

ALASKA LEGISLATURE

1234

HOUSE and SENATE FINANCE COMMITTEE FILES,

1993-1994

308

SB

365

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/11/94

FURTHER:

DATE TURNED INTO OFFICE: 4-21-94

The Finance Committee considered **SENATE BILL NO. 365**

Improvement of state finances and fiscal accountability; efd.

and recommends:

- replace with CS SB 365 (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

~~Fiscal Note Info. to follow~~
 list attached

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS:

Steve Meyer

George Stehman

 1. Do Pass
 Co-Chair: Signature/Recommendation

OTHER RECOMMENDATIONS:

Tim Kelly - Do Not Pass

J. Kutzuba Do not pass
Let's keep No Rec

 2. Do Not Pass
 Co-Chair: Signature/Recommendation

5 FC
Copy

FISCAL NOTES TO ACCOMPANY
CSSB 365 (Finance) 4-21-94

PREVIOUS NOTES -

#1 DPS 0 3/08/94
Fire Suppression

NEW NOTES -

DPS[✓] 0 4/13/94
Driver S.

DOA[✓] 0 4/13/94
Leasing

GOV[✓] 0 3/22/94
OMB

DOTPF[✓] 0 4/13/94

DEC 0[✓] 4/13/94
Water & Waste

DOLabor[✓] 0 4/14/94
Workers' Comp.

DOC 0[✓] 4/14/94
Inmate Health Care

DOLaw[✓] 0 3/22/94
All

DPS[✓] \$253.1 4/20/94
Troopers, Admin.

DPS[✓] \$1,687.5 4/20/94
Troopers, Detachments

FISCAL NOTE

No. 1

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

Bill Version: SB 365

(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Public Safety
 Title: Improvement of State Finances BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: RLS by Request
 Requestor: Governor COMPONENT SERIAL NO. 494

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 EXPENDITURES						
CHANGE IN REVENUES ()	*	35.6	74.2	74.2	74.2	74.2
<small>Revenue Code</small>						

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			
PART-TIME			
TEMPORARY			

Changes in CS8B365 (874)
 have no fiscal impact. This
 fiscal note is appropriate.
4-8-94 _____
 date Comte Aide (initial)

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs.

There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
 Division: Fire Prevention Date: 03/08/94
 Approved by Commissioner: _____ Date: 03/08/94
 Agency: Richard L. Burton, Dept. of Public Safety

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McG
3/8/94

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 365

Revision Date: _____ Dept. Affected: Public Safety
 Title: Governor's Omnibus Bill BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: RLS by Request
 Requestor: (S) Finance COMPONENT SERIAL NO. 500

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 EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () <small>Revenue Code</small>	-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-

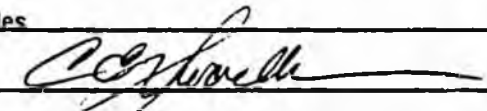
Estimate of current year (FY 94) impact: \$ _____

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:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361
 Division: Motor Vehicles Date: 04/13/94
 Approved by Commissioner:  Date: 04/13/94
 Agency: Richard J. Burton, Dept. of Public Safety

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FISCAL NOTE

No. 1

**STATE OF ALASKA
1994 LEGISLATIVE SESSION**

BILL

Bill Version: SD 365

(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Public Safety
 Title: Improvement of State Finances BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: RLS by Request
 Requestor: Governor COMPONENT SERIAL NO. 494

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 EXPENDITURES						
CHANGE IN REVENUES ()	*	35.6	74.2	74.2	74.2	74.2
<small>Revenue Code</small>						

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			
PART-TIME			
TEMPORARY			

Changes in CS8B365 (87A)
 have no fiscal impact. This
 fiscal note is appropriate.
4-8-94 _____
 date Comte Aide (initial)

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs.
 There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
 Division: Fire Prevention Date: 03/08/94
 Approved by Commissioner: _____ Date: 03/08/94
 Agency: Richard L. Burton, Dept. of Public Safety

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McG
3/13/94

FY 1996

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

TOTAL **\$35,675**

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

Fire Systems

Class IA	20 @	\$100	\$ 2,000
Class IB	50 @	150	7,500
Class IC	25 @	200	5,000
Class IIA	40 @	200	8,000
Class IIB	15 @	400	6,000
Class IIIA	20 @	200	4,000
Class IIIB	15 @	400	6,000
			<u>\$38,500</u>

TOTAL **\$74,175**

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 365

Revision Date: _____ Dept. Affected: Public Safety
 Title: Governor's Omnibus Bill BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: RLS by Request
 Requestor: (S) Finance COMPONENT SERIAL NO. 500

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 EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

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-

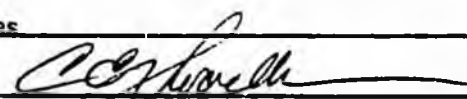
Estimate of current year (FY 94) impact: \$ _____

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:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361
 Division: Motor Vehicles Date: 04/13/94
 Approved by Commissioner:  Date: 04/13/94
 Agency: Richard L. Burton, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 365 (Fin)

Revision Date: _____ Dept. Affected: Administration
 Title: Omnibus Bill BRU: Leasing and Facilities
 Component: Leasing
 Sponsor: Rutias
 Requestor: Senate Finance COMPONENT SERIAL NO. 81

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
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
Total	0.0	0.0	0.0	0.0	0.0	0.0

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)

See attached.

Prepared by: Dugan Petty, Director Phone: 465-2250
 Division: General Services Date: _____

Approved by Commissioner: Nancy Bear Usura Date: 4/13/94
 Agency: Administration

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 365 (Fin)

ANALYSIS:

Section 24 increases the length allowed for lease extensions authorized under SB 129 during the last legislative session from five years to ten years. We anticipate that some lessors who are not willing to negotiate lease rate reductions and ADA modifications in exchange for a five-year lease extension will be willing to extend leases for ten years because of more favorable financing opportunities and longer amortization periods. There are up to 24 leases that offer the potential for savings in exchange for a ten-year extension. The actual amount of savings is dependent upon negotiations, lessor's ability to refinance existing obligations, and costs for ADA improvements. A rough review of leases suggests a potential in the range of \$165.0 - \$325.0. Since the leasing budget is historically under funded, any savings achieved through negotiations would reduce the amount requested in a supplemental appropriation.

Section 25 amends the small procurement section of the Procurement Code to include leases that do not exceed 2,500 square feet or \$5,000 per month. This will allow for informal and therefore less cumbersome procurements for certain leases. The Division of General Services (DGS) believes that this change will allow for greater efficiencies in lease acquisition which will permit DGS contracting officers to concentrate their efforts on the backlog of lease renewals and bids--thereby reducing the risk of premium payments for unplanned lease extensions and evictions. The current inventory of leases shows 144 leases that fit in this category.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 365 (FIN)

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: "An Act relating to the improvement of state finances BRU: Management and Budget
making changes to state agency functions or procedures" Component: Budget Review
 Sponsor: Senate Rules Committee
 Requestor: Governor COMPONENT SERIAL NO. 16

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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND 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	0.0	0.0	0.0

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Office of Management and Budget.

Prepared by: Nancy Slagle, Director *Nancy Slagle* Phone: 465-4681
 Division: Office of Management and Budget, Division of Budget Review Date: 3/22/94
 Approved by Commissioner: *Patrick J. Scanlon* Date: 3/22/94
 Agency: Office of the Governor

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FISCAL NOTE

Revision Date:
Title: Governor's Omnibus Bill

Department Affected: DOT&PF
BRU:

Sponsor: Governor
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0

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

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
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

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

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

ANALYSIS: (Attach a separate page if necessary)

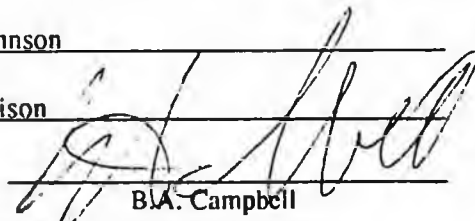
Prepared by: J.K. Ginger Johnson

Phone: 465-3904

Division: Legislative Liaison

Date: April 13, 1994

Approved by Commissioner:



Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: April 13, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SB 365

Revision Date: _____
Title: Governor's Omnibus
Sponsor: Senate Rules Committee
Requestor: Senate Finance Committee

Department Affected: Environmental Conservation
BRU: Environmental Quality
Component: Water and Waste Water

COMPONENT SERIAL NO. 1426

Expenditures/Revenues:

(Thousands of Dollars)

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

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

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

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Bob Poe, Director
Division: Information & Administrative Services Division

Phone: 465-5010
Date: 4/13/94

Approved by Commissioner: Bob Poe
Agency: Department of Environmental Conservation

Date: 4/13/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO : CSSB 365 (FIN)

Revision Date: _____
 Title: Governors' Omnibus Bill
 Sponsor: Senate Rules by request of the Governor
 Requestor: Senate Finance

Department Affected: Labor
 BRU: Workers' Compensation
 Component: Workers' Compensation
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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Paul B. Arnoldt, Director *Paul B. Arnoldt* Phone: 465-6059
 Division: Workers' Compensation Date: 4/14/94
 Approved by Commissioner: Charles W. Mahlen *Charles W. Mahlen*
 Agency: Department of Labor Date: 4/14/94

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: CSSB 365(FIN)

Revision Date: <u>April 14, 1994</u>	Dept. Affected: <u>Corrections</u>
Title: <u>Re. state agency functions (medical care for prisoners)</u>	BRU: <u>Statewide Operations</u>
Sponsor: <u>S. Rules</u>	Component: <u>Inmate Health Care</u>
Requestor: <u>S. FIN</u>	Component Serial #: <u>705</u>

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXP.	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXP	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MITIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

Prepared by: Diane Schenker, Special Assistant
 Division: Office of the Commissioner
 Approved by: J. Frank Prewitt, Jr., Commissioner
 Agency: Department of Corrections

Phone: 465-4643/786-2147
 Date: 4/14/94
 Date: 4/14/94
 Page 1 of 1

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB365

Revision Date: March 22, 1994
Title: "...relating to the improvement of state finances..."
Sponsor: Rules/Request of Governor
Requestor: Governor's Office

Department Affected: Department of Law
BRU: All
Component: All

COMPONENT SERIAL NO. 0086-0080,1823,0083,0087,1421,1410

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	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX

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

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

FUNDING:

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

POSITIONS:

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

Estimate of current year (FY94) impact: XXXX

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

Richard I. Peques

Prepared by: Richard I. Peques, Director

Division: Administrative Services/Division

Phone: 465-3672

Date: March 22, 1994

Approved by Commissioner: Bruce M. Botelho, Attorney General

Agency: Department of Law

Date: March 22, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS CONTINUATION:

Section 3 of this bill amends AS 09.50 to provide that the doctrine of non-mutual collateral estoppel is abolished in state courts as it is applied against the state relating to trial court decisions. The section would therefore have the effect of reversing the Alaska Supreme Court's decision of February 18, 1994, in State v. United Cook Inlet Drift Association.

The decision concerns the application of the principle of non-mutual collateral estoppel to preclude relitigation of questions of law. Since this sounds complex, an example may be helpful.

For example, a superior court in Barrow decides that a state law or regulation is unconstitutional (i.e., local hire) in a particular case. The state decides not to appeal because the facts were not the best or because the amount in question was small (i.e., \$1,000). If the state did not appeal, the doctrine of non-mutual collateral estoppel means that the state could never relitigate the legal issue if it arose under a different factual situation in Anchorage (i.e., major state construction project) or sizable amount in controversy (i.e., multimillions of dollars). In other words, the state would be bound to the Barrow superior court decision, unless it could convince a court that one of the exceptions to the doctrine applies.

If State v. United Cook Inlet Drift Association is allowed to stand and is broadly interpreted, it would force the state to appeal virtually every court decision in which the state did not prevail. State appeals of child support cases or permanent fund dividend cases alone might produce hundreds of additional new appeals a year. We would certainly need additional assistant attorneys general to adequately represent these appeals. Also, the court would likely incur additional costs to resolve these appeals.

