

**ALASKA LEGISLATURE**

**1189**

**HOUSE and SENATE FINANCE COMMITTEE FILES,**

**1993-1994**

**203**

**CS FOR SENATE BILL NO. 225(HES)****IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - SECOND SESSION****BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE****Offered: 2/4/94**  
**Referred: JUD, FIN****Sponsor(s): SENATOR KERTTULA****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to credits against certain insurance taxes for contributions to  
2 certain educational institutions; and providing for an effective date."

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

4 \* **Section 1.** AS 21.09.210 is amended by adding a new subsection to read:

5 (j) The provisions of AS 21.89.070 apply to a taxpayer who is required to pay  
6 a tax due under this section.

7 \* **Sec. 2.** AS 21.66.110 is amended by adding a new subsection to read:

8 (b) The provisions of AS 21.89.070 apply to a taxpayer who is required to pay  
9 the tax due under this section.

10 \* **Sec. 3.** AS 21.89 is amended by adding a new section to read:

11 **Sec. 21.89.070. INSURANCE TAX CREDIT FOR GIFTS TO COLLEGES.**

12 (a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or  
13 AS 21.66.110 for cash contributions for direct instruction, research, and educational  
14 support purposes, including library and museum acquisitions, and contributions to

1 endowment, that are accepted by a nonprofit, public or private, Alaska two-year or  
2 four-year college or university accredited by a regional accreditation association or that  
3 are accepted by an Alaska university foundation that supports a university or college  
4 that could receive a contribution for which a taxpayer may obtain a credit under this  
5 section. The amount of the credit is the lesser of

6 (1) an amount equal to

7 (A) 50 percent of contributions of not more than \$100,000; and

8 (B) 100 percent of the next \$100,000 of contributions; or

9 (2) 50 percent of the taxpayer's tax liability under this title.

10 (b) By September 30 of each year, the Department of Commerce and  
11 Economic Development shall report to the Legislative Budget and Audit Committee  
12 on the credits taken during the preceding state fiscal year under this section. Each  
13 public college and university shall include in its annual operating budget request  
14 contributions received and how the contributions were used.

15 (c) A contribution claimed as a credit under this section

16 (1) may not be claimed as a credit under more than one provision of  
17 this title; and

18 (2) may not, when combined with credits taken during the taxpayer's  
19 tax year under AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or  
20 AS 43.75.018, exceed \$150,000.

21 \* Sec. 4. AS 43.20.014(d) is amended to read:

22 (d) A contribution claimed as a credit under this section

23 (1) may not be claimed as a credit under another provision of this title;

24 (2) may not also be allowed as a deduction under 26 U.S.C. 170 against  
25 the tax imposed by this chapter; and

26 (3) may not, when combined with credits taken during the taxpayer's  
27 tax year under AS 21.89.070, AS 43.55.019, AS 43.56.018, AS 43.65.018, or  
28 AS 43.75.018, exceed \$150,000.

29 \* Sec. 5. AS 43.55.019(d) is amended to read:

30 (d) A contribution claimed as a credit under this section may not

31 (1) be claimed as a credit under another provision of this title; and

1 (2) when combined with credits taken during the taxpayer's tax year  
2 under AS 21.89.070, AS 43.20.014, AS 43.56.018, AS 43.65.018, or AS 43.75.018,  
3 exceed \$150,000.

4 \* Sec. 6. AS 43.56.018(d) is amended to read:

5 (d) A contribution claimed as a credit under this section may not  
6 (1) be claimed as a credit under another provision of this title; and  
7 (2) when combined with credits taken during the taxpayer's tax year  
8 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.65.018, or AS 43.75.018,  
9 exceed \$150,000.

10 \* Sec. 7. AS 43.65.018(d) is amended to read:

11 (d) A contribution claimed as a credit under this section may not  
12 (1) be claimed as a credit under another provision of this title; and  
13 (2) when combined with credits taken during the taxpayer's tax year  
14 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.75.018,  
15 exceed \$150,000.

16 \* Sec. 8. AS 43.75.018(d) is amended to read:

17 (d) A contribution claimed as a credit under this section may not  
18 (1) be claimed as a credit under another provision of this title; and  
19 (2) when combined with credits taken during the taxpayer's tax year  
20 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.65.018,  
21 exceed \$150,000.

22 \* Sec. 9. This Act is retroactive to January 1, 1994, and applies to contributions made  
23 under AS 21.89.070, added by sec. 3 of this Act, after December 31, 1993.

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

213194  
(S) HES, JUD,  
FIN

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. SB 225

Revision Date: \_\_\_\_\_ Dept. Affected: Revenue  
 Title: Insurance Tax Credit: Gifts to Colleges BRU: Revenue Operations  
 Component: Income and Excise Audit  
 Sponsor: Senator Kerttula  
 Requestor: (S) HES COMPONENT SERIAL NO. 113

**Expenditures/Revenues:**

(Thousands of Dollars)

	FY95	FY96	FY97	FY98	FY99	FY00
<b>OPERATING</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL</b>						
<b>REVENUE FUND SOURCE: General</b>	..	..	..	..	..	..

**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ 0

**ANALYSIS:** (Attach a separate page if necessary.)

\*\* It is not feasible to determine how credits claimed under this bill will impact credits claimed under AS Title 43 because credits under both Title 21 and Title 43 are competing for the \$150,000 total credit limitation. Amounts will vary depending on contributions made by taxpayers each year.

Prepared by: Larry E. Meyers Phone: 465-2320  
 Division: Income and Excise Audit Date: January 31, 1994  
 Approved by Commissioner: Darrel J. Rexwinkel Date: January 31, 1994  
 Agency: Department of Revenue

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~~SECRET~~

UNIVERSITY OF ALASKA  
Statewide Administration

TO: Senate Finance Committee *Sen. Pearce*  
FROM: Wendy Redman, Vice President *WR*  
DATE: March 16, 1994  
RE: SB 225 Tax Credits for Insurance Companies

I was unable to be at the Finance hearing on SB 225 on Saturday, March 12, and have been asked to respond to questions that came up at the meeting and during subsequent floor debate on the bill.

1) Impact on state general fund. While we know that the current tax credit legislation has been helpful to us in securing corporate donations, the exact impact in terms of the loss to the general fund is unknown to us. The University has no responsibility in filing for tax credits on behalf of donors, nor do the donors share their tax submissions with the University. We do know however, that the following corporations have made donations to the University during the past year, and that they indicated they might make use of the tax credit.

Mapco	\$100,000
Usibelli	\$200,000
Princess	\$100,000
CIRI	\$150,000
TOTE	\$200,000
Holland America	<u>\$100,000</u>
TOTAL	\$850,000

We have no way of knowing what these corporations tax liability is to the State of Alaska, and thus have no way of knowing what the tax credit impact would be. As an example, however, the current law allows a 50% credit against taxes due on donations to higher education institutions for the first \$100,00 and a 100% credit against taxes due on the second \$100,000. For example, if the Mapco company owed the State \$300,000 in corporate taxes they would, by virtue of their \$100,000 contribution to the University of Alaska, be paying \$250,000 in taxes. If TOTE owed the State \$300,000 in taxes they would, by virtue of their \$200,000 contribution to the University of Alaska, be paying \$150,000 in taxes.

2) How many insurance companies might take advantage of the tax credit? Based on our considerable experience in fund-raising in Alaska, we estimate that 5 or 6 insurance companies doing business in Alaska will make charitable contributions to higher education and possibly take advantage of the tax credit opportunity.

2) What role has the current tax credit legislation played in the recent UAF "Northern Momentum" fund raising campaign? UAF raised approximately \$12 million during their 4 year campaign. The funds have been received as follows:

a)	Cash	\$8,308,948
b)	In-kind donations	845,255
c)	Pledges	2,318,669
d)	Bequests	<u>765,000</u>

TOTAL \$12,137,872

Of this amount, \$11,549,071 is in the form of restricted gifts to specific program endowments. Of the total cash contributions, the vast majority are in the form of individual contributions from Alaskans who are not subject to state taxation. Our best estimate is that, over the 4 year campaign, approximately \$1 million of the total donations come from individuals or corporations that might use the state's tax credit opportunity.

3) Tax credit legislation represents a drain on the state's revenue base. The notion that corporations would rush to donate money to the state's higher education institutions to offset their state tax liabilities has not materialized, nor is such an event likely to happen in the future. Philanthropy in the corporate sector is a complicated practice, and the decisions regarding charitable contributions have more to do with public relations than tax accounting. The tax credit legislation is not enough by itself to encourage large donations; it is simply an extra incentive for those corporations that already have a history of philanthropy regarding higher education.

In closing, I would point out that during the past decade -- FY84 to FY94:

Enrollment has increased 19.7%  
Tuition has increased 73.4%  
Federal and restricted receipts have increased 63.1%  
Inflation increased by 32%  
**General Fund has increased 7%**

While the UA endowment is still quite small, we see private fund-raising as essential in view of our growing needs and the state's restricted ability to provide additional funding. During the past decade the general fund support to the University has dropped from 60% of the total UA budget to 40%. With the support of the Legislature, including passage of the tax credit legislation, the University has moved aggressively to meet the state's educational needs with limited additional state revenue. Your continued support is essential as we struggle to meet the increased demand for services with even more restrictions on our state funding.



# Alaska State Legislature

## SENATE

Official Business

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

March 1, 1994

### MEMORANDUM

To: Senator *Drue* Pearce, Co-Chair  
Senate Finance Committee

From: Senator Jay *Jay* Kertula

Re: S. B. 225 relating to credits against certain insurance  
taxes for contributions to certain educational  
institutions

Please schedule the above bill for a hearing at your earliest convenience. Attached you will find a sectional analysis, sponsor statement, a fiscal note from the Department of Commerce and Economic Development and letters of support from the University of Alaska, Alaska Pacific University and Sheldon Jackson.

Thank you in advance for your assistance in this matter.

## Sponsor Statement

### S.B 225 Tax Credits for Contributions to Certain Educational Institutions

Senator Jay Kerttula

SB 225 will extend the already existing tax credit to authorized insurance and title insurance companies. Presently, corporate taxpayers, oil and gas producers, and mining and fishing companies are able to credit their tax liability for up to \$150,000, if they donate to a qualified educational institution.

Insurance and Title Insurance companies are unable to take advantage of this tax credit because they pay a premium tax instead of corporate income tax.

SB 225 provides that authorized insurance companies may take as a tax credit 50% of the first \$100,000 and 100% of the next \$100,000 donated to a qualified institution. The maximum tax credit available is \$150,000 or 50% of the tax liability. (The further limitation of 50% of tax liability was included based on discussions with the division of insurance.)

In fiscal 1993 the division of insurance collected \$30,159,550 in fees and taxes and expended for operating purposes \$3,359,860.

During 1993 a total of \$533,429 was applied by the Department of Revenue to tax returns of qualified corporations as tax credits for educational institutions.

