Post Office Box 101161
Anchorage, Alaska
99510

Honorable Jan Faiks
Alaska State Senator
Pouch V
State Capitol
Juneau, AK 99811

Dear Senator Faiks:

During last year's session I communicated with you regarding House Bill 186 which has been referred to your Finance Committee and to the Senate Community and Regional Affairs Committee. As President of the 1,600 member Anchorage Audubon Society, Inc., I am writing to you to request prompt consideration of HB 186 by the Senate Finance Committee and its favorable recommendation of the Bill.

As you may know, this Bill received its impetus from the Potter's Marsh Task Force, a consortium of state and federal government agencies, profit and non-profit groups interested in conservation, and development interests. The Bill expands the refuge in some respects so that the boundaries of the refuge more closely coincide with the Marsh's actual physical boundaries. The Bill specifically protects private property owners by prohibiting the state's exercise of its powers of condemnation. Most importantly, from our Society's point of view, the Bill specifically requires the development of a long-range management plan.

Potter's Marsh is one of the most accessible and outstanding nongame recreational and educational opportunities which serves not only your South Anchorage constituency but the entire Anchorage Bowl. Potter's Marsh receives in excess of 200,000 visits from tourists and residents each year. From our point of view, it is imperative that a long-range plan be developed in order that the Marsh's full potential as a recreational and educational facility can be developed while, at the same time, maximizing the protection of

its eco-system so that future residents and visitors may continue to enjoy its outstanding benefits.

As an example of the unparalleled opportunities provided by the Marsh, keep in mind that the Marsh is used each spring by significant numbers of trumpeter swans. These magnificent birds are making a comeback from the endangered species list. Each spring, the Marsh is a haven, feeding ground, and staging area for the swans northern migration to west of Anchorage. Most of the school children of our country will never see a trumpeter swan during their lifetime. Yet, here in Anchorage, the Marsh provides a natural habitat where they may be observed by all without appreciable danger. This is the kind of opportunity passage of House Bill 186 will guaranty for the future of Anchorage and your constituency.

If you have any questions, I will be happy to discuss them with you personally. My work number is 278-4691. Please let me know when HB 186 will be scheduled for hearing. If necessary, I will be happy to testify at the hearing. Thank you for your consideration and prompt passage out of your Committee of HB 186.

Yours very truly,

ANCHORAGE AUDUBON SOCIETY, INC.

By: *Charles G. Evans*

Charles G. Evans, President

CGE:afg

cc: Senator Edna DeVries
Rep. Mike Szymanski
Mayor Tony Knowles
Greg Jones
Dave Cline, National Audubon Society
Toni McPherson, Okiotak Editor

Introduced: 1/19/87
Referred: Community & Regional Affairs,
Resources and Finance

5-0220.

1 IN THE SENATE

BY SZYMANSKI, STURGULEWSKI
JOSEPHSON AND KERTTULA

2

SENATE BILL NO. 18

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22 81-68, Anchorage Recording District)
23 Section 25: Government Lots 1 and 2, and the remainder
24 of the W 1/2, all
25 Tract A, Johns Park Estates, and the remainder of the
26 NE 1/4, excluding Skyway Park Estates, Addition No. 1
27 all seaward of the 20 foot elevation contour Govern-
28 ment Lots 3 and 4, and the remainder of the SE 1/4,
29 all

1 Sections 26 - 36
2 (4) Township 12 North, Range 5 West, Seward Meridian
3 Sections 1 - 2
4 Sections 11 - 14
5 Sections 23 - 26
6 Sections 35 - 36
7 (5) Township 12 North, Range 3 West, Seward Meridian
8 Section 29: That portion of the SW 1/4 southwesterly
9 of the Alaska Railroad right-of-way and southerly of
10 Oceanview Subdivision, Addition No. 6
11 Section 30: That portion of Tract A, Johns Park
12 Estates, seaward of the 20 foot elevation contour
13 Government Lot 2 and that portion of the SE 1/4 NW
14 1/4 southwesterly of Oceanview West Subdivision,
15 Addition No. 1
16 Government Lots 3 and 4 and the remainder of the SW
17 1/4, all
18 That portion of the SW 1/4 NE 1/4 and the SE 1/4
19 southwesterly of Oceanview Subdivision, Addition No.
20 4 and Addition No. 6
21 Section 31
22 Section 32: All land southwesterly of the Alaska
23 Railroad right-of-way
24 Section 33: All land westerly of the Alaska Railroad
25 right-of-way
26 (6) Township 11 North, Range 3 West, Seward Meridian
27 Section 3: Government Lot 5
28 Section 4: That portion southwesterly of the Old
29 Seward Highway right-of-way and The Landings

1 Subdivision which is northeasterly of the New Seward
2 Highway right-of-way
3 That portion southwesterly of the Alaska Railroad
4 right-of-way
5 Sections 5 - 8
6 Section 9: That portion southwesterly of the Alaska
7 Railroad right-of-way
8 That portion northeasterly of the New Seward Highway
9 right-of-way
10 Section 10: That portion westerly of the Old Seward
11 Highway right-of-way which is northeasterly of
12 the New Seward Highway right-of-way
13 That portion southwesterly of the Alaska Railroad
14 right-of-way
15 (7) Township 11 North, Range 4 West, Seward Meridian
16 Sections 1 - 4
17 Sections 10 - 12

18 (b) Except as provided in (d) of this section, the Department of
19 Fish and Game and the Department of Natural Resources shall exercise
20 their respective authorities over the Anchorage Coastal Wildlife
21 Refuge consistent with a management plan prepared by the Department of
22 Fish and Game under AS 16.20.040 - 16.20.060.

23 (c) A management plan prepared under AS 16.20.040 - 16.20.060
24 shall assure continued surface access to Fire Island and provide an
25 access and utilities corridor between Fire Island and the Anchorage
26 mainland.

27 (d) Land owned by the Municipality of Anchorage that lies within
28 the boundary of the Anchorage Coastal Wildlife Refuge described in (a)
29 of this section may be included in the Anchorage Coastal Wildlife

1 Refuge. An agreement between the Department of Fish and Game and the
2 Municipality of Anchorage for the management of the land within the
3 Anchorage Coastal Wildlife Refuge that is owned by the Municipality of
4 Anchorage shall be approved by the Municipality of Anchorage and by
5 the Department of Fish and Game.