Consequently, the burden on the public should be considered. Presently, the state only appeals a very limited number of cases with "big ticket" legal principles. We carefully screen cases to make sure that the court is presented with the clearest fact situation and that we do not abuse the public finances by appealing minor cases. Adoption of this bill will avoid the considerable expense to the state of appealing each and every trial court decision in the state, where application of the decision elsewhere would have an adverse impact on the civil and criminal activities of state government. The cost for bringing these appeals could easily approach several hundred thousand dollars annually. Moreover, there would also be a considerable cost to state programs and private individuals and businesses, if state regulatory or grants-in-aid activity is disrupted as a result of a "minor" adverse court decision.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SB 365(FIN)

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the improvement BRU: Alaska State Troopers
of state finances . . . Component: Administration
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	202.5	202.5	202.5	202.5	202.5	202.5
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	30.0	30.0	30.0	30.0	30.0	30.0
SUPPLIES	20.6	20.6	20.6	20.6	20.6	20.6
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	253.1	253.1	253.1	253.1	253.1	253.1

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	253.1	253.1	253.1	253.1	253.1	253.1
-------------------------------	-------	-------	-------	-------	-------	-------

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	253.1	253.1	253.1	253.1	253.1	253.1
1006 GF/MHTIA						
Other						
TOTAL	253.1	253.1	253.1	253.1	253.1	253.1

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

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Senate Finance Committee Phone: 465-2678
 Division: _____ Date: 04/20/94
 Approved by Commissioner: [Signature] Date: 04/20/94
 Agency: _____

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SB 365(FIN)

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the improvement BRU: Alaska State Troopers
of state finances . . . Component: Detachments
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	1355.2	1355.2	1355.2	1355.2	1355.2	1355.2
TRAVEL	57.0	57.0	57.0	57.0	57.0	57.0
CONTRACTUAL	252.5	252.5	252.5	252.5	252.5	252.5
SUPPLIES	22.8	22.8	22.8	22.8	22.8	22.8
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5
-------------------------------	--------	--------	--------	--------	--------	--------

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5
1006 GF/MHTIA						
Other						
TOTAL	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Senate Finance Committee Phone: 465-2678
 Division: _____ Date: 04/20/94
 Approved by Commissioner: [Signature] Date: 04/20/94
 Agency: _____

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AMENDMENTS TO SB 365, GOVERNOR'S OMNIBUS BILL

ADOPTED 1. by Senator Rieger relating to police protection in unified municipalities.

held 2. by Senator Sharp (conceptual) relating to a resource fee charged to cruise ship passengers.

held 3. by Senator Jacko relating to state aid to unincorporated communities and municipalities.

MOVED
rescinded 4. requested by Public Safety relating to farm vehicles. Two repealers.

w/d 5. by Senator Rieger relating to various issues.

ADOPTED 6. by Senator Pearce relating to various issues.

Failed #7 by Sen Kelly to amend #1
2-7

ADOPTED

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR RIEGER

TO: CSSB 365(FIN) (8-GS2049N)

Page 1, line 1, after "Act":

Insert "enacting,"

SENATE FINANCE
COMMITTEE

Amendment Number: ①

Bill Number: SB 365

Sponsor: Rieger Date: 4/12/94

Logged In By: (RM)

Page 1, line 3, after "insurance,":

Insert "police protection service areas established subject to voter approval in unified municipalities for services provided by the Department of Public Safety,"

Page 8, after line 7:

Insert the following new bill sections to read:

"* Sec. 23. AS 29.10.200 is amended by adding a new paragraph to read:

(53) AS 29.35.495 (police protection service areas)

* Sec. 24. AS 29.35 is amended by adding a new section to article 7 to read:

Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The residents of an area in a unified municipality may file a petition with the municipal clerk for formation of a police protection service area for services to be provided by the Department of Public Safety if the area is

(1) contiguous; and

(2) includes at least 50 residents or three percent of the municipal population, whichever is greater.

(b) The petition form shall be supplied by the clerk at the request of a voter. The petition must describe the boundaries of the proposed service area and the additional police protection services to be provided by the Department of Public Safety in the area. It shall be signed by a number of voters residing in the proposed service area equal to at least 10 percent of the number of residents in the area who voted in the last regular election.

(c) Upon receipt of a petition that meets the requirements of (a) of this section, the municipal clerk shall submit the petition to the commissioner of public safety. Within 30 days after receipt of the petition the commissioner shall notify the clerk of what the estimated total cost of providing the services in the proposed service area each month will be for a three-year period. The estimate shall be based on the direct costs of troopers to be assigned to the area. If a trooper is expected to routinely cover an area larger than the proposed service area, the cost of that trooper shall be prorated proportionally to the amount of duty time spent within the service area. In addition to the direct costs of troopers, the estimate shall include an amount to cover administrative costs incurred by the department not to exceed 15 percent of the direct costs. The sum of the direct costs and administrative costs equals the estimated total cost for purposes of this section.

(d) Upon receipt by the clerk of the estimated total cost prepared by the commissioner of public safety under (c) of this section, during the next regular or special election held in the unified municipality the question of forming the proposed police protection service area and of levying assessments to cover that estimated total cost, plus costs of collection incurred by the municipality not to exceed four percent of the estimated total cost, shall be placed before the voters residing in the proposed service area. If the question is approved by a majority of those voting on the question, the service area is formed and the commissioner of public safety shall provide the additional services in that area.

(e) The governing body shall levy assessments in the service area to finance the additional police protection services in an amount equal to the estimated total cost provided by the commissioner of public safety plus the amount for administrative or other costs incurred by the unified municipality approved by the voters. Payments shall be made to the commissioner within 60 days of receipt of assessments by the municipality. The municipality may retain from assessments the amount levied for administrative or other costs incurred by the municipality.

(f) At least once every three years an election shall be held by the unified municipality in a police protection service area formed under this section on the question of continuation of the service area. The commissioner of public safety shall submit a revised notice of the estimated total cost of providing the services during the

next three years prepared in accordance with (c) of this section for inclusion with the question, and the municipality shall indicate the amount for costs of collection incurred by the municipality not to exceed four percent of the revised estimated total cost. If the question is not approved by a majority of the residents voting on the question, the service area is dissolved 120 days after certification of the election. If the question is approved, the rate of assessments shall be adjusted accordingly by the municipality.

(g) This section applies to unified municipalities, but not to other home rule or general law municipalities."

Renumber the following bill sections accordingly.

Page 13, line 19:

Delete "sec. 35"

Insert "sec. 37"

Page 13, line 24:

Delete "Section 33"

Insert "Section 35"

Page 13, line 25:

Delete "sec. 34"

Insert "sec. 36"

ADOPTED

CSSB 365 (Fin) Version K

pg 2, lines 9-10:

amend to read "The statement must set forth [A GENERAL ITEMIZATION OF] the estimated cost for each project and the total estimates of all projects."

Sec. 26.:

pg 10, lines 11-13

amend to read: "(2) prepare for submission to the governor an annually updated capital improvements program in fiscal year format covering the current fiscal year plus three succeeding fiscal years and the proposed capital improvements budget for the coming fiscal year, the latter to include individual project justification with documentation of estimated project cost;"

Sec. 28

pg 11, lines 21-30

amend to read: "(a) The commissioner shall develop annually a comprehensive, intermodal, long-range transportation priority list and plan for the state consistent with applicable federal laws. [IN DEVELOPING AND REVISING THE STATE PLAN, THE COMMISSIONER SHALL CONSIDER MEANS AND COSTS OF IMPROVING EXISTING MODES AND FACILITIES, STATE AND FEDERAL SUBSIDIES, AND THE COSTS AND BENEFITS OF NEW TRANSPORTATION MODES AND FACILITIES. THE COMMISSIONER SHALL ALSO CONSIDER THE RECOMMENDATION OF THE ALASKA TRANSPORTATION PLANNING COUNCIL.] The plan shall be submitted to the governor for review and approval and submitted by the governor to the legislature.

Sec. 29

pg. 12, line 3

after the word regulations add the word and

lines 3-15: do not delete

Sec. 32

pg 13, line 19

SENATE FINANCE COMMITTEE
Amendment Number: 6
Bill Number: SSB 365
Sponsor: Reyno Date: 9/29/94
Logged In By: (Signature)

April 20, 1994

JF

change entire section

"AS 28.10.108(b) and AS 28.22.041(h) are repealed.

(This deletes the reference to AS 44.42.050(d). This deletion would have allowed DOTPF to avoid the itemization of estimated costs for proposed capital budget projects and allocations for transportation construction projects and necessary contingencies within the general appropriations act.)

ADOPTED
4-14-94

CS FOR SENATE BILL NO. 365(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act amending and repealing laws providing for state agency functions and
2 services related to transportation and capital improvement planning, workers'
3 compensation, motor vehicles and motor vehicle insurance, medical care for
4 prisoners, state building leases, and review and approval of water and sewer
5 systems, for the purpose of reducing state government expenditures; and providing
6 for an effective date."

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

8 * Section 1. AS 19.10.140 is amended to read:

9 Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY
10 CONSTRUCTION [AND MAINTENANCE]. The [GOVERNOR SHALL REQUIRE
11 THE] department shall [TO] establish a continuing, long-range program for highway
12 construction [AND MAINTENANCE]. The program must annually project proposed
13 construction [AND MAINTENANCE] of highways in a priority format for not less

1 than the next succeeding five years. A statement of the program shall be submitted
2 by the governor to the legislature annually [, AND THE LONG-RANGE PROGRAM
3 SHALL INCLUDE IN DETAIL THE PROGRAM PREPARED UNDER
4 AS 19.10.150].

5 * Sec. 2. AS 19.10.150 is amended to read:

6 Sec. 19.10.150. CONSTRUCTION PROGRAM. Before February 2 of each
7 year, the department shall prepare a statement showing what construction work has
8 been requested and proposed and may be undertaken by the department during the
9 following construction season. The statement must set forth a general itemization of
10 the estimated cost for each project and the total estimates of all projects. [THE
11 DEPARTMENT SHALL ADOPT A CONSTRUCTION PROGRAM WHICH MUST
12 INCLUDE THE PROJECTS TO BE UNDERTAKEN BY IT DURING THE
13 FOLLOWING CONSTRUCTION SEASON AND MUST ESTABLISH PROJECT
14 PRIORITIES.] The department may increase, decrease, amend, or revise the
15 construction program from time to time as circumstances warrant.

16 * Sec. 3. AS 19.10.160 is amended to read:

17 Sec. 19.10.160. STANDARD DRAWINGS [PLANS] AND
18 SPECIFICATIONS. The department may [SHALL] prepare and adopt uniform
19 standard drawings [PLANS] and specifications for the establishment and [,]
20 construction [, AND MAINTENANCE] of highways in the state. The department may
21 amend the drawings [PLANS] and specifications as it considers advisable. [THE
22 STANDARDS MUST CONFORM AS CLOSELY AS PRACTICABLE TO THOSE
23 ADOPTED BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND
24 TRANSPORTATION OFFICIALS.]

25 * Sec. 4. AS 23.30.041(e) is amended to read:

26 (e) An employee shall be eligible for benefits under this section upon the
27 employee's written request and by having a physician predict that the employee will
28 have permanent physical capacities that are less than the physical demands of the
29 employee's job as described in the United States Department of Labor's "Selected
30 Characteristics of Occupations Defined in the Revised Dictionary of Occupational
31 Titles" for

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(1) the employee's job at the time of injury; or

(2) other jobs that exist in the labor market that the employee has held or received training for within 10 years before the injury or that the employee has held following the injury for a period long enough to obtain the skills to compete in the labor market, according to specific vocational preparation codes as described in the United States Department of Labor's "Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles."

* Sec. 5. AS 23.30.095(k) is amended to read:

(k) In the event of a medical dispute regarding determinations of causation, medical stability, ability to enter a reemployment plan, degree of impairment, functional capacity, the amount and efficacy of the continuance of or necessity of treatment, or compensability between the employee's attending physician and the employer's independent medical evaluation, a second independent medical evaluation shall be conducted by a physician or physicians selected by the board or its designee from a list established and maintained by the board and its designee. The cost of the examination and medical report shall be paid by the employer. The report of the independent medical examiner shall be furnished to the board and to the parties within 14 days after the examination is concluded. A person may not seek damages from an independent medical examiner caused by the rendering of an opinion or providing testimony under this subsection, except in the event of fraud or gross incompetence.

* Sec. 6. AS 23.30.190(b) is amended to read:

(b) All determinations of the existence and degree of permanent impairment shall be made strictly and solely under the whole person determination as set out in the current edition of the American Medical Association Guides to the Evaluation of Permanent Impairment at the time of the impairment rating, except that an impairment rating may not be rounded to the next five percent. The board shall adopt a supplementary recognized schedule for injuries that cannot be rated by use of the American Medical Association Guides.

