

Leg. Finance-House & Senate Finance Comte Files (1991-1992) 821

1 (b) A [AFTER DECEMBER 31, 1980, A] financial institution that makes home mortgage
2 loans with money provided to it by the State Investment Board [COMMISSIONER OF
3 REVENUE] from surplus state general fund investments authorized by AS 37.10.070, or a state
4 agency that [WHICH; makes a direct home mortgage loan to an applicant, shall include
5 estimated heating and lighting costs as determined by an energy audit in standard principal,
6 interest, taxes and insurance calculation of the cost of buying a housing unit. An applicant for
7 a home mortgage loan shall provide the financial institution or the state agency with a copy of
8 an energy audit.

9 * Sec. 34. AS 47.80.200(b) is amended to read:

10 (b) The State Investment Board [COMMISSIONER OF REVENUE] is the custodian
11 of the trust fund in the same manner as provided for the public school trust fund in
12 AS 37.14.160 - 37.14.170, except where the provisions of AS 47.80.200 - 47.80.290 conflict.

13 * Sec. 35. TRANSITION. All litigation, hearings, investigations, and other proceedings pending
14 under a law amended or repealed by this Act, or in connection with functions transferred by this Act,
15 continue in effect and may be continued and completed notwithstanding a transfer, amendment, or repeal
16 provided for in this Act. Orders and regulations issued or adopted under authority of a law amended
17 or repealed by this Act remain in effect for the term issued, or until revoked, vacated, or otherwise mod-
18 ified under the provisions of this Act. All contracts, rights, liabilities, and obligations created by or
19 under a law amended or repealed by this Act, and in effect on the effective date of this Act, remain in
20 effect notwithstanding this Act's taking effect. Records, equipment, and other property of agencies of
21 the state whose functions are transferred under this Act shall be transferred commensurate with the
22 provisions of this Act.

23 * Sec. 36. (a) Notwithstanding AS 37.10.210(c), enacted by sec. 1 of this Act, the initial terms of
24 the appointed and elected members of the board of directors of the State Investment Board shall be as
25 follows:

26 (1) one member from each state retirement system and one public member shall serve
27 terms of six years;

28 (2) one member from a state retirement system and one public member shall serve terms
29 of four years;

30 (3) one member from a state retirement system and one public member shall serve terms
31 of two years.

1 (b) The State Investment Board may hold organizational meetings as soon as a quorum of the
2 board has been elected to or selected for the board.

3 * Sec. 37. AS 37.10.210, 37.10.230, 37.10.240, and 37.10.290, enacted by sec. 1 of this Act, and
4 sec. 36 of this Act take effect immediately under AS 01.10.070(c).

5 * Sec. 38. Except as provided in sec. 37 of this Act, this Act takes effect January 1, 1992.

FISCAL NOTE

BILL NO. SSSB10

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act relating to investment management of State Funds.
Sponsor: Kertula
Requestor: _____

Department Affected: Administration
BRU: Retirement and Benefits
Component: Retirement and Benefits
COMPONENT SERIAL NO. 64

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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

Estimate of current year impact: _____

ANALYSIS: (attach a separate page if necessary.)

There is no measurable fiscal to the Division from this bill.

Prepared By: Gary Bader *[Signature]*
Division: Retirement and Benefits

Phone: 465-4460
Date: _____

Approved by Commissioner: Millett Keller *[Signature]*
Agency: Department of Administration

Date: 2/8/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SS SB 10

Revision Date: February 6, 1991
Title: Management and Investment of Certain State Funds

Department Affected: Revenue
BRU: Treasury
Component: _____

Sponsor: Kertula
Requestor: Senate State Affairs

Component Serial No.

	1	2	1
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Expenditures/Revenues: Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL	24.5	24.5	24.5	24.5	24.5	24.5
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	24.5	24.5	24.5	24.5	24.5	24.5

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

FUNDING: Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER	24.5	24.5	24.5	24.5	24.5	24.5
TOTAL	24.5	24.5	24.5	24.5	24.5	24.5

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

Estimate of current year impact: None

ANALYSIS: Travel and per diem for seven public members.

Prepared by: Brian C. Andrews *BA*

Phone: 465-2350

Division: Treasury

Date: 2-6-91

Approved by Commissioner: *[Signature]*

Agency: Revenue

Distribution by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agencies).

FISCAL NOTE

No. 2

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Bill Version: SB 10

(S) Publish Date: 2/1/91

Revision Date: _____ Department Affected: Revenue
 Title: Management and Investment of BRU: Treasury
Certain State Funds Component: _____

Sponsor: Kerttula
 Requestor: Senate State Affairs

COMPONENT SERIAL NO.

1	2	1
---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

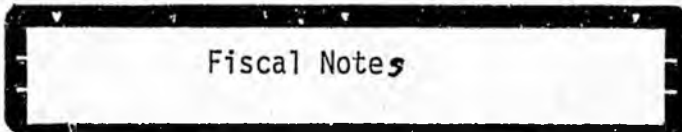
Prepared By: Milton B. Barker Phone: 465-2350

Division: Treasury Date: 1-25-91

Approved by Commissioner: Milton B. Barker for

Agency: Revenue Date: 1-25-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



FISCAL NOTE

Bill Version: SB10

(S) Publish Date: 2/1/91

STATE OF ALASKA 1991 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act relating to management of
State funds.
 Sponsor: Kerttula
 Requester: _____

Department Affected: Administration
 BRU: Retirement & Benefits
 Components: Retirement & Benefits
 COMPONENT SERIAL NO. 64

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	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

Estimate of current year impact: _____

ANALYSIS: (attach a separate page if necessary)
 We do not anticipate a fiscal impact on this Division.

Prepared By: Gary M. Bader, Director *Gary M. Bader* Phone: 465-4470
 Division: Retirement and Benefits Date: 1/25/91
 Approved By Commissioner: Milton Keller *Milton Keller* Date: 1/28/91
 Agency: Administration

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, Impacted Agency(ies)

ALASKA STATE LEGISLATURE
SENATE BILL NO. 10

HISTORY IN THE SENATE

1991
1/21
1/28
2/1

Read first time and referred to:
SA and Finance
SS intro: SA and Finance

STA RPT() CS DP 3 NR DNP AM
New Title Same Title Previous FN
FN 2 OFN To Finance

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

CS Adopted () New Title
Amended Advanced

Read third time

Letter of Intent adopted
Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON.	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair _____</p> <p>CC appointed by House _____ Chair _____</p> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
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19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
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SB

11

SENATE FINANCE COMMITTEE REPORT

DATE: 1/21/91

FURTHER: _____

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 11

"An Act relating to Conference Committee reports on appropriation bills; and providing for an effective date."

Died in SFC

and recommended:

- replace with _____ CS _____
 - or adopt _____ CS _____
 - attached amendment(s)
 - _____ letter of intent adopted
- same title
 - new title
 - technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

ATTACHES NEW FISCAL NOTE(S):

APPROVES PREVIOUS:

- fiscal note(s) Dept/Date: _____
- _____
- _____
- zero fiscal note(s) _____
- _____
- _____

- fiscal note(s) Dept/Date: _____
- _____
- _____
- zero fiscal note(s) _____
- _____
- _____

- appropriation-no fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1. _____ 2. _____
 Co-Chairs: Signatures and Recommendations

SENATE BILL NO. 11

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS COTTEN, Shultz, Frank, Collins

Introduced: 1/21/91

Referred: Finance

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to Conference Committee reports on appropriation bills; and providing
2 for an effective date."

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

4 * Section 1. AS 24.08.030 is amended by adding a new subsection to read:

5 (b) A report on an appropriation bill of a Conference Committee, a Conference
6 Committee with limited powers of free conference, or a Free Conference Committee may not be
7 voted on by a house until at least 72 hours after the report is duplicated and delivered to the chief
8 clerk or secretary of the house for distribution to each member. The chief clerk or secretary shall
9 certify the time of delivery of the report for recording in the journal.

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

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SB 11

Revision Date: _____ Department Affected: Legislative Affairs Agency

Title: "An Act relating to Conference BRU: Legislative Council

Committee reports on approp. bills... Component: Session Expenses

Sponsor: Senator Sam Cotten

Requestor: Senate Finance COMPONENT SERIAL NO.