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105


MEMORANDUM

January 19, 1994

**SUBJECT:** Senate Bill 225 -- Sectional analysis (Work Order No. 8-LS1268E)

**TO:** Senator Jalmar Kerttula  
Attn: Carol Carrol

**FROM:** Jack Chenoweth  
Legislative Counsel



The measure would extend to payers of taxes imposed under the statutory title which regulates the business of insurance (AS 21) the same opportunity to claim credits for gifts to state educational institutions as were authorized for payers of various taxes imposed under AS 43 by ch. 71, SLA 1991.

Bill section 1: The bill section adds a subsection (j) to AS 21.09.210 that authorizes a claim of the credit against taxes due and payable under the general levy imposed on direct insurance premium income.

Bill section 2: The bill section adds a subsection (b) to AS 21.66.110 that authorizes a claim of the credit against taxes due and payable under the levy imposed on title insurance premiums.

Bill section 3: This provision defines the credit, extending the opportunity to claim a credit against taxes for contributions to qualifying educational institutions. The language derives directly from the claim of the credit authorized by the taxes imposed under AS 43. In amount, the claim of credit is limited to the lesser amount of (1) one-half of the amount of contributions on the first \$100,000 (\$50,000) and the full amount of the contribution on the next \$100,000, an effective maximum of \$150,000, or (2) 50 percent of the taxpayer's tax liability under AS 21.

Bill sections 4 - 8: The amendments to these five sections conform the various sections under which the educational institution credit is authorized against the corporate income tax (AS 43.20), oil and gas production (i.e severance) tax and surcharge (AS 43.55), oil and gas property tax (AS 43.56), mining license tax (AS 43.65), and fisheries business tax (43.75). Cumulative claims of the credits

Senator Jalmar Kerttula  
January 19, 1994  
Page 2

against all taxes--the insurance tax addressed in this bill and the five other taxes against which the claim may be made--during any one tax year may not, in total, exceed \$150,000.

Bill section 9: This provision makes the insurance tax credit claimable retroactive to January 1, 1994, to allow for a claim of the full amount of the credit in the current calendar year.

Bill section 10 gives the bill an immediate effective date.

JBC:pl  
94-050.plm



Wendy Redman, Vice President  
University Relations  
(907) 474-7562  
(907) 474-7570 (FAX)

University of Alaska Statewide System  
Fairbanks, Alaska 99775-6280

TO: Senate HESS Committee

FROM: Wendy Redman, Vice President *WR*

DATE: February 2, 1994

RE: SB 225 - Credits Against Certain Insurance Taxes

I am sorry that I am unable to testify in person, or by audio conference, in support of SB 225, but I ask that this letter be included in the proceedings of the meeting, and that the University of Alaska be shown as strongly in favor of passage.

The tax credit legislation passed several years ago has proved very helpful to the University of Alaska, to APU and to Sheldon Jackson College in seeking private funds in support of our academic programs. Corporations and businesses that are inclined to donate to higher education find it much more appealing because of the tax credit opportunity. It has been a significant asset for our fund-raisers in presenting their case to potential donors.

Legislation regarding the taxation of insurance companies doing business in Alaska precludes them from being able to utilize the current corporate tax credit. The legislation before you will extend the tax credit to this group of corporations and, we hope, make them more favorable to our solicitations.

As you know the legislature has been encouraging the University of Alaska to seek alternative revenue sources including private fund-raising. UAF has been particularly active, having just completed their first major campaign. The campus raised close to \$12 million over the past two years, exceeding their goal by \$2 million. The majority of these funds are in endowments that will provide benefits to students far into the future. UAA and UAS have engaged in smaller efforts, but they have each had notable success over the past year with several substantial gifts.

During discussion on the original legislation there were concerns that other private non-profit groups would be disadvantaged if donors were encouraged, by use of a tax credit, to give money to higher education. I believe that the pattern of private fund-raising in the state has shown that this is not true, and that corporations and businesses continue to make donations following their own internal priorities and principles. The tax credit is an advantage for securing donations that are already targeted for higher education but for one reason or another just haven't materialized.

Thank you for your interest and again, on behalf of the University of Alaska, I urge your support of this legislation, and ask for your vote to move SB 225 from the HESS Committee.

# ALASKA PACIFIC UNIVERSITY

The President

FAX for Senator Jay Kerttula  
 Re: Education Tax Credit

Dear Senator Kerttula:

I write to support Senate Bill 225 which seeks to include within the Education Tax Credit legislation a group of Alaskan corporations who were inadvertently left out of the earlier legislation. I refer to insurance companies who do not pay state income tax but do pay a tax based on premiums.

The inadvertence was due to the fact that the insurance companies are included in a different part of the code. S225 seeks to remedy this oversight to make it possible for these companies to receive credits against certain insurance taxes for contribution to certain educational institutions in the same way that is available to other companies under paragraphs in AS43.

Insurance companies, interested in making gifts through the Education Tax Credit program, have urged us to seek a way for them to be included in the program.

This is very important especially to the two private institutions in the state, Alaska Pacific University and Sheldon Jackson College, and to the University of Alaska Foundation. It encourages corporations to support institutions that are totally dependant on private philanthropy. These institutions provide substantial service to the state by educating a significant percentage of Alaska's students with high quality programs.

I urge the passage of S225.

Cordially,

*Tom*

F. Thomas Trotter  
 President

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To <i>Council</i>	From <i>F. Thomas Trotter</i>	
Co. <i>Sen. Kerttula's Office</i>	Ro. <i>221</i>	
Dept.	Phone # <i>541-8220</i>	
Fax # <i>415-5501</i>	Fax #	



Office of the President

February 14, 1994

Honorable Senator Jay Kerttula  
PO Box V  
Juneau, AK 99811

RE: Senate Bill 225

Dear Senator Kerttula,

The above cited piece of legislation is of great interest to Sheldon Jackson College and the institutions of higher education in this state. We are in support of this bill and we appreciate your efforts in its introduction.

The Alaska Income Tax Education Credit is an extremely useful tool for Alaskans because it encourages mutually beneficial partnerships between industry and higher education. This tool allows colleges in the state to enhance and improve academic programs by having access to the funding necessary to implement quality education for Alaskans.

An omission in the original legislation, namely the omission of including the insurance industry as a taxpayer group eligible to participate in this most essential partnering incentive, can be rectified by SB 225.

We support the passage of SB 225 in order to rectify the omission of the original bill. Thank you for recognizing and attempting to correct the oversight of the incentive.

Best regards,

Kenneth M. Cameron D.M.D.  
President (Acting)

**Revenue, Appropriations, and Expenditures**  
Fiscal Years 1940 — 1993

Year	Fees	Taxes	Receipts	Appropriation	Expenditure
1940	4,769	27,274	32,043		
1950	26,620	162,035	188,655		
6/30/60	80,204	857,211	937,415	42,400	
6/30/70	171,114	2,561,761	2,732,875		156,449
6/30/80	536,297	10,435,773	10,972,070		735,816
6/30/90	2,159,787	22,691,760	24,851,547	1,360,600	1,935,555
6/30/91	3,064,073	24,434,506	27,498,579	2,708,200	2,478,996
6/30/92	2,951,046	26,342,790	29,293,836	2,518,800	2,474,052
6/30/93	3,821,419	26,338,131	30,159,550	3,456,100	3,359,860

**Total Premiums Written**  
1950 - 1992  
(\$000)

Year	Property & Casualty	Disability*	Life	Title	Surplus & Self-Procured	Unauthor-ized Insurers	Unauthor-ized Wet Marine & Transportation	Total
1950	6,732	238	1,104	19	1,575			9,668
1960	20,701	3,605	6,679	357	2,812			34,154
1970	62,045	19,539	21,987	2,001	7,021			113,193
1980	243,067	99,440	75,608	8,064	52,509			478,688
1985	562,034	193,166	117,927	16,283	66,715			956,125
1986	618,059	191,478	132,021	15,915	84,508			1,041,981
1987	588,850	144,444	127,956	11,020	72,652			944,922
1988	568,604	170,598	120,649	10,010	52,353			922,214
1989	601,003	203,154	111,360	13,450	54,874			983,841
1990	622,187	212,209	119,224	12,172	49,582	3,719	8,309	1,027,402
1991	697,043	332,470	117,398	11,184	47,041	1,341	1,685	1,208,162
1992	676,911	306,716	129,673	13,151	48,819	6	4,719	1,179,995

\*(includes Hospital and Medical Service Corporations)

# University of Alaska

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## Statewide System

### SB 225 CREDITS AGAINST INSURANCE TAXES

Sponsor: Senator Kerttula

Alaska's existing tax credit legislation has proved very helpful to the University of Alaska, to Alaska Pacific University and to Sheldon Jackson College in seeking private funds in support of academic programs. Corporations and businesses that are inclined to donate to higher education find it much more appealing because of the tax credit opportunity. It has been a significant asset for the university fund-raisers in presenting their case to potential donors. UA estimates are that in 1993, the tax credit option was utilized in donations that exceeded \$1 million.

Legislation regarding the taxation of insurance companies doing business in Alaska precludes them from being able to utilize the current corporate tax credit. SB 225 will extend the tax credit to this group of corporations and, it is hoped, make them more favorable to solicitations by the state's higher education institutions.

The legislature has been encouraging the University of Alaska to seek alternative revenue sources including private fund-raising. UAF has been particularly active, having just completed their first major campaign. The campus raised close to \$12 million over the past two years, exceeding their goal by \$2 million. The majority of these funds are in endowments that will provide benefits to students far into the future. UAA and UAS have engaged in less ambitious efforts, but they have each had notable success over the past year with several substantial gifts.

The University urges the legislature to pass SB 225 so that the tax credit option can be extended to the insurance companies doing business in Alaska. Passage of this legislation will enhance the fund-raising capabilities of Alaska's higher education institutions.

**contact :**

Wendy Redman  
University Relations  
463-3086/474-7582

**FISCAL NOTE**

1/31/94  
1994 LEGISLATIVE SESSION

**STATE OF ALASKA  
1994 LEGISLATIVE SESSION**

**BILL NO. SB 225**

Revision Date: \_\_\_\_\_  
 Title: Insurance Tax Credits: Gifts to Colleges  
 \_\_\_\_\_  
 Sponsor: Kerttula  
 Requestor: \_\_\_\_\_

Department Affected: Commerce and Economic Development  
 BRU: Insurance  
 Component: Operations  
 \_\_\_\_\_  
**COMPONENT SERIAL NO. 354**

**Expenditures/Revenues:**

<b>OPERATING EXPENDITURES</b>	<b>FY 95</b>	<b>FY 96</b>	<b>FY 97</b>	<b>FY 98</b>	<b>FY 99</b>	<b>FY 00</b>
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
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>CAPITAL EXPENDITURES</b>	0	0	0	0	0	0
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<b>CHANGE IN REVENUES ( )</b>	(900.0)	(900.0)	(900.0)	(900.0)	(900.0)	(900.0)
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GF 1004 & 68515

**FUND SOURCE**

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimate of current year (FY 94) cost: \$ 0

**POSITIONS**

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

**ANALYSIS: (Attach a separate page if necessary.)**

This bill provides for a maximum annual premium tax credit of \$150,000 for cash gifts to Alaska colleges. Any tax credit will reduce general fund premium tax revenue (OMB 1004, SAS 68515) by a like amount. It is impossible to predict the amount of premium tax credits that would be applicable in any given year. However, if six companies claimed the maximum premium credit, the result would be a loss of \$900.0 to the general fund.