* Sec. 7. AS 28.05.061(c) is amended to read:

(c) The commissioner and officers and employees of the department designated by the commissioner shall, upon request, prepare under the seal of the department and

1 deliver, unless otherwise prohibited by law, a certified copy of any record of the
2 department maintained under this title or regulations adopted under this title, charging
3 a fee for each certified copy. A certified copy, or an electronic record certified by
4 the department, is admissible in a proceeding in a court in the same manner as the
5 original document.

6 * Sec. 8. AS 28.05.121 is amended to read:

7 Sec. 28.05.121. GIVING OF NOTICE. When the department is authorized or
8 required to give notice under this title or regulations adopted under this title, unless a
9 different method of giving notice is otherwise expressly provided, notice shall be given
10 by a qualified person, either by personal delivery to the person to be notified or by
11 first class [REGISTERED OR CERTIFIED] mail, [RETURN RECEIPT
12 REQUESTED,] addressed to the person at the address of the person as shown in the
13 electronic records of the department. The giving of notice by mail is considered
14 complete upon placing the notice in a United States Post Office receptacle, with
15 appropriate postage [THE RETURN OF THE RECEIPT OR UPON RETURN OF
16 THE NOTICE AS UNDELIVERABLE, REFUSED, OR UNCLAIMED]. Proof of the
17 giving of notice in either manner may be made by the affidavit of the person giving
18 the notice by personal delivery or by mail, naming the person to whom the notice was
19 given and specifying the time, place, and manner of giving the notice.

20 * Sec. 9. AS 28.05.141(b) is amended to read:

21 (b) A hearing ordered under (a) of this section shall be held telephonically at
22 a time and date set by [AT THE OFFICE OF] the department, except that if the
23 department determines that an in-person hearing is necessary to determine factual
24 issues, the department may order that the hearing be conducted in person at a
25 place, time, and date set by the department [NEAREST TO THE RESIDENCE OF
26 THE PERSON REQUESTING THE HEARING UNLESS THE DEPARTMENT AND
27 THE PERSON AGREE THAT THE HEARING IS TO BE HELD ELSEWHERE].
28 The department may [SHALL] grant a hearing delay only if the person shows, to the
29 satisfaction of the department, [PRESENTS] good cause for the delay that is beyond
30 the control of the person. If a person fails to appear for the hearing at the time and
31 place stated by the department and if a hearing delay has not been granted, the

1 person's failure to appear is considered a waiver of the hearing and the department
2 may take appropriate action with respect to the person.

3 * Sec. 10. AS 28.10.031(b) is amended to read:

4 (b) A licensed vehicle dealer may issue to the purchaser of a vehicle sold by
5 the dealer a temporary permit to drive the vehicle. A permit is effective for a period
6 not to exceed 60 [30] days. The commissioner shall adopt regulations governing the
7 issuance of permits under this section.

8 * Sec. 11. AS 28.10.108(c) is amended to read:

9 (c) A vehicle subject to registration [AND NOT DESCRIBED IN (b) OF THIS
10 SECTION] shall have its initial registration, and may have its annual registration,
11 renewed in the month of initial registration in the state, subject to the provisions of (f)
12 of this section.

13 * Sec. 12. AS 28.15.166(e) is amended to read:

14 (e) The [NOTWITHSTANDING AS 28.05.141(b), THE] hearing under this
15 section shall be held telephonically at a time and date set by [AT THE OFFICE OF]
16 the department, except that if the department determines that an in-person hearing
17 is necessary to determine factual issues, the department may order that the
18 hearing be conducted in person at a place, time, and date set by the department
19 [NEAREST TO THE RESIDENCE OF THE PERSON REQUESTING THE
20 HEARING UNLESS

21 (1) A DISTRICT COURT JUDGE OR A MAGISTRATE HAS BEEN
22 DESIGNATED AS A HEARING OFFICER IN THE MATTER BY THE
23 COMMISSIONER; OR

24 (2) THE DEPARTMENT AND THE PERSON AGREE THAT THE
25 HEARING IS TO BE HELD ELSEWHERE].

26 * Sec. 13. AS 28.15.166(f) is amended to read:

27 (f) A review under this section shall be held before a hearing officer
28 designated by the commissioner. [UPON THE CONSENT OF THE
29 ADMINISTRATIVE DIRECTOR OF THE STATE COURT SYSTEM, THE
30 COMMISSIONER MAY DESIGNATE A DISTRICT COURT JUDGE OR A
31 MAGISTRATE TO SERVE AS THE HEARING OFFICER.] The hearing officer shall

1 have authority to

2 (1) administer oaths ~~or~~ affirmations;

3 (2) examine witnesses and take testimony;

4 (3) receive relevant evidence;

5 (4) issue subpoenas, take depositions, or cause depositions or
6 interrogatories to be taken;

7 (5) regulate the course and conduct of the hearing;

8 (6) make a final ruling on the issue.

9 * Sec. 14. AS 28.20.050(a) is amended to read:

10 (a) The provisions of this chapter requiring deposit of security and suspension
11 for failure to deposit security apply to the driver and owner of a vehicle subject to
12 registration under the laws of this state that is involved in any manner in an accident
13 in this state resulting in bodily injury to or death of a person or damage to the property
14 of any one person exceeding \$1,000 [\$500].

15 * Sec. 15. AS 28.20.050(e) is amended to read:

16 (e) A peace officer investigating an accident that results in bodily injury to or
17 the death of a person or damage to the property of a person exceeding \$1,000 [\$500]
18 shall inform persons involved in the accident in writing of the requirements of this
19 chapter as they apply to suspension of an operator's license or driving privileges.

20 * Sec. 16. AS 28.20.100(c) is amended to read:

21 (c) If the department evaluates the injuries or damage to a minor in an amount
22 not more than \$1,000 [\$500], the department may accept, for the purposes of this
23 chapter only, evidence of a release from liability executed by a natural or legal
24 guardian on behalf of the minor without court approval.

25 * Sec. 17. AS 28.20.230(a) is amended to read:

26 (a) The provisions of this chapter requiring the deposit of proof of financial
27 responsibility for the future apply to persons who are convicted of or forfeit bail for
28 certain offenses under motor vehicle laws or who, by ownership or operation of a
29 vehicle of a type subject to registration under AS 28.10, are involved in an accident
30 in this state that results in bodily injury or death of a person or damage to the property
31 of any one person exceeding \$1,000 [\$500].

1 * Sec. 18. AS 28.20.260(a) is amended to read:

2 (a) Upon receipt by the department of the report of an accident resulting in
3 bodily injury or death, or property damage to any one person exceeding \$1,000 [\$500],
4 the department shall suspend the license of the driver of a motor vehicle involved in
5 the accident unless the driver or owner

6 (1) has previously furnished or immediately furnishes security required
7 by this chapter, or is excepted from furnishing security under AS 28.20.060; [,] and

8 (2) maintains proof of financial responsibility for three years following
9 the accident.

10 * Sec. 19. AS 28.22.021 is amended to read:

11 Sec. 28.22.021. REQUIREMENT OF PROOF OF MOTOR VEHICLE
12 LIABILITY INSURANCE. The owner or operator of a motor vehicle required to have
13 motor vehicle liability insurance that complies with this chapter or a certificate of
14 self-insurance that complies with AS 28.20.400, shall show proof of this insurance
15 when that person is involved in an accident that results in bodily injury to or death of
16 a person, or damage to the property of a person exceeding \$1,000 [\$500].

17 * Sec. 20. AS 28.22.041(a) is amended to read:

18 (a) If [EXCEPT AS PROVIDED IN (h) OF THIS SECTION, IF] a person
19 fails to provide proof required under AS 28.22.021 and 28.22.031, the department shall
20 suspend the driver's license of that person for the following periods:

21 (1) not less than 90 days if, within the preceding 10 years, the person
22 has not had a driver's license suspended for violation of AS 28.22.011 or former
23 AS 28.22.200;

24 (2) not less than one year if, within the preceding 10 years, the person
25 has had a driver's license suspended one or more times for violation of AS 28.22.011
26 or former AS 28.22.200.

27 * Sec. 21. AS 28.35.080(a) is amended to read:

28 (a) The driver of a vehicle involved in an accident resulting in bodily injury
29 to or death of a person or total property damage to an apparent extent of \$1,000 [\$500]
30 or more shall immediately by the quickest means of communication give notice of the
31 accident to the local police department if the accident occurs within a municipality,

1 otherwise to the Department of Public Safety.

2 * Sec. 22. AS 28.35.080(b) is amended to read:

3 (b) The driver of a vehicle involved in an accident resulting in bodily injury
4 to or death of a person or total property damage to an apparent extent of \$1,000 [\$500]
5 or more shall, within 10 days after the accident, forward a written report of the
6 accident to the Department of Public Safety and to the local police department if the
7 accident occurs within a municipality. A report is not required under this subsection
8 if the accident is investigated by a peace officer.

9 * Sec. 23. AS 33.30.011 is amended to read:

10 Sec. 33.30.011. DUTIES OF COMMISSIONER. The commissioner shall

11 (1) establish, maintain, operate, and control correctional facilities
12 suitable for the custody, care, and discipline of persons charged or convicted of
13 offenses against the state or held under authority of state law;

14 (2) classify prisoners;

15 (3) for persons committed to the custody of the commissioner, establish
16 programs, including furlough programs that are reasonably calculated to

17 (A) protect the public;

18 (B) maintain health;

19 (C) create or improve occupational skills;

20 (D) enhance educational qualifications;

21 (E) support court-ordered restitution; and

22 (F) otherwise provide for the rehabilitation and reformation of
23 prisoners, facilitating their reintegration into society;

24 (4) provide necessary medical services for prisoners in state
25 correctional facilities or to fulfill duties under AS 33.30.071 [WHO ARE
26 COMMITTED BY A COURT TO THE CUSTODY OF THE COMMISSIONER],
27 including examinations for communicable and infectious diseases, if a physician or
28 other health care provider, exercising ordinary skill and care at the time of
29 observation, concludes that

30 (A) a prisoner exhibits symptoms of a serious disease or
31 injury that is curable or may be substantially alleviated; and

1 exceed an aggregate dollar amount of \$25,000, or (2) lease of space that does not
2 exceed 2,500 square feet with a monthly lease amount that does not exceed \$5,000.
3 may be made in accordance with regulations adopted by the commissioner for small
4 procurements.

5 * Sec. 26. AS 37.07.040 is amended to read:

6 Sec. 37.07.040. OFFICE OF MANAGEMENT AND BUDGET. The Alaska
7 office of management and budget shall

8 (1) assist the governor in the preparation and explanation of the
9 proposed comprehensive program and financial plan, including the coordination and
10 analysis of state agency goals and objectives, plans, and budget requests;

11 (2) prepare for submission to the governor an annually updated multi-
12 year [SIX-YEAR] capital improvements program in either a fiscal year or priority
13 format and the proposed capital improvements budget for the coming fiscal year [,
14 THE LATTER TO INCLUDE INDIVIDUAL PROJECT JUSTIFICATION WITH
15 DOCUMENTATION OF ESTIMATED PROJECT COST];

16 (3) develop procedures to produce the information needed for effective
17 policy decision making, including procedures to provide for the dissemination of
18 information about plans, programs, and budget requests to be included in the annual
19 budget and opportunity for public review and comment during the period of budget
20 preparation;

21 (4) assist state agencies in their statement of goals and objectives,
22 preparation of plans, budget requests, and reporting of program performance; all
23 documents forwarded by the office to a state agency containing instructions for the
24 preparation of program plans and budget requests and the reporting of program
25 performance are public information after the date they are forwarded;

26 (5) administer its responsibilities under the program execution
27 provisions of this chapter so that the policy decisions and budget determinations of the
28 governor and the legislature are implemented;

29 (6) provide the legislative finance division with the budget information
30 it may request;

31 (7) provide the legislative finance division with an advance copy of the

1 governor's budget workbooks by the first Monday in January of each year, except that
2 following a gubernatorial election year the advance copy shall be provided by the
3 second Monday in January;

4 (8) prepare the proposed capital improvements budget for the coming
5 fiscal year evaluating both state and local requests from the standpoint of need, equity,
6 and priorities of the jurisdiction; other factors such as project amounts, population,
7 local financial match, federal funds being used for local match, municipality or
8 unincorporated community acceptance of the facility, and all associated costs of the
9 facility may be considered.