	7	8	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director *Pamela Stoops* Phone: 465-3800

Division: Administrative Services Date: January 24, 1991

Approved by Commissioner: Warren W. Endicott, Executive Director *Warren W. Endicott*

Agency: Legislative Affairs Agency Date: January 24, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

ALASKA STATE LEGISLATURE
SENATE BILL NO. 11

HISTORY IN THE SENATE

1991
1/21

Read first time and referred to:
Finance

_____ RPT(____) CS ____ DP ____ NR ____ DNP ____ AM
New Title ____ Same Title ____ Previous FN
FN ____ OFN To _____

_____ RPT(____) CS ____ DP ____ NR ____ DNP ____ AM
New Title ____ Same Title ____ Previous FN
FN ____ OFN To _____

_____ RPT(____) CS ____ DP ____ NR ____ DNP ____ AM
New Title ____ Same Title ____ Previous FN
FN ____ OFN To _____

_____ Rules Calendar(____) CS ____ AM ____ Other
New Title ____ Same Title ____ Previous FN
FN ____ OFN

Read second time

_____ CS Adopted (____) _____ New Title
_____ Amended _____ Advanced

Read third time

_____ Letter of Intent adopted
_____ Return to second for specific amendment

PASSED EFD Same ____ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ____ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House:

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

_____ RPT CS() ____ New Title
_____ DP ____ DNP ____ NR ____ AM
_____ FN ____ OFN ____ Previous FN

_____ RPT CS() ____ New Title
_____ DP ____ DNP ____ NR ____ AM
_____ FN ____ OFN ____ Previous FN

_____ RPT CS() ____ New Title
_____ DP ____ DNP ____ NR ____ AM
_____ FN ____ OFN ____ Previous FN

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ____ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

_____ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ____ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

_____ Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair</p> <hr/> <p>CC appointed by House _____ Chair</p> <hr/> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
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19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
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SB

13

SENATE FINANCE COMMITTEE REPORT

DATE: 3/13/91

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 13

"An Act providing for an advisory vote on the issue of capital punishment; and providing for an effective date."

Died in SFC

and recommended:

- replace with _____ CS _____
 - or adopt _____ CS _____
 - attached amendment(s)
 - _____ letter of intent adopted
- same title
 - new title
 - technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

ATTACHES NEW FISCAL NOTE(S): Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

SIGNING DO PASS:

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

OTHER RECOMMENDATIONS:

1. _____ 2. _____
Co-Chairs: Signatures and Recommendations

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

*Added
Fin*

DATE: 1/21/91

FURTHER:

Date of 5-Day Notice: March 7, 1991
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: March 12, 1991

Judiciary Committee considered SENATE BILL NO. 13

"An Act providing for an advisory vote on the issue of capital punishment;
and providing for an effective date."

and a majority of the
committee recommends
do pass

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FN

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

- fiscal note(s) Elections 1/29/91 zero fiscal note(s) _____
- _____
- _____

appropriation-no fiscal note

Governor's bill. w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Frank
Robert Today

Doc Adams - DO NOT PASS
20 Sp. Collins No Rec.

Richard Halford do pass

Chair: signature and Recommendation

SENATE BILL NO. 13
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS FISCHER, Frank, Pearce

Introduced: 1/21/91
 Referred: Judiciary

A BILL
 FOR AN ACT ENTITLED

1 "An Act providing for an advisory vote on the issue of capital punishment; and providing
 2 for an effective date."

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

4 * Section 1. The lieutenant governor shall place before the qualified voters of the state at the next
 5 general election the question advisory to the legislature of whether the legislature should enact a law
 6 providing for capital punishment for murder in the first degree. The question shall appear on the ballot
 7 in substantially the following form:

8 Q U E S T I O N

9 Shall the Alaska State Legislature enact a law providing for capital punishment
 10 for murder in the first degree and establishing procedures for the imposition of capital
 11 punishment that are consistent with the United States Constitution as interpreted by the
 12 United States Supreme Court?

13 Yes [] No []

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

FISCAL NOTE

No. 1

Bill Version: SB 13

(S) Publish Date: 2/13/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: 1/28/91

Department Affected: Office of the Governor - Elections

Title: Advisory vote on the issue of Capital Punishment

BRU: Elections

Component: II - Primary and General Elections

Sponsor: Senator Fischer

Requestor: Judiciary

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		2.2*				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		2.2*				

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		2.2*				
FEDERAL FUNDS						
OTHER						
TOTAL		2.2*				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Election Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared By: Linda Edgeworth, Information Officer Phone: 465-4611

Division: Division of Elections Date: _____

Approved by Commissioner: Charles E. Thrickett

Agency: Division of Elections Date: 1-29-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

ALASKA STATE LEGISLATURE
SENATE BILL NO. 13

HISTORY IN THE SENATE

1991
1/21
3/13
3/13

Read first time and referred to:
Judiciary
Ed Hansen

RPT() CS 3 DP 1 NR 1 DNP AM
New Title Same Title Previous FN
 FN OFN To Hansen

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

CS Amended () New Title
Amended Advanced

Read third time

Letter of Intent adopted
Return to second for specific amendment

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19

Received from the House

Version: _____

Concur in House amendment

Y ___ N ___ E ___ A ___
Efd same or Y ___ N ___ E ___ A ___

Failed to concur in House amendment, ask House recede

Y ___ N ___ E ___ A ___

House failed to / receded from amendment

Y ___ N ___ E ___ A ___

CC appointed by Senate _____ Chair

CC appointed by House _____ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

19

(S) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
Efd same or Y ___ N ___ E ___ A ___

(H) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
Efd same or Y ___ N ___ E ___ A ___

To enrolling
Received from enrolling
Sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor

SB

16

HOUSE COMMITTEE REPORT

file

(11)

Date Referred: February 7, 1992

FURTHER REFERRALS:

Date of Committee Action:

2/21/92

The FINANCE Committee considered:

CSSB 16(L&C)

CS FOR SENATE BILL NO. 16 (L&C)

EDUCATION EMPLOYEE COLLECTIVE BARGAINING

"An Act including public school employees in the Public Employment Relations Act as class (a)(3) employees entitled to a right to strike after advisory arbitration; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CSSB 16 (L&C) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note DOE 10/31/91

zero fiscal note(s) DOA 1-29-92

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Mike Yavone</i> ^{NAVARRE}	✓	<i>Eileen P. Muehlen</i> ^{MACLEAN}			
<i>Mark Brown</i> / Bayer	X				
<i>Lan Braun</i> / BROWN	✓				
<i>ROD E. BEAL</i> / Phillips	✓				
<i>Bob Sharp</i> / sharp	✓				
<i>Ronald J. Larson</i> / Larson	X				

Mike Yavone ^{NAVARRE} *Eileen P. Muehlen* ^{MACLEAN}
 CO-CHAIRMAN'S SIGNATURE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 16

Revision Date: _____ Department Affected: Education
 Title: Act providing advisory arbitration for school employees prior to striking. BRU: _____
 Sponsor: Duncan Component: _____
 Requestor: _____ COMPONENT SERIAL NO.

--	--	--	--

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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-
---------	-----	-----	-----	-----	-----	-----

REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
----------------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER FUND SOURCE:	-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-

Estimate of current year impact: none

ANALYSIS: (Attach a separate page if necessary.) The Department will provide technical assistance for striking districts, contingent upon district reimbursement of travel and per diem. There will be no impact to the foundation program because funding is based on average daily membership (ADM) not the number of days in session. The impact to districts could be considerable, but undetermined, based on the length and nature of the strike.

Prepared By: Harry Gamble Phone: 465-2300
 Division: Commissioner's Office Date: 10/31/91
 Approved by Commissioner: Jerry Covey, Commissioner
 Agency: Education Date: 10/31/91

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 16

Revision Date: January 23, 1992
 Title: Act providing advisory arbitration for school employees
prior to striking.
 Sponsor: Duncan
 Requestor: Senate Labor and Commerce

Department Affected: Administration
 BRU: Personnel/OEEO
 Component: Labor Relations

COMPONENT SERIAL NO.

0	0	5	8
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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
---------	---	---	---	---	---	---

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

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

The advisory arbitration provisions of this bill will affect only one State teacher bargaining unit (Mt. Edgecumbe). This fiscal note assumes that no advisory arbitrations will be required for this unit and that any additional negotiation workload will be absorbed by current staff.

Prepared by: R. H. King
 Division: Personnel/OEEO

Phone: 465-4430
 Date: January 23, 1992

Approved by Commissioner: Nancy Bear Usura
 Agency: Administration

Date: 1/23/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

CS FOR SENATE BILL NO. 16 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 1/29/92
Referred: Health, Education and Social Services

Sponsor(s): SENATORS DUNCAN, Zharoff

A BILL

FOR AN ACT ENTITLED

1 "An Act including public school employees in the Public Employment Relations Act as
2 class (a)(3) employees entitled to a right to strike after advisory arbitration; and providing
3 for an effective date."

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

5 * Section 1. AS 14.16.050(a) is amended to read:

6 (a) The following provisions apply with respect to the operation and management of the
7 state boarding school as if it were a school district:

8 (1) requirements relating to school district operations:

9 (A) AS 14.03.030 - 14.03.050 (defining the school term, day in session,
0 and school holidays);

1 (B) AS 14.03.083 - 14.03.140 (miscellaneous provisions applicable to
2 school district operations);

3 (C) regulations adopted by the board under authority of AS 14.07.020(a)
that are applicable to school districts and their schools, unless the board specifically

1 (B) AS 14.30.360 - 14.30.370 (establishing health education program
2 standards);

3 (C) AS 14.30.400 - 14.30.410 (relating to bilingual and bicultural
4 education).

5 * Sec. 2. AS 14.16.070 is amended to read:

6 Sec. 14.16.070. APPLICABILITY OF OTHER LAW. AS 23.40.070 - 23.40.260 (Public
7 Employment Relations Act) apply to the employees of the state boarding school [WHO ARE
8 NOT SUBJECT TO AS 14.20].