6 (e) The state or the Municipality of Anchorage may not acquire
7 privately owned land within the Anchorage Coastal Wildlife Refuge
8 described in (a) of this section by eminent domain for inclusion
9 within the Anchorage Coastal Wildlife Refuge. The Department of Fish
10 and Game or the Municipality of Anchorage may acquire privately owned
11 land within the Anchorage Coastal Wildlife Refuge by purchase, ex-
12 change, or otherwise except by eminent domain.

13 (f) The land and water areas of the Anchorage Coastal Wildlife
14 Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275.

15 * Sec. 2. The initial management plan prepared under AS 16.20.031(b) as
16 enacted in sec. 1 of this Act shall be completed within one year of the
17 effective date of this Act.

18 * Sec. 3. AS 16.20.030(b) is repealed.

SSSB 19

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : SSSB 19

Publish Date : _____

Revision Date: _____

Agency Affected: Public Safety

Title: An Act relating to the Alaska
Children's Trust Corporation, etc.

BRU: Council on Domestic

Sponsor: Sen. Kerttula, Josephson...

Violence & Sexual Assault

Requestor: Senate HESS

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Barbara Miklos, Executive Director Phone: 465-4356

Division: Council on Domestic Violence & Sexual Assault Date: 4-7-87

Approved by Commissioner: [Signature] Date: 4/8/87

Agency: Public Safety

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

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page _____ of _____

LEGISLATIVE FINANCE

JNR
4/8/87

51819

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version : SB No. 19

Publish Date : _____

REQUEST: _____

Revision Date: _____

Title: An Act relating to the Alaska
Children's Trust Corporation;

Sponsor: Kerttula

Requestor: _____

Agency Affected: Health & Social Services

BRU: Social Services

Youth Services

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

n/a

Prepared by: Yvonne M. Chase, Director *YMC* Phone: 465-3170
Division: Division of Family and Youth Services Date: 3/19/87

Approved by Commissioner: Myra M. Munson *Myra M. Munson* Date: 4/10/87
Agency: Department of Health and Social Services

Distribution (by preparer):

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

APR 14 1987

LEGISLATIVE FINANCE

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SSSB 19

Publish Date: _____

REQUEST
Revision Date: _____
Title: Relating to the Ak Children' Trust Corp.; the Ak Children's trust fund: ...
Sponsor: Kerttula, Josephson & Szymanski
Requestor: HESS

Agency Affected: Revenue
BRU: Public Services - Permanent Fund Dividend
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LAND & STRUCTURES	-	-	-	-	-	-
GRANTS/CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared by: Sally Smith
Division: Public Services

Phone: 465-2392
Date: March 31, 1987

Approved by: [Signature]
Commissioner:
Agency: Revenue

Date: 4/2/87

- Distribution (by Agency preparing fiscal note):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management & Budget
 - Impacted Agency(ies)
 - Senate Secretary

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APR 15 1987

5819

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SS SB 19
Publish Date: _____

REQUEST: _____

Revision Date: _____
Title: Alaska Children's Trust
Corporation
Sponsor: Kerttula
Requestor: Senate Finance

Agency Affected: Department of Revenue
BRU: Treasury
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page for analysis.

Prepared By: Milt Barker *MB*
Division: Treasury

Phone: 465-2350
Date: April 2, 1987

Approved by Commissioner: *H. Malone*
Agency: Department of Revenue

Date: 4/2/87

- Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary

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LEGISLATIVE FINANCE

5415

B

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

B

Bill Version: SB 19
Publish Date: _____

REQUEST _____

Revision Date: _____
Title: "An act establishing the Alaska children's trust corporation."
Sponsor: Kerttula, Josephson, Szymanski
Requestor: Judiciary and Finance

Agency Affected: Revenue
BRU: Administrative Services
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	-	28.2	17.0	17.0	17.0	17.0
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	11.0	11.0	11.0	11.0	11.0
SUPPLIES	-	0.2	0.2	0.2	0.2	0.2
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	39.4	28.2	28.2	28.2	28.2
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	39.4	28.2	28.2	28.2	28.2
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	39.4	28.2	28.2	28.2	28.2

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

(See attached)

Prepared By: Erwin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 3/23/87

Approved by Commissioner: _____
Agency: Revenue

Date: _____

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

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LEGISLATIVE FINANCE

5819

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
SS SB 19
3/23/87

Assumptions:

1. The bill will take effect for the 1988 permanent fund dividend year and application. The 1987 dividend application has already been printed.
2. There are nine other bills which if signed into law, would result in some form of "check-off" on the 1988 dividend application. The Department of Revenue has no insight as to which, and how many, of these bills will become law. This fiscal note, and all related fiscal notes, is prepared on the assumption that the subject bill is the only bill of this nature which will become law. The passage of multiple bills with varying formulas (\$5, half of dividend, all or part of dividend, etc.) will inevitably have a compounding effect. Whereas there may be savings in some areas, there will be increased costs in others.
- 3) P. 3, line 21-24 intends that the income of the fund may be used to "reimburse the Department of Revenue for the costs of establishing and managing the fund and making changes to the permanent fund dividend application. . ." The income from the fund will not be available until FY89 and an appropriation will be required in FY88.
- 4) The incremental cost of computer resources will result in a chargeback by the Department of Administration.
- 5) Whereas the cost of programming changes will be a one-time cost, the cost of document review, data capture, data processing chargeback, and the extra page in the dividend application will be continuing.
- 6) Contributions will only be honored to the extent of available funds. Garnishments and assignments will take precedence in the order established by statute. Contributions will then be honored in the order listed on the form schedule, which will be in the order they become law.
- 7) Sec. 5, p. 3, line 12-15 provides for contribution choices including all or part of the dividend amount (see suggested amendment.)

Program Summary:

The provision of a new contribution decision on the dividend application will cause additional administrative cost in several areas:

- a) An additional page added to each application, a schedule of contribution decisions.
- b) The computer system will need to be changed to account for the change in the program, to establish new accounting controls for the almost infinite warrant values, and to provide for the transfer of funds to the trust fund (see Attachment A).

