

ALASKA LEGISLATURE

1368

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

HB

295

HFIN

FILE

Alaska State Legislature

Representative Brian S. Porter

CHAIRMAN
HOUSE JUDICIARY COMMITTEE

MEMBER
HOUSE LABOR & COMMERCE COMMITTEE
HOUSE STATE AFFAIRS COMMITTEE
INTERNATIONAL TRADE & TOURISM
COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
DEPARTMENT OF LAW
DEPARTMENT OF EDUCATION
COURTS



DISTRICT 20

SESSION:
STATE CAPITOL, ROOM 118
JUNEAU, ALASKA 99801 1182
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Sponsor Statement

HB 295, Property Held By Law Enforcement Agencies

Municipalities need the ability to process the large volume of tangible personal property, which comes into the possession of their police departments through various means, and return or otherwise dispose of that property without undue delay.

Currently, following the procedures outlined in AS 12.36 and AS 34.45, a municipal law enforcement agency coming into possession of property for which the owner is unknown must hold that property for up to two years. If the owner is known, the property must be held for one year.

If municipalities are required to follow these provisions, substantial storage burdens and property handling expenses would be created.

What this bill provides is that if a municipality furnishes itself with an ordinance dealing with the disposition of property that its law enforcement agency receives, that they may do so notwithstanding this obscure state law.

Revision Date: January 27, 1996 Dept. Affected: Revenue
 Title: Property Held by Law Enforcement Agencies BRU: Audit Operations
 Component: Income and Excise Audit
 Sponsor: Rep. Porter
 Requestor: (H) FIN **COMPONENT SERIAL NO.** 113

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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:	0.0	0.0	0.0	0.0	0.0	0.0
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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						
PART-TIME						
TEMPORARY						

Estimate of current (FY96) impact \$ 0.0

ANALYSIS: (Attach a separate page if necessary)
 This bill would exempt checks, drafts, currency and tangible property that are found and turned over to, or found and recovered by a law enforcement agency of a municipality from being subject to the state's unclaimed property statutes. In order to be exempt, a municipality would be required to adopt an ordinance providing for custody and disposition of the property. This bill would not impact Department of Revenue since property turned over to the state by law enforcement agencies is immaterial in comparison to all other properties reported under the unclaimed property program.

Prepared by: Robert N. Bartholomew, Deputy Director Phone: 465-2320
 Division: Income and Excise Audit Date: 1/27/96
 Approved by Commissioner: [Signature] Date: 1/27/96
 Agency: Department of Revenue

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FISCAL NOTE

STATE OF ALASKA

CSHB 295 (JUD)

RB!

1996 LEGISLATIVE SESSION

Revision Date: <u>January 29, 1996</u>	Dept. Affected: <u>Public Safety</u>
Title: <u>Property held by law enforcement agencies</u>	BRU: <u>Fish and Wildlife Protection</u>
	Component: <u>Enforcement & I.S.U.</u>
Sponsor: <u>Representative Porter</u>	
Requestor: <u>(H) Finance</u>	COMPONENT SERIAL NO. <u>490</u>

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

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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-
Code Revenue						

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 96) impact: \$ 0.00

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: HB 295 if enacted would provide municipalities authority to enact ordinances for disposing of property seized by law enforcement agencies. Since this act would grant an exemption for municipalities only, it does not appear to impact the Division of Fish and Wildlife Protection.

This bill if enacted would not affect this Division's programs or budget.