9 * Sec. 3. AS 23.40.200(c) is amended to read:

10 (c) The class in (a)(2) of this section is composed of public utility, snow removal,
11 sanitation, and [PUBLIC SCHOOL AND OTHER] educational institution employees other than
12 employees of a school district, a regional educational attendance area, or the state boarding
13 school. Employees in this class may engage in a strike after mediation, subject to the voting
14 requirement of (d) of this section, for a limited time. The limit is determined by the interests of
15 the health, safety, or welfare of the public. The public employer or the labor relations agency
16 may apply to the superior court in the judicial district in which the strike is occurring for an
17 order enjoining the strike. A strike may not be enjoined unless it can be shown that it has begun
18 to threaten the health, safety, or welfare of the public. A court, in deciding whether or not to
19 enjoin the strike, shall consider the total equities in the particular class. "Total equities" includes
20 not only the impact of a strike on the public but also the extent to which employee organizations
21 and public employers have met their statutory obligations. If an impasse or deadlock still exists
22 after the issuance of an injunction, the parties shall submit to arbitration to be carried out under
23 AS 09.43.030.

* Sec. 4. AS 23.40.200(d) is amended to read:

(d) The class in (a)(3) of this section includes all other public employees who are not
included in the classes in (a)(1) or (a)(2) of this section. Employees in this class may engage
in a strike if a majority of the employees in a collective bargaining unit vote by secret ballot to
do so. However, if an impasse or deadlock is reached in collective bargaining negotiations
between a municipal school district, a regional educational attendance area, or the state
boarding school and its employees, the parties shall submit to advisory arbitration before
the employees may engage in a strike. The arbitrator selected to conduct the advisory

1 * Sec. 11. Notwithstanding sec. 4, ch. 113, SLA 1972, a municipal school district or regional
2 educational attendance area may not reject application of AS 23.40.070 - 23.40.260 to employment
3 relations with public school employees.

4 * Sec. 12. This Act takes effect immediately under AS 01.10.070(c).

AMENDMENT # 1

OFFERED IN THE HOUSE
TO: CSSB 16(L&C)

BY REPRESENTATIVE MACLEAN

Page 1, line 5 through page 5, line 3:

Delete all material and insert:

** Section 1. Section 2, ch. 180, SLA 1990, is amended to read:

Sec. 2. Section 1 of this Act is repealed on the date five [~~TWO~~] years after the effective date of this Act."

Renumber the remaining bill section accordingly.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

October 28, 1991

SUBJECT: Sectional summary of SB 16 (Including public school employees in the Public Employment Relations Act)

TO: Senator Jim Duncan

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of SB 16 which makes permanent the temporary inclusion of public school employees in the Public Employment Relations Act (PERA) enacted last legislature. As a preliminary matter, note that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Sections 1 and 2 remove employees of the state boarding school from the education employee collective bargaining provisions in Title 14 and place them under PERA.

Sections 3 and 6 make changes to PERA to place both certificated and noncertificated employees of school districts regional educational attendance areas, and the state boarding school^{1/}, other than school superintendents, within Class (a)(3) of PERA. Class (a)(3) employees may engage in strikes after an impasse is reached. Section 3 leaves employees of the University of Alaska within Class (a)(2) of PERA. Those employees have a limited right to strike.

Section 4 requires that, if an impasse or deadlock is reached in negotiations, public school employees and school districts must submit to advisory arbitration before the employees may engage in a strike.

Section 5 makes clear that the legislature does not need to approve the monetary terms of a collective bargaining agreement entered into by a school district.

^{1/}In this memo, I use the term "school district" to include municipal school districts, REAA's, and the state boarding school.

Section 6 amends the definition of "public employee" in PERA to include school district employees other than superintendents.

Section 7 amends the definition of "public employer" in PERA to include school districts. It also makes an editorial change by substituting "municipality" for "town, city, borough." Under AS 01.10.060(4), "municipality" is defined for the entire extent of Alaska Statutes as

a political subdivision incorporated under the laws of the state that is a home rule or general law city, a home rule or general law borough, or a unified municipality;

Section 8 adds a definition of "regional educational attendance area" to PERA.

Section 9 makes clear that this change in the law does not terminate or modify a collective bargaining unit determination, recognition of a collective bargaining representative, or a collective bargaining agreement if it was in effect on the effective date of this Act.

Section 10 repeals the provisions for educational employee collective bargaining that are found in Title 14.

Section 11 precludes municipalities and REAA's from opting out of PERA.

Section 12 is an immediate effective date provision.

If I may be of further assistance, please advise.

TBC:gc
91-385.glc

POSITION PAPER: DEPARTMENT OF EDUCATION

Bill No: Senate Bill 16

Date: October 31, 1991

Title: "An Act including public school employees in the Public Employment Relations Act as Class (a) (3) employees entitled to a right to strike after advisory arbitration; and providing for an effective date."

Contact: Harry Gamble
465-2821

Under the provisions of Senate Bill 16, the Public Employment Relations Act would continue to govern labor relations for certificated and non-certificated school employees in Alaska, as it has for the past two years.

These employees were placed under PERA by a previous Legislature. The original act included a two-year "sunset" limitation that takes effect in 1992.

The original act began as a binding arbitration bill that would allow a third party to decide terms and conditions of employment for school districts and their employees. The right-to-strike element was added by lawmakers as a compromise. It removed school district employees from the school labor laws of Title 14 and placed them under the PERA, Title 23.

However, the "opt out" provision of Title 23, which applies to municipalities, was deleted from the final version of this bill. The "opt out" clause would have allowed districts to develop their own bargaining system (as some municipalities have done) or revert back to Title 14 school labor laws.

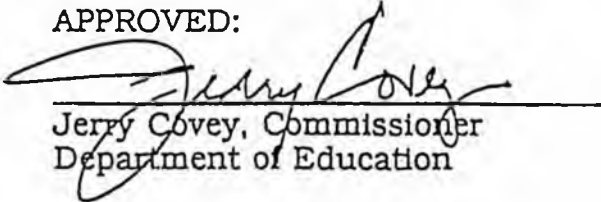
Under Senate Bill 16, the coverage of public school employers and employees under PERA would continue after 1992, and the Alaska Labor Relations Agency would continue to serve as their labor relations agency. The "opt out" clause in PERA, which applies to municipalities, would continue to be denied to school districts.

This bill would not expand the responsibilities of the Department of Education. It would have no fiscal impact as described in the attached fiscal note.

The Department opposes SB16 as not being in the best interest of Alaska education for the following reasons:

- Teacher strikes are not good for students.
- School boards have lost their authority to negotiate evenly with unions under Title 23.
- Teachers had achieved and maintained the highest average teacher salaries in the nation under Title 14 and excellent benefit packages.
- It is bad policy to tamper with a system (Title 14) that was working well.

APPROVED:


Jerry Covey, Commissioner
Department of Education

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To <i>Jim Duncan</i>	From <i>Willie</i>	
Co. <i>Dale</i>	Co.	
Dept.	Phone # <i>586-3090</i>	
Fax # <i>465-4748</i>	Fax # <i>586-2744</i>	

IEA-ALASKA

ATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536
FAX: (907) 274-0551

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 566-3090
FAX: (907) 566-2744

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435
FAX: (907) 456-2159

January 22, 1992

TEACHER COLLECTIVE BARGAINING IN ALASKA UNDER PERA 1991-92

<u>Bargaining Unit</u>	<u>Status</u>	<u>Percent Change in Base Salary Over 1990-91</u>
Adak	S	3.0
Alaska Gateway	B	
Aleutian East	TA	0.0
Aleutian Region	?	
Anchorage	A	
Annette	S	3.0
Bering Strait	M	
Bristol Bay	S	1.3
Centralized Correspondence	S	6.7
Chatham	S	2.0
Chugach	S	6.0
Copper River	S	-1.0
Cordova	S	2.0
Craig	S	2.0
Delta/Greely	M	
Dillingham	S	4.0
Fairbanks	S	3.5
Galena	?	
Haines	S	-5.0
Hoonah	S	4.5
Hydaburg	S	-5.5
Iditarod	S	2.0
Juneau	S	2.0
Kake	S	5.0
Kashunamiut	?	
Kenai	S	7.7
Ketchikan	TA	2.0
Klawock	S	2.0
Kodiak	A	
Kuspuk	?	
Lake and Peninsula	S	1.6
Lower Kuskokwim	S	2.0
Lower Yukon	S	2.0
Matanuska-Susitna	S	5.8
Mount Edgecumbe	S	5.0
Nenana	S	2.5

Nome	S	3.5
North Slope	S	5.1
Northwest Arctic	S	-4.5
Pelican	S	3.0
Petersburg	S	5.0
Pribilofs	S	0.0
Railbelt	S	0.0
St.Mary's	S	0.0
Sitka	S	1.5
Skagway	B	
Southeast Island	S	2.5
Southwest Region	S	2.7
Tanana	S	0.0
Unalaska	S	3.1
Valdez	S	2.0
Wrangell	S	2.5
Yakutat	S	3.0
Yukon Flats	A	
Yukon-Koyukuk	S	2.0
Yupit	?	
AVERAGE:		2.2

Source: NEA-Alaska Research

P	Preparing	0
B	Bargaining	2
M	Mediation	2
A	Arbitration	3
SK	Strike	0
PA	Post-Arbitration	0
TA	Tentative Agreement	2
S	Settled	42
?	Status Unknown	5

IM02/Bargatus/dl

Alaska State Legislature

REPRESENTATIVE
MARK BOYER

VICE-CHAIRMAN
HOUSE FINANCE COMMITTEE

FAIRBANKS

1098 LAKEVIEW TERRACE
FAIRBANKS, ALASKA 99701
(907) 456-6473

JUNEAU

P.O. BOX V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3466

House of Representatives

HB 68 EDUCATION EMPLOYEE COLLECTIVE BARGAINING

History:

Prior to passage of SB 15 in 1990 labor relations provisions for education employees, unlike all other public employees, were in Title 14 instead of the Public Employees Relations Act (PERA). Under Title 14 school districts could impose a contract if negotiations reached an impasse. This left no legal recourse for educators in their attempts to reach finality in the bargaining process.

