

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

SB 238 thru SE 242

Leg. Finance

82

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2 3 8

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 4/30/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)
4/7/87

DATE TURNED INTO OFFICE 5/7/87

Mr. President:

FINANCE Committee considered SB 238

Alaska Research Policy Act and the science and engineering advisory
commission; efd.

and recommended:

replace with CS AB 238 (Fin) 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

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

[Signature]
Chairman signature and recommendation DO PASS

Committee Backup Attached

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

REQUEST:
Revision Date: 5/7/87
Title: An Act Relating to Alaska
Research Policy
Sponsor: Rules Committee
Requestor: Governor

Bill Version: CS SB 238 (Fin)
Publish Date:

Agency Affected: Governor's Office
BRU: Office of Management & Budget

Components: Division of Policy

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		200.0				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		200.0				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		100.0				
FEDERAL FUNDS						
OTHER		100.0				
TOTAL		200.0				

POSITIONS:

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

ANALYSIS :

[Empty box for analysis]

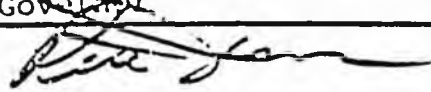
Prepared by: Henry Cole, PhD
 Division: Office of Management and Budget

Phone: 465-3568
 Date: 3/25/87

Approved by Commissioner: Pete Jeans, Chief of Staff
 Agency: Office of the Governor

Date: 3/25/87

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



Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 238 (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 the Alaska Research Policy Act
7 and the science and engineering advisory commission;
8 and providing for an effective date."

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

10 * Section 1. AS 44.19.257(a) is amended to read:

11 (a) The commission is composed of seven [FIVE] members appointed
12 by the governor as follows:

13 (1) one member is to be appointed from individuals from the
14 academic institutions of the state with expertise in areas of research
15 relating to the state including the physical, biological, health,
16 environmental, social, and behavioral sciences;

17 (2) one member is to be appointed from individuals who are
18 engaged in activities furthering the welfare of the human and physical
19 environment and who have expertise in areas of research relating to
20 the state, including the physical, biological, health, environmental,
21 social, and behavioral sciences;

22 (3) one member is to be appointed from state departments
23 with research needs; [AND]

24 (4) one member is to be appointed from individuals familiar
25 with the state and representative of the needs and interests of
26 private industry;

27 (5) one member is to be appointed from individuals with
28 experience in national and international research programs;

29 (6) one member is to be appointed from the general public;

1 and

2 (7) the senior science advisor in the governor's office,
3 who serves as chairman and director of the commission.

4 * Sec. 2. AS 44.19.263 is amended to read:

5 Sec. 44.19.263. POWER AND DUTIES OF THE COMMISSION. The commis-
6 sion shall

7 (1) with the senior science advisor, develop and recommend
8 an integrated state research policy;

9 (2) provide policy information to the governor and the
10 legislature on matters that have scientific and engineering signifi-
11 cance;

12 (3) receive scientific and engineering information from the
13 academic and industrial communities;

14 (4) act in an advocacy role for scientific and engineering
15 issues and science education important to the state that might other-
16 wise be overlooked;

17 (5) assist state agencies in assessing research needs and
18 establishing priorities among them;

19 (6) facilitate cooperation between state agencies and the
20 University of Alaska and other academic institutions and industry;

21 (7) recommend methods to improve logistical planning and
22 support for scientific and engineering research conducted in the state
23 by state, federal, or international agencies, private industry, the
24 general public, or private research organizations [NEEDED STATE
25 RESEARCH];

26 (8) recommend [SUGGEST] methods for improving efficient
27 acquisition, storage, transfer, [SHARING] and dissemination of scien-
28 tific and engineering data and information [IN THE STATE] among inter-
29 ested public and private institutions and the general public;

1 (9) promote science education and training for young scien-
2 tists and engineers to pursue careers in the state and the Arctic;

3 (10) cooperate with the federal [FEDERAL] Arctic Research
4 Commission in the formulation of the Arctic research policy; and

5 (11) not later than September 30 of each year, present to
6 the governor the commission's recommended research priorities of the
7 state for the next fiscal year.

8 * Sec. 3. AS 44.19.263 is amended by adding a new subsection to read:

9 (b) The commission may

10 (1) receive money from private and government sources; and

11 (2) award contracts and grants to accomplish the purposes
12 of AS 44.19.251 - 44.19.265.

13 * Sec. 4. AS 44.19 is amended by adding a new section to read:

14 Sec. 44.19.264. APPROPRIATIONS. Appropriations made for the
15 purposes of AS 44.19.251 - 44.19.265 are not one-year appropriations
16 and do not lapse under AS 37.25.010.

17 * Sec. 5. Notwithstanding AS 44.19.259, the initial terms of members of
18 the science and engineering advisory commission appointed under AS 44.19.-
19 257(a)(5) and (6), enacted by sec. 1 of this Act, are for three years.

20 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).
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See p 2-3

FINANCE
BY THE ~~RULES~~ COMMITTEE BY
~~REQUEST OF THE GOVERNOR~~

1 IN THE SENATE

2

CS FOR SENATE BILL NO. 238 (Fin)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

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12 academic and industrial communities;

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15 wise be overlooked;

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18 (6) facilitate cooperation between state agencies and the
19 University of Alaska and other academic institutions and industry;

20 (7) recommend methods to improve logistical planning and
21 support for needed ~~state research~~;

22 (8) suggest methods for improving efficient sharing and
23 dissemination of data and information [~~in the state~~] among interested
24 public and private institutions;

25 (9) promote science education and training for young scien-
26 tists and engineers to pursue careers in the state and the Arctic;

27 (10) cooperate with the Federal Arctic Research Commission
28 in the formulation of the Arctic research policy; and

29 (11) not later than September 30 of each year, present to

See p 2-3

FINANCE
BY THE ~~RULES~~ COMMITTEE-BY
~~REQUEST OF THE GOVERNOR.~~

1 IN THE SENATE

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CS FOR SENATE BILL NO. 238 (Fin)

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19 University of Alaska and other academic institutions and industry;

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26 tists and engineers to pursue careers in the state and the Arctic;

27 (10) cooperate with the Federal Arctic Research Commission
28 in the formulation of the Arctic research policy; and

29 (11) not later than September 30 of each year, present to

* Insert New
Language

1 the governor the commission's recommended research priorities of the
2 state for the next fiscal year.