Prepared By: <u>Captain Richard Graham</u>	Phone: <u>(907) 269-5509</u>
Division: <u>Fish and Wildlife Protection</u>	Date: <u>January 29, 1996</u>
Approved by Commissioner: <u><i>Ronald L. Otte</i></u>	Date: <u>1/29/96</u>
Agency: <u>Ronald L. Otte, Dept. of Public Safety</u>	

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FISCAL NOTE

**STATE OF ALASKA
1996 LEGISLATIVE SESSION**

BILL NO. CSHB 295 (JUD)

Revision Date: 1/17/96 Dept. Affected: Department of Law
 Title: "An Act relating to the custody and disposition of BRU: Criminal Division
property in the custody of municipal law enforcement agencies." Component: Criminal Division
 Sponsor: Representative Porter
 Requester: Representative Porter COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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 ()						
------------------------	--	--	--	--	--	--

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 (FY96) 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)

No fiscal impact.

Prepared by: Richard F. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/17/96
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 1/17/96
 Agency: Department of Law

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1996 LEGISLATIVE SESSION

Revision Date: 1/18/96
 Title: Property held by law enforcement agencies
 Sponsor: Representative Brian Porter
 Requestor: (H) Judiciary

Dept. Affected: Public Safety
 BRU: Alaska State Troopers
 Component: Detachments
 COMPONENT SERIAL NO. 0799

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

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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-
Code Revenue						

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 96) impact: \$ -0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 01/18/96
 Approved by Commissioner: *Ronald L. Otte* Date: 01/18/96
 Agency: Ronald L. Otte, Dept. of Public Safety

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

MEMORANDUM

January 30, 1996

SUBJECT: Sectional Summary of CSHB 295 (JUD)
(Work Order No. 9-LS0950\F)

TO: Representative Brian Porter
Attn: Patrick Lounsbury

FROM: *JB*
Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 conforms the section to the new provisions in sec. 2 of the bill.

Section 2 exempts from AS 12.36 municipalities that have adopted ordinances providing for the custody and disposition of property that is held by the municipality's law enforcement agency, if the ordinances meet two conditions. The conditions require (1) certain evidentiary property to be held for a certain period of time, and (2) the municipality to make reasonable attempts to identify and locate the owner of unclaimed property.

Section 3 conforms the section to the new provisions in sec. 4 of the bill.

Section 4 provides that the provisions otherwise governing the disposition of certain abandoned property do not apply to the listed property turned over to or recovered by a municipality's law enforcement agency if the municipality has adopted an ordinance providing for the custody and disposition of the property.

If I may be of further assistance, please advise.

TLB:klb
96-045.klb



April 19, 1995

TO: Representative Brian Porter

FROM: *Kevin Ritchie*
Executive Director

RE: HB 295 - Custody and disposition of property in the custody of municipal law enforcement agencies

The Alaska Municipal League supports HB 295 - custody and disposition of property in the custody of municipal law enforcement agencies, which allows municipalities to establish a local ordinance to handle the disposition of property that is in the custody municipalities.

When property comes into the custody of a law enforcement agency of a municipality, they should have the ability to decide how to dispose of that property by local ordinance.

According to the 1995 AML Policy Statement, "the League supports legislation that promotes effective and independent local government in all organized and unorganized boroughs and cities and opposes any legislation that unduly restricts local government operations."

Municipality
of
Anchorage



P.O. Box 190650
Anchorage, Alaska 99519-0650
Telephone: (907) 343-4545

Rick Mystrom, Mayor

OFFICE OF THE MUNICIPAL ATTORNEY

April 13, 1995

VIA FACSIMILE 465-3834

Daniella Loper, Legislative Aide
Representative Brian Porter
State Capitol
Juneau, Alaska 99808

Re: HB 295 Regarding Disposal of Property

Dear Ms. Loper:

The Municipality of Anchorage has requested that a bill along the lines of HB 295 be enacted to authorize municipalities which have specific code provisions regarding seizure and disposal of property by municipal law enforcement agencies to follow those ordinances rather than the state statutes in Titles 12 and 34.

Following the procedures outlined in AS 12.36 and AS 34.45 a municipal law enforcement agency coming into possession of property for which the owner is unknown must hold that property for up to two years. If the owner is known, the property must be held for one year. If the property was not seized as part of a criminal investigation (e.g. found property voluntarily turned in by citizens) the property is required to be held two years and is then turned over to the Commissioner of Revenue. Additionally, periodic reports listing all property in this category must be made to the Commissioner of Revenue.