10 * Sec. 27. AS 37.07.060 is amended by adding a new subsection to read:

11 (c) The reporting requirements of (b)(3) of this section are modified with
12 respect to the Department of Transportation and Public Facilities. The governor's
13 report must contain, for that department, the governor's construction program for the
14 succeeding construction season, budget recommendations for the succeeding fiscal
15 year, and capital improvements construction program for the succeeding six fiscal
16 years, which must include

17 (1) a general description of each project and the source of financing for
18 the project; and

19 (2) the information required by (b)(3)(B) - (H) of this section.

20 * Sec. 28. AS 44.42.050(a) is amended to read:

21 (a) The commissioner may [SHALL] develop [ANNUALLY] a
22 comprehensive, intermodal, long-range transportation priority list and plan for the
23 state consistent with applicable federal laws. [IN DEVELOPING AND REVISING
24 THE STATE PLAN, THE COMMISSIONER SHALL CONSIDER MEANS AND
25 COSTS OF IMPROVING EXISTING MODES AND FACILITIES, STATE AND
26 FEDERAL SUBSIDIES, AND THE COSTS AND BENEFITS OF NEW
27 TRANSPORTATION MODES AND FACILITIES. THE COMMISSIONER SHALL
28 ALSO CONSIDER THE RECOMMENDATION OF THE ALASKA
29 TRANSPORTATION PLANNING COUNCIL.] The plan shall be submitted to the
30 governor for review and approval and submitted by the governor to the legislature.

31 * Sec. 29. AS 44.42.050(b) is amended to read:

1 (b) In developing and revising the plan, the commissioner shall seek public
2 review and evaluation consistent with applicable federal statutes and regulations
3 [BY ANY REASONABLE MEANS AND MAY

4 (1) CONSULT AND COOPERATE WITH OFFICIALS AND
5 REPRESENTATIVES OF THE FEDERAL GOVERNMENT, OTHER
6 GOVERNMENTS, INTERSTATE COMMISSIONS AND AUTHORITIES, LOCAL
7 AGENCIES AND AUTHORITIES, INTERESTED CORPORATIONS AND OTHER
8 ORGANIZATIONS CONCERNING PROBLEMS AFFECTING TRANSPORTATION
9 IN THE STATE; AND

10 (2) REQUEST FROM AN AGENCY OR OTHER UNIT OF THE
11 STATE GOVERNMENT OR OF A POLITICAL SUBDIVISION OF IT, OR FROM
12 A PUBLIC AUTHORITY, THE ASSISTANCE AND DATA THAT MAY BE
13 NECESSARY TO ENABLE THE COMMISSIONER TO CARRY OUT
14 RESPONSIBILITIES UNDER THIS SECTION; EVERY SUCH ENTITY SHALL
15 PROVIDE THE ASSISTANCE AND DATA REQUESTED].

16 * Sec. 30. AS 46.03 is amended by adding a new section to read:

17 Sec. 46.03.026. ON-SITE WATER AND SEWER SYSTEM CERTIFICATION
18 AND AUDIT PROGRAM. (a) Notwithstanding any provision of this chapter to the
19 contrary, for bank loans for homes in this state, the department may establish, by
20 regulation, a program to delegate the review and certification of on-site drinking water
21 and sewer systems. Under standards adopted by the department by regulation, the
22 department may delegate the review and certification to engineers who are registered
23 under AS 08.48.

24 (b) If the department establishes a program under (a) of this section, the
25 department shall establish an audit system for the department to monitor and review
26 a statistically significant number of systems certified under that program. An audit
27 must determine compliance with departmental standards for design, installation, and
28 operation in effect at the time of the certification.

29 (c) If the department establishes a program under (a) of this section, the
30 department shall, by regulation, establish fees for services sufficient to make the
31 program self-supporting.

1 * Sec. 31. AS 46.03.720 is amended by adding a new subsection to read:

2 (d) Notwithstanding (a) of this section, department review and approval of
3 plans is not required for the functions specified in (a) of this section if

4 (1) the sewerage system or treatment works, or a part of either, is
5 located in a community or major military facility that has the power or legal authority
6 to review and approve sewerage system or treatment works plans;

7 (2) the community or major military facility has established ordinances
8 or other law to regulate domestic sewerage that the department has determined are
9 substantially equivalent to department standards in effect at the time of the
10 determination;

11 (3) the community or major military facility has employed an engineer
12 registered under AS 08.48 who will review and approve domestic sewerage plans
13 under those ordinances or other law;

14 (4) the community or major military facility commits adequate funding
15 or other resources to administer plan review and approvals under this subsection; and

16 (5) the department and the community or major military facility have
17 entered into an agreement under this subsection for delegation of the review and
18 approval of plans under the standards described in this subsection.

19 * Sec. 32. AS 28.10.108(b); AS 28.22.041(h); and AS 44.42.050(d) are repealed.

20 * Sec. 33. TRANSITION. Notwithstanding sec. 35 of this Act, an agency of the state that
21 has regulation adoption authority or that is authorized by this Act to adopt regulations, may
22 proceed to adopt regulations necessary to implement that agency's respective provisions in this
23 Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not
24 before July 1, 1994.

25 * Sec. 34. Section 33 of this Act takes effect immediately under AS 01.10.070(c).

26 * Sec. 35. Except as provided in sec. 34 of this Act, this Act takes effect July 1, 1994.

Alaska State Legislature

held

SENATOR
BERT SHARP

DISTRICT 2

CHAIRMAN
TRANSPORTATION COMMITTEE

MEMBER
FINANCE COMMITTEE
LEGISLATIVE BUDGET & AUDIT COMMITTEE
HEALTH & SOCIAL SERVICES



FAIRBANKS

DENALI BANK BUILDING
119 N. CUSHMAN, SUITE 201
FAIRBANKS, ALASKA 99701
(907) 452-7885/7886

SESSION ADDRESS

STATE CAPITOL, ROOM 514
JUNEAU, ALASKA 99801-1182
(907) 465-3004/4921

Senate

APR 15 1994

MEMORANDUM

TO: Senator Drue Pearce, Co-Chair
Senate Finance Committee

FROM: Senator Bert Sharp, Member
Senate Finance Committee

BMS

SUBJ: Entry Fee

DATE: April 13, 1994

I believe four years of waiting for Industry to come up with a method of contribution for tourism promotion is long enough.

As a way to generate revenue, I suggest the Finance Committee amend into SB-365 (the Omnibus Fee Bill) instituting a \$15 per person resource fee charged to each person in Alaska as a cruise ship passengers. This additional revenue could be allocated 2/3 to the Tourism and Marketing Council budget to help offset cost associated with tourism promotion and 1/3 for wildlife management into the Fish and Game Fund..

SENATE FINANCE
COMMITTEE
Amendment Number: 2
Bill Number: SB 365
Sponsor: Sharp Date: 4/13/94
Logged In By: BMS



REPRESENTING
GOLDEN HEART
OF ALASKA

* **Sec. 24.** AS 29.60.170 is amended to read:

Sec. 29.60.170. MISCELLANEOUS SERVICES ACCOUNT. The miscellaneous services account is established. Money to carry out the provisions of AS 29.60.100 - 29.60.180 shall be allocated by the department to the account in accordance with AS 29.60.280. Payments shall be made under AS 29.60.140 before payments are made under AS 29.60.100 - 29.60.130 and 29.60.160. If amounts in the account are insufficient to pay each municipality's or other recipient's share authorized under AS 29.60.100 - 29.60.130 and 29.60.160 [AS 29.60.100 - 29.60.180], the amounts that are available shall be distributed pro rata among eligible municipalities and other recipients."

Renumber the following bill sections accordingly.

Page 13, line 20:

Delete "sec. 35"

Insert "sec. 37"

Page 13, line 25:

Delete "Section 33"

Insert "Section 35"

Page 13, line 26:

Delete "sec. 34"

Insert "sec. 36"

SENATE FINANCE
COMMITTEE

Amendment Number: 3

Bill Number: SB 365

Sponsor: Jacko Date: 4/19/94

Logged In By: Bob

8-GS2049K.1 ✓

Dierdorff

4/19/94

lead

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR JACKO

TO: CSSB 365(FIN) (Draft Dated 4/12/94)

Page 1, line 3, following "insurance,":

Insert "state aid to unincorporated communities and municipalities,"

Page 8, after line 8:

Insert new bill sections to read:

"* Sec. 23. AS 29.60.140(a) is amended to read:

(a) The department shall pay to each unincorporated community an entitlement each fiscal year to be used for a public purpose. The department with advice from the Department of Law shall determine whether there is in each unincorporated community an incorporated nonprofit entity or a Native village council that will agree to receive and spend the entitlement. If there is more than one qualified entity in an unincorporated community, the department shall pay the money under the entitlement to the entity that the department finds most qualified to receive and spend the money. The department may not pay money under an entitlement to a Native village council unless the council waives immunity from suit for claims arising out of activities of the council related to the entitlement. A waiver of immunity from suit under this subsection must be on a form provided by the Department of Law. If there is no qualified incorporated nonprofit entity or Native village council in an unincorporated community that is willing to receive money under an entitlement, the entitlement for that unincorporated community may not be paid. Neither this subsection nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council. If at least \$41,472,000 is appropriated for all entitlements under AS 29.60.010 - 29.60.310 for a fiscal year, the entitlement for each unincorporated community under this subsection for that year equals \$40,000. Otherwise, the entitlement equals \$10,000 [\$25,000].

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

April 19, 1994

SUBJECT: Single Subject Problem with Enclosed Amendment
(Work Order No. 8-GS2049\K.1)

TO: Senator George Jacko
Attn: Larry Stevens

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed is the amendment you requested.

I believe that while the general purpose and effect of the amendment is consistent with that of SB 365 (reduction of state government expenditures), the amendment poses a worrisome single subject problem. I will not repeat here the legal discussion of single subject considerations that has been set out in previous memos on SB 365. However, you should be aware that a court would be quite likely to view the amendments to the state's unincorporated community entitlement program, particularly the changes that give payments to unincorporated communities priority over other revenue sharing payments, as changes that are substantively distinct from the subjects that are currently contained in CSSB 365(FIN) (I say "subjects" because it is my opinion that the CS currently violates the single subject rule). Consequently, as I advised your staff, it would be desirable to locate another vehicle for the changes you wish to make.

If I may be of further assistance, please advise.

DRD:gc
94-270.glc

Enclosure

APR-20-94 WED 16:25
APR-20-94 WED 16:17

Juno Fire Prev.
0000

FAX NO. 9074635860
FAX NO. 4654043

P. 02
P. 02

ADOPTED

Rescinded

Department of Public Safety

Proposed Amendment to SB 365

April 20, 1994

Page 3, line 29, add a new section 7 to read as follows:

Sec. 7. AS 28.32.900(1)(C)(ii) is amended to read:

(ii) farm vehicles that are controlled and operated by a farmer; used to transport agricultural products, farm machinery, or farm supplies to or from that farmer's farm; not used in the operations of a common or contract motor carrier; and used within 150 [300] miles of the farmer's farm;

Re-number remaining sections accordingly.

Page 5, line 10, add a new section 10 to read:

Sec. 10. AS 28.32.900(1)(B) and AS 28.40.100(2)(B) are repealed.

SENATE FINANCE
COM: TEE
Amendment Number: 4
Bill Number: SB 365
Sponsor: _____ Date: 4/20/94
Logged In By: [Signature]

AN AMENDMENT
TO CSSB 365 (FIN) (Draft "K")

BY SENATOR RIEGER

MOVED
Rieger w/d

Page 2, line 9

after "season", insert: "and what changes to the prior year's statement were made in the prior construction season, including the balance needed for completion."

Page 2, line 15

after "warrant.", insert: "and shall include in the report under 19.10.150 a summary of those changes."

Page 5, line 17

after "factual issues,", insert: "or the person requests an in-person hearing."

Page 10, line 1

after "or (2)", insert: "renewal of"

Page 10, line 2, after "square feet", insert: "and does not exceed a lease term of 5 years"

Page 10, line 14

do not delete: "project justification with documentation"

Page 11, line 17

after "source", insert: "and amount"

Page 13, line 19:

after "AS 28.10.108(b)", insert: "and"

after "(h);", delete "[and AS 44.42.050(d)]".