3 (b) The commission may

4 (1) receive money from private and government sources;

5 (2) award^{contracts and} grants to accomplish the purposes of AS 44.19.251

6 -- 44.19.265.

7 * Sec. 3. AS 44.19 is amended by adding a new section to read:

8 Sec. 44.19.264. APPROPRIATIONS. Appropriations made for the
9 purposes of AS 44.19.251 -- 44.19.265 are not one-year appropriations
10 and do not lapse under AS 37.25.010.

11 * Sec. 4. Notwithstanding AS 44.19.259, the initial terms of members of
12 the science and engineering advisory commission appointed under AS 44.19.-
13 257(a)(5) and (6), enacted by sec. 1 of this Act, are for three years.

14 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

Senate Finance Committee

Committee Substitute for Senate Bill No. 238

Sec. 44.19.263 POWERS AND DUTIES OF THE COMMISSION. (a) the commission shall

p 2
l 21

(7) recommend methods to improve logistical planning and support for scientific and engineering research conducted in Alaska by state, federal or international agencies, private industry or the general public, (~~needed state research~~);
or private research organizations

Am to Am
Adopted

p 2
l 22-24

(8) recommend (~~suggest~~) methods for improving efficient acquisition, storage, transfer (~~sharing~~) and dissemination of scientific and engineering data and information [~~in the state~~] among interested public and private institutions (+) and the general public;

Am to Am
Adopted

(b) The commission may

sources; ~~X~~ (1) receive money ~~X~~ from private and ~~X~~ government

Already in
SB 238

p 3
l 5

(2) award contracts and grants to accomplish the purposes of AS 44.19.251 -- 44.19.265.

20 288-239

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 6, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting two bills, a substantive measure and an appropriation bill, relating to the Alaska Research Policy Act and the science and engineering advisory commission in the Office of the Governor. AS 44.19.251 -- 44.19.265.

Section 1 of the substantive bill amends AS 44.19.257(a) to increase the size of the science and engineering advisory commission from five to seven members. Section 2 of the bill amends AS 44.19.263 to authorize the commission to receive money from private, as well as government sources, and to award grants to accomplish the purposes of the Alaska Research Policy Act. In sec. 3 of the bill, proposed AS 44.19.264 is added to the Research Policy Act to ensure that appropriations made to carry out the purposes of that Act do not lapse at the end of a fiscal year, but, instead, can be carried forward.

The appropriation bill appropriates \$100,000 to the science and engineering advisory commission to implement the Research Policy Act.

I believe that a key to the rejuvenation and redirection of Alaska's economy is the stimulation of our intellectual resources. This is necessary in order to formulate practical solutions to problems with which we are confronted. These solutions include the creation of new products from our natural resources, improvement in the understanding of our fisheries, and developing Arctic technology, as well as the resolution of a host of other questions that will arise as Alaskans seek to become players in the world markets for value-added goods and services. The expertise gained in reaching these solutions will allow us to come to the world bargaining table as an equal player.

The world's economy is moving toward more capital intensive production of goods designed to serve the mass consumer markets of Asia, Europe, and North America. Those countries and corporations that are the most successful have recognized the need to keep abreast of rapidly changing technical knowledge by investing heavily in applied and basic research. If we in Alaska are to compete, we need to follow this example by endowing a research foundation that will work with Alaska's entrepreneurs to help solve technical problems and provide basic information.

The passage of these bills will initiate a process that will, I hope, lead to a proposal for an Alaska Research Foundation. The current commission will be expanded to allow the inclusion of a member who has expertise in international research and a member from the general public. I will direct the commission to leverage the state contribution with those of federal agencies and private donors, in order to fund research projects that meet the following basic criteria:

1. The project must produce technical knowledge capable of leading to the start-up of a new industry, the improvement of an existing industry, or the understanding of an important Alaskan problem.

2. The project should lead to results within a predictable and short time period (such as within two years). A predictable time frame means that the problem has been adequately analyzed beforehand.

3. Even though the project leads to the solution of a practical Alaskan problem, the knowledge gained should be useful in solving related and broader scientific questions.

4. The overall size of the project should be small enough so that a relatively small amount of money could make a difference. The grant would be seed money or a necessary first step of a potentially larger effort.

5. Projects that could stimulate matching money from industry or the federal government would be desirable. In that case, other money might be obtained resulting to a greater degree of success.

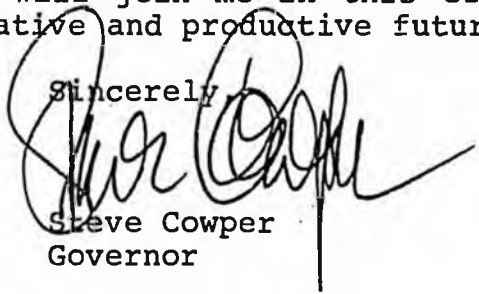
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Hon. Jan Faiks

Page 3

Building upon its experience gained in disbursing these grants, combined with a review of successful research foundations and the advice of Alaska's business and scientific communities, the commission will propose a plan for the creation of a permanent research foundation. I hope that members of the legislature will join me in this effort to move Alaska into a more creative and productive future.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the word "Sincerely,".

Steve Cowper
Governor

STEVE COWPER, GOVERNOR

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF POLICY

P.O. BOX AD
JUNEAU, ALASKA 99811
PHONE: (907) 465-3568

May 6, 1987

The Honorable Don Bennett
and Johne Binkley
Co-Chairmen
Senate Finance Committee
P.O. Box V
Juneau, AK 99811

Dear Senators Bennett and Binkley:

Enclosed are amendments to SB 238 and SB 239, relating to the Science and Engineering Advisory Commission which is scheduled for your committee tomorrow morning.

The reason for the changes is to be more explicit and strengthen the language in the bill dealing with logistical planning for research and data management. These two topics are important as policy and planning issues for the conduct of research, particularly in Alaska.

The last change, relating to finance, is to include the granting of contracts as well as grants to accomplish the purposes of the commission. Contracts refer to necessary studies of a particular scientific or engineering area in Alaska which are essential for the formulation of policy and other duties of the Commission.

This last change of language is to be also applied to the SB 239, the appropriations bill.

I appreciate your consideration of these proposals.