- c) Each of approximately 540,000 PFD applications will need to be visually reviewed and coded as to decision on the contribution decision. Each application will be data captured with additional attention and keystrokes expended on each positive decision.
- d) Due to the complexity of balancing and certifying warrant runs with varying warrant amounts, additional temporary staff will be required to balance the weekly warrant runs from October through December of each year.

1. Positions

1 PPT Analyst/Programmer V, R21
 @ \$5,638.47/Mo including salary
 and benefits for 2 months = \$11.2

PCN 04-1125 would be funded for an additional two months, in accordance with Attachment A. Ongoing maintenance of new programs would be accomplished by existing staff.

1 PPT Document Processor I, R7
 @ \$2,117.76/Mo, including salary and
 benefits for 3 months = \$6.3

This position would assist in the manual review and coding of 540,000 applications for the new contribution decision. This position represents the equivalent of the additional time and effort.

1 PPT Data Processing Clerk I, R8,
 @ \$2,221.64/Mo, including salary and
 benefits for 2 months = \$4.4

This position would assist in the data capture of the additional contribution decisions and in the verification of this field. The position represents the equivalent value of the additional time and effort.

1 PPT Document Processor I, R7,
 @ \$2,117.76/Mo, including salary
 and benefits, for 3 months = \$6.3

This position will assist in the balancing and verification of the weekly warrant runs from October 1 through December 31 each year.

TOTAL Personal Services \$28.2

2. Other Expenditures:

a) Travel: None.

b) Contractual:

Add additional page to
permanent fund dividend booklet \$6.0

Data Processing Chargeback \$5.0

TOTAL Contractual \$11.0

c) Supplies: \$0.2

d) Equipment: Use existing equipment 0.0

TOTAL COST \$39.4

3. Funding: General Fund.

4. Section Cost Analysis: N/A.

Computations: N/A.

Economic Impact: N/A.

Impact on Local Government: N/A.

Suggested Amendments:

It is suggested that P. 3, line 12-16 be amended to read:

"Sec. 37.14.210 CONTRIBUTION TO THE ALASKA CHILDREN'S TRUST FUND. The Department of Revenue shall prepare the permanent fund dividend application to allow an applicant to contribute [ALL OR A PART OF A DIVIDEND] \$5.00 to the Alaska children's trust fund. The department shall pay contributions directly to the fund."

The dollar amount of the contribution is unimportant to the administration of the PFD program, as long as it is fixed in amount and is less than the expected dividend. Allowing applicants to write in a unique dollar amount, or a unique percentage will render the timely balancing of warrant runs almost impossible and will result in errors due to legibility and resultant data capture errors. Due to this likelihood of error and the significant impact of such an error, each application with such a contribution indication will be verified (keyed twice). Offering this type of open choice will have a definite negative effect on the processing of all 540,000 PFD checks.

Attachments: Attachment A: "Summary of DP Needs"

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
SS SB 19
Summary of Data Processing Requirements
3/23/87

Wang data entry processing	75.0 hours
Includes:	Data entry Batch lists Corrections Wang to IBM transfer
IBM Update jobs	30.0 hours
Includes:	Edits Batch listings Log sheets
DMS Online programs for lookup and changes	37.5 hours
Nightly Update of Changes	22.5 hours
Warrant Jobs	90.0 hours
Includes:	Printing warrants with different amounts. Include check stub messages. Modify warrant registers as needed for balancing. Create new program(s) for transferring accumulated contributions to the Alaska Children's Trust Fund, and to account for the reserve necessary due to returned and cancelled PFD warrants.
Miscellaneous	45.0 hours
Includes:	Setting up test files on IBM Systems testing Administrative functions, i.e. paper work required by Admin. DP to add files and programs to tables.
TOTAL HOURS	300.0 hours

POSITION PAPER

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19

For an Act entitled: "An Act relating to the Alaska Children's Trust Corporation; the Alaska children's trust fund; contributions to the trust fund from permanent fund dividends; and providing for an effective date."

SS SB 19 would establish a children's trust fund for the prevention of child abuse and neglect.

The Department strongly endorses children's trust fund legislation. Presently, 30 or more states have enacted children's trust funds. Dr. Ray Helfer, nationally known pediatrician and expert in child abuse cases, initiated the concept of children's trust funds. By augmenting social services delivery for the prevention of child abuse, the individual child and society will benefit. Prevention is critical to ending the destructive cycle of child abuse and neglect from one generation to the next.

The Department also endorses the concept of a trust fund managed by a board of private citizens and public officials knowledgeable about the issues of child abuse and neglect. Therefore, while the Department supports this bill, we would recommend the drafting changes listed below. Some of the suggested changes could possibly be placed in regulations developed by the board.

Under "Board of Directors", Section 47.12.020 (page 4, line 27), the bill requires two board members to be experts in investment management. The Department recommends that either there be only one investment manager, or that the size of the board be increased. The Department believes that the board must have individuals on the board with substantial knowledge of child abuse and neglect. Therefore, more community members with expertise in matters concerning child abuse and neglect should be on the board. In Michigan, for example, representatives of the religious, business, labor and legal communities, as well as professionals in child abuse preventive services, are members of the board. The State should also be represented on the board, in order to increase communication between the corporation and direct service agencies within the government. Finally, the board should reflect a geographic and cultural balance.

Other recommendations follow:

1. Under "Duties" (page 7, line 25), the Department suggests that the board be given responsibility to advocate for children. A Kansas statute, for example, provides that the "board shall provide advocacy for children."
2. The bill might also authorize the board to actively work to increase public awareness of the issues and problems involved in child abuse and neglect. Delaware law, for example, allows the board to "provide statewide educational and public informational seminars for the purpose of developing appropriate public awareness."

3. In addition to the requirements listed under "Financial Assistance" (page 8, line 10), the Department recommends that the bill require the board to develop a comprehensive, long range, statewide plan that would include demonstrating how the funds interface with other programs in the state.
4. The Department also recommends that an applicant for a grant be required to assess the child abuse and neglect prevention services available in the community and demonstrate, in the application, a need for the applicant's services based on that assessment. The applicant should also show how the grantee would coordinate with existing community services. This requirement would provide for integrated services and avoid duplication of services in a community. Idaho, for instance, requires that "consideration shall be given to factors such as need, coordination with or enhancement of existing services, and evidence of community support or volunteers for the program."
5. We would also recommend that the legislation require the board to determine how funding will be distributed and if geographic areas will be a factor in determining which programs receive corporation funding. States like Michigan require "collaborative community prevention programs in a specific geographical area."