Current Municipal Code provisions for disposal of abandoned, stolen, or found property are set forth in AMC 7.25, a copy of which is attached. The provisions in this section require notification to property owners and, if the property remains unclaimed 15 days after the last date of notice, the property may be sold, destroyed, auctioned, or retained for municipal use. AMC 7.25.040 sets out specific provisions authorizing dedication of abandoned, stolen or found bicycles for public use and donation to non-profit organizations. Pursuant to this section the Municipality has donated hundreds of bicycles per year to the local YMCA.

Daniella Loper
April 13, 1995
Page 2 of 2

HB 295 would authorize municipal law enforcement personnel to follow the provisions of the municipal code rather than the state statutes. If the Municipality of Anchorage is required to follow the provisions of the state statutes, it would create a substantial storage burden and property handling expense. The Anchorage Police Department has not previously incurred the expense of this burden. The Municipality of Anchorage, Anchorage Police Department, seeks relief from the state mandated holding of property for such a lengthy period.

Sincerely,



Scott A. Brandt-Erichsen
Assistant Municipal Attorney

cc: Chief Kevin O'Leary
Deputy Chief Duane Udland
Tim Rogers

matter\legis\loper sbe\k.m

Chapter 7.25

DISPOSAL OF ABANDONED, STOLEN OR FOUND PROPERTY

Sections:

7.25.010	Disposable property.
7.25.020	Notice of possession.
7.25.030	Disposition.
7.25.040	Auction sale.
7.25.045	Dedication of abandoned, stolen or found bicycles for public use or benefit.
7.25.050	Publication and sale costs--Reimbursement.
7.25.060	Dangerous or perishable property--Immediate disposal.

7.25.010 Disposable property.

Except as otherwise required by law, the following property in possession of the Police Department may be disposed of as provided in this chapter:

- A. Property collected as evidence and not claimed by the owner within 15 days after final disposition of the criminal case to which it pertains; or
- B. Property voluntarily tendered to the Police Department and not claimed by the owner within 15 days thereafter; or
- C. Property found and delivered to the Police Department and not claimed by the owner within 15 days thereafter; or
- D. Stolen property recovered by the Police Department and not claimed by the owner within 30 days after such recovery.

"Disposable property," as used in this chapter, does not include a vehicle which has been impounded for a violation of Title 9 of this code. "Disposable property" is any property in possession of the Police Department which cannot be identified to an owner. (Adapted from CAC 2.76.010, am AO 79-203, AO 88-79).

7.25.020 Notice of possession.

- A. The Chief of Police shall notify the Purchasing Officer that he is in possession of disposable property. The Purchasing Officer shall publish in a newspaper of general circulation in the municipality twice a week for two consecutive weeks a notice of possession of disposable property. At approximately the same time as the first publication, the Purchasing Officer shall send copies of the notice by certified mail (return receipt requested) to the last known owner and to the finder, if any, at their respective last known addresses if any,
- B. Every notice of possession mailed or published pursuant to this section shall contain:
1. a general description of the property;
 2. the date the Police Department first obtained possession of the property;
 3. the provision that unclaimed property will be sold at public auction and the proceeds will be forfeited to the Police Service Area Fund;
 4. the provision that unclaimed property, if money, will be paid into the municipal treasury for deposit to the Police Service Area Fund;
 5. the provision that the property must be claimed by the owner within 15 days after the last date on which the notice is published; and
 6. the provision that the finder will forfeit all of his right, title, interest and claim in and to found property or money unclaimed by the owner unless the finder files a written request with the Chief of Police for return of the unclaimed property within 15 days after the last date on which the notice is published. (CAC 2.76.020, am AO 79-203, AO 80-97, AO 88-79).