SENATE FINANCE
COMMITTEE
Amendment Number: (5)
Bill Number: SB 365
Sponsor: _____ Date: 4/22/14
Logged In By: (Bm)

SB 365

MOVED Kelly
OBJ Rieger

Offered in the Senate
by Sen. Kelly

4/21/94

FAILS

#7 Amendment to Amendment No. 1

Page 3, line 5

After

"election"

Insert

", and the unified municipality shall begin providing police protection and law enforcement services within the area. Notwithstanding the charter of a unified municipality, the municipality may adjust the mill rate to the extent necessary to recover the amount required to fund the costs of providing police protection and law enforcement services in the area."

Fiscal notes for SB 365 4/20/94, Senate Finance Committee

<u>Orig. Bill</u>	<u>CSSB 365(STA)</u>	<u>CSSB 365(FIN)</u>
DPS 0 opt. 3/8/94 * rev. Fire P.	A-DPS 0 opt. 3/8/94 ✓ * rev. Fire P.	STILL A
DOA (147.7) 3/14/94 statewide	A-DOA (147.7) 3/14/94 ✓ statewide	NO LONGER APPLIES
DEC 128.0 opt 3/9 670.2 rev. various	A-DEC 128.0 opt 3/9 ✓ 670.2 rev various	APPLIES TO SB 376 NOW
* DPS 0 3/8/94 Driver S.	A-DPS 0 3/8/94 Driver S.	# DPS 0 4/13/94 Driver S.
DOA 0 3/14/94 Leasing	A-DOA 0 3/14/94 Leasing	DOA 0 4/13/94 Leasing
GOV 0 3/22/94 OMB	A-GOV 0 3/22/94 OMB	GOV 0 3/22/94 OMB
DC&RA 0 3/7/94 Day Care	A-DC&RA 0 3/7/94 ✓ Day Care	NO LONGER APPLIES
DOTPF 0 3/22/94	A-DOTPF 0 3/22/94 <i>removed used call</i>	DOTPF 0 4/13/94
DOR 0 opt 0.4 rev. ABC 3/23/94	A-DOR 0 opt. ✓ 0.4 rev. ABC 3/23/94	APPLIES TO SB 376 NOW
→ DOLaw Indet. 3/22/94		DEC 0 4/13/94 Water & Waste
DOC 0 3/25/94 Inmate Health Care		DOLabor 0 4/14/94 Workers' Comp.
* 1		DOC 0 4/14/94 Inmate Health Care
		* DPS Admin \$253.1 4-20-94
		* DPS Detachments \$1687.5 4-20-94

4-18-94

Packets of
fiscal notes
1 thru 9 which
traveled w/bill.

FISCAL NOTE

No. 2

Bill Version: SB 365

(S) Publish Date: 3-24-94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act relating to the improvement of state finances...
Sponsor: Rules
Requestor: Governor

Department Affected: Statewide 361
BRU: Statewide
Component: Statewide

COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)

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
--------------------	-----	-----	-----	-----	-----	-----

FUNDING 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	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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) cost: \$ 0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.) See attached.

Changes in CSSB 365 (STA) have no fiscal impact. This fiscal note is appropriate.
4-8-94 date [Signature] Comte Aide (initial)

Prepared by: Don Wanie
Division: Finance

Phone: 465-2240
Date: _____

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

Date: 3/14/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS:

Section 31 of this bill has no fiscal impact on the Division of Finance.

Section 35 - Under the current statute (AS 39.20.250), terminating employees receive pay for their accumulated leave as though they had remained in pay status until the leave is exhausted. This means holidays that occur in the payoff period become state paid holidays.

With the proposed change, terminating employees will be paid only for the hours of annual/personal leave on the books at the time of termination. No state paid holidays would be included.

Approximately 20% of state employees are affected by the proposed change. They represent approximately 600 terminations per year with an average leave payoff of six weeks pay. An average leave payoff would include 1.5 state paid holidays per person. This translates to 900 state paid holidays for this group annually. The statewide value of these holidays for this group of employees is \$147.7 annually.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 3
BILL N Bill Version: SB365
(S) Publish Date: 3-24-94

Revision Date: _____
Title: _____
Sponsor: Rules Committee
Requestor: Governor

Department Affected: Environmental Conservation
BRU: Various
Component: Various(see attached)
COMPONENT SERIAL NO. Various(see attached)

Expenditures/Revenues: (Thousands of Dollars)

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
OPERATING EXPENDITURES						
PERSONAL SERVICES	67.5	133.4	133.4	133.4	133.4	133.4
TRAVEL						
CONTRACTUAL	49.3	27.0	27.0	27.0	27.0	27.0
SUPPLIES	1.2	1.8	1.8	1.8	1.8	1.8
EQUIPMENT	10.0	5.0				
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	128.0	167.2	162.2	162.2	162.2	162.2
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (1005)	670.2	820.2	820.2	820.2	820.2	820.2

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	128.0					
1005 GF/Program Receipt		167.2	162.2	162.2	162.2	162.2
1006 GF/MHTIA						
Other						
TOTAL	128.0	167.2	162.2	162.2	162.2	162.2

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

POSITIONS:

FULL-TIME	2.0	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Changes in CS8B365 (STA) reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.
4-8-94

Prepared by: Daniel Kanouse
Division: Info. & Admin Services

Phone: 465-5010
Date: 3/9/94

Approved by Commissioner: [Signature]
Agency: Department of Environmental Conservation

Date: 3/9/94

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Position Title Accounting Clerk III		No. of Positions 1	Range / Step 10B	Barg. Unit GGU
Time Status 1 PFT	Staff Months 9	Location Juneau		Election District
TYPE OF EXPENDITURE		Amount		
Salary	19.1	Justification An additional staff person is essential for receiving, recording, and depositing fees collected under the expanded user fee program. This position would also issue invoices, track receipts and reports on collections to program staff. During FY95, staff would aid in planning document flow procedures and record keeping system/database expansion. First year costs are for 9 months and are general funds. Future years' costs are for 12 months and will be funded by program receipts.		
Benefits	8.9			
Premium Pay				
Other				
Total Personal Services	28.0			
Travel				
Contractual	1.0			
Commodities	0.6			
Equipment	5.0			
Other				
Total Cost				
FUNDING SOURCE FOR TOTAL COST		34.6		
Federal Receipts	1002			
GF Match	1003			
General Fund	1004	34.6		
IA Receipts	1007			
CIP Receipts	1061			
Other	Program Receipts			

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

BRU ADMINISTRATION

COMPONENT INFORMATION & ADMINISTRATIVE SERVICES

FY 94

Page 1 of 1
Revised Date

Position Title Regulations Specialist II			No. of Positions 1	Range / Step 16B	Barg. Unit GGU
Time Status P/T	Staff Months 9		Location Juneau	Election District	
TYPE OF EXPENDITURE			Amount		
Salary	28.4		Justification This position would assist all divisions in developing their needed regulations. The position will be working under the auspices of the Department's paralegal in the Commissioner's Office. Unless regulations are developed and adopted, the Department cannot exercise its program receipt authority and collect user fees. First year costs are for 9 months and are general funds. Future years' costs are for 12 months and will be funded by program receipts.		
Benefits	11.2				
Premium Pay					
Other					
Total Personal Services	39.5				
Travel					
Contractual	1.0				
Commodities	0.6				
Equipment	5.0				
Other					
Total Cost					
FUNDING SOURCE FOR TOTAL COST			46.1		
Federal Receipts	1002				
GF Match	1003				
General Fund	1004	46.1			
IA Receipts	1007				
CIP Receipts	1061				
Other	Program Receipts				

**REQUEST FOR
NEW POSITION**

AGENCY ENVIRONMENTAL CONSERVATION

FY 94

BRU ADMINISTRATION

COMPONENT COMMISSIONER'S OFFICE

Page 1 of 1
Revised Date

3-4

3/10/94

Section 29. AS 44.46.025 is amended to read:

(10) regulating pesticides and broadcast chemicals
 under AS 46.03.320

Environmental Health BRU Palmer Lab Component (#651)

Anticipated Revenues (Begin collections FY96 = \$150.0)

Anticipated Costs

DLaw Reg Development

Forms/Printing

(FY96 = Add 1 PFT Enviro Specialist I = \$50.0PS, \$2.0 Contractual, \$.6 Supplies, \$5.0 Equip)

(11) the on-site water and sewer system certification and audit
 program under AS 46.03.026

Environmental Quality BRU, Wasterwater & Water Treatment Component (#1426)

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

(12) plans for sewage and industrial waste disposal or treatment
 under AS 46.03.090

Environmental Quality BRU, Wasterwater & Water Treatment Component (#1426)

Anticipated Revenues

Anticipated Costs

DLaw Reg Development

Forms/Printing

(13) analysis of public water system samples authorized for
 submission to the department for analysis

Environmental Quality BRU, Monitoring & Lab Component (#643)

Anticipated Revenues

Anticipated Costs

(14) regulating motor vehicle fuels to control emissions under
 AS46.14.510

Environmental Quality BRU, Air Quality Component (#1428)

Anticipated Revenues

Anticipated Costs

General Regulation Support

Administration BRU, Commissioner's Office Component

1 PFT Regulations Specialist Position + related costs

Administration BRU, Information & Administrative Services Component

1 PFT Accounting Clerk III Position + related costs

FY95 Request	
Anticipated Revenues	Gen Fund Costs
0.0	
	12.0
	3.0
250.0	
	20.0
	6.0
75.0	
	5.0
	1.3
20.2	
	0.0
325.0	
	46.1
	34.6
670.2	128.0

FISCAL NOTE

No. 4

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

ii. Version: SB 365

(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Public Safety

Title: Improvement of State Finances BRU: Motor Vehicles

Component: Driver Services

Sponsor: RLS by Request

Requestor: Governor COMPONENT SERIAL NO. 500

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 EXPENDITURES	-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-

Changes in CSS B 365 (STA) have no fiscal impact. This fiscal note is appropriate.

4-8-94 date [Signature] Comte Aide (initial)

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:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361

Division: Motor Vehicles Date: 03/08/94

Approved by Commissioner: [Signature] Date: 03/08/94

Agency: Richard J. Burton, Dept. of Public Safety

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 5

Bill Version: SB 365

(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Administration
 Title: Omnibus Bill BRU: Leasing & Facilities
 Component: Leasing
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. 81

Expenditures/Revenues: (Thousands of Dollars)

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

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

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
TOTAL	0	0	0	0	0	0

POSITIONS

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

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

ANALYSIS: (attach a separate page if necessary.)

See attachment.

Changes in CSSB 365 (STA)
 have no fiscal impact. This
 fiscal note is appropriate.
4-8-94 [Signature]
 date Comte Aide (initial)

Prepared By: Dugan Petty, Director
 Division: General Services

Phone: 465-2250
 Date: _____

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

Date: 3/24/94

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ANALYSIS

Section 29 increases the length allowed for lease extensions authorized under SB 129 during the last legislative session from 5 years to 10 years. We anticipate that some lessors who are not willing to negotiate lease rate reductions and ADA modifications in exchange for a 5 year lease extension will be willing to extend leases for 10 years because of more favorable financing opportunities and longer amortization periods. There are up to 24 leases that offer the potential for savings in exchange for a 10 year extension. The actual amount of savings is dependent upon negotiations, lessor's ability to refinance existing obligations and costs for ADA improvements. A rough review of leases suggests a potential in the range of \$165.0 - \$325.0. Since the leasing budget is historically under funded, any savings achieved through negotiations would reduce the amount requested in a supplemental appropriation.

Section 30 amends the small procurement section of the Procurement Code to include leases that do not exceed 2,500 square feet or \$5,000 per month. This will allow for informal and therefore less cumbersome procurements for certain leases. DGS believes that this change will allow for greater efficiencies in lease acquisition which will permit DGS Contracting Officers to concentrate their efforts on the backlog of lease renewals and bids - thereby reducing the risk of premium payments for unplanned lease extensions and evictions. The current inventory of leases shows 144 leases that fit in this category.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

10. 6
Bill Version: SB 365
(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Office of the Governor
Title: "An Act relating to the improvement of state finances ... BRU: Management and Budget
making changes to state agency functions or procedures" Component: Budget Review
Sponsor: Rules Committee
Requestor: Governor COMPONENT SERIAL NO. 16

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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

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

FUND 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	0.0	0.0	0.0

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Office of Management and Budget.