Sincerely,



Henry Cole
Special Assistant for
Science & Technology

HC/dmc/87D-292

Enclosures

cc: Senate Finance Committee

Senate Finance Committee

Committee Substitute for Senate Bill No. 238

Sec. 44.19.263 POWERS AND DUTIES OF THE COMMISSION. (a) the commission shall

(7) recommend methods to improve logistical planning and support for scientific and engineering research conducted in Alaska by state, federal or international agencies, private industry or the general public (needed. state research);

(8) recommend (suggest) methods for improving efficient acquisition, storage, transfer (sharing) and dissemination of scientific and engineering data and information in the state among interested public and private institutions (;) and the general public;

(b) The commission may

(1) receive money from private and government sources;

(2) award contracts and grants to accomplish the purposes of AS 44.19.251 -- 44.19.265.

Senate Finance Committee

Committee Substitute for Senate Bill No. 239

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

Section 1. The sum of \$100,000 is appropriated from the general fund to the Office of the Governor, science and engineering advisory commission (AS 44.19.255), for costs associated with carrying out its powers and duties, including awarding contracts and grants, under AS 44.19.263.

Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

(2) act for the state in the initiation, investigation, evaluation of or participation in any program relative to the stated purpose of AS 44.19.141 — 44.19.152 which may involve more than one government or governmental unit;

(3) on behalf of the state, accept and expend any gifts or grants made to the state with the approval of the governor where such gifts or grants were made for the purposes of furthering the objectives of the office. (§ 1 ch 219 SLA 1970; am §§ 18, 19 ch 63 SLA 1983; am § 43 ch 106 SLA 1986)

Effect of amendments. — The 1988 amendment, effective July 1, 1987, added "Contracting under this paragraph is governed by AS 36.30 (State Procurement Code)" at the end of paragraph (1) of subsection (b).

Article 14. Governor's Commission on Transportation Safety.

Secs. 44.19.190 — 44.19.192. [Repealed, § 2 ch 97 SLA 1986.]

Article 14A. Alaska Research Policy Act.

<p>Section 251. Purpose 253. Statement of policy 255. Science and engineering advisory commission 257. Members of commission</p>	<p>Section 259. Term of members of commission 261. Expenses and per diem 263. Duties of the commission 265. Short title</p>
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Sec. 44.19.251. Purpose. The purpose of the Alaska Research Policy Act is to establish state research policy, priorities, and goals, and to provide a plan for basic and applied scientific research for the state, including natural resources and materials, physical, biological, and health sciences, and social and behavioral sciences. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS 44.19.250. Renumbered in 1986.

Sec. 44.19.253. Statement of policy. It is the policy of the state in AS 44.19.251 — 44.19.265, to recognize the important role that scientific and engineering research and science education play for the people of the state and the entire nation. The policy will make it possible to

- (1) find, develop, and manage the natural renewable and nonrenewable resources of the state's land and water economically and in an environmentally acceptable fashion;
- (2) manage the unique features of the environment, fauna, and flora of the state and protect them from harmful man-made and natural influences;

(3) investigate and mitigate the effects of natural hazards such as earthquakes, volcanic eruptions, avalanches, permafrost, and other hazards that occur in the state;

(4) construct, operate, and maintain transportation systems, communications, housing, and other facilities suited to the state's conditions;

(5) develop new technologies adapted to the unique conditions and needs of the state;

(6) improve the health and well being through the life cycle of the state's inhabitants; and

(7) identify and address future social and economic challenges facing the state. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS
44.19.252. Renumbered in 1986.

Sec. 44.19.255. Science and engineering advisory commission. The science and engineering advisory commission is established as a permanent advisory agency in the Office of the Governor. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS
44.19.254. Renumbered in 1986.

Sec. 44.19.257. Members of commission. (a) The commission is composed of five members appointed by the governor as follows:

(1) one member is to be appointed from individuals from the academic institutions of the state with expertise in areas of research relating to the state including the physical, biological, health, environmental, social, and behavioral sciences;

(2) one member is to be appointed from individuals who are engaged in activities furthering the welfare of the human and physical environment and who have expertise in areas of research relating to the state, including the physical, biological, health, environmental, social, and behavioral sciences;

(3) one member is to be appointed from state departments with research needs; and

(4) one member is to be appointed from individuals familiar with the state and representative of the needs and interests of private industry;

(5) the senior science advisor in the governor's office, who serves as chairman and director of the commission.

(b) The members must be residents of the state and shall be appointed without regard to political affiliation. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS
44.19.258. Renumbered in 1986.

Sec. 44.19.259. Term of members of commission. Members of the commission, other than the senior science advisor, serve staggered terms of four years and until a successor qualifies and is appointed. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS (1) members, see § 2, ch. 32, SLA 1986,
44.19.258. Renumbered in 1986. (2) in the Temporary and Special Acts.
Cross references. — For terms of in-

Sec. 44.19.261. Expenses and per diem. A member of the commission serves without compensation but is entitled to travel expenses and per diem prescribed for state boards and commissions under AS 39.20.180. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS
44.19.260. Renumbered in 1986.

Sec. 44.19.263. Duties of the commission. The commission shall
(1) with the senior science advisor, develop and recommend an integrated state research policy;

(2) provide policy information to the governor and the legislature on matters that have scientific and engineering significance;

(3) receive scientific and engineering information from the academic and industrial communities;

(4) act in an advocacy role for scientific and engineering issues and science education important to the state that might otherwise be overlooked;

(5) assist state agencies in assessing research needs and establishing priorities among them;

(6) facilitate cooperation between state agencies and the University of Alaska and other academic institutions and industry;

(7) recommend methods to improve logistical planning and support for needed state research;

(8) suggest methods for improving efficient sharing and dissemination of data and information in the state among interested public and private institutions;

(9) promote science education and training for young scientists and engineers to pursue careers in the state and the Arctic;

(10) cooperate with the Federal Arctic Research Commission in the formulation of the Arctic research policy; and

(11) not later than September 30 of each year, present to the governor the commission's recommended research priorities of the state for the next fiscal year. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS 44.19.262. Renumbered in 1986.

Sec. 44.19.265. Short title. AS 44.19.251 — 44.19.265 may be cited as the Alaska Research Policy Act. (§ 1 ch 32 SLA 1986)

Revisor's notes. — Enacted as AS 44.19.264. Renumbered in 1986.