Prepared by: Joan Brown, Administrative Officer  
 Division: Insurance

Phone: 465-2597  
 Date: 1/20/94

Approved by Commissioner: Paul Fuhs  
 Agency: Commerce and Economic Development

Date: \_\_\_\_\_

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## SENATE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR KERTTULA

Introduced: 1/10/94  
Referred: HES, JUD, FIN

## A BILL

## FOR AN ACT ENTITLED

1 "An Act relating to credits against certain insurance taxes for contributions to  
2 certain educational institutions; and providing for an effective date."

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

4 \* Section 1. AS 21.09.210 is amended by adding a new subsection to read:

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8 (b) The provisions of AS 21.89.070 apply to a taxpayer who is required to pay  
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12 (a) For cash contributions accepted for direct instruction, research, and educational  
13 support purposes, including library and museum acquisitions, and contributions to  
14 endowment, by a nonprofit, public or private, Alaska two-year or four-year college or

1 by an Alaska university foundation accredited by a regional accreditation association,  
2 a taxpayer is allowed as a credit against the tax due under AS 21.09.210 or  
3 AS 21.66.110 the lesser of

4 (1) an amount equal to

5 (A) 50 percent of contributions of not more than \$100,000; and

6 (B) 100 percent of the next \$100,000 of contributions, or

7 (2) 50 percent of the taxpayer's tax liability under this title.

8 (b) By September 30 of each year, the Department of Commerce and  
9 Economic Development shall report to the Legislative Budget and Audit Committee  
10 on the credits taken during the preceding state fiscal year under this section. Each  
11 public college and university shall include in its annual operating budget request  
12 contributions received and how the contributions were used.

13 (c) A contribution claimed as a credit under this section

14 (1) may not be claimed as a credit under more than one provision of  
15 this title; and

16 (2) may not, when combined with credits taken during the taxpayer's  
17 tax year under AS 43.20.014, AS 43.55.019, AS 43.56.018, AS 43.65.018, or  
18 AS 43.75.018, exceed \$150,000.

19 \* Sec. 4. AS 43.20.014(d) is amended to read:

20 (d) A contribution claimed as a credit under this section

21 (1) may not be claimed as a credit under another provision of this title;

22 (2) may not also be allowed as a deduction under 26 U.S.C. 170 against  
23 the tax imposed by this chapter; and

24 (3) may not, when combined with credits taken during the taxpayer's  
25 tax year under AS 21.89.070, AS 43.55.019, AS 43.56.018, AS 43.65.018, or  
26 AS 43.75.018, exceed \$150,000.

27 \* Sec. 5. AS 43.55.019(d) is amended to read:

28 (d) A contribution claimed as a credit under this section may not

29 (1) be claimed as a credit under another provision of this title; and

30 (2) when combined with credits taken during the taxpayer's tax year  
31 under AS 21.89.070, AS 43.20.014, AS 43.56.018, AS 43.65.018, or AS 43.75.018,

1 exceed \$150,000.

2 \* Sec. 6. AS 43.56.018(d) is amended to read:

3 (d) A contribution claimed as a credit under this section may not

4 (1) be claimed as a credit under another provision of this title; and

5 (2) when combined with credits taken during the taxpayer's tax year

6 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.65.018, or AS 43.75.018,

7 exceed \$150,000.

8 \* Sec. 7. AS 43.65.018(d) is amended to read:

9 (d) A contribution claimed as a credit under this section may not

10 (1) be claimed as a credit under another provision of this title; and

11 (2) when combined with credit. taken during the taxpayer's tax year

12 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.75.018,

13 exceed \$150,000.

14 \* Sec. 8. AS 43.75.018(d) is amended to read:

15 (d) A contribution claimed as a credit under this section may not

16 (1) be claimed as a credit under another provision of this title; and

17 (2) when combined with credits taken during the taxpayer's tax year

18 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.65.018,

19 exceed \$150,000.

20 \* Sec. 9. This Act is retroactive to January 1, 1994, and applies to contributions made

21 under AS 21.89.070, added by sec. 3 of this Act, after December 31, 1993.

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

SENATE COMMITTEE REPORT

*md*

DATE: 2/4/94

FURTHER: Finance

DATE TURNED INTO OFFICE: 2/24/94

Judiciary Committee considered SENATE BILL NO. 225

"~~An Act~~ relating to credits against certain insurance taxes for contributions to certain educational institutions and providing for an effective date."

and recommends:

*Recommend*  
 replace with \_\_\_\_\_ CS \_\_\_\_\_  
 or  adopt previous CS SB 225 (HESS)  
 attaches amendment(s) the HESS - CS -

same title  
 new title  
 technical title change  
 (HB only)

*+ reports it back as follows*

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

*1 OKM  
1 KM*

NEW FISCAL NOTES

Department	Date	Zero	Fiscal
BEV	1/3/94	✓	
DCED	1/20/94		✓

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS:

OTHER RECOMMENDATIONS:

① *Propose that...*

*NOREC*  
 ② *Daniel D... believe statute being amended is unconstitutional*  
 ③ *D... little (no Rec)*

① *Adrian L. Taylor*  
 Chair: Signature and Recommendation

**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

*Frank*

DATE: 1/10/94

FURTHER: Judiciary  
Finance

Date of 5-Day Notice: 1/27/94  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-4-94

HES Committee considered SENATE BILL NO. 225

"An Act relating to credits against certain insurance taxes for contributions to certain educational institutions; and providing for an effective date."

*Would it be replaced w*

and recommends:

replace with \_\_\_\_\_ CS SB 225 (HES)

same title  
 new title  
 technical title change (HB only)

attaches amendment(s) *& rpts it back as follows*

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

**FISCAL NOTE INFORMATION**

Department	Date	Zero	Fiscal
Commerce & Economic Rev.	1/20/94	<input checked="" type="checkbox"/>	(900.)
Revenue	1/31/94	<input checked="" type="checkbox"/>	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

**DO PASS:**

James A. Roman  
~~John...~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER RECOMMENDATIONS:**

Mike Miller No Rec  
Judy Sula No Rec  
Bob Sharp No Rec  
\_\_\_\_\_  
\_\_\_\_\_

Ray - do pass

Chair: Signature and Recommendation

**SB**

**228**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/5/94

FURTHER:

DATE TURNED INTO OFFICE: 4-13-94

The Finance Committee considered **SENATE BILL NO. 228**

"An Act relating to bail after conviction for various felonies if the defendant has certain previous felony convictions."

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ (FINANCE)
- or  adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attaches amendment(s)

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

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

**NEW FISCAL NOTES**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTES**

Department	Date	Zero	Fiscal
DOC	3-1-94	0	
DOA (PDA)	1-24-94	0	
DOA (OPA)	1-24-94	0	
DPS	1-24-94	0	
DCIaw	1-20-94	0	

Appropriation No Fiscal Note

**DO PASS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

1. Tim Kelleher  
 Co-Chair: Signature/Recommendation

**OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. \_\_\_\_\_  
 Co-Chair: Signature/Recommendation

FISCAL NOTE

No. 5

Bill Version: SB 228

(S) Publish Date: 4-5-94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date: January 20, 1994  
Title: "...bail after conviction...if defedent has certain previous felony convictions."  
Sponsor: Senator Salo  
Requestor: Senate Judiciary

Department Affected: Department of Law  
BRU: Prosecution  
Component: All  
COMPONENT SERIAL NO. 0085 through 0090

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING:

1002 Federal						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year (FY94) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)  
Please see the attached analysis.

Prepared by: Richard I. Peques, Director Phone: 465-3672  
Division: Administrative Services/Division Date: January 20, 1994  
Approved by Commissioner: Bruce M. Botelho, Attorney General  
Agency: Department of Law Date: January 20, 1994

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FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. SB 228

ANALYSIS CONTINUATION:

This bill would prohibit bail after conviction and before sentencing or pending appeal if the person has been convicted of an offense that is an unclassified or a class A felony; or a class B or class C felony if the person has been previously convicted of an offense that is an unclassified felony, a class A felony, kidnapping in the first degree, sexual assault in the second or third degrees, and sexual abuse of a minor in the second or third degrees. In most cases, courts usually deny bail under these circumstances. However, the bill removes the courts' existing authority to grant bail in these circumstances. In any event, these are sentencing provisions that occur after conviction and, consequently, there will not be a fiscal impact for the Department of Law.

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

#  
Bill Version: SB 228  
(S) Publish Date: 4-5-94

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to bail after conviction  
certain previous felony convictions" BRU: Alaska State Troopers  
 Sponsor: Senator Salo Component: Detachments  
 Requestor: S. JUD COMPONENT SERIAL NO. 799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ( )	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

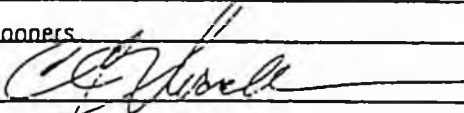
Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

**POSITIONS:**

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

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact upon the Alaska State Troopers is anticipated.

Prepared By: Francis C. Allan Phone: 269-5591  
 Division: Alaska State Troopers Date: 1/12/94  
 Approved by Commissioner:  Date: 1/24/94  
 Agency: Richard L. Burton, Dept. of Public Safety

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FISCAL NOTE

No. 3

Bill Version: SB 228

(S) Publish Date: 4-5-94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: An Act relating to bail  
after conviction for various . . .  
 Sponsor: Senator Salo  
 Requestor: Senate Judiciary

Department Affected: Administration  
 BRU: Office of Public Advocacy  
 Component: Office of Public Advocacy  
 COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( , )	0	0	0	0	0	0
--------------------------	---	---	---	---	---	---

FUNDING SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

Estimate of any current year (FY 94) cost: \$ 0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Brant McGee  
 Division: Office of Public Advocacy

Phone: 274-1684  
 Date: \_\_\_\_\_

Approved by Commissioner: Nancy Bear Usera  
 Agency: Department of Administration

Date: 1/24/94

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# FISCAL NOTE

No. 2

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL 1

Bill Version: SB 228

(S) Publish Date: 4-5-94

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to bail after conviction ...." BRU: Public Defender Agency  
 Component: Public Defender Agency  
 Sponsor: Senator Sale  
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 1631

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
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
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	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
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of current year (FY94) cost: none

**POSITIONS:**

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

ANALYSIS: (Attach a separate page if necessary)

Prepared by: John Salemi, Director  
 Division: Public Defender Agency

Phone: 264-4400  
 Date: \_\_\_\_\_

Approved by Commissioner: Nancy Bear Usara  
 Agency: Administration

Date: 4/24/94

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# FISCAL NOTE

Bill Version: SB 228

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

(S) Publish Date: 4-5-94

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: No bail for felons with previous BRU: Statewide Operations  
convictions Component: Institutions  
 Sponsor: Sen. Salo  
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 694-1884

(Thousands of Dollars)

EXPENDITURES/REVENUES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL EXPENDITURES</b>	0	0	0	0	0	0
<b>CHANGE IN REVENUES ( )</b>	0	0	0	0	0	0

(Thousands of Dollars)

FUND SOURCE	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts						
1003 GF Match						
1004-GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0	0	0	0	0	0

Estimate of any current year (FY94) cost: \$ 0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

Please see the attached fiscal analysis.