Changes in CSSB 365 (STA) have no fiscal impact. This fiscal note is appropriate.
4-8-94 date Soell Comte Aide (initial)

Prepared by: Nancy Slagle, Director *Nancy Slagle* Phone: 465-4681
Division: Office of Management and Budget, Division of Budget Review Date: 3/22/94
Approved by Commissioner: [Signature] Date: 3/22/94
Agency: Office of the Governor

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No. 7

Bill Version: SB 365

STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

(S) Publish Date: 9-24-94

Revision Date: _____ Dept. Affected: Community & Regional Affairs
Title: An Act relating to improvement of state BRU: Child Assistance 361
finances . . . and providing for an effective date. Component: Day Care Assistance, Head Start
Sponsor: RULES
Requestor: Rules Committee by request of the Governor COMPONENT SERIAL NO. 1414, 659

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	0.0	0.0	0.0	

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

REVENUE FUND SOURCE:						
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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	0.0	0.0	0.0	

POSITIONS:							
FULL-TIME	0	0	0	0	0	0	
PART-TIME							
TEMPORARY							

Estimate of current (FY94) Impact \$ none

ANALYSIS: (Attach a separate page if necessary)

Changes in CSRB 365 (STA) have no fiscal impact. This fiscal note is appropriate.

4/8/94 CKB
date Comte Aide (initial)

Prepared by: Remond Henderson Remond Henderson Director Phone: 465-4708
 Division: Administrative Services Date: 3/7/94
 Approved by Commissioner: Edgar Blatchford [Signature] Date: 3/7/94
 Agency: Community & Regional Affairs

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FISCAL NOTE

13. 8
Bill Version: SB 365
(S) Publish Date: 3-24-94

Revision Date:
Title: Improvement of State Finances

Department Affected: DOT&PF
BRU:

Sponsor: Rules Committee
Requestor: Governor

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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/INITIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

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

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

ANALYSIS: (Attach a separate page if necessary)

Changes in CSSB 365 (STA-)
have no fiscal impact. This
fiscal note is appropriate.
4-8-94 [Signature]
date Comte Aide (initial)

Prepared by: Roger Allington

Phone: 465-4070

Division: Statewide Planning

Date: March 22, 1994

Approved by Commissioner: [Signature]
R.A. Campbell

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: March 22, 1994

FISCAL NOTE

No. 9
 Bill Version: SB 365
 BILL No (S) Publish Date: 3-24-94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Revenue
 Title: Omnibus Fee Bill BRU: Alcoholic Beverage Control Board
 Sponsor: Governor Component: _____
 Requestor: Governor COMPONENT SERIAL NO. 0100

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	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE: 1005	0.4	0.4	0.4	0.0	0.2	0.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

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

ANALYSIS: (Attach a separate page if necessary.)

Changes in CSSB 365 (STA) have no fiscal impact. This fiscal note is appropriate.

4-8-94 date
[Signature] Comte Aide (initial)

Prepared by: Director, Patrick L. Shanock Phone: (907) 277-8638
 Division: Alcoholic Beverage Control Board Date: March 22, 1994
 Approved by Commissioner: Daniel J. Rexwinkel Date: 3/23/94
 Agency: Department of Revenue

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FISCAL NOTE

No. 2

Bill Version: SB 365

(S) Publish Date: 3-24-94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____
Title: An Act relating to the improvement of state finances...
Sponsor: Rules
Requestor: Governor

Department Affected: Statewide 365
BRU: Statewide
Component: Statewide
COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)	(147.7)

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
--------------------	-----	-----	-----	-----	-----	-----

FUNDING 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	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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) cost: \$ 0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.) See attached.

Changes in CSSB 365 (STA) have no fiscal impact. This fiscal note is appropriate.
4-8-94 date [Signature] Comte Aide (initial)

Prepared by: Don Wanie
Division: Finance

Phone: 465-2240
Date: _____

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

Date: 3/14/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS:

Section 31 of this bill has no fiscal impact on the Division of Finance.

Section 35 - Under the current statute (AS 39.20.250), terminating employees receive pay for their accumulated leave as though they had remained in pay status until the leave is exhausted. This means holidays that occur in the payoff period become state paid holidays.

With the proposed change, terminating employees will be paid only for the hours of annual/personal leave on the books at the time of termination. No state paid holidays would be included.

Approximately 20% of state employees are affected by the proposed change. They represent approximately 600 terminations per year with an average leave payoff of six weeks pay. An average leave payoff would include 1.5 state paid holidays per person. This translates to 900 state paid holidays for this group annually. The statewide value of these holidays for this group of employees is \$147.7 annually.

CS SENATE BILL 365 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
1	Transportation & Public Facilities	Amends long-range program consistent with the Federal Highway Act of 1991
2	Transportation & Public Facilities	Clarifies the construction season report
3	Transportation & Public Facilities	Eliminates the requirement to conform closely with standards adopted by the American Association of State Highway and Transportation Officials to provide increased flexibility to meet Alaska's unique circumstances
4	Labor	Adopts latest federal publication which reflects basic job requirements and basis for determining eligibility for reemployment for Workers' Compensation
5	Labor	Delegates authority to arrange medical evaluations to Workers' Compensation staff.
6	Labor	Identify appropriate publication to be used to determine eligibility for permanent partial impairment compensation and reemployment benefits for Workers' Compensation.
7	Public Safety	Allows the department to use a certified computer printed record in court in the same manner as the original document
8	Public Safety	Changes the method of notice for license actions from certified to first class mail
9	Public Safety	Allows hearings to be conducted by telephone in areas where no departmental hearing officers are located and allows the department discretion of determining where and when a hearing is needed in person

CS SENATE BILL 365 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
10	Public Safety	Extends the time period for dealer temporary permits from 30 to 60 days
11	Public Safety	Repeals the requirement to have all commercial and special registrations expire in a certain month - This was only required for initial implementation of staggered registration
12-13	Public Safety	Allows hearings to be conducted by telephone and allows the department the discretion of determining where and when a hearing is needed in person
14-22	Public Safety	Increases the dollar amount from \$500 to \$1,000 of damages for reporting and proof of financial responsibility
23	Corrections	Clarifies the department's legal obligation to provide access to medical treatment
24	Administration	Allows the extension of existing leases up to 10 years if a certain cost savings can be realized as specified in this section
25	Administration	Allows leases of \$5,000 or less per month to be bid under small procurement regulations
26	Governor's Office	Replaces 6-year plan with a multi-year program in either fiscal year or priority format
27	Transportation & Public Facilities	Amends the capital project description requirements for the department to include a general description and source of financing for proposed projects

CS SENATE BILL 365 (FIN)

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
28-29	Transportation & Public Facilities	Allows the department to develop the long-range plan consistent with applicable federal laws
30	Environmental Conservation	Establishes in statute the on-site water and sewer system certification and audit program
31	Environmental Conservation	Restricts the department review of sewerage system plans in areas where local codes are established
32	Public Safety	Repeals AS 28.10.108(b) that requires commercial and special registrations to expire in a certain month - see section 11
32	Public Safety	Repeals AS 28.22.041(h) relating to exceptions to providing proof of motor vehicle liability insurance in the case of an accident - see section 20
32	Transportation & Public Facilities	Repeals AS 44.42.050(d) requiring itemization of estimated costs for proposed capital budget projects and allocations for transportation construction projects and necessary contingencies within the general appropriations act
33		Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill
34		Provides an immediate effective date for section 33
35		Provides for a July 1, 1994 effective date for all other sections

alwardoff
8-GS2049K
Sen Finance
Attu Bill Nilsen
4/12

CS FOR SENATE BILL NO. 365(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act ^{*enacting*} amending and repealing laws providing for state agency functions and
2 services related to transportation and capital improvement planning, workers'
3 compensation, motor vehicles and motor vehicle insurance, medical care for
4 prisoners, state building leases, and review and approval of water and sewer
5 systems, for the purpose of reducing state government expenditures; and providing
6 for an effective date."

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

8 * Section 1. AS 19.10.140 is amended to read:

9 Sec. 19.10.140. LONG-RANGE PROGRAM FOR HIGHWAY
10 CONSTRUCTION [AND MAINTENANCE]. The [GOVERNOR SHALL REQUIRE
11 THE] department shall [TO] establish a continuing, long-range program for highway
12 construction [AND MAINTENANCE]. The program must annually project proposed
13 construction [AND MAINTENANCE] of highways in a priority format for not less

Insert "police protection service areas established subject to voter approval in unified municipalities for services provided by the Department of Public Safety,"

1 than the next succeeding five years. A statement of the program shall be submitted
2 by the governor to the legislature annually [, AND THE LONG-RANGE PROGRAM
3 SHALL INCLUDE IN DETAIL THE PROGRAM PREPARED UNDER
4 AS 19.10.150].

5 * Sec. 2. AS 19.10.150 is amended to read:

6 Sec. 19.10.150. CONSTRUCTION PROGRAM. Before February 2 of each
7 year, the department shall prepare a statement showing what construction work has
8 been requested and proposed and may be undertaken by the department during the
9 following construction season. The statement must set forth ^{CAPS} [a general itemization of
10 the estimated cost for each project and the total estimates of all projects. [THE
11 DEPARTMENT SHALL ADOPT A CONSTRUCTION PROGRAM WHICH MUST
12 INCLUDE THE PROJECTS TO BE UNDERTAKEN BY IT DURING THE
13 FOLLOWING CONSTRUCTION SEASON AND MUST ESTABLISH PROJECT
14 PRIORITIES.] The department may increase, decrease, amend, or revise the
15 construction program from time to time as circumstances warrant.

16 * Sec. 3. AS 19.10.160 is amended to read:

17 Sec. 19.10.160. STANDARD DRAWINGS [PLANS] AND
18 SPECIFICATIONS. The department may [SHALL] prepare and adopt uniform
19 standard drawings [PLANS] and specifications for the establishment and [,]
20 construction [, AND MAINTENANCE] of highways in the state. The department may
21 amend the drawings [PLANS] and specifications as it considers advisable. [THE
22 STANDARDS MUST CONFORM AS CLOSELY AS PRACTICABLE TO THOSE
23 ADOPTED BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND
24 TRANSPORTATION OFFICIALS.]

25 * Sec. 4. AS 23.30.041(e) is amended to read:

26 (e) An employee shall be eligible for benefits under this section upon the
27 employee's written request and by having a physician predict that the employee will
28 have permanent physical capacities that are less than the physical demands of the
29 employee's job as described in the United States Department of Labor's "Selected
30 Characteristics of Occupations Defined in the Revised Dictionary of Occupational
31 Titles" for

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(1) the employee's job at the time of injury; or

(2) other jobs that exist in the labor market that the employee has held or received training for within 10 years before the injury or that the employee has held following the injury for a period long enough to obtain the skills to compete in the labor market, according to specific vocational preparation codes as described in the United States Department of Labor's "Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles."

* Sec. 5. AS 23.30.095(k) is amended to read:

(k) In the event of a medical dispute regarding determinations of causation, medical stability, ability to enter a reemployment plan, degree of impairment, functional capacity, the amount and efficacy of the continuance of or necessity of treatment, or compensability between the employee's attending physician and the employer's independent medical evaluation, a second independent medical evaluation shall be conducted by a physician or physicians selected by the board or its designee from a list established and maintained by the board and its designee. The cost of the examination and medical report shall be paid by the employer. The report of the independent medical examiner shall be furnished to the board and to the parties within 14 days after the examination is concluded. A person may not seek damages from an independent medical examiner caused by the rendering of an opinion or providing testimony under this subsection, except in the event of fraud or gross incompetence.

* Sec. 6. AS 23.30.190(b) is amended to read:

(b) All determinations of the existence and degree of permanent impairment shall be made strictly and solely under the whole person determination as set out in the current edition of the American Medical Association Guides to the Evaluation of Permanent Impairment at the time of the impairment rating, except that an impairment rating may not be rounded to the next five percent. The board shall adopt a supplementary recognized schedule for injuries that cannot be rated by use of the American Medical Association Guides.

* Sec. 7. AS 28.05.061(c) is amended to read:

(c) The commissioner and officers and employees of the department designated by the commissioner shall, upon request, prepare under the seal of the department and

1 deliver, unless otherwise prohibited by law, a certified copy of any record of the
2 department maintained under this title or regulations adopted under this title, charging
3 a fee for each certified copy. A certified copy, or an electronic record certified by
4 the department, is admissible in a proceeding in a court in the same manner as the
5 original document.