Article 15. Equal Employment Opportunity.

Section	Section
441. Office and director	446. Employment discrimination complaints
442. Powers and duties of the office	447. Retaliation prohibited
443. Administrative regulations	448. Access to confidential records
444. Affirmative action plan	449. Definitions
445. Compliance with affirmative action plan	

Editor's notes. — Section 44.19.441 — 44.19.449, which were enacted as Article 9 of this chapter, have been designated as Article 15. Section 3, ch. 97, SLA 1985 provides that ch. 97 (which enacted AS 44.19.441 — 44.19.449) "may not be applied to limit the right of a person to file a complaint with the State Commission for Human Rights under AS 18.80.100."

Sec. 44.19.441. Office and director. The office of equal employment opportunity is established in the Office of the Governor. The governor shall appoint a director to administer the office. (§ 2 ch 97 SLA 1985)

Sec. 44.19.442. Powers and duties of the office. (a) The office shall administer the equal employment opportunity program for the executive branch of state government to ensure compliance with AS 44.19.441 — 44.19.449 and shall

(1) assist state officials to carry out their equal employment opportunity responsibilities, including promoting the recruitment, employment, training, and retention of members of protected classes, and recommend solutions to any problems identified;

(2) train state managers and supervisors in their equal employment opportunity and affirmative action responsibilities and offer orientation programs to employees to inform them of their rights and responsibilities under AS 44.19.441 — 44.19.449;

(3) monitor records of personnel actions, develop auditing and reporting systems to acquire statistical information, and prepare federal and state reports concerning the composition of the work force;

(4) prepare and submit the affirmative action plan for employment in the executive branch of state government to the governor;

SENATE COMMITTEE REPORT

FURTHER:

JUDICIARY
FINANCE

DATE TURNED INTO OFFICE _____

3/3/87

Mr. President:

HESS

Committee considered SB 56

making effective an annuity program and amendments to the longevity bonus program and the permanent fund dividend program provided in secs. 2 - 18, ch. 99, SLA 1985; efd.

and recommended:

replace with _____ CS FOR _____) same title
 or adopt _____ CS FOR SB 56(SA)) 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
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Paul A. Grub Do Pass
Chairman signature and recommendation

Committee Backup Attached

AN ACT RELATING TO ALASKA RESEARCH POLICY

Henry Cole

Applied research projects which are to be selected from Alaskan Research and Developments grants need to meet certain criteria:

1. The project must produce technical knowledge capable of leading to the start up of a new industry, the improvement of an existing industry or the understanding of an important Alaskan problem.
2. The project should lead to results within a predictable and short time period (such as within 2 years). (The fact that the time frame is predictable means that the problem has been adequately analyzed beforehand.)
3. Even through the project leads to the solution of a practical Alaskan problem, the knowledge gained should be useful in solving related and broader scientific questions.
4. The overall size of the task would be small enough so that a relatively small amount of money could make a difference. The grant would be seed money or a necessary first step of what could be a larger effort.
5. Projects which could stimulate matching funds from industry or the federal government would be desirable. In that case other monies might be obtained resulting to a greater degree of success.

The reason for criteria #3 and #5 is that the existence of a related scientific question could very likely connect this local Alaskan problem to scientific questions of national or global interest. The National Science Foundation and National Oceanic and Atmospheric Administration have considerable interest in funding research in Alaska on basic questions of biological and chemical oceanography, the interaction of the Bering Sea ice edge with nutrients and primary productivity, ocean currents and meteorology.

Federal priorities in research in seven basic areas have been set forth in the working document of the 1984 Arctic Research Policy Act. This document serves as an important point of connection between State and federal research efforts. Federal/State coordinating committees are already assigned for the areas of fisheries, health and logistics. These areas have been identified to be of the highest priority for action by the Arctic Research Commission. In these and other areas which

have been identified, federal agencies would welcome joint participation if the State would pick up some of the costs. And a mechanism for the near term release of small amounts of federal money help could be sought through our congressional delegation. Furthermore, careful initial planning, involvement and awareness by the Alaskan business and scientific communities would generate enthusiasm, lead to possible matching of funds and insure the endorsement of this grant process for future applied research and development schemes.

The execution of these proposals would be according to the following plan.

1. The State appropriation to this pilot effort is \$100,000 which will be matched by an additional \$100,000 from private individuals.
2. The choice of a suitable project(s) would be made by the Science and Engineering Advisory Commission, instituted by the Alaska Research Policy Act.

Listed below are possible candidates for study which have recently come to my attention. The actual and final choices would be based upon submitted proposals and a proper review process. These examples are listed merely to illustrate the projects which seem to fit the above criteria.

1. Fisheries: Fisheries return data such as overall harvest size and composition and age/size structure is essential for analyzing population status and trends. These data could be provided by a shipboard observer program. Such information permits increased harvest predictability and is necessary for long-term sustainable-yield management of the resource. In addition, such information may apply to our understanding of the overall health and stability of the ecosystem. Certain components of that ecosystem (southern and central Bering Sea), such as marine mammals, have been subject to severe population declines in recent years, for reasons which are poorly understood.
2. Fisheries: Parasitism Research: Investigations into the distribution, causes, and controlling factors of diseases and parasitism affecting commercial fish and shellfish populations could have obvious benefits in terms of increased harvests and resource stability. One such instance which would bear further investigation is the nemertean parasite which attacks crab eggs during incubation. Studies should probably concentrate efforts at possible methods of control, which would probably derive from increased understanding of the life history of the parasite and factors which control its populations.

3. Health: A pathology study on the aorta and heart tissue of atherosclerosis victims from non-native and native Alaskan populations whose diets have been documented. This study would provide a solid link between seafood diet and the characteristics of the heart tissue at death. A clear result could lead to major future federal funding of \$3m to investigate the hypothesis that a seafood diet reduces the chance of atherosclerosis.
4. Logistics: To produce a document which lists the types and utility of remote logistic sites and transportation available for field research in Alaska. More than one half the cost of field science in Alaska is logistical. Military, State agencies and the university would be sources of information.