The concept of a children's trust fund has the potential of addressing the prevention of child abuse and neglect in a comprehensive and long range approach.

RECOMMENDED: *Yvonne M. Chase*
Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE: *April 13, 1987*

APPROVED: *Myra M. Munson*
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE: *April 13, 1987*

1 IN THE SENATE

BY KERTTULA, JOSEPHSON
AND SZYMANSKI

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the Alaska Children's Trust

7

Corporation; the Alaska children's trust fund; con-

8

tributions to the trust fund from permanent fund

9

dividends; and providing for an effective date."

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

11

* Section 1. PURPOSE. The purpose of this Act is to ensure a continu-

12

ing source of money to pay for, and provide advocacy for, the prevention of

13

child abuse and neglect in Alaska.

14

* Sec. 2. AS 37.14.160 is amended to read:

15

Sec. 37.14.160. DUTIES OF COMMISSIONER OF REVENUE. The commis-

16

sioner of revenue is the treasurer of the funds created in AS 37.14.-

17

010, [AND] 37.14.110, and 37.14.200, and shall

18

(1) act as official custodian of the cash and securities

19

belonging to those funds and provide adequate safe deposit facilities

20

for each of them;

21

(2) receive cash belonging to those funds;

22

(3) collect the principal on securities acquired for each

23

fund established under AS 37.14.010, [AND] 37.14.110, and 37.14.200,

24

and credit each fund accordingly;

25

(4) collect interest and dividends earned on investments of

26

the funds established under AS 37.14.010, [AND] 37.14.110, and 37.14.-

27

200, and credit the income reserve account of each fund accordingly;

28

(5) invest and reinvest the principal of the funds estab-

29

lished under AS 37.14.010 and 37.14.110 [EACH FUND] in accordance with

1 AS 37.14.170;

2 (6) invest and reinvest the principal and income of the
3 fund established in AS 37.14.200 in accordance with AS 37.14.170.

4 * Sec. 3. AS 37.14.160 is repealed and reenacted to read:

5 Sec. 37.14.160. DUTIES OF COMMISSIONER OF REVENUE. The commis-
6 sioner of revenue is the treasurer of the funds created in AS 37.14.-
7 010 and 37.14.110 and shall

8 (1) act as official custodian of the cash and securities
9 belonging to those funds and provide adequate safe deposit facilities
10 for each of them;

11 (2) receive cash belonging to those funds;

12 (3) collect the principal on securities acquired for each
13 fund established under AS 37.14.010 and 37.14.110 and credit each fund
14 accordingly;

15 (4) collect interest and dividends earned on investments of
16 the funds established under AS 37.14.010 and 37.14.110 and credit the
17 income reserve account of each fund accordingly;

18 (5) invest and reinvest the principal of each fund in
19 accordance with AS 37.14.170.

20 * Sec. 4. AS 37.14.170 is amended by adding a new subsection to read:

21 (c) The commissioner of revenue may invest the principal and
22 income of the fund established under AS 37.14.200 in investments
23 described in AS 37.10.070(a)(1) - (12). The commissioner of revenue
24 may exercise powers under (b) of this section with respect to the fund
25 established under AS 37.14.200.

26 * Sec. 5. AS 37.14 is amended by adding new sections to read:

27 ARTICLE 4. ALASKA CHILDREN'S TRUST FUND.

28 Sec. 37.14.200. ALASKA CHILDREN'S TRUST FUND ESTABLISHED. (a)

29 The Alaska children's trust fund is established as a separate

1 endowment trust fund of the state.

2 (b) The principal of the fund consists of

3 (1) permanent fund dividend contributions made under
4 AS 37.14.210;

5 (2) legislative appropriations to the fund; and

6 (3) gifts, bequests, and contributions of cash or other
7 assets from a person.

8 (c) The net income of the fund shall be determined by the com-
9 missioner of revenue in accordance with investment accounting princi-
10 ples and in a manner that preserves the distinction between principal
11 and income.

12 Sec. 37.14.210. CONTRIBUTION TO THE ALASKA CHILDREN'S TRUST
13 FUND. The Department of Revenue shall prepare the permanent fund
14 dividend application to allow an applicant to contribute all or a part
15 of a dividend to the Alaska children's trust fund. The department
16 shall pay contributions directly to the fund.

17 Sec. 37.14.220. FUND INVESTMENTS AND APPROPRIATIONS. (a)
18 Except as provided in (b) of this section, the principal and income of
19 the fund shall be retained perpetually in the fund for investment as
20 specified in AS 37.14.170.

21 (b) The net income of the fund may be appropriated only to
22 reimburse the Department of Revenue for the costs of establishing and
23 managing the fund and making changes to the permanent fund dividend
24 application under AS 37.14.210.

25 Sec. 37.14.230. DEFINITION. In AS 37.14.200 - 37.14.230, "fund"
26 means the Alaska children's trust fund established under AS 37.14.200.

27 * Sec. 6. AS 47 is amended by adding a new chapter to read:

28 CHAPTER 12. ALASKA CHILDREN'S TRUST
29 CORPORATION AND FUND.

1 Sec. 47.12.010. ALASKA CHILDREN'S TRUST CORPORATION. (a) There
2 is created in the Office of the Governor the Alaska Children's Trust
3 Corporation.

4 (b) The Alaska Children's Trust Corporation is a nonprofit
5 public corporation of the state and an instrumentality of the state,
6 but has a legal existence independent of and separate from the state.
7 The exercise by the corporation of powers under this chapter is an
8 essential function of the state.

9 AS 47.12.020. BOARD OF DIRECTORS. (a) The corporation shall be
10 managed by a board of directors consisting of

11 (1) the governor or a designee of the governor;

12 (2) the commissioner of health and social services or the
13 commissioner's designee;

14 (3) a member of the Council on Domestic Violence and Sexual
15 Assault elected by the council;

16 (4) the chief guardian ad litem of the office of public
17 advocacy;

18 (5) a member of the Senate elected by the members of the
19 Senate;

20 (6) a member of the House of Representatives elected by the
21 members of the House of Representatives; and

22 (7) five members appointed by the governor as follows:

23 (A) a licensed physician with a specialty in pediat-
24 rics who has practiced medicine in the state for at least five
25 years and who is an expert in the subject of child abuse and
26 neglect;

27 (B) two persons who have special knowledge or training
28 in the management of investments;

29 (C) a person who has special knowledge or training in

1 the evaluation of grant proposals and in grant management; and

2 (D) a person from the general public.