For many years educators worked with the legislature attempting to bring finality to the process. Their preferred solution was inclusion in PERA as class (a)(2) employees which would allow for binding arbitration if an impasse were reached. School administrators strongly opposed binding arbitration so in 1990 a compromise was reached making education employees class (a)(3) employees with the right to strike. A further concession was made by including a two year sunset provision.

Today:

HB 68, as originally introduced, would have simply taken the provisions of Chapter 180, the temporary act passed in 1990 through SB 15, and placed them in the permanent statutes. The HESS Committee Substitute would extend the sunset for another three years.

CS FOR HOUSE BILL NO. 68 (HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 1/27/92
Referred: Finance

Sponsor(s): REPRESENTATIVES BOYER, Navarre, Donley, Ulmer, Koponen, B.Davis, Mackie, Bruckman

A BILL

FOR AN ACT ENTITLED

1 "An Act including, for three additional years, public school employees in the Public
2 Employment Relations Act as class (a)(3) employees entitled to a right to strike after
3 advisory arbitration; and providing for an effective date."

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

5 * Section 1. Section 2, ch. 180, SLA 1990, is amended to read:

6 Sec. 2. Section 1 of this Act is repealed on the date five [TWO] years after the effective
7 date of this Act.

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

DOCUMENTS WHICH HAVE NOT BEEN
FILMED BUT ARE AVAILABLE IN THE
ORIGINAL FILE INCLUDE:

*Letter in opposition from:
Skagway City School*

*Letters in support from:
Mat-Su Dist. Classified Employee
12 letters from Anchorage
Educators Association*

SB

17

SENATE FINANCE COMMITTEE REPORT

DATE: 2/13/91

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 17

"An Act relating to fingerprinting of minors; and providing for an effective date."

Died in JFC

and recommended:

- replace with _____ CS _____
- or adopt _____ CS _____
- attached amendment(s)
- _____ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

- same title
- new title
- technical title change (HB only)

ATTACHES NEW FISCAL NOTE(S):

- fiscal note(s) Dept/Date: _____
- zero fiscal note(s) _____
- appropriation-no fiscal note

APPROVES PREVIOUS:

- fiscal note(s) Dept/Date: _____
- zero fiscal note(s) _____

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1. _____ 2. _____
 Co-Chairs: Signatures and Recommendations

SENATE COMMITTEE REPORT

DATE: 1/30/91

FURTHER:

Finance LS 0006/A

DATE TURNED INTO OFFICE: Feb 13, 1991

Judiciary Committee considered SENATE BILL NO. 17

"An Act relating to fingerprinting of minors; and providing for an effective date."

U may
and recommended: *'s it be replaced*

- replace with CS SB 17 *jud* same title
- or adopt _____ CS _____ new title
- attached amendment(s) ~~replaced with~~ technical title change (HB only)
- _____ letter of intent adopted *+ do pass*

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

FIN

- ATTACHES NEW FISCAL NOTE(S):
- fiscal note(s) _____ Dept/Date: _____
 - zero fiscal note(s) _____
 - appropriation-no fiscal note

- APPROVES PREVIOUS:
- fiscal note(s) Public Safety - 1-25-91 Dept/Date: _____
 - zero fiscal note(s) _____
 - Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

1) Keith Boyer do pass

1) Frank [unclear] no Rec

1) [unclear] no Rec

1) Rick Hoagland do pass

Chair: Signature and Recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 1/21/91

FURTHER: Judiciary

Date of 5-Day Notice: 1-24-91
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 1/28/91

State Affairs Committee considered SENATE BILL NO. 17 ✓

"An Act relating to fingerprinting of minors; and providing for an effective date."

and recommended:

and a majority of the
Committee recommends
do pass

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

Fiscal Note attached

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) PS - 10.0

zero fiscal note(s) _____

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

(Signature)

1) *Paul Freese*

~~_____~~

2) *Duncan - No Rev.*

2) *Pat Punchel novel*

(Signature)

Chair: Signature and Recommendation *do pass*
per Duncan 1/28

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act Relating to the
Fingerprinting of Minors
Sponsor: Sen. Fischer
Requestor: Senate State Affairs

Department Affected: Public Safety
BRU: DPS Statewide Support
Component: AK Criminal Records & ID

COMPONENT SERIAL NO.	1	1	9	0
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	10.0	10.0	10.0	10.0	10.0	10.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	10.0	10.0	10.0	10.0	10.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	10.0	10.0	10.0	10.0	10.0	10.0
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	10.0	10.0	10.0	10.0	10.0	10.0

POSITIONS:

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

Estimate of current year impact _____

ANALYSIS: (Attach a separate page if necessary)	Changes in _____ () reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.
(See attached).	<u>Feb 13 91</u> date <u>DBB</u> Comte Aide (initial)

Prepared by: Ken Bischoff Phone: 465-4336
Division: Administrative Services Date: 1/25/91
Approved by Commissioner: Richard L. Burton
Agency: Department of Public Safety Date: 1/28/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

ANALYSIS:

This bill would allow the fingerprinting of juveniles age 14 or older who are arrested for criminal offenses. These fingerprints would be compared with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS). The DPS Records and Identification Section operates the Alaska Automated Fingerprint Identification System (AAFIS) and maintains criminal history record information used by police and other criminal justice agencies.

This bill would have a positive impact on the ability of police to solve cases involving juvenile offenders. Over 40% of all persons arrested for burglary and theft are juveniles. Many other crimes remain unsolved, however, as fingerprint evidence frequently found at the scene is not matched to any suspect because juveniles are not fingerprinted. AAFIS records indicate that 22% of the crime scene prints identified by the system since 1985 have been from first-time adult arrests which matched latent prints taken from crimes committed when the offender was a juvenile. Of these cases 86% were for burglary and theft offenses. Had these persons been fingerprinted as juvenile offenders they could have been identified, solving additional cases, and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

Existing AAFIS staff are not able to keep current with their present work load. Additional funding is required in Personal Services to increase the staff months of a part-time position approved for this unit for FY91 under a fiscal note for HB 52 (Chp 7 SLA 1990). The increased work load expected as a result of this bill is estimated as follows:

Estimated number of juvenile fingerprint cards	-	2700
Total time to complete 15 processing steps	-	504 hrs
Clk IV - Range 9A (4.0 months)		

**CS FOR SENATE BILL NO. 17 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION**

BY THE SENATE JUDICIARY COMMITTEE

**Offered: 2/13/91
Referred: Finance**

Sponsor(s): SENATORS FISCHER, Pearce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fingerprinting of minors."

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

3 * Section 1. AS 47.10.097 is repealed and reenacted to read:

4 Sec. 47.10.097. FINGERPRINTING OF MINORS. (a) A peace officer may fingerprint
5 a minor under the same circumstances as an adult may be fingerprinted.

6 (b) Fingerprint records taken under this section are not subject to AS 47.10.090.

SENATE BILL NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS FISCHER, Pearce

Introduced: 1/21/91

Referred: State Affairs and Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to fingerprinting of minors; and providing for an effective date."

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

3 * Section 1. AS 47.10.097(a) is amended to read:

4 (a) Except as provided in (b) of this section, a minor in the custody of the department
5 or of a law enforcement agency may not be fingerprinted for reference to or entry into the Alaska
6 automated fingerprint system without a court order upon good cause shown. Good cause exists
7 if the minor is in custody for a criminal offense or if identification of the minor is necessary
8 for the safety of the minor or of another person.

9 * Sec. 2. AS 47.10.097(b) is amended to read:

10 (b) A law enforcement officer may fingerprint a minor who is 14 [16] years of age or
11 older for reference to or entry into the Alaska automated fingerprint system without a court order
12 when the minor is arrested [CONVICTED OF, OR ADJUDICATED A DELINQUENT] for a
13 criminal [, AN] offense [THAT IS A FELONY].

14 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE
SENATE BILL NO. 17

HISTORY IN THE SENATE

1991
1/21
2/13
1/31
2/13

Read first time and referred to:
SA & Judiciary
add Finance

STA RPT() CS 3 DP 2 NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
 FN ___ OFN ___ To Finance

Ord RPT(Ord) CS 3 DP 2 NR ___ DNP ___ AM
 New Title ___ Same Title ___ Previous FN ___
1 FN ___ OFN ___ To Finance

___ RPT() CS ___ DP ___ NR ___ DNP ___ AM
___ New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___ To ___

___ Rules Calendar() CS ___ AM ___ Other ___
___ New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___

Read second time

___ CS Adopted () ___ New Title ___
___ Amended ___ Advanced ___

Read third time

___ Letter of Intent adopted
___ Return. to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

POSITION PAPER

CSSB NO. 17

For "An Act relating to the fingerprinting of minors"

This bill would allow the fingerprinting of youthful offenders upon admission to a youth facility for a criminal offense.