CSSB

238

No 333

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CS SB 238 (Fin)

Publish Date: _____

REQUEST: _____

Revision Date: 5/7/87

Title: An Act Relating to Alaska
Research Policy

Sponsor: Rules Committee

Requestor: Governor

Agency Affected: Governor's Office
BRU: Office of Management & Budget

Components: Division of Policy

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		200.0				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		200.0				

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		100.0				
FEDERAL FUNDS						
OTHER		100.0				
TOTAL		200.0				

POSITIONS:

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

ANALYSIS :

Prepared by: Henry Cole, PhD
Division: Office of Management and Budget

Phone: 465-3568
Date: 3/25/87

Approved by Commissioner: Pete Jeans, Chief of Staff
Agency: Office of the Governor

Date: 3/25/87

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

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 238 (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 the Alaska Research Policy Act
7 and the science and engineering advisory commission;
8 and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
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11 (a) The commission is composed of seven [FIVE] members appointed
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18 engaged in activities furthering the welfare of the human and physical
19 environment and who have expertise in areas of research relating to
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26 private industry;
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22 support for scientific and engineering research conducted in the state
23 by state, federal, or international agencies, private industry, the
24 general public, or private research organizations [NEEDED STATE
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4 Commission in the formulation of the Arctic research policy; and

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6 the governor the commission's recommended research priorities of the
7 state for the next fiscal year.

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15 purposes of AS 44.19.251 - 44.19.265 are not one-year appropriations
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18 the science and engineering advisory commission appointed under AS 44.19.-
19 257(a)(5) and (6), enacted by sec. 1 of this Act, are for three years.

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238-239

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 6, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting two bills, a substantive measure and an appropriation bill, relating to the Alaska Research Policy Act and the science and engineering advisory commission in the Office of the Governor. AS 44.19.251 -- 44.19.265.

Section 1 of the substantive bill amends AS 44.19.257(a) to increase the size of the science and engineering advisory commission from five to seven members. Section 2 of the bill amends AS 44.19.263 to authorize the commission to receive money from private, as well as government sources, and to award grants to accomplish the purposes of the Alaska Research Policy Act. In sec. 3 of the bill, proposed AS 44.19.264 is added to the Research Policy Act to ensure that appropriations made to carry out the purposes of that Act do not lapse at the end of a fiscal year, but, instead, can be carried forward.

The appropriation bill appropriates \$100,000 to the science and engineering advisory commission to implement the Research Policy Act.

I believe that a key to the rejuvenation and redirection of Alaska's economy is the stimulation of our intellectual resources. This is necessary in order to formulate practical solutions to problems with which we are confronted. These solutions include the creation of new products from our natural resources, improvement in the understanding of our fisheries, and developing Arctic technology, as well as the resolution of a host of other questions that will arise as Alaskans seek to become players in the world markets for value-added goods and services. The expertise gained in reaching these solutions will allow us to come to the world bargaining table as an equal player.

The world's economy is moving toward more capital intensive production of goods designed to serve the mass consumer markets of Asia, Europe, and North America. Those countries and corporations that are the most successful have recognized the need to keep abreast of rapidly changing technical knowledge by investing heavily in applied and basic research. If we in Alaska are to compete, we need to follow this example by endowing a research foundation that will work with Alaska's entrepreneurs to help solve technical problems and provide basic information.

The passage of these bills will initiate a process that will, I hope, lead to a proposal for an Alaska Research Foundation. The current commission will be expanded to allow the inclusion of a member who has expertise in international research and a member from the general public. I will direct the commission to leverage the state contribution with those of federal agencies and private donors, in order to fund research projects that meet the following basic criteria:

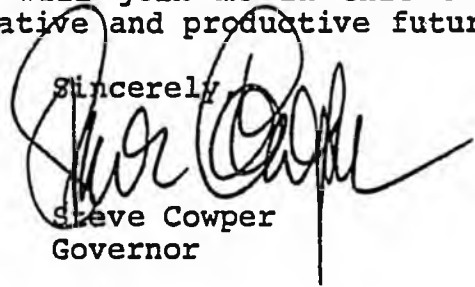
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2. The project should lead to results within a predictable and short time period (such as within two years). A predictable time frame means that the problem has been adequately analyzed beforehand.
3. Even though the project leads to the solution of a practical Alaskan problem, the knowledge gained should be useful in solving related and broader scientific questions.
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Hon. Jan Faiks

Page 3

Building upon its experience gained in disbursing these grants, combined with a review of successful research foundations and the advice of Alaska's business and scientific communities, the commission will propose a plan for the creation of a permanent research foundation. I hope that members of the legislature will join me in this effort to move Alaska into a more creative and productive future.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the word "Sincerely,".

Steve Cowper
Governor

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 238 (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 the Alaska Research Policy Act
7 and the science and engineering advisory commission;
8 and providing for an effective date."

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16 environmental, social, and behavioral sciences;

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18 engaged in activities furthering the welfare of the human and physical
19 environment and who have expertise in areas of research relating to
20 the state, including the physical, biological, health, environmental,
21 social, and behavioral sciences;

22 (3) one member is to be appointed from state departments
23 with research needs; [AND]

24 (4) one member is to be appointed from individuals familiar
25 with the state and representative of the needs and interests of
26 private industry;

27 (5) one member is to be appointed from individuals with
28 experience in national and international research programs;

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2 (7) the senior science advisor in the governor's office,
3 who serves as chairman and director of the commission.

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5 Sec. 44.19.263. POWER AND DUTIES OF THE COMMISSION. The commis-
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7 (1) with the senior science advisor, develop and recommend
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22 support for scientific and engineering research conducted in the state
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24 general public, or private research organizations [NEEDED STATE
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26 (8) recommend [SUGGEST] methods for improving efficient
27 acquisition, storage, transfer, [SHARING] and dissemination of scien-
28 tific and engineering data and information [IN THE STATE] among inter-
29 ested public and private institutions and the general public;

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4 Commission in the formulation of the Arctic research policy; and

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17 * Sec. 5. Notwithstanding AS 44.19.259, the initial terms of members of
18 the science and engineering advisory commission appointed under AS 44.19.-
19 257(a)(5) and (6), enacted by sec. 1 of this Act, are for three years.

20 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

SENATE BILL NO. 238

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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21 support for needed state research;

22 (8) suggest methods for improving efficient sharing and
23 dissemination of data and information in the state among interested
24 public and private institutions;

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26 tists and engineers to pursue careers in the state and the Arctic;

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28 in the formulation of the Arctic research policy; and

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1 the governor the commission's recommended research priorities of the
2 state for the next fiscal year.