6 * Sec. 8. AS 28.05.121 is amended to read:

7 Sec. 28.05.121. GIVING OF NOTICE. When the department is authorized or
8 required to give notice under this title or regulations adopted under this title, unless a
9 different method of giving notice is otherwise expressly provided, notice shall be given
10 by a qualified person, either by personal delivery to the person to be notified or by
11 first class [REGISTERED OR CERTIFIED] mail, [RETURN RECEIPT
12 REQUESTED,] addressed to the person at the address of the person as shown in the
13 electronic records of the department. The giving of notice by mail is considered
14 complete upon placing the notice in a United States Post Office receptacle, with
15 appropriate postage [THE RETURN OF THE RECEIPT OR UPON RETURN OF
16 THE NOTICE AS UNDELIVERABLE, REFUSED, OR UNCLAIMED]. Proof of the
17 giving of notice in either manner may be made by the affidavit of the person giving
18 the notice by personal delivery or by mail, naming the person to whom the notice was
19 given and specifying the time, place, and manner of giving the notice.

20 * Sec. 9. AS 28.05.141(b) is amended to read:

21 (b) A hearing ordered under (a) of this section shall be held telephonically at
22 a time and date set by [AT THE OFFICE OF] the department, except that if the
23 department determines that an in-person hearing is necessary to determine factual
24 issues, the department may order that the hearing be conducted in person at a
25 place, time, and date set by the department [NEAREST TO THE RESIDENCE OF
26 THE PERSON REQUESTING THE HEARING UNLESS THE DEPARTMENT AND
27 THE PERSON AGREE THAT THE HEARING IS TO BE HELD ELSEWHERE].
28 The department may [SHALL] grant a hearing delay only if the person shows, to the
29 satisfaction of the department, [PRESENTS] good cause for the delay that is beyond
30 the control of the person. If a person fails to appear for the hearing at the time and
31 place stated by the department and if a hearing delay has not been granted, the

1 person's failure to appear is considered a waiver of the hearing and the department
2 may take appropriate action with respect to the person.

3 * Sec. 10. AS 28.10.031(b) is amended to read:

4 (b) A licensed vehicle dealer may issue to the purchaser of a vehicle sold by
5 the dealer a temporary permit to drive the vehicle. A permit is effective for a period
6 not to exceed 60 [30] days. The commissioner shall adopt regulations governing the
7 issuance of permits under this section.

8 * Sec. 11. AS 28.10.108(c) is amended to read:

9 (c) A vehicle subject to registration [AND NOT DESCRIBED IN (b) OF THIS
10 SECTION] shall have its initial registration, and may have its annual registration,
11 renewed in the month of initial registration in the state, subject to the provisions of (f)
12 of this section.

13 * Sec. 12. AS 28.15.166(e) is amended to read:

14 (e) The [NOTWITHSTANDING AS 28.05.141(b), THE] hearing under this
15 section shall be held telephonically at a time and date set by [AT THE OFFICE OF]
16 the department, except that if the department determines that an in-person hearing
17 is necessary to determine factual issues, the department may order that the
18 hearing be conducted in person at a place, time, and date set by the department
19 [NEAREST TO THE RESIDENCE OF THE PERSON REQUESTING THE
20 HEARING UNLESS

21 (1) A DISTRICT COURT JUDGE OR A MAGISTRATE HAS BEEN
22 DESIGNATED AS A HEARING OFFICER IN THE MATTER BY THE
23 COMMISSIONER; OR

24 (2) THE DEPARTMENT AND THE PERSON AGREE THAT THE
25 HEARING IS TO BE HELD ELSEWHERE].

26 * Sec. 13. AS 28.15.166(f) is amended to read:

27 (f) A review under this section shall be held before a hearing officer
28 designated by the commissioner. [UPON THE CONSENT OF THE
29 ADMINISTRATIVE DIRECTOR OF THE STATE COURT SYSTEM, THE
30 COMMISSIONER MAY DESIGNATE A DISTRICT COURT JUDGE OR A
31 MAGISTRATE TO SERVE AS THE HEARING OFFICER.] The hearing officer shall

1 have authority to

2 (1) administer oaths and affirmations;

3 (2) examine witnesses and take testimony;

4 (3) receive relevant evidence;

5 (4) issue subpoenas, take depositions, or cause depositions or
6 interrogatories to be taken;

7 (5) regulate the course and conduct of the hearing;

8 (6) make a final ruling on the issue.

9 * Sec. 14. AS 28.20.050(a) is amended to read:

10 (a) The provisions of this chapter requiring deposit of security and suspension
11 for failure to deposit security apply to the driver and owner of a vehicle subject to
12 registration under the laws of this state that is involved in any manner in an accident
13 in this state resulting in bodily injury to or death of a person or damage to the property
14 of any one person exceeding \$1,000 [\$500].

15 * Sec. 15. AS 28.20.050(e) is amended to read:

16 (e) A peace officer investigating an accident that results in bodily injury to or
17 the death of a person or damage to the property of a person exceeding \$1,000 [\$500]
18 shall inform persons involved in the accident in writing of the requirements of this
19 chapter as they apply to suspension of an operator's license or driving privileges.

20 * Sec. 16. AS 28.20.100(c) is amended to read:

21 (c) If the department evaluates the injuries or damage to a minor in an amount
22 not more than \$1,000 [\$500], the department may accept, for the purposes of this
23 chapter only, evidence of a release from liability executed by a natural or legal
24 guardian on behalf of the minor without court approval.

25 * Sec. 17. AS 28.20.230(a) is amended to read:

26 (a) The provisions of this chapter requiring the deposit of proof of financial
27 responsibility for the future apply to persons who are convicted of or forfeit bail for
28 certain offenses under motor vehicle laws or who, by ownership or operation of a
29 vehicle of a type subject to registration under AS 28.10, are involved in an accident
30 in this state that results in bodily injury or death of a person or damage to the property
31 of any one person exceeding \$1,000 [\$500].

1 * Sec. 18. AS 28.20.260(a) is amended to read:

2 (a) Upon receipt by the department of the report of an accident resulting in
3 bodily injury or death, or property damage to any one person exceeding \$1,000 [~~\$500~~],
4 the department shall suspend the license of the driver of a motor vehicle involved in
5 the accident unless the driver or owner

6 (1) has previously furnished or immediately furnishes security required
7 by this chapter, or is excepted from furnishing security under AS 28.20.060; [,] and

8 (2) maintains proof of financial responsibility for three years following
9 the accident.

10 * Sec. 19. AS 28.22.021 is amended to read:

11 Sec. 28.22.021. REQUIREMENT OF PROOF OF MOTOR VEHICLE
12 LIABILITY INSURANCE. The owner or operator of a motor vehicle required to have
13 motor vehicle liability insurance that complies with this chapter or a certificate of
14 self-insurance that complies with AS 28.20.400, shall show proof of this insurance
15 when that person is involved in an accident that results in bodily injury to or death of
16 a person, or damage to the property of a person exceeding \$1,000 [~~\$500~~].

17 * Sec. 20. AS 28.22.041(a) is amended to read:

18 (a) If [EXCEPT AS PROVIDED IN (h) OF THIS SECTION, IF] a person
19 fails to provide proof required under AS 28.22.021 and 28.22.031, the department shall
20 suspend the driver's license of that person for the following periods:

21 (1) not less than 90 days if, within the preceding 10 years, the person
22 has not had a driver's license suspended for violation of AS 28.22.011 or former
23 AS 28.22.200;

24 (2) not less than one year if, within the preceding 10 years, the person
25 has had a driver's license suspended one or more times for violation of AS 28.22.011
26 or former AS 28.22.200.

27 * Sec. 21. AS 28.35.080(a) is amended to read:

28 (a) The driver of a vehicle involved in an accident resulting in bodily injury
29 to or death of a person or total property damage to an apparent extent of \$1,000 [~~\$500~~]
30 or more shall immediately by the quickest means of communication give notice of the
31 accident to the local police department if the accident occurs within a municipality,

1 otherwise to the Department of Public Safety.

2 * Sec. 22. AS 28.35.080(b) is amended to read:

3 (b) The driver of a vehicle involved in an accident resulting in bodily injury
4 to or death of a person or total property damage to an apparent extent of \$1,000 [\$500]
5 or more shall, within 10 days after the accident, forward a written report of the
6 accident to the Department of Public Safety and to the local police department if the
7 accident occurs within a municipality. A report is not required under this subsection.
8 if the accident is investigated by a peace officer.

** Sec. 23. AS 29.10.200 is amended by adding a new paragraph to read:

(53) AS 29.35.495 (police protection service areas)

* Sec. 24. AS 29.35 is amended by adding a new section to article 7 to read:

Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The residents of an area in a unified municipality may file a petition with the municipal clerk for formation of a police protection service area for services to be provided by the Department of Public Safety if the area is

(1) contiguous; and

(2) includes at least 50 residents or three percent of the municipal population, whichever is greater.

(b) The petition form shall be supplied by the clerk at the request of a voter. The petition must describe the boundaries of the proposed service area and the additional police protection services to be provided by the Department of Public Safety in the area. It shall be signed by a number of voters residing in the proposed service area equal to at least 10 percent of the number of residents in the area who voted in the last regular election.

(c) Upon receipt of a petition that meets the requirements of (a) of this section, the municipal clerk shall submit the petition to the commissioner of public safety. Within 30 days after receipt of the petition the commissioner shall notify the clerk of what the estimated total cost of providing the services in the proposed service area each month will be for a three-year period. The estimate shall be based on the direct costs of troopers to be assigned to the area. If a trooper is expected to routinely cover an area larger than the proposed service area, the cost of that trooper shall be prorated proportionally to the amount of duty time spent within the service area. In addition to the direct costs of troopers, the estimate shall include an amount to cover administrative costs incurred by the department not to exceed 15 percent of the direct

costs. The sum of the direct costs and administrative costs equals the estimated total cost for purposes of this section.

(d) Upon receipt by the clerk of the estimated total cost prepared by the commissioner of public safety under (c) of this section, during the next regular or special election held in the unified municipality the question of forming the proposed police protection service area and of levying assessments to cover that estimated total cost, plus costs of collection incurred by the municipality not to exceed four percent of the estimated total cost, shall be placed before the voters residing in the proposed service area. If the question is approved by a majority of those voting on the question, the service area is formed and the commissioner of public safety shall provide the additional services in that area.

(e) The governing body shall levy assessments in the service area to finance the additional police protection services in an amount equal to the estimated total cost provided by the commissioner of public safety plus the amount for administrative or other costs incurred by the unified municipality approved by the voters. Payments shall be made to the commissioner within 60 days of receipt of assessments by the municipality. The municipality may retain from assessments the amount levied for administrative or other costs incurred by the municipality.

(f) At least once every three years an election shall be held by the unified municipality in a police protection service area formed under this section on the question of continuation of the service area. The commissioner of public safety shall submit a revised notice of the estimated total cost of providing the services during the next three years prepared in accordance with (c) of this section for inclusion with the question, and the municipality shall indicate the amount for costs of collection incurred by the municipality not to exceed four percent of the revised estimated total cost. If the question is not approved by a majority of the residents voting on the question, the service area is dissolved 120 days after certification of the election. If the question is approved, the rate of assessments shall be adjusted accordingly by the municipality.

(g) This section applies to unified municipalities, but not to other home rule or general law municipalities."