Analysis

Law enforcement agencies desire access to fingerprint records of arrested youth for investigative purposes. These agencies believe that additional crimes would be solved by matching the fingerprints of arrested youth with those taken at crime scenes.

Present law allows the fingerprinting of all youth sixteen years of age or older if convicted or adjudicated a delinquent for a felony offense, and the fingerprinting of any youth with a prior court order for good cause shown.

CSSB 17 would allow the fingerprinting of all youth upon arrest for a criminal offense in the same fashion as adult offenders are fingerprinted. Currently adult offenders are routinely fingerprinted by the Department of Corrections when the adult offender is booked into a correctional facility operated by the Department. Fingerprinting standards applied by the Department of Corrections are contained in 22 AAC 05.030, which reads in part "The commissioner will in his or her discretion require a person initially admitted to a facility on criminal charges to be fingerprinted as soon as practical."

There appears to be no uniform written standard which would apply in the fingerprinting of all adult offenders. CSSB 17 would appear to require that the Department of Health and Social Services adopt regulations and assume the burden and operating costs for fingerprinting minors when they are detained at youth facilities operated by the Department of Health and Social Services.

If CSSB 17 were implemented in the same fashion as regulations for the fingerprinting of adults, then the fingerprinting of juveniles would occur at the time a juvenile is admitted to a youth facility. Such a practice would create an additional cost to the Department for staff training, and the processing of fingerprint cards.

Because not all minors are detained subsequent to arrest CSSB 17 would result in less youth being fingerprinted than if SB 17 in it's original form were enacted.

DEPARTMENT POSITION

The Department supports the fingerprinting of youthful offenders for the purpose of enhancing the ability of law enforcement to identify minors that are involved in criminal activity.

Under CSSB 17 the Department, rather than the arresting law enforcement agency, would have the burden of adopting standards and practices for the taking of a minors fingerprints. CSSB 17 would not fully accomplish the goal of identifying minors involved in criminal activity, as fingerprinting would be limited to those accused juvenile offenders that are detained.

The Department supports in concept CSSB 17, in view of SB 17 being closer in effect to the accomplishment of the goal of law enforcement.

Michael Price

Michael Price, Director
Division of Family and Youth Services

3/7/91

Date

Theodore A. Mala

Theodore A. Mala, MD, MPH
Commissioner

3/7/91

Date

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

ALASKA STATE LEGISLATURE
SENATE BILL NO. 17

HISTORY IN THE SENATE

1991
11/21
2/13
1/31
2/13

Read first time and referred to:
SA of Judiciary
add Finance

STA RPT() CS 3 DP 2 NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
 FN ___ OFN ___ To ___

Jud RPT Jud CS 3 DP 2 NR ___ DNP ___ AM
 New Title ___ Same Title ___ Previous FN ___
1 FN ___ OFN ___ To Finance

___ RPT() CS ___ DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___ To ___

___ Rules Calendar() CS ___ AM ___ Other ___
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___

Read second time

___ CS Adopted () ___ New Title ___
___ Amended ___ Advanced ___

Read third time

___ Letter of Intent adopted
___ Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS() ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair _____</p> <p>CC appointed by House _____ Chair _____</p> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
-----------	--

19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd same or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
-----------	---

POSITION PAPER

CSSB NO. 17

For "An Act relating to the fingerprinting of minors"

This bill would allow the fingerprinting of youthful offenders upon admission to a youth facility for a criminal offense.

Analysis

Law enforcement agencies desire access to fingerprint records of arrested youth for investigative purposes. These agencies believe that additional crimes would be solved by matching the fingerprints of arrested youth with those taken at crime scenes.

Present law allows the fingerprinting of all youth sixteen years of age or older if convicted or adjudicated a delinquent for a felony offense, and the fingerprinting of any youth with a prior court order for good cause shown.

CSSB 17 would allow the fingerprinting of all youth upon arrest for a criminal offense in the same fashion as adult offenders are fingerprinted. Currently adult offenders are routinely fingerprinted by the Department of Corrections when the adult offender is booked into a correctional facility operated by the Department. Fingerprinting standards applied by the Department of Corrections are contained in 22 AAC 05.030, which reads in part "The commissioner will in his or her discretion require a person initially admitted to a facility on criminal charges to be fingerprinted as soon as practical."

There appears to be no uniform written standard which would apply in the fingerprinting of all adult offenders. CSSB 17 would appear to require that the Department of Health and Social Services adopt regulations and assume the burden and operating costs for fingerprinting minors when they are detained at youth facilities operated by the Department of Health and Social Services.

If CSSB 17 were implemented in the same fashion as regulations for the fingerprinting of adults, then the fingerprinting of juveniles would occur at the time a juvenile is admitted to a youth facility. Such a practice would create an additional cost to the Department for staff training, and the processing of fingerprint cards.

Because not all minors are detained subsequent to arrest CSSB 17 would result in less youth being fingerprinted than if SB 17 in it's original form were enacted.

DEPARTMENT POSITION

The Department supports the fingerprinting of youthful offenders for the purpose of enhancing the ability of law enforcement to identify minors that are involved in criminal activity.

Under CSSB 17 the Department, rather than the arresting law enforcement agency, would have the burden of adopting standards and practices for the taking of a minors fingerprints. CSSB 17 would not fully accomplish the goal of identifying minors involved in criminal activity, as fingerprinting would be limited to those accused juvenile offenders that are detained.

The Department supports in concept CSSB 17, in view of SB 17 being closer in effect to the accomplishment of the goal of law enforcement.

Michael Price

Michael Price, Director
Division of Family and Youth Services

3/7/91

Date

Theodore A. Mala

Theodore A. Mala, MD, MPH
Commissioner

3/7/91

Date

Alaska State Legislature

Senator Paul Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



State Senate

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3791

FEB 21 1991

MEMORANDUM

TO: Senator Pat Pourchot, Co-Chairman
Senate Finance Committee

FROM: Senator Paul Fischer *PAF/sgn*

SUBJECT: Committee Substitute for Senate Bill 17 (Judiciary)
(fingerprinting of minors)

DATE: February 20, 1991

I would appreciate your scheduling the above referenced bill for a hearing before the Senate Finance Committee at the earliest possible time.

This legislation passed the Senate last session with only one dissenting vote; however, it failed to be addressed by the House prior to adjournment.

As you are aware, the fingerprinting of minors has been a priority of the coalition of law enforcement groups for several years. Both the Departments of Law and Public Safety have expressed their support for this legislation.

It would be my desire that the Senate take a lead on this issue and pass it over to the other body, early in the Session.

For your committee files, I have provided the attached backup information.

Your consideration would be greatly appreciated.

PAF/sgn

Attachments

RECEIVED JAN 30 1989

Alaska Association Chiefs of Police



January 28, 1991

Alaska State Legislature
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Senator Fisher,

On behalf of the Alaska Association of Chiefs of Police I want to express our whole hearted support for Senate Bill 17. The ability to fingerprint juveniles would be an important law enforcement tool.

We know that the majority of property offenses are committed by juveniles. Senate Bill 17 would help apprehend juveniles while still young in an effort to correct their behavior before they become adult career criminals.

If we can do anything to assist you in the passage of this bill, please contact me.

Sincerely,

A handwritten signature in cursive script, which appears to read "Duane S. Udland", is written over the typed name.

Duane S. Udland
President

BILL NO: SB 17

DATE: January 28, 1991

TITLE: An Act Relating to the
Fingerprinting of Minors


CONTACT: Gayle A. Horetski
Deputy Commissioner

DEPARTMENT OF
PUBLIC SAFETY

This bill would allow the fingerprinting of juveniles age 14 and older who are arrested for criminal offenses. The fingerprints would be taken for comparison with latent (crime scene) prints contained in the Alaska Automated Fingerprint Identification System (AAFIS).

This bill should have a positive impact on the ability of police to solve cases involving juvenile offenders. Over 40% of all persons arrested for theft and burglary offenses are juveniles (see attached chart). Fingerprint evidence is frequently found at crime scenes, but is not matched to any suspect because juveniles are not fingerprinted. A large number of theft and burglary offenses are "cleared" when adults are arrested and their fingerprints matched to latents from crimes committed when the offender was a juvenile. AAFIS records indicate that 22% of the crime scene prints identified by the system since 1985 have been from first-time adult arrests which matched latent prints taken from the scenes of crimes committed when the offender was a juvenile. See attached graph. Had these persons been fingerprinted as juvenile offenders they could have been identified, solving additional cases, and enabling the court to consider the offender's complete conduct when deciding the disposition of a case.

The Department of Public Safety supports SB 17.