3 (b) The commission may

4 (1) receive money from private and government sources;

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239

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of _____ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

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

4/7/87 DATE TURNED INTO OFFICE _____
Mr. President:

FINANCE Committee considered SB 239

making a special appropriation to the Office of the Governor, science and engineering advisory commission; 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

Chairman signature and recommendation

Committee Backup Attached

Introduced: 4/7/87
Referred: Finance

w01497sb

Funding Information

General Fund	\$100,000
Other Funds	-0-
	<u>\$100,000</u>

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 239

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Office
7 of the Governor, science and engineering advisory
8 commission; and providing for an effective date."

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

10 * Section 1. The sum of \$100,000 is appropriated from the general fund
11 to the Office of the Governor, science and engineering advisory commission
12 (AS 44.19.255), for costs associated with carrying out its powers and
13 duties, including awarding grants, under AS 44.19.263.

14 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

26-238-239

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I believe that a key to the rejuvenation and redirection of Alaska's economy is the stimulation of our intellectual resources. This is necessary in order to formulate practical solutions to problems with which we are confronted. These solutions include the creation of new products from our natural resources, improvement in the understanding of our fisheries, and developing Arctic technology, as well as the resolution of a host of other questions that will arise as Alaskans seek to become players in the world markets for value-added goods and services. The expertise gained in reaching these solutions will allow us to come to the world bargaining table as an equal player.

The world's economy is moving toward more capital intensive production of goods designed to serve the mass consumer markets of Asia, Europe, and North America. Those countries and corporations that are the most successful have recognized the need to keep abreast of rapidly changing technical knowledge by investing heavily in applied and basic research. If we in Alaska are to compete, we need to follow this example by endowing a research foundation that will work with Alaska's entrepreneurs to help solve technical problems and provide basic information.

The passage of these bills will initiate a process that will, I hope, lead to a proposal for an Alaska Research Foundation. The current commission will be expanded to allow the inclusion of a member who has expertise in international research and a member from the general public. I will direct the commission to leverage the state contribution with those of federal agencies and private donors, in order to fund research projects that meet the following basic criteria:

1. The project must produce technical knowledge capable of leading to the start-up of a new industry, the improvement of an existing industry, or the understanding of an important Alaskan problem.
2. The project should lead to results within a predictable and short time period (such as within two years). A predictable time frame means that the problem has been adequately analyzed beforehand.
3. Even though the project leads to the solution of a practical Alaskan problem, the knowledge gained should be useful in solving related and broader scientific questions.
4. The overall size of the project should be small enough so that a relatively small amount of money could make a difference. The grant would be seed money or a necessary first step of a potentially larger effort.
5. Projects that could stimulate matching money from industry or the federal government would be desirable. In that case, other money might be obtained resulting to a greater degree of success.

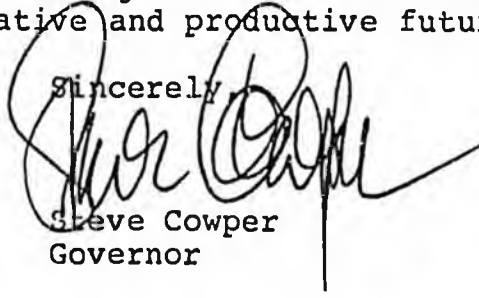
H-238-237

Hon. Jan Faiks

Page 3

Building upon its experience gained in disbursing these grants, combined with a review of successful research foundations and the advice of Alaska's business and scientific communities, the commission will propose a plan for the creation of a permanent research foundation. I hope that members of the legislature will join me in this effort to move Alaska into a more creative and productive future.

Sincerely,



Steve Cowper
Governor

AN ACT RELATING TO ALASKA RESEARCH POLICY

Henry Cole

Applied research projects which are to be selected from Alaskan Research and Developments grants need to meet certain criteria:

1. The project must produce technical knowledge capable of leading to the start up of a new industry, the improvement of an existing industry or the understanding of an important Alaskan problem.
2. The project should lead to results within a predictable and short time period (such as within 2 years). (The fact that the time frame is predictable means that the problem has been adequately analyzed beforehand.)
3. Even through the project leads to the solution of a practical Alaskan problem, the knowledge gained should be useful in solving related and broader scientific questions.
4. The overall size of the task would be small enough so that a relatively small amount of money could make a difference. The grant would be seed money or a necessary first step of what could be a larger effort.
5. Projects which could stimulate matching funds from industry or the federal government would be desirable. In that case other monies might be obtained resulting to a greater degree of success.

The reason for criteria #3 and #5 is that the existence of a related scientific question could very likely connect this local Alaskan problem to scientific questions of national or global interest. The National Science Foundation and National Oceanic and Atmospheric Administration have considerable interest in funding research in Alaska on basic questions of biological and chemical oceanography, the interaction of the Bering Sea ice edge with nutrients and primary productivity, ocean currents and meteorology.

Federal priorities in research in seven basic areas have been set forth in the working document of the 1984 Arctic Research Policy Act. This document serves as an important point of connection between State and federal research efforts. Federal/State coordinating committees are already assigned for the areas of fisheries, health and logistics. These areas have been identified to be of the highest priority for action by the Arctic Research Commission. In these and other areas which

have been identified, federal agencies would welcome joint participation if the State would pick up some of the costs. And a mechanism for the near term release of small amounts of federal money help could be sought through our congressional delegation. Furthermore, careful initial planning, involvement and awareness by the Alaskan business and scientific communities would generate enthusiasm, lead to possible matching of funds and insure the endorsement of this grant process for future applied research and development schemes.

The execution of these proposals would be according to the following plan.

1. The State appropriation to this pilot effort is \$100,000 which will be matched by an additional \$100,000 from private individuals.
2. The choice of a suitable project(s) would be made by the Science and Engineering Advisory Commission, instituted by the Alaska Research Policy Act.

Listed below are possible candidates for study which have recently come to my attention. The actual and final choices would be based upon submitted proposals and a proper review process. These examples are listed merely to illustrate the projects which seem to fit the above criteria.