Prepared by: Diane Schenker, Special Assistant *[Signature]* Phone: 465-4643/786-2147  
 Division: Office of the Commissioner Date: 3/1/94  
 Approved by Commissioner: J. Frank Prewitt, Jr. *[Signature]* Date: 3/1/94  
 Agency: Department of Corrections

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The bill would preclude an offender who has been convicted of a class B or C felony from being released on bail before sentencing or pending appeal if the offender had previously been convicted of an unclassified class A felony, or certain sex offenses or stalking.

Assumptions

1. It is assumed that offenders convicted of class B or C felonies with the types of prior records applicable in the bill would be sentenced to some period of incarceration. Most will fall under presumptive sentencing statutes. The department reviewed 100 such cases, and found that 100% of the cases resulted in sentences of incarceration.

2. Since time served in custody prior to sentencing counts as time served on the sentence, the total time served will remain the same whether it is interrupted or delayed by posting bail or not.

3. The only impact on the department would be in cases in which the felon would receive bail under current law, then win an appeal which would result in no period of incarceration; under the bill the felon would have spent the appeal period incarcerated. According to the Clerk of the Court of Appeals, approximately 451 cases were appealed in 1992 (366 felonies and 85 misdemeanors.) Approximately 15% of the appeals resulted in reversals. This would be about 55 reversals per year for felony cases. Most reversals result in reduction in sentence length rather than overturning a conviction. Because the number of cases in which an appeal would result in no period of incarceration is assumed to be extremely small, and because there is no assurance that those cases would be released on bail pending appeal under current law, no measurable fiscal impact is expected.

4. If the department is able to gather more detailed data on the outcome of appeals referenced above, and the data indicates a significant number of appeals resulting in no period of incarceration, the fiscal note will be revised.

SENATE BILL NO. 228  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATORS SALO, Little, Zharoff

Introduced: 1/10/94  
Referred: JUD, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to bail after conviction for various felonies if the defendant has  
2 certain previous felony convictions."

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

4 \* Section 1. INTENT. It is the intent of the legislature by this Act to restrict the  
5 availability of bail after conviction for certain felons. The legislature notes the decision of the  
6 Alaska Court of Appeals in Stiegele v. State, 685 P.2d 1255, 1258 - 1261 (Alaska App. 1984)  
7 and further notes that for reasons stated in Stiegele this Act does not conflict with or amend  
8 a court rule.

9 \* Sec. 2. AS 12.30.040(b) is amended to read:

10 (b) Notwithstanding the provisions of (a) of this section, a [IF A PERSON  
11 HAS BEEN CONVICTED OF AN OFFENSE WHICH IS AN UNCLASSIFIED  
12 FELONY OR A CLASS A FELONY, THE] person may not be released on bail either  
13 before sentencing or pending appeal if the person has been convicted of an offense  
14 that is

1  
2  
3  
4  
5  
6

(1) an unclassified felony or a class A felony; or  
(2) a class B or class C felony if the person has been previously  
convicted of an offense in this state that is an unclassified felony, a class A felony,  
or a violation of AS 11.41.260, 11.41.420, 11.41.425, or 11.41.436 - 11.41.438 or  
of an offense in another jurisdiction with elements substantially similar to an  
offense of this state described in this paragraph.

# Senator Judith E. Salo

Alaska State Legislature



## MEMORANDUM

TO: Senator Drue Pearce,  
Co-Chair Senate Finance  
Senator Steve Frank,  
Co-Chair Senate Finance

FROM: Senator Judith E. Salo 

SUBJECT: Hearing Request for Senate Bill 228

DATE: April 6, 1994

.....

I respectfully request a hearing for Senate Bill 228 "An Act relating to bail for various felonies if the defendant has certain previous felony convictions." If passed, this legislation will prevent a persons release on bail either before sentencing or pending appeal where the person has been previously convicted of sexual assault in the second and third degrees, sexual abuse of a minor in the second and third degrees and stalking in the first degree.

Thank you for your consideration.

*South Anchorage • Indian • Bird Creek • Girdwood • Hope • Kenai • Nikiski • Kalifornsky Beach*

*During Session: State Capitol • Juneau, AK 99801 • (907) 465-4940 • (907) 465-3766 FAX*  
 *Interim Anchorage: 716 W 4th, Suite 450 • Anchorage, AK 99501 • (907) 258-8183 • (907) 258-5571 FAX*  
 *Interim Kenai: 34824 K-Beach Rd. • Kenai, AK 99611 • (907) 262-4254 • (907) 262-1881 FAX*

# Man sought in assaults on 2 women

## Police launching a search for knife-wielding suspect

S.J. KOMARNITSKY  
Daily News reporter

Anchorage police are searching for a 36-year-old man they say assaulted one woman and raped another at knifepoint early Wednesday morning.

Police have charged Leonard John Hoffman with one count of third-degree assault and four counts of first-degree sexual assault and have issued a warrant for his arrest.

According to court documents, Hoffman allegedly assaulted the first woman shortly after midnight at her Anchorage home. The woman told police she knew Hoffman and let him in. But, she told police, he grabbed her face, pushed her onto a couch and then threatened her with a knife.

He then broke off the attack and drove her vehicle to a second woman's residence in a mobile home park off Boniface Parkway, Capt. Shirley Warner said.

According to court documents, the second woman told police Hoffman is her sister's boyfriend. She let him in after he told her he had been beaten up. The woman said Hoffman had scratches on his arm and she tried to bandage it. She told police he then smoked what appeared to be marijuana.

Meanwhile, he made several trips between the resi-



Special to the News

Police describe Leonard John Hoffman as 6-foot, 230 pounds, with brown hair and brown eyes.

dence and the vehicle. As he went to leave one time, he suddenly grabbed her, pulled out a knife and dragged her into the bedroom, she said. He then raped her, she said.

The woman told officers she ran out of the mobile home about 1:30 a.m. when Hoffman went to get some food in a microwave. She called police from a neighbor's residence. Police staked out the mobile home for about four hours, at-

Please see Page E-5,  
**WARRANT**

## **WARRANT:** Man sought in attacks

Continued from Page E-1

tempting to make contact. But Hoffman had apparently snuck out after the woman left, Warner said.

Hoffman is considered extremely dangerous and possibly armed, Warner said.

Hoffman has a long criminal record including convictions in California for three rapes and two vehicle thefts.

In Alaska, Hoffman has been convicted for gambling, carrying a concealed weapon, fourth-degree assault, trespassing and possession of cocaine, according to court records.

Last December, he was also charged with four counts of sexual assault for allegedly tying up and raping a woman to whom he offered a ride. Those charges were later dropped for lack of evidence.

In June, he was sentenced to three years in jail for drug possession. He was released on bail after he appealed the conviction.

Sgt. Walt Monegan said police are familiar with Hoffman. And although they didn't step up patrols Wednesday night, all officers had been briefed on him and a picture was being circulated.

"Right now, we are keeping our eyes out ... and following up on any possible sightings," Monegan said.

He said officers also were watching Hoffman's usual haunts. That included his last reported residence on West 26th Street.

Police describe Hoffman as 6 foot, 230 pounds, with brown hair and brown eyes. He often uses the aliases Leonard J. Samano and Leo Hoffman or combinations of the two. He is considered dangerous and anyone spotting him should call the Anchorage Police Department at 786-8900.

317194  
 (5) JUD  
 THEN FIN

# FISCAL NOTE

STATE OF ALASKA  
 1994 LEGISLATIVE SESSION

BILL NO. SB 228

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: No bail for felons with previous BRU: Statewide Operations  
convictions Component: Institutions  
 Sponsor: Sen. Salo  
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 694-1884

Expenditures/Revenues (Thousands of Dollars)

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL EXPENDITURES</b>	0	0	0	0	0	0
<b>CHANGE IN REVENUES ( )</b>	0	0	0	0	0	0

FUND SOURCE (Thousands of Dollars)

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts						
1003 GF Match						
1004-GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0	0	0	0	0	0

Estimate of any current year (FY94) cost: \$ 0

POSITIONS

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL TIME						
PART TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Please see the attached fiscal analysis.

Prepared by: Diane Schenker, Special Assistant Phone: 465-4643/786-2147  
 Division: Office of the Commissioner Date: 3/1/94  
 Approved by Commissioner: J. Frank Prewitt, Jr. Date: 3/1/94  
 Agency: Department of Corrections

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Fiscal Note/DOC

SB 228

March 1, 1994

Page 2 of 2

The bill would preclude an offender who has been convicted of a class B or C felony from being released on bail before sentencing or pending appeal if the offender had previously been convicted of an unclassified or class A felony, or certain sex offenses or stalking.

#### Assumptions

1. It is assumed that offenders convicted of class B or C felonies with the types of prior records applicable in the bill would be sentenced to some period of incarceration. Most will fall under presumptive sentencing statutes. The department reviewed 100 such cases, and found that 100% of the cases resulted in sentences of incarceration.
2. Since time served in custody prior to sentencing counts as time served on the sentence, the total time served will remain the same whether it is interrupted or delayed by posting bail or not.
3. The only impact on the department would be in cases in which the felon would receive bail under current law, then win an appeal which would result in no period of incarceration; under the bill the felon would have spent the appeal period incarcerated. According to the Clerk of the Court of Appeals, approximately 451 cases were appealed in 1992 (366 felonies and 85 misdemeanors.) Approximately 15% of the appeals resulted in reversals. This would be about 55 reversals per year for felony cases. Most reversals result in reduction in sentence length rather than overturning a conviction. Because the number of cases in which an appeal would result in no period of incarceration is assumed to be extremely small, and because there is no assurance that those cases would be released on bail pending appeal under current law, no measurable fiscal impact is expected.
4. If the department is able to gather more detailed data on the outcome of appeals referenced above, and the data indicates a significant number of appeals resulting in no period of incarceration, the fiscal note will be revised.