Richard L. Burton
Commissioner

JUVENILE ARRESTS*

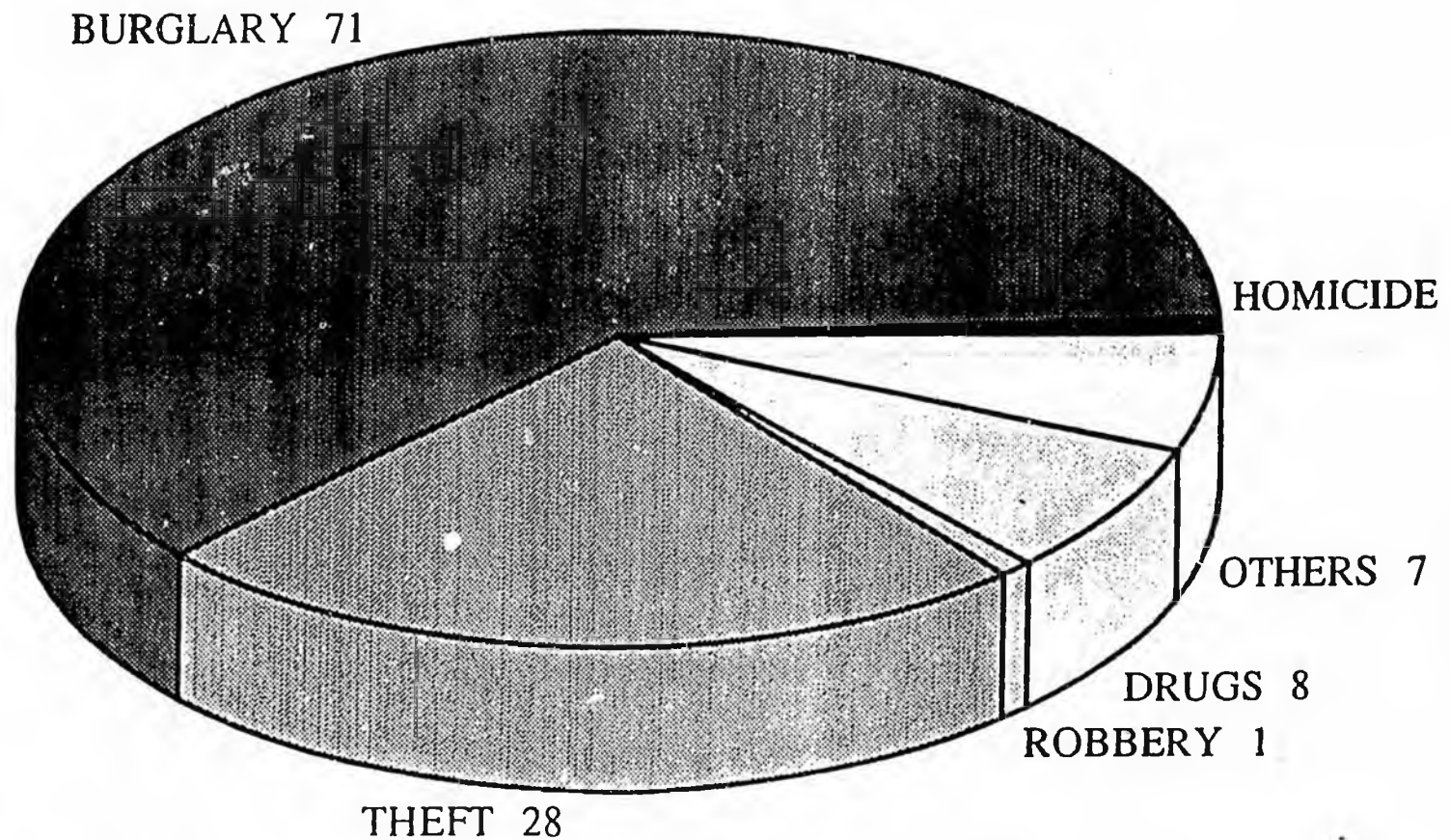
	1987	%	1988	%	1989	%
MAJOR FELONIES**						
Total Arrests	990		1100		2090	
Juveniles	96	9.7%	97	9%		
BURGLARY						
Total Arrests	1041		960		1004	
Juveniles	475	46.0%	509	49%	527	52.5%
LARCENY						
Total Arrests	4934		4398		4487	
Juveniles	1754	36.0%	1624	37%	1761	39.2%
MOTOR VEHICLE THEFT						
Total Arrests	331		481		512	
Juveniles	166	50.0%	214	44%	272	53.0%

*Data obtained from the 24 agencies submitting UCR figures to DPS.

**Major Felonies = Combined figures for Murder, Manslaughter, Rape, Robbery and Aggravated Assault.

ALASKA AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM
(AAFIS)

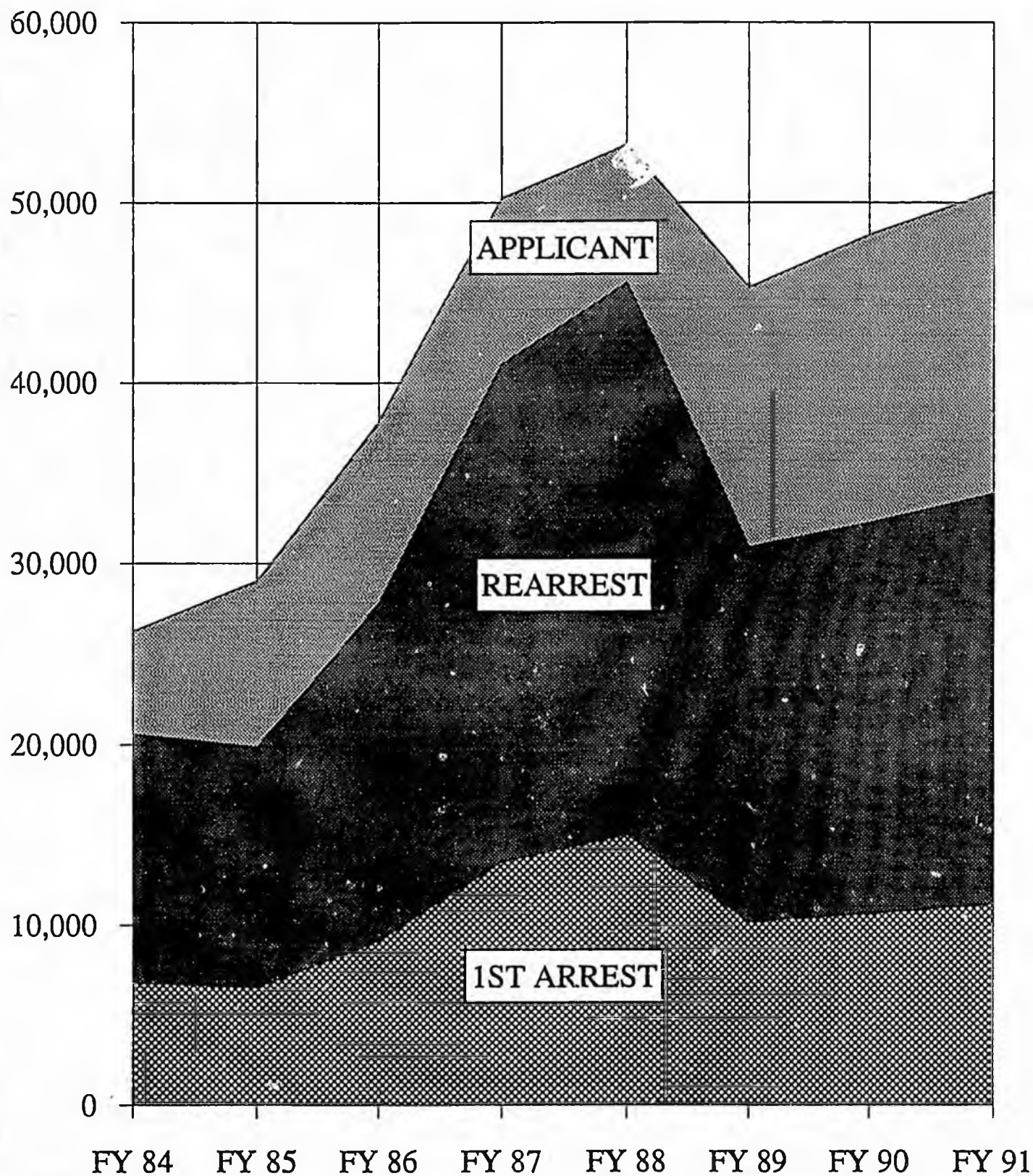
JUVENILE LATENT IDENTIFICATIONS 1985 - 1990



LATENT IDENTIFIED BY SEARCHING A FIRST TIME ARREST CARD AGAINST THE UNSOLVED
LATENT DATA BASE. (CRIME WAS COMMITTED WHEN THE PERPETRATOR WAS A JUVENILE.)

JFC. 91 3-8-91 DPS

TEN PRINT WORKLOAD BY FISCAL YEAR



FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. _____ CSSB NO. 17

Revision Date: 2/13/91 Department Affected: Health and Social Services
Title: "AN Act relating to fingerprinting of minors" BRU: Youth Services
Component: McLaughlin Youth Center, Johnson Youth Center, Nome Youth Center, Bethel Youth Center

Sponsor: Senators FISHER, Pearce

Requestor: _____ COMPONENT SERIAL NO.