1. Fisheries: Fisheries return data such as overall harvest size and composition and age/size structure is essential for analyzing population status and trends. These data could be provided by a shipboard observer program. Such information permits increased harvest predictability and is necessary for long-term sustainable-yield management of the resource. In addition, such information may apply to our understanding of the overall health and stability of the ecosystem. Certain components of that ecosystem (southern and central Bering Sea), such as marine mammals, have been subject to severe population declines in recent years, for reasons which are poorly understood.
2. Fisheries: Parasitism Research: Investigations into the distribution, causes, and controlling factors of diseases and parasitism affecting commercial fish and shellfish populations could have obvious benefits in terms of increased harvests and resource stability. One such instance which would bear further investigation is the nemertean parasite which attacks crab eggs during incubation. Studies should probably concentrate efforts at possible methods of control, which would probably derive from increased understanding of the life history of the parasite and factors which control its populations.

3. Health: A pathology study on the aorta and heart tissue of atherosclerosis victims from non-native and native Alaskan populations whose diets have been documented. This study would provide a solid link between seafood diet and the characteristics of the heart tissue at death. A clear result could lead to major future federal funding of \$3m to investigate the hypothesis that a seafood diet reduces the chance of atherosclerosis.
4. Logistics: To produce a document which lists the types and utility of remote logistic sites and transportation available for field research in Alaska. More than one half the cost of field science in Alaska is logistical. Military, State agencies and the university would be sources of information.

ALASKA STATE LEGISLATURE

..15th Legislature .1st ..Session

SENATE..BILL..... NO.239...

By ..THE RULES COMMITTEE BY.....
REQUEST OF THE GOVERNOR

"An Act making a special appropriation to the Office of the Governor, science and engineering advisory commission; and providing for an effective date."

Introduced in the Senate ..4/7....., 19 ..87..

HISTORY IN THE SENATE

1987

4 7

Read first time and referred to Committee on

FINANCE
Reported back with recommendation that

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Chapter No.

Filed with Lt. Governor

SB

240

SENATE COMMITTEE REPORT

FURTHER:

4/24/87

DATE TURNED INTO OFFICE _____

Mr. President:

FINANCE Committee considered SB 240

suspending requirements for reports on arrangements and offers to sell the Alaska Railroad; efd.

and recommended:

replace with CS FOR _____) 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
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of April 16, 1987 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

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

4/8/87

DATE TURNED INTO OFFICE April 23, 1987

Mr. President:

TRANSPORTATION

Committee considered SB 240

suspending requirements for reports on arrangements and offers to
sell the Alaska Railroad; efd.

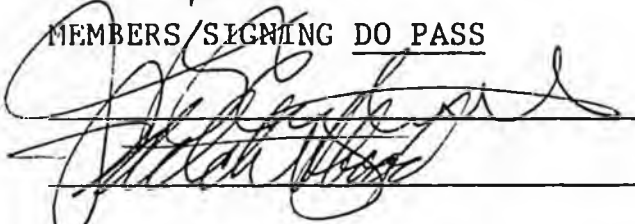
and recommended:

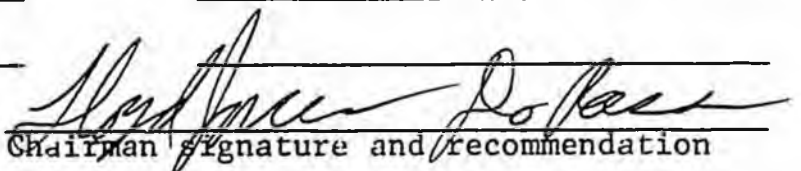
- replace with CS _____ same title
- attached amendment(s) and new title
- ^{may} do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

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

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS




Chairman signature and recommendation

Committee Backup Attached

Introduced: 4/8/87
Referred: Transportation
& Finance

5-0782A

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 SENATE BILL NO. 240

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act suspending requirements for reports on ar-
7 rangements and offers to sell the Alaska Railroad;
8 and providing for an effective date."

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

10 * Section 1. Notwithstanding AS 42.40.260(b), the Alaska Railroad
11 Corporation shall include the first analysis and documentation required
12 under AS 42.40.260(b) in its annual report for fiscal year 1994.

13 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).
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**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

B

REQUEST: _____

Bill Version: SB 240
Publish Date: 4-8-87

Revision Date: _____
Title: An Act Suspending Requirements for Reports on Arrangements and Offers to Sell the Alaska Railroad
Sponsor: Transportation Committee
Requestor: Transportation Committee

Agency Affected: Alaska Railroad Corporation
BRU: _____
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-					

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

REVENUE	*					
---------	---	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

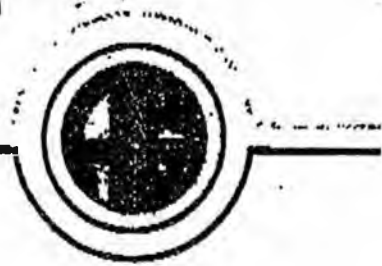
(107)
*As the position paper submitted by the Alaska Railroad Corporation explains, delaying efforts to sell the railroad beyond January 5, 1990, will mean that the State of Alaska, not the United States, will enjoy sale profits. Although delayed beyond this first five year period, costs related to efforts to sell the railroad should remain relatively unchanged.

Prepared by: Larry D. Wood, General Counsel *llj* Phone: 265-2461
Division: Alaska Railroad Corporation Date: 4-23-87

Approved by Commissioner: *C. Palomela* Date: 4-23-87
Agency: F. G. Turpin, President and CEO

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

ALASKA RAILROAD CORPORATION



P.O. Box 7-2111 • Anchorage, Alaska 99510-7069

VIA TELECOPIER

April 23, 1987

Honorable Lloyd Jones, Chairman
Senate Transportation Committee
P.O. Box V, Room 15
Juneau, Alaska 99811

Re: SB No. 240, An Act Suspending Requirements for Reports
on Arrangements and Offers to Sell the Alaska Railroad

Dear Senator Jones,

Thank you for providing this opportunity for the Alaska Railroad Corporation ("ARRC") to comment on SB No. 240. As you know, the bill proposes to amend the Alaska Railroad Corporation Act and will require that the first analysis and documentation of potential railroad sale arrangements appear in the corporation's annual report for fiscal year 1994.

For the reasons stated in enclosed position paper, we strongly support this legislation. Should the railroad be sold, delay of mandatory sale arrangements beyond 1990 will avoid federal legal requirements that sale profits be paid to the United States. This action will clearly serve the State's best interests.