3 (b) A member may be reappointed. The governor shall appoint
4 members for staggered four-year terms. If a vacancy occurs, the
5 governor shall appoint a member immediately to fill the vacancy for
6 the unexpired term. A board member's term ends upon any of the fol-
7 lowing occurrences:

8 (1) appointment of a successor;

9 (2) the board member's resignation or death;

10 (3) a declaration under AS 13 of the board member's dis-
11 ability; or

12 (4) the board member's removal by the governor.

13 Sec. 47.12.030. MEETINGS OF BOARD. (a) The board shall elect a
14 chairman from among its membership at each annual meeting of the
15 board. A majority of the members constitutes a quorum for organizing
16 the board, conducting its business, and exercising the powers of the
17 corporation. The board shall meet at the call of its chairman. The
18 board shall meet not less than once each three months.

19 (b) The board may meet and transact business by electronic media
20 if

21 (1) public notice of the time and locations where the
22 meeting will be held by electronic media has been given in the same
23 manner as if the meeting were held in a single location;

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

27 (3) copies of pertinent reference materials, statutes,
28 regulations, and audio-visual materials are reasonably available to
29 participants and to the public.

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

3 Sec. 47.12.040. COMPENSATION OF BOARD MEMBERS. Members of the
4 board serve without compensation, but the corporation may pay per diem
5 and travel expenses authorized by law for state boards under AS 39.-
6 20.180.

7 Sec. 47.12.050. STAFF. The board may employ not more than three
8 persons to administer the corporation under this chapter and to per-
9 form other duties that the board may prescribe.

10 Sec. 47.12.060. CONFLICTS OF INTEREST. A member or employee of
11 the board may not acquire an interest, direct or indirect, in a corpo-
12 ration, company, association, or project owned, controlled, invested
13 in, or assisted by the corporation. If a member or employee owns or
14 controls this type of interest, the member or employee shall immedi-
15 ately disclose the interest in writing to the board and refrain from
16 participating in an activity relating to that interest.

17 Sec. 47.12.070. POWERS. In carrying out the corporate powers of
18 the corporation, the board may

19 (1) adopt, alter, and use a corporate seal;

20 (2) prescribe, adopt, amend, and repeal by-laws;

21 (3) sue and be sued in the name of the corporation;

22 (4) enter into agreements necessary to the exercise of
23 board powers and functions;

24 (5) accept grants from and contract with the federal gov-
25 ernment, the state, or political subdivisions of the state, and to
26 that end, comply with the provisions of federal, state, or local
27 programs where necessary;

28 (6) accept grants, endowments, and contributions from
29 sources other than those specified in (5) of this section, to be held

1 and used for the purposes of the corporation;

2 (7) appear for the corporation before boards, commissions,
3 departments, or other agencies of municipal, state, or federal govern-
4 ment;

5 (8) acquire, hold, use, lease, sell, or otherwise dispose
6 of property or an interest in property;

7 (9) hold patents, copyrights, trademarks, royalties, or
8 other evidence of protection or exclusivity issued under law;

9 (10) prepare, publish, and distribute technical studies,
10 reports, bulletins, and other appropriate materials;

11 (11) use the income of the Alaska children's trust fund as
12 provided in AS 47.12.080;

13 (12) adopt regulations governing the exercise of corporate
14 powers and duties;

15 (13) do all acts and things necessary or desirable to carry
16 out the purposes of the corporation.

17 Sec. 47.12.080. ALASKA CHILDREN'S TRUST FUND. The Alaska chil-
18 dren's trust fund is established in the corporation, consisting of
19 money or assets appropriated, transferred, or contributed to the
20 corporation, and payments of principal and interest on investments
21 made by the corporation. During each fiscal year the board may expend
22 up to one-fourth of the unrestricted money in the fund. The remainder
23 of the fund and capital gains shall be retained in the fund for in-
24 vestments described in AS 37.10.070(a)(1) - (12).

25 Sec. 47.12.090. DUTIES. In carrying out the purposes of this
26 chapter the board shall

27 (1) provide financial assistance for programs and projects
28 that the board finds will aid communities in the prevention of child
29 abuse and neglect;

1 (2) monitor approved programs and projects for compliance
2 with this chapter and provide operational and performance evaluations
3 of programs and projects receiving financial assistance;

4 (3) expend not more than one-eighth of the income of the
5 Alaska children's trust fund for administrative expenses of the corpo-
6 ration;

7 (4) keep minutes of each meeting of the board and send a
8 certified copy of the minutes to the governor and the Legislative
9 Budget and Audit Committee.

10 Sec. 47.12.100. FINANCIAL ASSISTANCE. (a) In providing finan-
11 cial assistance under this chapter the board shall consider the pro-
12 posals of a qualified applicant only after the applicant has submitted
13 a detailed proposal in the form prescribed by the board. The board
14 may not approve financial assistance unless the board makes written
15 findings that

16 (1) the proposed project, if successful, will help a local
17 community prevent child abuse or neglect;

18 (2) the application for financial assistance contains an
19 adequate plan for project implementation, including both financial
20 feasibility and project effectiveness;

21 (3) the applicant demonstrates that sufficient technical
22 expertise is available to accomplish the objectives of the proposed
23 program or project; and

24 (4) the applicant has identified costs associated with and
25 ancillary to the project, additional governmental costs, future obli-
26 gations generated by the program or project, and necessary operating,
27 maintenance, or other support costs for the life of the program or
28 project.

29 (b) Before providing financial assistance for a program or

1 project the board shall establish a means of measuring the effective-
2 ness of the program or project.

3 (c) The board shall grant financial assistance that

4 (1) is appropriate to the conditions of the applicant and
5 the proposed program or project; and

6 (2) will make the most effective use of the funds avail-
7 able.

8 (d) In providing financial assistance under this chapter the
9 board shall give a preference to nonprofit corporations.

10 (e) The amount of assistance paid by the board during a 12-
11 month period to a single project or program may not exceed the lesser
12 of 25 percent of the unrestricted resources of the corporation or
13 \$1,000,000.