1131194  
 (S) JUD  
 FBI

# FISCAL NOTE

STATE OF ALASKA  
 1994 LEGISLATIVE SESSION

BILL NO. SB 228

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to bail after conviction ...." BRU: Public Defender Agency  
 Component: Public Defender Agency  
 Sponsor: Senator Salo  
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 1531

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
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
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-----------------------------	------------	------------	------------	------------	------------	------------

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	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
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of current year (FY94) cost: none

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared by: John Salemi, Director Phone: 264-4400  
 Division: Public Defender Agency Date: \_\_\_\_\_  
 Approved by Commissioner: Nancy Bear Usura Date: 1/24/94  
 Agency: Administration

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# FISCAL NOTE

1/31/94  
 (S) JUD, THEN FIN  
**BILL NO: SB 228**

**STATE OF ALASKA  
 1994 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to bail after conviction  
 certain previous felony convictions" BRU: Alaska State Troopers  
 Sponsor: Senator Salo Component: Detachments  
 Requestor: S. JUD COMPONENT SERIAL NO. 799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CHANGE IN REVENUES ( )</b>	-0-	-0-	-0-	-0-	-0-	-0-

SB 228

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

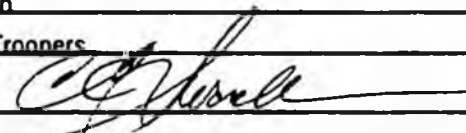
Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

**POSITIONS:**

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

**ANALYSIS: (Attach a separate page if necessary.)**

No fiscal impact upon the Alaska State Troopers is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691  
 Division: Alaska State Troopers Date: 1/12/94  
 Approved by Commissioner:  Date: 1/24/94  
 Agency: Richard L. Burton, Dept. of Public Safety

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**FISCAL NOTE**

**STATE OF ALASKA  
1994 LEGISLATIVE SESSION**

**BILL NO. SB 228**

**ANALYSIS CONTINUATION:**

This bill would prohibit bail after conviction and before sentencing or pending appeal if the person has been convicted of an offense that is an unclassified or a class A felony; or a class B or class C felony if the person has been previously convicted of an offense that is an unclassified felony, a class A felony, or stalking in the first degree, sexual assault in the second or third degrees, and sexual abuse of a minor in the second or third degrees. In most cases, courts usually deny bail under these circumstances. However, the bill removes the courts' existing authority to grant bail in these circumstances. In any event, these are sentencing provisions that occur after conviction and, consequently, there will not be a fiscal impact for the Department of Law.

**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

DATE: 1/10/94

FURTHER: Finance

Date of 5-Day Notice: 3/24/94  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4/5/94

Judiciary Committee considered SENATE BILL NO. 228

"An Act relating to bail after conviction for various felonies if the defendant has certain previous felony convictions."

and recommends: *& sends up*

replace with \_\_\_\_\_ CS \_\_\_\_\_

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

attaches amendment(s)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION *new*

Department	Date	Zero	Fiscal

Department	Date	Zero	Fiscal
Corrections	3/1/94	✓	
Admin - Pub Def	1/24/94	✓	
Admin - ODA	1/24/94	✓	
Pub Safety	1/12/94	✓	
Law	1/29/94	✓	

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

OTHER RECOMMENDATIONS:

*Signature R. Little*  
*Sheel Dudley*  
*George ...*  
*Rick Halford*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Adrian L. Taylor*  
Chair: Signature and Recommendation *Do Pass*

**SB**

**229**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 1/28/94

FURTHER:

DATE TURNED INTO OFFICE: \_\_\_\_\_

The Finance Committee considered SENATE BILL NO. 229

"An Act making an appropriation for the construction of a dormitory at the University of Alaska Anchorage; and providing for an effective date."

*Died in JFC 1994*

and recommends:

replace with \_\_\_\_\_ CS \_\_\_\_\_ (FINANCE)

or  adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

attaches amendment(s)

same title  
 new title  
 technical title change (HB only)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

### NEW FISCAL NOTES

Department	Date	Zero	Fiscal

### PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

**DO PASS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. \_\_\_\_\_

Co-Chair: Signature/Recommendation

2. \_\_\_\_\_

Co-Chair: Signature/Recommendation

**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

*fnr*

DATE: 1/10/94

FURTHER: Finance

Date of 5-Day Notice: 1/20/94  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 1/26/94

HES Committee considered SENATE BILL NO. 229

"An Act making an appropriation for the construction of a dormitory at the University of Alaska Anchorage; and providing for an effective date."

and recommends:

and report it back as follows

replace with \_\_\_\_\_ CS \_\_\_\_\_

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

attaches amendment(s)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

*APP - NO FY*

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

*Ellis*  
*Judith G. Salo*

*"GO SECRETARIES"*

OTHER RECOMMENDATIONS:

*Hike Miller* No Rec  
*Duncan* none - Should be amended to include other campuses.  
*Boren* No Rec - need to look at consistency with financial plan  
*Bob Sharp* - No Rec - needs to fit into overall UFA fiscal needs.

*Alme Reis*  
Chair: Signature and Recommendation

ALASKA STATE LEGISLATURE  
SENATE BILL NO. 229

HISTORY IN THE SENATE

HISTORY IN THE HOUSE

1994  
1/10  
1/26

Read first time and referred to:  
HES, FIN

---

1/26 RPT( ) CS 2 DP 5 NR \_\_\_ DNP \_\_\_ AM  
New Title \_\_\_ Same Title \_\_\_ Previous FN \_\_\_  
FN \_\_\_ OFN \_\_\_ To Jan

\_\_\_ 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

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**

<b>19</b>	<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>
-----------	--

<b>19</b>	<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>
-----------	---

## SENATE BILL NO. 229

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATORS KELLY, Ellis

Introduced:	1/10/94	
Referred:	HES, FIN	
Funding Information:	General Fund	\$28,500,000
	Other Funds	-0-
		<u>\$28,500,000</u>

## A BILL

## FOR AN ACT ENTITLED

1 "An Act making an appropriation for the construction of a dormitory at the  
 2 University of Alaska Anchorage; and providing for an effective date."

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

4 \* Section 1. The sum of \$28,500,000 is appropriated from the general fund to the  
 5 University of Alaska for the planning, design, construction, and furnishing of a 600 bed  
 6 dormitory at the Anchorage campus of the University of Alaska.

7 \* Sec. 2. The appropriation made by this Act is for a capital project and lapses under  
 8 AS 37.25.020.

9 \* Sec. 3. This Act takes effect July 1, 1994.

**SB**

**231**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/31/94

FURTHER: \_\_\_\_\_

DATE TURNED INTO OFFICE: \_\_\_\_\_

The Finance Committee considered SENATE BILL NO. 231

"An Act providing coverage under Medicaid for the services of physician assistants, and reordering the priorities for Medicaid services."

*Died in SFC 1994*

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ (FINANCE)
- or  adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attaches amendment(s)

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

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

### NEW FISCAL NOTES

Department	Date	Zero	Fiscal

### PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1. \_\_\_\_\_  
Co-Chair: Signature/Recommendation

2. \_\_\_\_\_  
Co-Chair: Signature/Recommendation



ALASKA STATE LEGISLATURE  
SENATE BILL NO. 231

HISTORY IN THE SENATE

1994  
1/10  
3/31

Read first time and referred to:  
HES, FIN

h RPT(  ) CS 1 DP 4 NR 4 DNP     AM      
 \_\_\_ New Title \_\_\_ Same Title \_\_\_ Previous FN  
 \_\_\_ FN \_\_\_ OFN To \_\_\_

h 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

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

**CS FOR SENATE BILL NO. 231(HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 3/31/94**  
**Referred: Finance**

**Sponsor(s): SENATORS KERTTULA, Ellis, Little**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to physician assistants; providing coverage under Medicaid for**  
 2 **the services of physician assistants; and reordering the priorities for Medicaid**  
 3 **services."**

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

5 **\* Section 1. AS 21.36.090(d) is amended to read:**

6 (d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56,  
 7 a person may not practice or permit unfair discrimination against a person who  
 8 provides a service covered under a group disability policy that extends coverage on an  
 9 expense incurred basis, or under a group service or indemnity type contract issued by  
 10 a nonprofit corporation, if the service is within the scope of the provider's occupational  
 11 license. In this subsection, "provider" means a state licensed physician, physician  
 12 assistant, dentist, osteopath, optometrist, chiropractor, nurse midwife, advanced nurse  
 13 practitioner, naturopath, physical therapist, occupational therapist, psychologist,  
 14 psychological associate, [OR.] licensed clinical social worker, or certified direct-entry

1 midwife.

2 \* Sec. 2. AS 23.30.265(24) is amended to read:

3 (24) "physician" includes doctors of medicine, surgeons, physician  
4 assistants, chiropractors, osteopaths, dentists, and optometrists;

5 \* Sec. 3. AS 47.07.030(b) is amended to read:

6 (b) In addition to the mandatory services specified in (a) of this section, the  
7 department may offer only the following optional services: case management and  
8 nutrition services for pregnant women; personal care services in a recipient's home;  
9 emergency hospital services; long-term care noninstitutional services; medical supplies  
10 and equipment; advanced nurse practitioner services; physician assistant services;  
11 clinic services; rehabilitative services for substance abusers and emotionally disturbed  
12 or chronically mentally ill adults; targeted case management services for substance  
13 abusers, chronically mentally ill adults, and severely emotionally disturbed persons  
14 under the age of 21; inpatient psychiatric facility services for individuals age 65 or  
15 older and individuals under age 21; psychologists' services; clinical social workers'  
16 services; midwife services; prescribed drugs; physical therapy; occupational therapy;  
17 chiropractic services; low-dose mammography screening, as defined in  
18 AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders;  
19 adult dental services; prosthetic devices and eyeglasses; optometrists' services;  
20 intermediate care facility services, including intermediate care facility services for the  
21 mentally retarded; skilled nursing facility services for individuals under age 21; and  
22 reasonable transportation to and from the point of medical care.

23 \* Sec. 4. AS 47.07.035 is amended to read:

24 Sec. 47.07.035. PRIORITY OF MEDICAL ASSISTANCE. If the department  
25 finds that the cost of medical assistance for all persons eligible under this chapter will  
26 exceed the amount allocated in the state budget for that assistance for the fiscal year,  
27 the department shall eliminate coverage for optional medical services and optionally  
28 eligible groups of individuals in the following order:

- 29 (1) midwife services;  
30 (2) clinical social workers' services;  
31 (3) psychologists' services;

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- (4) chiropractic services;
- (5) physician assistant services;
- (6) advanced nurse practitioner services;
- (7) adult dental services;
- (8) [(7)] emergency hospital services;
- (9) [(8)] treatment of speech, hearing, and language disorders;
- (10) [(9)] optometrists' services and eyeglasses;
- (11) [(10)] occupational therapy;
- (12) [(11)] mammography screening;
- (13) [(12)] prosthetic devices;
- (14) [(13)] medical supplies and equipment;
- (15) [(14)] targeted case management services;
- (16) [(15)] rehabilitative services for substance abusers and emotionally  
disturbed or chronically mentally ill adults;
- (17) [(16)] clinic services;
- (18) [(17)] physical therapy;
- (19) [(18)] personal care services in a recipient's home;
- (20) [(19)] prescribed drugs;
- (21) [(20)] hospice care;
- (22) [(21)] long-term care noninstitutional services;
- (23) [(22)] inpatient psychiatric facility services;
- (24) [(23)] intermediate care facility services for the mentally retarded;
- (25) [(24)] intermediate care facility services;
- (26) [(25)] individuals described in AS 47.07.020(b)(11);
- (27) [(26)] individuals under age 21 who are not eligible for benefits  
under the federal aid to families with dependent children program because they are not  
deprived of one or more of their natural or adoptive parents;
- (28) [(27)] skilled nursing facility services for persons under age 21;
- (29) [(28)] aged, blind, and disabled individuals who, because they do  
not meet the income requirements, do not receive supplemental security income under  
Title XVI of the Social Security Act, but who are eligible, or would be eligible if they

1 were not in a skilled nursing facility or intermediate care facility, to receive an  
2 optional state supplementary payment;

3 (30) [(29)] individuals in a hospital, skilled nursing facility, or  
4 intermediate care facility whose income while in the facility does not exceed 300  
5 percent of the supplemental security income benefit rate under Title XVI of the Social  
6 Security Act, but who, because of income, are not eligible for the optional state  
7 supplementary payment;

8 (31) [(30)] individuals under age 21 under supervision of the  
9 department [,] for whom maintenance is being paid in whole or in part from public  
10 money and who are in foster homes or private child-care institutions;

11 (32) [(31)] individuals under age 21 who the department has determined  
12 cannot be placed for adoption without medical assistance because of a special need for  
13 medical or rehabilitative care and who the department has determined are hard-to-place  
14 children eligible for subsidy under AS 25.23.190 - 25.23.220.