Unfortunately, Frank Turpin is on the line this week meeting with employees to discuss various aspects of new labor agreements. However, I know that he would want me to extend his personal greetings and to thank you for your active consideration of this important legislation.

Sincerely,

Larry D. Wood
General Counsel

cc: F. G. Turpin
President and Chief Executive Officer

4112L

POSITION PAPER / Alaska Railroad Corporation

SENATE BILL NO. 240

AN ACT SUSPENDING REQUIREMENTS FOR REPORTS
ON ARRANGEMENTS AND OFFERS TO SELL THE
ALASKA RAILROAD

I. INTRODUCTION

SB No. 240 proposes that the first analysis and documentation required under AS 42.40.260(b) (part of the Alaska Railroad Corporation Act ("ARCA")) be included in the corporation's annual report for fiscal year 1994.

The Alaska Railroad Corporation ("ARRC") strongly supports this legislation.

II. DISCUSSION

When the State of Alaska purchased the Alaska Railroad in January, 1985, it agreed to many sale terms. These terms include a provision in the federal Alaska Railroad Transfer Act ("ARTA") which requires the State to turn over any profits of a subsequent sale or transfer of the railroad to the United States, if the sale occurs within the first five years of state ownership. 45 USC § 1209(e). This period expires on January 5, 1990.

In the face of this restriction, ARCA presently requires ARRC to include in its annual report an analysis of potential arrangements to sell the railroad every five years, including documentation of at least three offers to sell the railroad. These offers must be bona fide attempts by the state-owned railroad to sell all or part of its assets and operations.

The combination of ARTA's requirement that the State turn over any profits to the federal government if the railroad is sold before January 5, 1990, and the great cost of researching, preparing, soliciting, and negotiating meaningful sale offers does justify delay of ARCA's mandate that sale offers be solicited by ARRC before 1990. This will be simply accomplished by SB No. 240.

The bill extends the due date for the first analysis of potential sale arrangements to fiscal year 1994 which is outside the federal protection period. This action will guarantee that the State will properly enjoy the entire

proceeds of any sale or transfer of the line. This modification of ARCA will clearly serve the State's best interests. In addition, the State-owned railroad will be allowed sufficient time following the end of this first five-year period to meaningfully research, prepare, and negotiate sale offers and terms. The growing number of recent disposals of short lines Outside emphasizes that such transactions are extremely complex and require a substantial investment of time and money.

Finally, although out-of-pocket expenses associated with any sale of the railroad may be deducted from sale proceeds which must be paid to the United States, there is less certainty about the deductibility of sale costs directly attributed to hundreds of hours of State and Railroad staff time. In light of that uncertainty, it is most prudent to delay such activities until all costs associated with the State's disposal of the railroad can be fully realized by its sale.

III. CONCLUSION

ARRC views SB 240 as an important modification of the Alaska Railroad Corporation Act and urges that it be favorably considered.

4114L

ALASKA STATE LEGISLATURE

. 15th . Legislature 1st . . Session

SENATE **BILL**..... NO. 240..

By .. **THE TRANSPORTATION COMMITTEE**

"An Act suspending requirements for reports on arrangements and offers to sell the Alaska Railroad; and providing for an effective date."

Introduced in the Senate ... **4/8**, 19 **87**...

HISTORY IN THE SENATE

19 87

4 8
4 24

Read first time and referred to Committee on

TRANSPORTATION AND FINANCE

Reported back with *Transp.* recommendation that *3 do pass, zero fiscal, to finance.*

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Chapter No.

Filed with Lt. Governor

ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman
Sen. John B. "Jack" Coghill, Vice Chairman
Sen. Mitch Abood
Sen. Bettye Fahrenkamp
Sen. Tim Kelly



P.O. Box V
Juneau, AK 99811

907-465-4921

Senate Transportation Committee

MEMORANDUM

TO: The Senate Transportation Committee

FROM: Senate Transportation Committee Staff

DATE: April 23, 1987

SUBJECT: Senate Bill 240, suspending requirements for reports on arrangements and offers to sell the Alaska Railroad.

This bill is the result of the Senate Transportation Committee's expressed interest in delaying the requirement that the first analysis and documentation of potential railroad sale arrangements appear in the corporation's annual report for fiscal year 1994.

The bill extends the due date for the first analysis of potential sale arrangements to fiscal year 1994 which is outside the federal protection period. This action will guarantee that the State will receive the entire proceeds of any sale or transfer of the line. This modification of ARCA will serve the State's best interests. In addition, the Alaska Railroad will be allowed sufficient time following the end of this first five-year period to meaningfully research, prepare, and negotiate sale offers and terms. The growing number of recent disposals of short lines outside emphasizes that such transactions are extremely complex and require a substantial investment of time and money.

Finally, although out-of-pocket expenses associated with any sale of the railroad may be deducted from sale proceeds which must be paid to the United States, there is less certainty about the deductibility of sale costs directly attributed to hundreds of hours of State and Railroad staff time. In light of that uncertainty, it seems most prudent to delay such activities until all costs associated with the State's disposal of the railroad can be fully realized by its sale.

SB

242

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of _____ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

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

4/8/87

DATE TURNED INTO OFFICE _____

Mr. President:

_____ FINANCE _____ Committee considered _____ SB 242

appropriating all proceeds of the North Slope Royalty Case to the principal of the permanent fund; 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

Chairman signature and recommendation

[] Committee Backup Attached

Introduced: 4/8/87
Referred: Finance

5-1041A

1 IN THE SENATE

BY BENNETT

2 SENATE BILL NO. 242

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act appropriating all proceeds of the North Slope
7 Royalty Case to the principal of the permanent fund;
8 and providing for an effective date."

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

10 * Section 1. All money received by the state from the settlement or
11 other conclusion of the North Slope Royalty Case (State v. Amerada Hess, et
12 al.) is appropriated to the principal of the permanent fund.

13 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE

15th . . . Legislature **1st** . . . Session

SENATE **BILL** NO. **242**.

By **BENNETT**

"An Act appropriating all proceeds of the North Slope Royalty Case to the principal of the permanent fund; and providing for an effective date."

Introduced in the Senate **4/8**, 19 **87**.

HISTORY IN THE SENATE

19 **87** Read first time and referred to Committee on

4 **8** **FINANCE**
Reported back with recommendation that

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	Effective Date
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Chapter No.

Filed with Lt. Governor