--	--	--	--

Farbanks Youth Facility

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	10.0	10.0	10.0	10.0	10.0	10.0
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	10.0	10.0	10.0	10.0	10.0	10.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	4.0	4.0	4.0	4.0	4.0	4.0
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	25.0	25.0	25.0	25.0	25.0	25.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	25.0	25.0	25.0	25.0	25.0	25.0
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	25.0	25.0	25.0	25.0	25.0	25.0

POSITIONS:

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

Estimate of current year impact: NONE

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHMENT FOR FISCAL NOTE ANALYSIS.

Prepared By: Micheal L. Price, Director Phone: 465-3170

Division: Family and Youth Services Date: 2/5/91

Approved by Commissioner: Theodore A. Mala, MD, MPH

Agency: Department of Health and Social Services Date: 2/7/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE ANALYSIS

CSSB 17

(page 2 of 2)

The following cost analysis is based on a projection of 1400 minors who would require fingerprinting services upon admission to youth facilities operated by the Department. This results in a processing cost of approximately \$17.00 per minor which compares favorably with the fingerprint processing cost of the Department of Public Safety

PERSONAL SERVICES \$10,000

The personal services cost is overtime pay for all youth facility detention staff to attend fingerprint training. Overtime pay is used to cover the absence of the staff member, and in some cases for attendance to the training itself.

Training would establish the necessary skill level in the taking of fingerprints, to avoid rejections from the Department of Public Safety due to failure to meet standards for clarity.

CONTRACTUAL SERVICES \$10,000

Contractual costs include the purchase of trainer services and postage.

SUPPLIES \$1,000

Supplies costs include the purchase of materials to fingerprint 1400 minors.

EQUIPMENT \$4,000

Equipment costs include the purchase and maintenance of fingerprinting devices at each of the five youth facilities.

SB 18

HOUSE COMMITTEE REPORT

(11)

Date Referred: March 25, 1991

FURTHER REFERRALS:

Date of Committee Action: 5-1-91

The FINANCE Committee considered:

CS SSSB 18(FIN)

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 18 (FINANCE)

INVESTMENT OF PENSION FUNDS

"An Act establishing the Alaska State Pension Corporation; relating to management and investment of state pension funds and other state funds; and providing for an effective date."

RECOMMENDATIONS:

be replaced with HCS SSSB 18 (Fin) the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: HOUSE FINANCE letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

² fiscal impact REVENUE ALASKA PENSION FUND CORP.

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Eileen P. Maclean	✓	Mike Havens		✓	
Mark Bauer	X	Gene Turner		X	
Tam Brantley	✓				
Thomas	✓	Bob Sharp	X		
John Wilmer	✓	Bill E. Bell		✓	
		Donald J. ...		X	

Mike Havens *Eileen P. Maclean*

CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HCSCSSSSB 18 (Fin

Revision Date: _____ Department Affected: Alaska Pension Fund Corporati

Title: Alaska Pension Fund Corporation BRU: _____

Component: _____

Sponsor: Senator Pourchot

Requestor: House Finance Committee COMPONENT SERIAL NO.

--	--	--	--

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	10,246.7	20,424.8	20,424.8	20,424.8	20,424.8	20,424.8
TOTAL OPERATING	10,246.7	20,424.8	20,424.8	20,424.8	20,424.8	20,424.8

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER	10,246.7	20,424.8	20,424.8	20,424.8	20,424.8	20,424.8
TOTAL	10,246.7	20,424.8	20,424.8	20,424.8	20,424.8	20,424.8

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.) FY 92-97 are the amounts deleted from the Treasury budget for retirement funds as shown on page 2 of this fiscal note, plus
 1. \$298.4 for FY 92 and \$596.9 for FY 93-97 for SBS management (fund source 1007); and
 2. \$68.8 for FY 92-97 for 6 board meetings of nine members (funded pro rata among all fund sources). These additions are based on the costs in the HCSCSSSSB18(SA) fiscal note.

Prepared By: House Finance Committee *Mike Navarro* Representative Mike Navarro Phone: 465-3706

Division: Representative Eileen MacLean *E MacLean* Date: 465-3722
April 19, 1991

Approved by Commissioner: _____

Agency: _____ Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HCSCSSSB 18 (F1

Revision Date: _____ Department Affected: Revenue
Title: Alaska Pension Fund Corporation BRU: Treasury Management

Sponsor: Senator Pat Pourchot Component: _____
Requestor: House Finance Committee COMPONENT SERIAL NO.

	1	2	1
--	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	(9,879.5)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)
TOTAL OPERATING	(9,879.5)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER	(9,879.5)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)
TOTAL	(9,879.5)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)	(19,759.1)

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.) FY 92 is half the amounts contained in the FY 92 House budget for retirement funds appropriated to Treasury. FY 92 amount assumes the pension corporation takes over retirement fund investments January 1, 1992. FY 93-97 are the full amount of the FY 92 House budget for retirement funds appropriated to Treasury.

Prepared By: House Finance Committee
~~Representative Mike Navarro, Co-Chair 465-3770~~ Phone: _____
Division: Representative Eileen MacLean, Co-Chair 465-3770 Date: April 19, 1991

Approved by Commissioner: _____
Agency: _____ Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Committee on Finance

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

LETTER OF INTENT

HCSCSSSSB 18 (FIN)

"An Act establishing the Alaska State Pension Corporation; relating to the management and investment of state pension funds and other state funds; and providing for an effective date."

Acting within the fiduciary responsibility under the Prudent Investor Rule, the Alaska State Pension Corporation Board of Trustees is encouraged to look to and utilize local institutions and companies with sufficient capital for transactions in publicly traded securities and for investment and business opportunities within the State of Alaska.

Handwritten signature of Eileen MacLean in cursive.

Co-Chair Eileen MacLean
House Finance Committee

Handwritten signature of Mike Navarre in cursive.

Co-Chair Mike Navarre
House Finance Committee

HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 18 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS POURCHOT, Sturgulewski, Duncan, Collins

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Alaska State Pension Corporation; relating to management and
2 investment of state pension funds and other state funds; and providing for an effective
3 date."

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

5 * Section 1. AS 37.10 is amended by adding new sections to read:

6 ARTICLE 5. ALASKA STATE PENSION CORPORATION.

7 Sec. 37.10.210. ALASKA STATE PENSION CORPORATION. (a) There is established
8 the Alaska State Pension Corporation. The corporation is a public corporation in the Department
9 of Revenue managed by a board of trustees. The purpose of the corporation is to provide
10 professional management and investment of state pension funds and of other state funds upon
11 agreement with the managers of those funds.

12 (b) The board consists of nine trustees. Four of the trustees shall be elected by the
13 members of the retirement systems. Nominations may be made by the teachers' retirement board,
14 the public employees' retirement board, or by petition signed by at least 10 persons eligible to

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1 vote in the election. One of the elected trustees must be an active member of the public
2 employees' retirement system who is participating in the supplemental benefits program under
3 AS 39.30.150 - 39.30.180, one must be receiving a benefit from the public employees' retirement
4 system, one must be an active member of the teachers' retirement system, and one must be
5 receiving a benefit from a retirement system other than the public employees' retirement system.
6 The governor shall appoint two trustees from a list of nominees submitted by employers in the
7 retirement systems. The governor shall appoint one additional trustee from among the members
8 of the investment advisory council established under AS 37.10.270. The commissioner of
9 revenue and the commissioner of administration serve as trustees.

10 (c) The appointed and elected trustees shall serve for staggered terms of four years and
11 may be reappointed or reelected to the board.

12 (d) The governor may, by written notice to the trustee, remove an elected or appointed
13 trustee who cannot perform the normal duties associated with the trustee position due to mental
14 or physical incapacitation, who is convicted of a felony, who commits an act that under state law
15 constitutes a felony or a misdemeanor that is incompatible with service on the board, or who fails
16 to comply with AS 37.10.230. After a trustee receives written notice of removal from the
17 governor, the trustee may not participate in board business and may not be counted for purposes
18 of establishing a quorum.

19 (e) A vacancy on the board of trustees shall be promptly filled in the same manner as
20 the seat was originally filled. A person filling a vacancy holds office for the balance of the
21 unexpired term of the person's predecessor. A vacancy on the board does not impair the
22 authority of a quorum of the board to exercise all the powers and perform all the duties of the
23 board.

24 (f) The board of trustees shall annually elect a chair from among its members.

25 (g) Five trustees constitute a quorum for the transaction of business and the exercise of
26 the powers and duties of the board.

27 (h) A trustee may not designate another person to serve on the board in the absence of
28 the trustee.

29 (i) Trustees shall participate in financial education training.

30 Sec. 37.10.220. POWERS AND DUTIES OF THE BOARD. (a) The board shall

31 (1) hold regular and special meetings at the call of the chair or of at least four

1 members;

2 (2) establish investment policies for the funds for which it is responsible after
3 reviewing recommendations from the investment advisory council;

4 (3) submit long-range and quarterly investment reports to the Legislative Budget
5 and Audit Committee;

6 (4) report to the governor, the legislature, and employers participating in the
7 retirement systems by the first day of each regular legislative session concerning the investment
8 of funds for which the corporation is responsible including financial and investment policies
9 established by the board and enclose a summary of the most recent performance evaluations of
10 the funds managed by the corporation;

11 (5) contract with external performance evaluators to review the performance of
12 each fund for which the corporation is responsible and report each year on the fund's condition
13 to the board of trustees and to the other appropriate boards;

14 (6) engage independent certified public accountants to prepare an annual audit of
15 each of the funds for which the corporation is responsible and to report to the board with the
16 results of the audit;

17 (7) advise the commissioner of administration concerning the investment of funds
18 held under the state deferred compensation program.