15 \* Sec. 5. AS 47.07.900 is amended by adding a new paragraph to read:

16 (20) "physician assistant services" means services furnished by a person  
17 who is registered as a physician assistant under AS 08.64.107 that are within the scope  
18 of the person's registered authority.

SENATE BILL NO. 231

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATORS KERTTULA, Ellis, Little

Introduced: 1/10/94  
Referred: HES, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act providing coverage under Medicaid for the services of physician  
2 assistants; and reordering the priorities for Medicaid services."

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

4 \* Section 1. AS 47.07.030(b) is amended to read:

5 (b) In addition to the mandatory services specified in (a) of this section, the  
6 department may offer only the following optional services: case management and  
7 nutrition services for pregnant women; personal care services in a recipient's home;  
8 emergency hospital services; long-term care noninstitutional services; medical supplies  
9 and equipment; advanced nurse practitioner services; physician assistant services;  
10 clinic services; rehabilitative services for substance abusers and emotionally disturbed  
11 or chronically mentally ill adults; targeted case management services for substance  
12 abusers, chronically mentally ill adults, and severely emotionally disturbed persons  
13 under the age of 21; inpatient psychiatric facility services for individuals age 65 or  
14 older and individuals under age 21; psychologists' services; clinical social workers'

1 services; midwife services; prescribed drugs; physical therapy; occupational therapy;  
2 chiropractic services; low-dose mammography screening, as defined in  
3 AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders;  
4 adult dental services; prosthetic devices and eyeglasses; optometrists' services;  
5 intermediate care facility services, including intermediate care facility services for the  
6 mentally retarded; skilled nursing facility services for individuals under age 21; and  
7 reasonable transportation to and from the point of medical care.

8 \* Sec. 2. AS 47.07.035 is amended to read:

9 Sec. 47.07.035. PRIORITY OF MEDICAL ASSISTANCE. If the department  
10 finds that the cost of medical assistance for all persons eligible under this chapter will  
11 exceed the amount allocated in the state budget for that assistance for the fiscal year,  
12 the department shall eliminate coverage for optional medical services and optionally  
13 eligible groups of individuals in the following order:

- 14 (1) midwife services;
- 15 (2) clinical social workers' services;
- 16 (3) psychologists' services;
- 17 (4) chiropractic services;
- 18 (5) physician assistant services;
- 19 (6) advanced nurse practitioner services;
- 20 (7) adult dental services;
- 21 (8) [(7)] emergency hospital services;
- 22 (9) [(8)] treatment of speech, hearing, and language disorders;
- 23 (10) [(9)] optometrists' services and eyeglasses;
- 24 (11) [(10)] occupational therapy;
- 25 (12) [(11)] mammography screening;
- 26 (13) [(12)] prosthetic devices;
- 27 (14) [(13)] medical supplies and equipment;
- 28 (15) [(14)] targeted case management services;
- 29 (16) [(15)] rehabilitative services for substance abusers and emotionally  
30 disturbed or chronically mentally ill adults;
- 31 (17) [(16)] clinic services;

- 1                    (18) [(17)] physical therapy;
- 2                    (19) [(18)] personal care services in a recipient's home;
- 3                    (20) [(19)] prescribed drugs;
- 4                    (21) [(20)] hospice care;
- 5                    (22) [(21)] long-term care noninstitutional services;
- 6                    (23) [(22)] inpatient psychiatric facility services;
- 7                    (24) [(23)] intermediate care facility services for the mentally retarded;
- 8                    (25) [(24)] intermediate care facility services;
- 9                    (26) [(25)] individuals described in AS 47.07.020(b)(11);
- 10                   (27) [(26)] individuals under age 21 who are not eligible for benefits
- 11 under the federal aid to families with dependent children program because they are not
- 12 deprived of one or more of their natural or adoptive parents;
- 13                    (28) [(27)] skilled nursing facility services for persons under age 21;
- 14                    (29) [(28)] aged, blind, and disabled individuals who, because they do
- 15 not meet the income requirements, do not receive supplemental security income under
- 16 Title XVI of the Social Security Act, but who are eligible, or would be eligible if they
- 17 were not in a skilled nursing facility or intermediate care facility, to receive an
- 18 optional state supplementary payment;
- 19                    (30) [(29)] individuals in a hospital, skilled nursing facility, or
- 20 intermediate care facility whose income while in the facility does not exceed 300
- 21 percent of the supplemental security income benefit rate under Title XVI of the Social
- 22 Security Act, but who, because of income, are not eligible for the optional state
- 23 supplementary payment;
- 24                    (31) [(30)] individuals under age 21 under supervision of the
- 25 department [,] for whom maintenance is being paid in whole or in part from public
- 26 money and who are in foster homes or private child-care institutions;
- 27                    (32) [(31)] individuals under age 21 who the department has determined
- 28 cannot be placed for adoption without medical assistance because of a special need for
- 29 medical or rehabilitative care and who the department has determined are hard-to-place
- 30 children eligible for subsidy under AS 25.23.190 - 25.23.220.

31 \* Sec. 3. AS 47.07.900 is amended by adding a new paragraph to read:

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(20) "physician assistant services" means services furnished by a person who is registered as a physician assistant under AS 08.64.107 that are within the scope of the person's registered authority.

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Bill Version: SB 231

(S) Publish Date: 3-31-94

Revision Date: 2/10/94  
Title: An Act Providing coverage under Medicaid for Services of Physicians' Assistants  
Sponsor: KERTULLA, ELLIS, LITTLE  
Requestor: \_\_\_\_\_

Dept. Affected Health and Social Services  
BRU: Medicaid  
Component: Medicaid Non-facility  
COMPONENT SERIAL NO. 229

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
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	999.6	2,780.8	3,131.2	3,525.8	3,970.0	4,470.4
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>999.6</b>	<b>2,780.8</b>	<b>3,131.2</b>	<b>3,525.8</b>	<b>3,970.0</b>	<b>4,470.4</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGES IN REVENUES</b>	<b>499.8</b>	<b>1,390.4</b>	<b>1,565.6</b>	<b>1,762.9</b>	<b>1,985.0</b>	<b>2,235.2</b>
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts	499.8	1,390.4	1,565.6	1,762.9	1,985.0	2,235.2
1003 GF Match	499.8	1,390.4	1,565.6	1,762.9	1,985.0	2,235.2
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	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
<b>TOTAL</b>	<b>999.6</b>	<b>2,780.8</b>	<b>3,131.2</b>	<b>3,525.8</b>	<b>3,970.0</b>	<b>4,470.4</b>

Estimate of current year (FY94) impact: 0.0

**POSITIONS:**

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

**ANALYSIS** (attach a separate page in necessary)

The bill adds physician's assistants as an enrolled provider of services. It is estimated that 25% of the 168 licensed and active physician's assistants will enroll as Medicaid providers, beginning with a 10% enrollment in the first year. Enrollment would begin in July of 1995. Charges by a physician assistant are assumed to be 70% of the amount that has been charged through a physician's office for services performed by a physician's assistant. Physician assist are counted as working 5 days per week, 48 weeks per year and having an average of 3.5 Medicaid visits per day. Growth and inflation combined are assumed to be 12.6% per year.

Prepared by: Dave W. Williams  
Division: Medical Assistance  
Approved by: Margaret R. Lowe  
Commissioner: Margaret R. Lowe, M.Ed., Ed.S.  
Agency: Department of Health and Social Services

Phone: 465-3355  
Date: 2/10/94  
Date: 2-14-94

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Changes in 25518231 (HES)  
 reflect NO FISCAL CHANGE from the original  
 fiscal note. This fiscal note is appropriate.  
 date 3/31/94  
 Carrie Aide (initial) CAH

**ASSUMPTIONS PERTAINING TO FISCAL ANALYSIS OF SB231 AND HB341**

There are 194 licensed PAs in Ak; 168 are said to be in active status.

25% will enroll if the bill passes, which is 42 PAs of the active status.

35% of their practice will be Medicaid

The average charge will be \$70 per visit; reflective of 70% of the charges by PAs presently billing through physicians.

There will be 10 visits per day, 3.5 of those billed to Medicaid.

PAs will work 5 days per week, 48 weeks per year.

Assume regulations effective July 1, 1995

Growth and inflation combined are assumed to be 12.6%

**Claims**

17.0 PAs enrolled first year

42.0 PAs enrolled 2nd year

\$70 average expenditure claimed per visit

3.5 Medicaid visits per day

5.0 days worked per week

48.0 weeks worked per year

0.001 factor to change figures to thousands

\$999.6 total claims expenditure 1st year; 17 PAs

12.0 factor to get to monthly

12.0 factor to get to paid part of fiscal year

\$999.6 claims expenditures for paid part of first fiscal year

\$2,469.6 claims expenditures for second year w/o growth and inflation

**Contractual**

\$6.23 processing cost per claim

14280 total number of claims by PAs 1st year

35280 total number of claims by PAs 2nd year

0.001 factor to change figures to thousands

\$89.0 cost for claims processing 1st year

\$219.8 cost for claims 2nd and following years

\$10.0 cost to modify MMIS for PA enrollment and claims processing

\$99.0 total contractual for 1st year (MMIS plus claims processing)

**Inflation and growth**

1.126 factor for yearly increases

**Federal participation**

0.50 factor for Federal Financial Participation

0.0 factor for cells with \$0.0

Component	Combined Fiscal Note Totals					
	FY95	FY96	FY97	FY98	FY99	FY00
Med non-facility	229 999.6	2780.8	3131.2	3525.8	3970.0	4470.4
Claims process	243 99.0	247.6	278.8	314.0	353.6	398.2
Total	1098.6	3028.4	3410.0	3839.8	4323.6	4868.6

FISCAL NOTE

10. 2

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Bill Version: SB 231

(S) Publish Date: 3-31-94

Revision Date: 2/10/94  
Title: An Act Providing coverage under Medicaid for Services of Physicians' Assistants  
Sponsor: KERTULLA, ELLIS, LITTLE  
Requestor: \_\_\_\_\_

Dept. Affected Health and Social Services  
BRU: Medicaid  
Component: Claims Processing  
COMPONENT SERIAL NO. 243

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
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	99.0	247.6	278.8	314.0	353.6	\$398.2
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
<b>TOTAL OPERATING</b>	<b>\$99.0</b>	<b>\$247.6</b>	<b>\$278.8</b>	<b>\$314.0</b>	<b>\$353.6</b>	<b>\$398.2</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	49.5	123.8	139.4	157.0	176.8	199.1
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	49.5	123.8	139.4	157.0	176.8	199.1
1003 GF Match	49.5	123.8	139.4	157.0	176.8	199.1
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	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
<b>TOTAL</b>	<b>99.0</b>	<b>247.6</b>	<b>278.8</b>	<b>314.0</b>	<b>353.6</b>	<b>398.2</b>

Estimate of current year (FY94) impact: 0.0

POSITIONS:

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

ANALYSIS (attach a separate page in necessary)

Contractual costs include claims processing at \$6.23 per claim with a one-time, first year cost of \$10.0 for system changes to add to the new provider type. Federal participation is available at 50% of costs. Growth and inflation combined are assumed to be 12.6% per year.