14 Sec. 47.12.110. ELIGIBILITY FOR FINANCIAL ASSISTANCE. The board
15 may provide financial assistance to an applicant if

16 (1) the applicant has submitted a proposal as requested by
17 the board; and

18 (2) programs and projects of the applicant that have previ-
19 ously received financial assistance from the corporation have complied
20 with all requirements of that assistance and have shown sufficient
21 success or promise to warrant further financial assistance.

22 Sec. 47.12.120. REPORTS AND PUBLICATIONS. (a) The corporation
23 shall publish an annual report by January 10 of each year for distri-
24 bution to the governor, the legislature, and the public. The report
25 shall be written in easily understandable language, shall consider the
26 assigned duties of the corporation, and shall include

27 (1) a financial statement audited by an independent outside
28 auditor;

29 (2) a statement of the corporation's investments under this

1 chapter, including an appraisal of the investments at market value;

2 (3) a description of corporation investment activity during
3 the period covered by the report;

4 (4) a summary of the services for prevention and treatment
5 of child abuse and neglect that were provided by the programs or
6 projects assisted by the corporation; and

7 (5) other information the members of the board believe
8 would be of interest to the governor, the legislature, and the public.

9 (b) The annual income statement and balance sheet of the corpo-
10 ration shall be published in at least one newspaper in the state.

11 (c) The corporation may publish other relevant reports.

12 Sec. 47.12.130. OPERATING BUDGET. The operating budget of the
13 corporation is not subject to the Executive Budget Act (AS 37.07).
14 The fiscal year of the corporation ends on June 30.

15 Sec. 47.12.140. ANNUAL AUDIT. The corporation shall have its
16 financial records audited annually by an independent outside auditor.
17 The legislative auditor may prescribe the form and content of the
18 financial records of the corporation and shall be given access to
19 these records at any reasonable time requested.

20 Sec. 47.12.150. COOPERATION WITH STATE AGENCIES. Departments
21 and agencies of the state shall provide services, facilities, and
22 information that is not required by law to be kept confidential, at
23 the request of the corporation. The corporation shall reimburse a
24 department or agency for unusual expenses reasonably incurred on the
25 corporation's behalf.

26 Sec. 47.12.160. PUBLIC ACCESS TO INFORMATION. Information in
27 the possession of the corporation is a public record, except that
28 information that discloses the identity of an individual served by a
29 program or project funded by the corporation is confidential and is

1 not subject to inspection and copying under AS 09.25.110 - 09.25.121.
2 Confidential information in the possession of the corporation may be
3 disclosed only by court order or if its production is required in a
4 court proceeding. The corporation may publish statistics presented in
5 a manner that prevents the identification of an individual.

6 Sec. 47.12.170. CONTRIBUTION TO THE ALASKA CHILDREN'S TRUST
7 FUND. The Department of Revenue shall prepare the permanent fund
8 dividend application to allow an applicant to contribute all or a part
9 of a dividend to the Alaska children's trust fund. The department
10 shall pay contributions directly to the fund.

11 Sec. 47.12.900. DEFINITIONS. In this chapter, unless the con-
12 text indicates otherwise,

13 (1) "applicant" means a person making application to the
14 corporation for financial assistance;

15 (2) "board" means the board of directors of the Alaska
16 Children's Trust Corporation;

17 (3) "child abuse and neglect" has the meaning given in
18 AS 47.17.070;

19 (4) "corporation" means the Alaska Children's Trust Corpo-
20 ration;

21 (5) "prevention of child abuse and neglect" includes pri-
22 mary and secondary prevention programs;

23 (6) "primary prevention program" means an educational or
24 training program intended to raise the awareness of and change atti-
25 tudes concerning child abuse and neglect and its prevention;

26 (7) "secondary prevention program" means a service intended
27 to reach high-risk groups and to prevent the occurrence or recurrence
28 of child abuse and neglect.

29 * Sec. 7. AS 39.25.110 is amended by adding a new paragraph to read:

1 (24) employees of the Alaska Children's Trust Corporation.

2 * Sec. 8. Notwithstanding AS 39.05.055, the terms of the members ini-
3 tially appointed by the governor to the board of directors of the Alaska
4 Children's Trust Corporation under AS 47.12.020, enacted by sec. 6 of this
5 Act, may be for any term of four years or less in order to stagger the
6 terms.

7 * Sec. 9. On the day that the amount of the principal and income of the
8 fund established under AS 37.14.200, as enacted by sec. 5 of this Act,
9 equals \$500,000, the commissioner of revenue shall

10 (1) report this fact to the governor, lieutenant governor, the
11 presiding officer of each house, and the revisor of statutes;

12 (2) prepare an accounting of the principal and income of the
13 fund; and

14 (3) transfer the principal and income of the fund to the fund
15 established under AS 47.12.080, as enacted by sec. 6 of this Act.

16 * Sec. 10. AS 37.14.170(c), 37.14.200, 37.14.210, 37.14.220, and 37.-
17 14.230 are repealed.

18 * Sec. 11. Sections 1, 2, 4, 5, and 9 of this Act take effect July 1,
19 1987.

20 * Sec. 12. Sections 3, 6 - 8, and 10 of this Act take effect on the day
21 specified in sec. 9 of this Act.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 4/8/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY
FINANCE

**FISCAL NOTE(S) ATTACHED 4 **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/9/87

DATE TURNED INTO OFFICE 4/14/87

Mr. President:

HESS

Committee considered SSSB 19

Alaska Children's Trust Corporation; the Alaska children's trust fund; contributions to the trust fund from permanent fund dividends; efd.

and recommended:

replace with CS _____ same title

attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

✓ ** Committee attached or adopted fiscal note(s)
 zero fiscal impact /

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Joseph
Justin

Paul Frank Do Pass
Chairman signature and recommendation

Committee Backup Attached

SB 21

STATE OF ALASKA
1988 LEGISLATIVE SESSION

Rec'd 1/20/88 H (Fid) 2/6 Forwarded

BILL VERSION: HCSCSSB 21 (L&C)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An act relating to construction contractors"
Sponsor: Coghill
Requestor: House Judiciary

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Wage & Hour Administration
Mechanical Inspection