9 * Sec. 25 AS 33.30.011 is amended to read:

10 Sec. 33.30.011. DUTIES OF COMMISSIONER. The commissioner shall

11 (1) establish, maintain, operate, and control correctional facilities
12 suitable for the custody, care, and discipline of persons charged or convicted of
13 offenses against the state or held under authority of state law;

14 (2) classify prisoners;

15 (3) for persons committed to the custody of the commissioner, establish
16 programs, including furlough programs that are reasonably calculated to

17 (A) protect the public;

18 (B) maintain health;

19 (C) create or improve occupational skills;

20 (D) enhance educational qualifications;

21 (E) support court-ordered restitution; and

22 (F) otherwise provide for the rehabilitation and reformation of
23 prisoners, facilitating their reintegration into society;

24 (4) provide necessary medical services for prisoners in state
25 correctional facilities or to fulfill duties under AS 33.30.071 [WHO ARE
26 COMMITTED BY A COURT TO THE CUSTODY OF THE COMMISSIONER],
27 including examinations for communicable and infectious diseases, if a physician or
28 other health care provider, exercising ordinary skill and care at the time of
29 observation, concludes that

30 (A) a prisoner exhibits symptoms of a serious disease or
31 injury that is curable or may be substantially alleviated; and

1 (B) the potential for harm to the prisoner by reason of delay
2 or denial of care is substantial;

3 (5) provide necessary psychological or psychiatric treatment if a
4 physician or other health care provider, exercising ordinary skill and care at the time
5 of observation, concludes that

6 (A) a prisoner exhibits symptoms of a serious disease or injury
7 that is curable or may be substantially alleviated; and

8 (B) the potential for harm to the prisoner by reason of delay or
9 denial of care is substantial; and

10 (6) establish minimum standards for sex offender treatment programs
11 offered to persons who are committed to the custody of the commissioner.

12 * **Sec. 24.** AS 36.30 is amended by adding a new section to read:

13 Sec. 36.30.085. LEASE EXTENSIONS AUTHORIZED. (a) Notwithstanding
14 AS 36.30.080, the department may extend for up to a maximum of 10 years a real
15 property lease that is entered into under this chapter or was entered into under former
16 AS 37.05.220 - 37.05.280 and that is in existence as of June 30, 1994 if a minimum
17 cost savings of

18 (1) 10 percent can be achieved on the rent due under the lease; or

19 (2) five percent can be achieved on the rent due under the lease and the
20 lessor agrees to make modifications to the leased real property to bring the real
21 property into compliance with the requirements of 42 U.S.C. 12101 - 12213
22 (Americans with Disabilities Act of 1990).

23 (b) The cost savings under (a) of this section shall be calculated on the
24 remaining term of the lease and any renewals, including extensions allowed under (a)
25 of this section.

26 (c) In accordance with AS 36.30.005, the Board of Regents may extend leases
27 for the University of Alaska to the same extent as the department under this section.

28 (d) In accordance with AS 36.30.030, the court system may extend leases for
29 the court system to the same extent as the department under this section.

30 * **Sec. 27.** AS 36.30.320(a) is amended to read:

31 (a) A procurement for (1) supplies, services, or construction that does not

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exceed an aggregate dollar amount of \$25,000, or (2) lease of space that does not exceed 2,500 square feet with a monthly lease amount that does not exceed \$5,000. may be made in accordance with regulations adopted by the commissioner for small procurements.

* Sec. 28. AS 37.07.040 is amended to read:

Sec. 37.07.040. OFFICE OF MANAGEMENT AND BUDGET. The Alaska office of management and budget shall

(1) assist the governor in the preparation and explanation of the proposed comprehensive program and financial plan, including the coordination and analysis of state agency goals and objectives, plans, and budget requests;

(2) prepare for submission to the governor an annually updated ~~multi~~ ^{annually} ~~year~~ ^{update} ~~[SIX YEAR]~~ capital improvements program in ~~either a fiscal year or priority~~ ^{covering the current fiscal year plus three succeeding} ~~format~~ ^{fiscal} and the proposed capital improvements budget for the coming fiscal year ~~and~~ ^{years}

lower case

THE LATTER TO INCLUDE INDIVIDUAL PROJECT JUSTIFICATION WITH DOCUMENTATION OF ESTIMATED PROJECT COSTS

(3) develop procedures to produce the information needed for effective policy decision making, including procedures to provide for the dissemination of information about plans, programs, and budget requests to be included in the annual budget and opportunity for public review and comment during the period of budget preparation;

(4) assist state agencies in their statement of goals and objectives, preparation of plans, budget requests, and reporting of program performance; all documents forwarded by the office to a state agency containing instructions for the preparation of program plans and budget requests and the reporting of program performance are public information after the date they are forwarded;

(5) administer its responsibilities under the program execution provisions of this chapter so that the policy decisions and budget determinations of the governor and the legislature are implemented;

(6) provide the legislative finance division with the budget information it may request;

(7) provide the legislative finance division with an advance copy of the

1 governor's budget workbooks by the first Monday in January of each year, except that
2 following a gubernatorial election year the advance copy shall be provided by the
3 second Monday in January;

4 (8) prepare the proposed capital improvements budget for the coming
5 fiscal year evaluating both state and local requests from the standpoint of need, equity,
6 and priorities of the jurisdiction; other factors such as project amounts, population,
7 local financial match, federal funds being used for local match, municipality or
8 unincorporated community acceptance of the facility, and all associated costs of the
9 facility may be considered.

10 * Sec. 29. AS 37.07.060 is amended by adding a new subsection to read:

11 (c) The reporting requirements of (b)(3) of this section are modified with
12 respect to the Department of Transportation and Public Facilities. The governor's
13 report must contain, for that department, the governor's construction program for the
14 succeeding construction season, budget recommendations for the succeeding fiscal
15 year, and capital improvements construction program for the succeeding six fiscal
16 years, which must include

17 (1) general description of each project and the source of financing for
18 the project; and

19 (2) the information required by (b)(3)(B) - (H) of this section.

20 * Sec. 30. AS 44.42.050(a) is amended to read:

21 (a) The commissioner ~~may~~ SHALL develop ~~ANNUALLY~~ a
22 comprehensive, intermodal, long-range transportation priority list and plan for the
23 state consistent with applicable federal laws. [IN DEVELOPING AND REVISING
24 THE STATE PLAN, THE COMMISSIONER SHALL CONSIDER MEANS AND
25 COSTS OF IMPROVING EXISTING MODES AND FACILITIES, STATE AND
26 FEDERAL SUBSIDIES, AND THE COSTS AND BENEFITS OF NEW
27 TRANSPORTATION MODES AND FACILITIES. THE COMMISSIONER SHALL
28 ALSO CONSIDER THE RECOMMENDATION OF THE ALASKA
29 TRANSPORTATION PLANNING COUNCIL.] The plan shall be submitted to the
30 governor for review and approval and submitted by the governor to the legislature.

31 * Sec. 31. AS 44.42.050(b) is amended to read:

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New Text Underlined (DELETED TEXT BRACKETED)

CSSB 365(FIN)

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Remains - Do not delete.

and

(b) In developing and revising the plan, the commissioner shall seek public review and evaluation consistent with applicable federal statutes and regulations BY ANY REASONABLE MEANS AND MAY

(1) CONSULT AND COOPERATE WITH OFFICIALS AND REPRESENTATIVES OF THE FEDERAL GOVERNMENT, OTHER GOVERNMENTS, INTERSTATE COMMISSIONS AND AUTHORITIES, LOCAL AGENCIES AND AUTHORITIES, INTERESTED CORPORATIONS AND OTHER ORGANIZATIONS CONCERNING PROBLEMS AFFECTING TRANSPORTATION IN THE STATE; AND

(2) REQUEST FROM AN AGENCY OR OTHER UNIT OF THE STATE GOVERNMENT OR OF A POLITICAL SUBDIVISION OF IT, OR FROM A PUBLIC AUTHORITY, THE ASSISTANCE AND DATA THAT MAY BE NECESSARY TO ENABLE THE COMMISSIONER TO CARRY OUT RESPONSIBILITIES UNDER THIS SECTION; EVERY SUCH ENTITY SHALL PROVIDE THE ASSISTANCE AND DATA REQUESTED

* Sec. ~~31~~ AS 46.03 is amended by adding a new section to read:

32.

Sec. 46.03.026. ON-SITE WATER AND SEWER SYSTEM CERTIFICATION AND AUDIT PROGRAM. (a) Notwithstanding any provision of this chapter to the contrary, for bank loans for homes in this state, the department may establish, by regulation, a program to delegate the review and certification of on-site drinking water and sewer systems. Under standards adopted by the department by regulation, the department may delegate the review and certification to engineers who are registered under AS 08.48.

(b) If the department establishes a program under (a) of this section, the department shall establish an audit system for the department to monitor and review a statistically significant number of systems certified under that program. An audit must determine compliance with departmental standards for design, installation, and operation in effect at the time of the certification.

(c) If the department establishes a program under (a) of this section, the department shall, by regulation, establish fees for services sufficient to make the program self-supporting.

1 * Sec. ~~33~~. AS 46.03.720 is amended by adding a new subsection to read:

2 (d) Notwithstanding (a) of this section, department review and approval of
3 plans is not required for the functions specified in (a) of this section if

4 (1) the sewerage system or treatment works, or a part of either, is
5 located in a community or major military facility that has the power or legal authority
6 to review and approve sewerage system or treatment works plans;

7 (2) the community or major military facility has established ordinances
8 or other law to regulate domestic sewerage that the department has determined are
9 substantially equivalent to department standards in effect at the time of the
10 determination;

11 (3) the community or major military facility has employed an engineer
12 registered under AS 08.48 who will review and approve domestic sewerage plans
13 under those ordinances or other law;

14 (4) the community or major military facility commits adequate funding
15 or other resources to administer plan review and approvals under this subsection; and

16 (5) the department and the community or major military facility have
17 entered into an agreement under this subsection for delegation of the review and
18 approval of plans under the standards described in this subsection.

19 * Sec. ~~34~~. AS 28.10.108(b) ^{and} AS 28.22.041(h); ~~and AS 44.42.050(d)~~ are repealed.

20 * Sec. ~~35~~. TRANSITION. Notwithstanding sec. ~~35~~ ³⁷ of this Act, an agency of the state that
21 has regulation adoption authority or that is authorized by this Act to adopt regulations, may
22 proceed to adopt regulations necessary to implement that agency's respective provisions in this
23 Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not
24 before July 1, 1994. ³⁵

25 * Sec. ~~36~~. Section ~~35~~ ³⁵ of this Act takes effect immediately under AS 01.10.070(c).

26 * Sec. ~~37~~. Except as provided in sec. ~~34~~ ³⁴ of this Act, this Act takes effect July 1, 1994.

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 23, 1994

365

Do Pass
Leave in File
Mr. Gmb

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the improvement of state finances and fiscal accountability by increasing fees, collecting additional revenues, reducing certain program expenditures, and changing state agency functions or procedures to achieve certain savings or efficiencies. A section-by-section description of this bill is forthcoming.

In this time of great financial concern, we must look for ways of streamlining state government and find ways for agencies to defray a greater portion of their costs through the imposition or increase of fees. If there are ways to access other kinds of funds for the services the state provides, then we must be willing to seek those funds. If there are ways to cut the expenses of the state administration, we must be open to the changes necessary to achieve them.

This bill is only one example of this administration's continued efforts to keep the costs of state government in check. It, along with the bills I have introduced that change required reports of state agencies (HB 530 - SB 357) and eliminate some state multimember bodies (HB 531 - SB 358), can go a long way to improving the operation and expense of the state.

I urge your favorable consideration of the bill.

Sincerely,

A large, stylized handwritten signature of Walter J. Hickel in black ink.

Walter J. Hickel
Governor

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

four

DATE: 3/24/94

FURTHER: Finance

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

DATE TURNED INTO OFFICE: 4-8-94

State Affairs Committee considered SB 365

Improvement of state finances and fiscal accountability by increasing fees/collecting additional revenue and reducing program expenditures; changing statutory limitation periods; making changes to agency functions or procedures; authorizing extensions for leases for real property; efd. and recommends:

- replace with and recommends it be replaced with CS SB 365 (STA)
 - same title
 - new title
 - technical title change (HB only)
- attaches amendment(s) + may replace the w/no rec
- adopts _____ Letter of Intent
- further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

For's & For's

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DOR - ABCB	3.24.94		✓
DOT - PF	3.24.94	✓	
C+RA	3.24.94	✓	
Gov - OMB	3.24.94	✓	
DOA	3.24.94		✓
DPS - DMV	3.24.94	✓	

Department	Date	Zero	Fiscal
DEC	3.24.94		128.0
DOA - Statewide	3.24.94	✓	
DPS - Fine Penen.	3.24.94		✓

Appropriation No Fiscal Note

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

DO PASS:

OTHER RECOMMENDATIONS:

- (1) Admin L. Taylor No Rec
- (1) Mike Muller No Rec
- (2) By Sen → Do Not Pass in current form
↓ Gross Violation of single subject rule.
- (1) [Signature] No Rec

Chair: Signature and Recommendation