Prepared by: Dave W. Williams  
Division: Medical Assistance  
Approved by: Margaret R. Lowe  
Commissioner: Margaret R. Lowe, M.Ed., Ed.S.  
Agency: Department of Health and Social Services

Phone: 465-3355  
Date: 2/10/94  
Date: 2-14-94

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Changes in 0558231 (HES)  
 reflect NO FISCAL CHANGE from the original  
 fiscal note. This fiscal note is appropriate.  
 date 2/3/94  
 Corrie Aide (initial)

**ASSUMPTIONS PERTAINING TO FISCAL ANALYSIS OF SB231 AND HB341**

There are 194 licensed PAs in Ak; 168 are said to be in active status.

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The average charge will be \$70 per visit; reflective of 70% of the charges by

PAs presently billing through physicians.

There will be 10 visits per day, 3.5 of those billed to Medicaid.

PAs will work 5 days per week, 48 weeks per year.

Assume regulations effective July 1, 1995

Growth and inflation combined are assumed to be 12.6%

**Claims**

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\$70 average expenditure claimed per visit

3.5 Medicaid visits per day

5.0 days worked per week

48.0 weeks worked per year

0.001 factor to change figures to thousands

\$999.6 total claims expenditure 1st year; 17 PAs

12.0 factor to get to monthly

12.0 factor to get to paid part of fiscal year

\$999.6 claims expenditures for paid part of first fiscal year

\$2,469.6 claims expenditures for second year w/o growth and inflation

**Contractual**

\$6.23 processing cost per claim

14280 total number of claims by PAs 1st year

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0.001 factor to change figures to thousands

\$89.0 cost for claims processing 1st year

\$219.8 cost for claims 2nd and following years

\$10.0 cost to modify MMIS for PA enrollment and claims processing

\$99.0 total contractual for 1st year (MMIS plus claims processing)

**inflation and growth**

1.126 factor for yearly increases

**Federal participation**

0.50 factor for Federal Financial Participation

0.0 factor for cells with \$0.0

**Combined Fiscal Note Totals**

Component	FY95	FY96	FY97	FY98	FY99	FY00
Med non-facility	229 999.6	2780.8	3131.2	3525.8	3970.0	4470.4
Claims process	243 99.0	247.6	278.8	314.0	353.6	398.2
Total	1098.6	3028.4	3410.0	3839.8	4323.6	4868.6

# FISCAL NOTE

**STATE OF ALASKA**  
**1994 LEGISLATIVE SESSION**

**BILL NO. CSSB 231(HES)**

Revision Date: 4/7/94  
 Title: An Act relating to physician assistants;...

Department: Commerce and Economic Dev.  
 BRU: Occupational Licensing  
 Component: Operations

Sponsor: Senators Kerttula, Ellis, Little  
 Requestor: Senator Kerttula COMPONENT SERIAL NO. 1844

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00	
PERSONAL SERVICES							
TRAVEL							
CONTRACTUAL							
SUPPLIES							
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0	
<b>CAPITAL EXPENDITURES</b>							
<b>CHANGE IN REVENUES</b>	0.0	0.0	0.0	0.0	0.0	0.0	

FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
100 General Fund							
1005 GF/Program Receipts							
1006 GF/MHTIA							
Other							
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0	

Estimate of any current year (FY 94) cost: \$ None

POSITIONS		FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME		0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME		0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY		0.0	0.0	0.0	0.0	0.0	0.0

**ANALYSIS:** (Attach a separate page if necessary)

The provisions of CSSB 231(HES) amends several statutes to include physician assistant services, however, the amendments do not affect the licensing statutes for physician assistants and therefore, funding is not required.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144  
 Division: Occupational Licensing Date: 4/7/94  
 Approved by Commissioner: Paul Fuhs Date: 4/7/94  
 Agency: Commerce and Economic Development

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# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO : CSSB 231 (HES)

Revision Date: \_\_\_\_\_

Department Affected: Labor

Title: Pay Physician Assts Under Medicaid

BRU: Workers' Compensation

Component: Workers' Compensation

Sponsor: Senator Kerttula

Requestor: Senate Finance

COMPONENT SERIAL NO. 344

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Pau B. Arnolat, Director Phone: 465-2790

Division: Workers' Compensation Date: 4/6/94

Approved by Commissioner: Charles W. Mahlen

Agency: Department of Labor Date: 4/6/94

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**FISCAL NOTE**

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**STATE OF ALASKA  
1994 LEGISLATIVE SESSION**

**BILL NO. SB231**

Revision Date: \_\_\_\_\_ Dept. Affected: Health and Social Services  
 Title: An Act Providing coverage under Medicaid for BRU: Medicaid  
services of physician assistant's Component: Medicaid Non-Facility;  
 Sponsor: KERTULLA, ELLIS, LITTLE  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 229

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
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	247.5	278.7	313.8	353.3	397.8
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	999.6	2,780.8	3,131.1	3,525.7	3,969.9	4,470.1
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>1,098.6</b>	<b>3,028.3</b>	<b>3,409.8</b>	<b>3,839.5</b>	<b>4,323.2</b>	<b>4,868.0</b>

<b>CAPITAL EXPENDITURES</b>	0.0					
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<b>CHANGES IN REVENUES</b>	549.3	1514.1	1704.9	1919.7	2161.6	2434.0
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts	549.3	1,514.1	1,704.9	1,919.7	2,161.6	2,434.0
1003 GF Match	549.3	1,514.1	1,704.9	1,919.7	2,161.6	2,434.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	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
<b>TOTAL</b>	<b>1,098.6</b>	<b>3,028.3</b>	<b>3,409.8</b>	<b>3,839.5</b>	<b>4,323.2</b>	<b>4,868.0</b>

**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 (FY94) impact: 0.0

**ANALYSIS:**

(Attach a separate page if necessary)

The bill adds physician's assistants as an enrolled provider of services. It is estimated that 25% of the 168 licensed and active physician's assistants will enroll, beginning with a 10% enrollment in the first year. Enrollment would begin in July of 1995. Charges by physician assistants are assumed to be 70% of the amount that has been charged through a physician's office for services performed by a physician's assistant. Contractual costs include claims processing at \$6.23 per claim with a one-time, first year cost of \$10.0 for system changes to add the new provider type. Federal participation is available at 50% of costs.

Prepared by: Dave W. Williams  
 Division: Medical Assistance

Phone: 465-3355  
 Date: 02/08/94

Approved by Commissioner: Margaret R. Lowe, M.Ed., Ed.S  
 Agency: Department of Health & Social Services

Date: 2/9/94

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SB 231

**SB**

**237**

**SFIN**

**FILE**

## CS FOR SENATE BILL NO. 237(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/27/94  
Referred: Finance

Sponsor(s): SENATORS LEMAN, Phillips

## A BILL

## FOR AN ACT ENTITLED

1 "An Act relating to the possession of firearms by minors and to offenses  
2 involving weapons."

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

4 \* Section 1. AS 11.61.210 is amended by adding new subsections to read:

5 (d) In a prosecution under (a)(6) of this section involving the sale of a firearm,  
6 it is a defense that, at the time of the sale, the person under 18 years of age was  
7 accompanied by the person's parent or guardian.

8 (e) In a prosecution under (a)(6) of this section involving the sale of a firearm,  
9 it is an affirmative defense that the sale was made to a person under 18 years of age  
10 as to whom, at the time of the sale, the disabilities of minority had been removed  
11 under AS 09.55.590 or under AS 25.20.020.

12 \* Sec. 2. AS 11.61.220(a) is amended to read:

13 (a) A person commits the crime of misconduct involving weapons in the fifth  
14 degree if the person

1 (1) knowingly possesses a deadly weapon, other than an ordinary  
2 pocketknife or a defensive weapon, that is concealed on the person;

3 (2) knowingly possesses a loaded firearm on the person in any place  
4 where intoxicating liquor is sold for consumption on the premises;

5 (3) being an unemancipated minor [UNDER 16 YEARS OF AGE],  
6 possesses a firearm without the consent of a parent or guardian of the minor;

7 (4) knowingly possesses a firearm

8 (A) or a defensive weapon within the grounds of or on a  
9 parking lot immediately adjacent to a public or private preschool, elementary,  
10 junior high, or secondary school without the permission of the chief  
11 administrative officer of the school or district or the designee of the chief  
12 administrative officer, except that a person 21 years of age or older may  
13 possess

14 (i) an unloaded firearm in the trunk of a motor vehicle  
15 or encased in a closed container in a motor vehicle;

16 (ii) a defensive weapon; or

17 (B) within the grounds of or on a parking lot immediately  
18 adjacent to a center, other than a private residence, licensed under  
19 AS 47.35.010 - 47.35.075 or recognized by the federal government for the care  
20 of children; or

21 (5) possesses or transports a switchblade or a gravity knife.

22 \* Sec. 3. AS 11.61.220(g) is amended to read:

23 (g) Except as provided in (i) of this section, misconduct [MISCONDUCT]  
24 involving weapons in the fifth degree is a class B misdemeanor.

25 \* Sec. 4. AS 11.61.220 is amended by adding new subsections to read:

26 (h) The provisions of (a)(3) of this section do not apply to a person under 18  
27 years of age in possession of a firearm if the person possesses the firearm

28 (1) at an established and lawfully operated range or target concession  
29 for the purpose of firing at targets at the range or concession;

30 (2) while in attendance at a hunter safety course or firearm safety  
31 course for the purpose of using the firearm in conjunction with lessons presented

1 during that course;

2 (3) while engaged in organized competition involving use of the  
3 firearm, or while practicing for an organized competition in which the person plans to  
4 participate;

5 (4) on premises owned by or leased by another with the consent of the  
6 owner or lessee of those premises;

7 (5) while actually engaged in lawful

8 (A) hunting; or

9 (B) fishing, trapping, or other lawful outdoor activity if the  
10 fishing, trapping, or other lawful outdoor activity necessarily involves the  
11 carrying of a weapon for personal protection; or

12 (6) while traveling to or from any activity described in (1) - (5) of this  
13 subsection.