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Tom Stuart, Director Phone: 465-4870
Division: Labor Standards and Safety Date: 1/11/88

Approved by Commissioner: Jim Sampson Date: 1/11/88
Agency: Labor

- Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

SENATE COMMITTEE REPORT

FURTHER:

DATE TURNED INTO OFFICE 2/24/87

Mr. President:

FINANCE Committee considered SB 21

Relating to construction contractors.

and recommended:

replace with FIN CS FOR SB 21) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)
 new updated or previous 2 CTED 1/21/87
 zero fiscal impact LABOR 1/21/87

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

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

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

SENATE
BILL VERSION: SB 21
PUBLISH DATE: 2/2/87

REQUEST: _____

Revision Date: _____
Title: "An Act relating to construction contractors."
Sponsor: Coghill
Requestor: Senate Labor and Commerce

Agency Affected: Labor
BRU: Labor Standards and Safety

Components: Wage & Hour Administration
Mechanical Inspection

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
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						
---------	--	--	--	--	--	--

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)

Prepared by: AS Tom Stuart, Director
Division: Labor Standards and Safety

Phone: 465-4870
Date: 1/27/87

Approved by Commissioner: AS Jim Sampson
Agency: Labor

Date: 1/27/87

Distribution (by preparer):

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

STATE OF ALASKA 1987 LEGISLATIVE SESSION,

FISCAL NOTE SENATE

BILL VERSION: SB 21

PUBLISH DATE: 2/2/87

REQUEST: _____

Revision Date: _____

Title: An Act relating to construction contractors.

Sponsor: Senator Coghill

Requestor: _____

Agency Affected: Commerce & Economic Dev.

BRU: Occupational Licensing

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

The bill makes various amendments to strengthen and clarify the construction contractor statutes, AS 08.18, however new funding is not required to implement the bill.

Prepared by: Jennifer Strickler, Management Analyst
 Division: Occupational Licensing

Phone: 465-2144

Date: 1-22-87

Approved by Commissioner: J. Anthony Smith
 Agency: Commerce and Economic Development

Date: 1/27/87

Distribution (by preparer):

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

Original sponsor: Coghill

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 21 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to construction contractors."

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

8 * Section 1. AS 08.18.011(b) is amended to read:

9 (b) A [GENERAL] contractor may not allow a person required to be
10 registered under this chapter to work for the [GENERAL] contractor as
11 a [SPECIALTY] contractor unless the person is registered under this
12 chapter.

13 * Sec. 2. AS 08.18.011 is amended by adding new subsections to read:

14 (c) A specialty contractor may not submit a bid or work as a
15 contractor in an area of contracting specialty unless the specialty is
16 listed on the contractor's certificate of registration.

17 (d) A person may not advertise as a contractor in the state
18 without being registered under this section.

19 * Sec. 3. AS 08.18.031 is amended by adding a new subsection to read:

20 (c) The commissioner shall list on the certificate of registra-
21 tion issued to a specialty contractor each area of contracting spe-
22 cialty that is covered by the certificate.

23 * Sec. 4. AS 08.18.051(b) is amended to read:

24 (b) All advertising, contracts, correspondence, cards, signs,
25 posters, papers and documents prepared by a contractor for the con-
26 tracting business shall show the contractor's name, business mailing
27 address or [, AND] address of the contractor's principal place of
28 business in Alaska, and [. ADVERTISING AND CONTRACTS SHALL ALSO
29 INCLUDE THE CONTRACTOR'S] registration number.

1 * Sec. 5. This Act does not apply to contracts that are entered into
2 before the effective date of this Act.
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From The
**SENATE
FINANCE COMMITTEE**

DATE: February 24, 1987

TO: Lynn

FROM: Vicki (4935)
Cap Bldg, Rm 413

RE: SB 21

Please have a Finance Committee Substitute for SB 21 prepared incorporating the amendments as noted on the copy of the bill attached.

CS SB 21 (Fin) was reported out of SFC this morning and read across the floor at 11 am.

Please deliver CS SB 21 (Fin) to me asap.

THANX!

DATE: February 24, 1987

TO: Co-chairman Binkley
Co-chairman Bennett
Senate Finance Committee

Senator Coghill

FROM: Vicki, Secretary
Senate Finance Committee

RE: CS for SB 21 (Finance)
New Subsection C

I received a phone call from Terry Bannister, Legal Services, regarding the drafting of the Finance CS for SB 21.

She explained AS 08.18.051 relates to IDENTIFICATION, and there is already a subsection (c).

She feels the new subsection (c) should be (d) and placed after Section 2 of the bill under AS 08.18.011, which relates to REGISTRATION REQUIRED, and read as follows:

"(d) A person may not advertise in the state without being registered under this section."

The sections would be renumbered accordingly.

THE FINANCE COMMITTEE
BY COGHILL

1 IN THE SENATE

2

CS FOR SENATE BILL NO. 21 (FINANCE)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to construction contractors."

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

8 * Section 1. AS 08.18.011(b) is amended to read:

9 (b) A [GENERAL] contractor may not allow a person required to be
10 registered under this chapter to work for the [GENERAL] contractor as
11 a [SPECIALTY] contractor unless the person is registered under this
12 chapter.

13 * Sec. 2. AS 08.18.011 is amended by adding a new subsection to read:

14 (c) A specialty contractor may not submit a bid or work as a
15 contractor in an area of contracting specialty unless the specialty is
16 listed on the contractor's certificate of registration.

17 * Sec. 3. AS 08.18.031 is amended by adding a new subsection to read:

18 (c) The commissioner shall list on the certificate of registra-
19 tion issued to a specialty contractor each area of contracting
20 specialty that is covered by the certificate.

21 * Sec. 4. AS 08.18.051(b) is amended to read:

22 (b) All advertising, contracts, correspondence, cards, signs,
23 posters, papers and documents prepared by a contractor for the con-
24 tracting business shall show the contractor's name, business mailing
25 address^{OR} [AND] address of the contractor's principal place of
26 business^{IN ALASKA} and [ADVERTISING AND CONTRACTS SHALL ALSO INCLUDE THE
27 CONTRACTOR'S] registration number.

28 * Sec. 5. This Act does not apply to contracts that are entered into
29 before the effective date of this Act.

Add New
SUBSECTION (c)

SB0021A

(c) It is unlawful to advertise as a contractor in Alaska without a contractor's license, as per this chapter.