19 (b) The board may

20 (1) employ outside investment advisors to review investment policies and make
21 recommendations to the board;

22 (2) employ legal counsel;

23 (3) enter into an agreement with the manager of another state fund to assume
24 fiduciary, administrative, or management responsibilities for investing the other state fund;

25 (4) do all acts necessary, convenient, or desirable to carry out the powers
26 expressly granted or necessarily implied in this chapter.

27 Sec. 37.10.230. CONFLICTS OF INTEREST. (a) Trustees, the executive director,
28 investment officers, and other fiduciaries who are employees of the corporation are subject to the
29 provisions of AS 39.50. The board may designate other employees who are also subject to the
30 provisions of AS 39.50.

31 (b) If a trustee, officer, or employee of the corporation acquires, owns, or controls an

1 interest, direct or indirect, in an entity or project in which assets under the control of the
2 corporation are invested, the trustee, officer, or employee shall immediately disclose the interest
3 to the board. The disclosure is a matter of public record and shall be included in the minutes
4 of the board meeting next following the disclosure. The board shall adopt regulations to restrict
5 trustees, officers, and employees from having a substantial interest in an entity or project in
6 which assets under the control of the corporation are invested.

7 (c) Failure to comply with the requirements of this section or regulations enacted under
8 it is grounds for termination of employment.

9 Sec. 37.10.240. REGULATIONS. The board may adopt regulations under the
10 Administrative Procedure Act (AS 44.62) to implement AS 37.10.210 - 37.10.390. The board
11 shall adopt regulations required by AS 36.30.015(f) relating to procurement.

12 Sec. 37.10.250. COMPENSATION OF TRUSTEES. Trustees, other than trustees who
13 are employees of the state or a political subdivision of the state, receive an honorarium of \$150
14 for each day spent at a meeting of the board or at a meeting of a subcommittee of the board or
15 at a public meeting as a representative of the board. Trustees who are state employees are
16 entitled to administrative leave for service as a trustee. Trustees who are employees of a political
17 subdivision of the state are entitled to leave benefits provided by their employers comparable to
18 those provided to state employees for service as a trustee. Trustees are entitled to per diem and
19 travel expenses authorized for boards and commissions under AS 39.20.180.

20 Sec. 37.10.260. STAFF. (a) The board shall employ an executive director. The
21 executive director must be qualified by training and experience to manage, administer, and direct
22 the investment of funds. The board shall fix the compensation of the executive director and other
23 employees. The executive, administrative, and investment functions of the board are vested in
24 the executive director who serves under the supervision of the board. With approval of the
25 board, the executive director may appoint employees of the corporation as necessary.

26 (b) The board shall adopt regulations that restrict the executive director, investment
27 directors, other officers, and employees from having financial interest, directly or indirectly, in
28 firms or corporations that provide services to the corporation. Officers and employees of the
29 corporation are subject to AS 39.52.

30 (c) The executive director and each investment director shall file a bond for the faithful
31 performance of duties in the amount and with the sureties as required by the board.

1 (d) Officers and employees of the corporation are members of the exempt service under
2 AS 39.25.110.

3 (e) A deed, contract, or other document that must be executed by or on behalf of the
4 corporation shall be signed by the executive director.

5 Sec. 37.10.270. INVESTMENT ADVISORY COUNCIL. (a) The board shall appoint
6 an investment advisory council composed of at least three and not more than five members.
7 Members of the council shall possess experience and expertise in financial investments and
8 management of investment portfolios for public, corporate, or union pension benefit funds,
9 foundations, or endowments.

10 (b) Members of the council serve at the pleasure of the board for staggered terms of three
11 years.

12 (c) The board shall establish the compensation of members of the council. Members of
13 the council are entitled to per diem and travel expenses authorized for boards and commissions
14 under AS 39.20.180.

15 (d) The council shall

16 (1) recommend to the governor a member of the council for appointment to the
17 board of trustees;

18 (2) review the investments made by the board;

19 (3) make recommendations to the board concerning the board's investment
20 policies, investment strategy, and investment procedures;

21 (4) advise the board on selection of performance consultants, auditors, and on the
22 form and content of annual reports;

23 (5) provide other advice as requested by the board.

24 (e) With approval of the board, the council may contract with other state agencies to
25 provide investment advice.

26 Sec. 37.10.280. INSURANCE. The corporation shall protect trustee assets and its own
27 assets, services, and employees by purchasing insurance or providing for self-insurance retention
28 in amounts recommended by the executive director and approved by the board to cover the acts,
29 including fiduciary acts, errors, and omissions of its board members, officers, employees, and
30 agents. Insurance must protect the corporation and the state from liability to others and from loss
31 of trustee assets and assets of the corporation.

1 Sec. 37.10.290. EXEMPTION FROM TAXATION. Except as provided in
2 AS 29.45.030(a) for property acquired through foreclosure or deed in lieu of foreclosure, the
3 corporation and all properties at any time owned by it, managed by it, or held by it in trust, and
4 the income from those activities, are exempt from all taxes and assessments in the state. All
5 security instruments issued by the corporation and income from them are exempt from all taxes
6 and assessments in the state, including transfer taxes.

7 Sec. 37.10.300. SURETY FOR DEPOSITS WITH BANKS. Banks, trust companies,
8 savings banks, other persons carrying on a banking business, and other financial institutions, are
9 authorized to give sureties to the corporation. The sureties shall be approved by the corporation
10 to the effect that the banks or financial institutions shall faithfully keep and pay over to the order
11 of or upon the warrant of the corporation or its authorized agent all money deposited with them
12 by the corporation and agreed interest, at the times or upon the demands agreed on with the
13 banks or financial institutions. In lieu of these sureties, a depository bank or other financial
14 institution shall deposit with the corporation or its authorized agent or a trustee as collateral,
15 securities approved by the corporation. The deposits of the corporation may be evidenced by
16 agreements in the form and upon the terms and conditions that are agreed upon by the
17 corporation and the depository banks or financial institutions.

18 Sec. 37.10.310. LIMITATIONS. The corporation may not engage in commercial banking
19 activity or private trust activity. The corporation may not act as a depository or trustee for a
20 private person, association, or corporation. The corporation may not act as a lender to a private
21 person, association, or corporation of money from any source except state funds under
22 management by the corporation.

23 Sec. 37.10.320. LIABILITY. A liability incurred by the corporation shall be satisfied
24 exclusively from the assets or revenue of the corporation and a creditor or other person may not
25 have a right of action against the state because of a debt, obligation, or liability of the
26 corporation. A liability of the corporation may not be satisfied from trust assets unless expressly
27 authorized by law.

28 Sec. 37.10.390. DEFINITIONS. In AS 37.10.210 - 37.10.390, unless the context
29 otherwise requires,

30 (1) "board" means the board of trustees of the corporation;

31 (2) "corporation" means the Alaska State Pension Corporation;

1 (3) "retirement systems" means the teachers' retirement system, the judicial
2 retirement system, the Alaska National Guard and Alaska Naval Militia retirement system, and
3 the public employees' retirement system.

4 * Sec. 2. AS 06.05.025 is amended by adding a new subsection to read:

5 (d) At the request of the board of trustees of the Alaska State Pension Corporation or of
6 the legislative auditor, the department shall make an examination of the corporation under this
7 section.

8 * Sec. 3. AS 14.25.035(d) is amended to read:

9 (d) The commissioner of administration shall report to the board concerning the condition
10 and administration of the system. The reports shall be distributed to the members of the system.
11 The Alaska State Pension Corporation [COMMISSIONER OF REVENUE] shall provide
12 reports to the board on the condition and investment performance of the teachers' retirement trust
13 fund including a summary of an annual external performance review.

14 * Sec. 4. AS 14.25.180 is amended to read:

15 Sec. 14.25.180. MANAGEMENT AND INVESTMENT OF FUND. (a) The Alaska
16 State Pension Corporation [COMMISSIONER OF REVENUE] is the [TREASURER OF THE
17 SYSTEM AND THE] fiduciary of the fund. In managing the fund, the Alaska State Pension
18 Corporation [COMMISSIONER OF REVENUE] shall

19 (1) consider the status of the fund's investments and the system's liabilities on
20 both a current and a probable future basis;

21 (2) determine the appropriate investment objectives for the fund;

22 (3) establish investment policies aimed at achieving the objectives; and

23 (4) act only in regard to the best financial interests of the system's beneficiaries.

24 (b) The Alaska State Pension Corporation [COMMISSIONER OF REVENUE] may
25 invest the fund on the basis of probable total rate of return without regard to the distinction
26 between principal and income or to the generation of income.

27 (c) In carrying out investment duties under this chapter, the Alaska State Pension
28 Corporation [COMMISSIONER OF REVENUE] has the same powers and duties in regard to
29 the teacher's retirement trust fund as are provided in AS 37.10.071, except that the standard of
30 prudence that the corporation [COMMISSIONER] must obey under AS 37.10.071(c) shall be
31 in regard to the management of large trust investments rather than large investments.