14 (i) A person convicted under (a)(3) of this section is guilty of a

15 (1) class B misdemeanor if the conviction is the person's first  
16 conviction of the offense described in (a)(3) of this section and the person had not  
17 been previously convicted under a law or ordinance of another jurisdiction with  
18 elements substantially similar to those of an offense described in (a)(3) of this section  
19 or adjudicated a delinquent minor under AS 47.10.010 - 47.10.142 for a violation of  
20 (a)(3) of this section;

21 (2) class A misdemeanor if, within the preceding seven years, the  
22 person was convicted under (a)(3) of this section or under a law or ordinance of  
23 another jurisdiction with elements substantially similar to those of an offense described  
24 in (a)(3) of this section, or the person was adjudicated a delinquent minor either under  
25 AS 47.10.010 - 47.10.142 if the delinquency finding is based upon a violation of (a)(3)  
26 of this section or under a law of another jurisdiction authorizing adjudication of  
27 delinquency for the violation of a law or ordinance of that jurisdiction with elements  
28 substantially similar to those of an offense described in (a)(3) of this section.

29 \* Sec. 5. AS 47.10.010 is amended by adding a new subsection to read:

30 (e) The procedures prescribed in AS 47.10.020 - 47.10.090 and the Alaska  
31 Delinquency Rules do not apply when a minor who is at least 14 years of age at the

1 time of the alleged offense is charged with an offense, the minor is alleged to have  
2 used a firearm in the commission of the offense, and the minor has been previously  
3 adjudicated as a delinquent or convicted as an adult, in this or another jurisdiction, as  
4 a result of an offense that, in this or another jurisdiction, involves the use of a firearm  
5 in the commission of the offense. The minor shall be charged, prosecuted, and  
6 sentenced in the superior court in the same manner as an adult. In this subsection,  
7 "firearm" has the meaning given in AS 11.81.900.

8 \* Sec. 6. AS 47.10.080(b) is amended to read:

9 (b) If the court finds that the minor is delinquent, it shall

10 (1) order the minor committed to the department for a period of time  
11 not to exceed two years or in any event extend past the day the minor becomes 19,  
12 except that the department may petition for and the court may grant in a hearing (A)  
13 two-year extensions of commitment that do not extend beyond the child's 19th  
14 birthday if the extension is in the best interests of the minor and the public; and (B)  
15 an additional one-year period of supervision past age 19 if continued supervision is in  
16 the best interests of the person and the person consents to it; the department shall place  
17 the minor in the juvenile facility that the department considers appropriate and that  
18 may include a juvenile correctional school, juvenile work camp, detention home, or  
19 detention facility; the minor may be released from placement or detention and placed  
20 on probation on order of the court and may also be released by the department, in its  
21 discretion, under AS 47.10.200;

22 (2) order the minor placed on probation, to be supervised by the  
23 department, and released to the minor's parents, guardian, or a suitable person; if the  
24 court orders the minor placed on probation, it may specify the terms and conditions  
25 of probation; the probation may be for a period of time, not to exceed two years and  
26 in no event extend past the day the minor becomes 19, except that the department may  
27 petition for and the court may grant in a hearing

28 (A) two-year extensions of supervision that do not extend  
29 beyond the child's 19th birthday if the extension is in the best interests of the  
30 minor and the public; and

31 (B) an additional one-year period of supervision past age 19 if

1 the continued supervision is in the best interests of the person and the person  
2 consents to it;

3 (3) order the minor committed to the department and placed on  
4 probation, to be supervised by the department, and released to the minor's parents,  
5 guardian, other suitable person, or suitable nondetention setting such as a family home,  
6 group care facility, or child care facility, whichever the department considers  
7 appropriate to implement the treatment plan of the predisposition report; if the court  
8 orders the minor placed on probation, it may specify the terms and conditions of  
9 probation; the department may transfer the minor, in the minor's best interests, from  
10 one of the probationary placement settings listed in this paragraph to another, and the  
11 minor, the minor's parents or guardian, and the minor's attorney are entitled to  
12 reasonable notice of the transfer; the probation may be for a period of time, not to  
13 exceed two years and in no event extend past the day the minor becomes 19, except  
14 that the department may petition for and the court may grant in a hearing

15 (A) two-year extensions of commitment that do not extend  
16 beyond the child's 19th birthday if the extension is in the best interests of the  
17 minor and the public; and

18 (B) an additional one-year period of supervision past age 19 if  
19 the continued supervision is in the best interests of the person and the person  
20 consents to it;

21 (4) order the minor to make suitable restitution in lieu of or in addition  
22 to the court's order under (1), (2), or (3) of this subsection;

23 (5) order the minor committed to the department for placement in an  
24 adventure based education program established under AS 47.21.020 with conditions  
25 the court considers appropriate concerning release upon satisfactory completion of the  
26 program or commitment under (1) of this subsection if the program is not satisfactorily  
27 completed; [OR]

28 (6) in addition to an order under (1) - (5) of this subsection, if the  
29 delinquency finding is based on the minor's violation of AS 11.71.030(a)(3) or  
30 11.71.040(a)(4), order the minor to perform 50 hours of community service; for  
31 purposes of this paragraph, "community service" includes work

1 (A) on a project identified in AS 33.30.901; or  
2 (B) that, on the recommendation of the city council or  
3 traditional village council, would benefit persons within the city or village who  
4 are elderly or disabled; or

5 (7) in addition to an order under (1) - (5) of this subsection, if the  
6 delinquency finding is based on the minor's violation of AS 11.61.220(a)(3), revoke  
7 the minor's driver's license, privilege to drive, or privilege to obtain a driver's  
8 license, subject to reinstatement under AS 28.15.211(d), for a period of not less  
9 than

10 (A) 90 days, if the delinquency finding is based on the  
11 minor's first violation of AS 11.61.220(a)(3); and

12 (B) one year and, in addition, order the minor to perform  
13 100 hours of community service, if the delinquency finding is based on the  
14 minor's second or subsequent violation of AS 11.61.220(a)(3); for purposes  
15 of this subparagraph, "community service" includes work described in  
16 (6)(A) - (B) of this subsection.

17 \* Sec. 7. APPLICABILITY. (a) Sections 1 - 6 of this Act apply to offenses committed  
18 on or after the effective date of this Act.

19 (b) In

20 (1) AS 11.61.220(i), added by sec. 4 of this Act, reference to previous  
21 convictions or adjudications of delinquency under AS 47.10.010 - 47.10.142 does not include  
22 convictions or adjudications of delinquency under AS 11.61.220(a)(3) as it read before its  
23 amendment by sec. 2 of this Act;

24 (2) AS 47.10.010(c), added by sec. 5 of this Act, reference to previous  
25 convictions or adjudications of delinquency does not include convictions or adjudications of  
26 delinquency involving the minor that occurred before the effective date of this Act;

27 (3) AS 47.10.080(b)(7), added by sec. 6 of this Act, reference to the minor's  
28 second or subsequent violation of AS 11.61.220(a)(3) does not include a violation of  
29 AS 11.61.220(a)(3) as it read before its amendment by sec. 2 of this Act.

**CS FOR SENATE BILL NO. 237(STA)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 2/23/94  
Referred: JUD, FIN**

**Sponsor(s): SFNATORS LEMAN, Phillips**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the possession of firearms by minors, offenses involving  
2 weapons, and permits for the carrying of concealed weapons."

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

4 \* **Section 1.** AS 11.61.210 is amended by adding new subsections to read:

5 (d) In a prosecution under (a)(6) of this section involving the sale of a firearm,  
6 it is a defense that, at the time of the sale, the person under 18 years of age was  
7 accompanied by the person's parent or guardian.

8 (e) In a prosecution under (a)(6) of this section involving the sale of a firearm,  
9 it is an affirmative defense that the sale was made to a person under 18 years of age  
10 as to whom, at the time of the sale, the disabilities of minority had been removed  
11 under AS 09.55.590 or under AS 25.20.020.

12 \* **Sec. 2.** AS 11.61.220(a) is amended to read:

13 (a) A person commits the crime of misconduct involving weapons in the fifth  
14 degree if the person

1 (1) knowingly possesses a deadly weapon, other than an ordinary  
2 pocketknife or a defensive weapon, that is concealed on the person;

3 (2) knowingly possesses a loaded firearm on the person in any place  
4 where intoxicating liquor is sold for consumption on the premises;

5 (3) being an unemancipated minor [UNDER 16 YEARS OF AGE],  
6 possesses a firearm without the consent of a parent or guardian of the minor;

7 (4) knowingly possesses a firearm

8 (A) or a defensive weapon within the grounds of or on a  
9 parking lot immediately adjacent to a public or private preschool, elementary,  
10 junior high, or secondary school without the permission of the chief  
11 administrative officer of the school or district or the designee of the chief  
12 administrative officer, except that a person 21 years of age or older may  
13 possess

14 (i) an unloaded firearm in the trunk of a motor vehicle  
15 or encased in a closed container in a motor vehicle;

16 (ii) a defensive weapon; or

17 (B) within the grounds of or on a parking lot immediately  
18 adjacent to a center, other than a private residence, licensed under  
19 AS 47.35.010 - 47.35.075 or recognized by the federal government for the care  
20 of children; or

21 (5) possesses or transports a switchblade or a gravity knife.

22 \* Sec. 3. AS 11.61.220(b) is amended to read:

23 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense  
24 that the defendant, at the time of possession, was

25 (1) in the defendant's dwelling or on land owned or leased by the  
26 defendant appurtenant to the dwelling; [OR]

27 (2) actually engaged in lawful hunting, fishing, trapping or other lawful  
28 outdoor activity that necessarily involves the carrying of a weapon for personal  
29 protection; or

30 (3) the holder of a permit to carry a concealed weapon under  
31 AS 18.65.700 - 18.65.775 and the deadly weapon was not a shotgun, a rifle, or a

1 prohibited weapon as defined in AS 11.61.200.

2 \* Sec. 4. AS 11.61.220(d) is amended to read:

3 (d) In a prosecution under (a)(2) of this section, it is a defense that the  
4 defendant, at the time of possession, [WAS]

5 (1) was on business premises owned by or leased by the defendant;  
6 [OR]

7 (2) was on business premises in the course of the defendant's  
8 employment for the owner or lessee of those premises; or

9 (3) held a valid permit issued under AS 18.65.700 - 18.65.775 to  
10 possess a concealed weapon and, while carrying the concealed weapon and the  
11 permit for its possession, was in a restaurant or eating place licensed under  
12 AS 04.11.100 to sell beer and wine for consumption on the licensed premisses.

13 \* Sec. 5. AS 11.61.220(g) is amended to read:

14 (g) Except as provided in (i) of this section, misconduct [MISCONDUCT]  
15 involving weapons in the fifth degree is a class B misdemeanor.

16 \* Sec. 6. AS 11.61.220 is amended by adding new subsections to read:

17 (h) The provisions of (a)(3) of this section do not apply to a person under 18  
18 years of age in possession of a firearm if the person possesses the firearm

19 (1) at an established and lawfully operated range or target concession  
20 for the purpose of firing at targets at the range or concession;

21 (2) while in attendance at a hunter safety course or firearm safety  
22 course for the purpose of using the firearm in conjunction with lessons presented  
23 during that course;

24 (3) while engaged in organized competition involving use of the  
25 firearm, or while practicing for an organized competition in which the person plans to  
26 participate;

27 (4) on premises owned by or leased by another with the consent of the  
28 owner or lessee of those premises;

29 (5) while actually engaged in lawful

30 (A) hunting; or

31 (B) fishing, trapping, or other lawful outdoor activity if the