SB 21: An Act relating to construction contractors.

SB 21, An Act relating to construction contractors proposes to amend AS 08.18, the construction contractor registration act by making prohibitions within the statutes apply to all construction contractors regardless of type. The bill clarifies the limits placed on the conditions under which a specialty contractor may bid or work.


The current statute prohibits a general contractor from contracting with a specialty contractor if the specialty contractor is unlicensed. However, the statutes do not address requirements for a specialty contractor who contracts with a general contractor or with another specialty contractor. This bill will amend the statute so that all contractors are treated fairly. Revision of the requirements under which a specialty contractor may bid or work will discourage use of the specialty license to avoid compliance with general contractor licensing requirements.

The bill also requires contractors to show a business mailing address on all advertising, contracts, correspondence, cards, signs, posters, papers and documents prepared for the contracting business.

The bill will affect approximately 8,000 currently registered construction contractors. Ch 83, SLA 1985 requires contractors to indicate their contractor's name, mailing address, principal place of business and registration number on all business documents. The department would like to see the wording changed on page 1, lines 24 - 26 to "business mailing address or address of the contractor's principal place of business in Alaska,"

The Department of Commerce and Economic Development, Division of Occupational Licensing, supports this legislation because it clarifies the contractor statutes and strengthens provisions concerning specialty contractors.

*Bennett moved
Boydella recommended
No CD
ADOPTED
2/24/87*


J. Anthony Smith, Commissioner
Department of Commerce and Economic
Development

Date: 1/30/87

Bill No. Senate Bill 21
Title "An Act relating to construction
contractors."

Date January 29, 1987
Contact: Eileen Plate
465-2700
Tom Stuart, Jr.
465-4870

Senate Bill 21 seeks to strengthen and clarify the contractor licensing law which is enforced by the Department of Labor and the Department of Commerce.


Specifically, Senate Bill 21:

1. Extends the prohibition against contracting with unlicensed persons to speciality contractors. Under present law, only a general contractor is prohibited from contracting with an unlicensed person.
2. Provides that a specialty contractor may work only in those areas of contracting for which he/she is specifically licensed, as evidenced by the specialities listed on the certificate of registration.
3. Requires that the Department of Commerce list on the certificate of registration issued to a specialty contractor each specialty area of contracting that is covered by the certificate; and
4. Clarifies the information that is required on a contractor's business documents and advertising.

Each of these amendments to the contractor licensing law has merit. However, of particular significance is the amendment to AS 08.18.011(b) which makes it unlawful for all contractors to contract with unlicensed persons. Presently only a general contractor is subject to remedial action for contracting with an unlicensed person. It will therefore preclude the use of the speciality contractor licensing classification as a means of circumventing the law. The amendment will also render the contracting licensing law more equitable, with both general and specialty contractors sharing the responsibility for assuring that the persons who contract with them are properly licensed.

The Department of Labor supports Senate Bill 21. It will not have a fiscal impact on the Department.

APPROVED:


for Jim Sampson, Commissioner
Department of Labor

POSITION PAPER/Department of Labor

Senator John B. (Jack) Coghill
Alaska State Legislature



Box V
Juneau, Alaska 99811
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Box 55028
North Pole, Alaska 99705
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TO: SENATE FINANCE COMMITTEE
FROM: SENATOR JACK COGHILL
DATE: FEBRUARY 24, 1987
RE: SB 21 "An Act relating to construction contractors"

The crux of this legislation would be the amendment of Section 1(b) of AS 08.18.011. The results would be as follows:

- 1) This law would make specialty and subcontractors work under some of the same rules as general contractors by providing a buffer between general contractors and unscrupulous subcontractors who often further sub-out work to those who are unregistered and/or non-resident illegal subcontractors. As the law now stands, general contractors are liable for the illegal actions of their subcontractors. This change would make the subcontractor liable if he hires unregistered additional subcontractors.
- 2) This change would also benefit legitimate or so-called "righteous" specialty subcontractors by removing unlicensed competitors who are now able to low-ball bids because of reduced overhead.

In general, this bill would enhance the prospects of local hire by strengthening the positions of in-state, legitimate subcontractors.

The additions of Section 2(c) and Section 3(c) would clarify which areas a specialty contractor may bid and work on by removing any vague or ambiguous language. The amendment to Section 4(b) would clear up the perceived ambiguity and consolidate the language of this section.

There is one additional amendment to SB21 we would like to make, which would amend AS 08.18.051 by adding a new subsection to read:

*Amendment
Adopted
2/24/87*

(c) It is unlawful to advertise as a contractor in Alaska without a contractor's license, as per this chapter.

Presently it is the practice of unregistered contractors to advertise in the phonebook and other places.

SB 21

Senator John B. (Jack) Coghill
Alaska State Legislature

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TO: SENATOR BINKLEY

FROM: SENATOR COGHILL

DATE: FEBRUARY 17, 1987

RE: SB 21

A handwritten signature in cursive, appearing to read "Jack Coghill", written over the "FROM" line.

I have been contacted by numerous contractors recently concerning SB21. The bill seems to be quite popular with them. There have been some suggestions by a number of the contractors to add the following to the bill:

"It is unlawful to advertise as a contractor in Alaska without a contractor's license, as per this chapter."

I think this is a good idea because it will strengthen the in-state local contractors even more by keeping the cheapo, out of state contractors out of the picture.

Please amend SB 21 to include the above sentence.

AMENDMENT ADOPTED BY SENATE LABOR & COMMERCE COMMITTEE TO SB 21

On page 1, line 25, following "address"; delete "," and add "or".

On page 1, line 26, following "business,"; add "in Alaska".

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1-22-87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

**FISCAL NOTE(S) ATTACHED X **
IN ACCORDANCE WITH AS 24.08.035
(see below)

1/19/87

DATE TURNED INTO OFFICE 2-2-87

Mr. President:

LABOR & COMMERCE

Committee considered SB 21

relating to construction contractors.

and recommended:

- replace with CS _____ same title
- attached amendment(s) and *4 do pass* new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
2 zero FN's ~~with~~ fiscal impact NO

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Butte Sabrentcamp
Tim Kelly
[Signature]
[Signature]

Tim Kelly

Chairman signature and recommendation

Committee Backup Attached