7.25.030 Disposition.

If the property is unclaimed by the owner after the publication and mailing of the notice of possession and the expiration of the time periods as required by section 7.25.020, the property shall be disposed of as follows:

- A. Found property, including money, shall be returned to the finder, if any, upon condition that a timely request for such has been received by the Police Department.
- B. All property, other than money, which is not addressed by subsection A of the section shall be subject to a claim by the Chief of Police that retention of such property for use by the Municipality of Anchorage will serve the public interest. In conjunction with the Purchasing Officer, weapons so claimed by the Chief of Police may be used for trading or bartering in order to acquire them for police use. If the Chief of Police does not make such a claim the Purchasing Officer shall sell and not destroy the property, that is legal for private ownership and not precluded by court order, at a public auction to be held pursuant to the notice required by Section 7.25.020. The proceeds from that sale, together with any unclaimed or unreturned money, shall be forfeited to the Police Service Area Fund, subject to the fee provisions of Section 7.25.050.
- C. The Municipal Auditor will certify the proper disposal under all above provisions.
- D. Notwithstanding any other provision of law, a finder of a motor vehicle shall have no right to possession or any ownership interest in that property except as may be acquired pursuant to a disposition method provided by the Purchasing Officer. (CAC 2.76.030, am AO 79-203, effective January 1, 1980, AO 88-79).

7.25.040 Auction sale.

The Purchasing Officer shall sell the property to be disposed of to the highest bidder at the public auction sale, for cash or upon such terms as the auctioneer shall announce. The auction sale may be continued by the auctioneer to another time or times. The Purchasing Officer shall certify as to the disposal of property and shall execute the bill of sale to the property sold. Upon acceptance of the highest bid, the sale shall be final and not subject to redemption. Property unsold shall become the property of the municipality and may be disposed of by the municipality according to law. (Adapted from CAC 2.76.040, am AO 79-203).

7.25.045 Dedication of abandoned, stolen or found bicycles for public use or benefit.

Notwithstanding any other provision of this chapter, any bicycle in the possession of the Police Department not claimed for 10 days, and for which the owner is not known, may be dedicated to public use or benefit in the following manner:

- A. The Assembly shall declare by resolution its desire to dedicate to public use or benefit abandoned, stolen or found bicycles which have been in the possession of the Police Department for more than 10 days.
- B. As soon as practicable after such declaration, the Purchasing Officer or his designee shall publish for two consecutive weeks, twice weekly, in a newspaper of general circulation, a notice describing the bicycles and stating the time, place and manner by which the bicycles may be identified and claimed by the owners. The notice shall include a statement that bicycles not so identified and claimed may be dedicated irrevocably to public use or benefit, or sold at auction.
- C. Within the first week of the two-week publication period, the purchasing officer or his designee shall also attempt to notify by certified letter the owners of the bicycles proposed for dedication who can be identified with reasonable certainty. The letter shall contain substantially the same information specified in subsection B for public notice.
- D. At the end of the first week following the two-week period of public notice, bicycles which have not been identified and claimed by the owners may be utilized for public purposes in any manner prescribed by the Assembly by resolution, or may be sold in accordance with the provisions of this chapter. If the bicycles have remained in the custody of the Police Department, the sale shall be conducted in accordance with AMC 7.25.030. If possession of the bicycles has been tendered to a third party pursuant to a contract, then that third party shall sell the bicycles at a public auction to be conducted pursuant to a notice which will contain the following information:

1. a general description of the bicycles;
2. the date on which the Police Department obtained possession of the bicycles;
3. that unclaimed bicycles will be sold at public auction or dedicated to public use or benefit and the proceeds forfeited to the Police Service Area Fund or otherwise used for the public benefit;
4. that the owners must claim the bicycles within 30 days after the last date of publication of the notice. (AO 77-210, am AO 79-203, AO 81-118, AO 88-79).

7.25.050 Notification and sale costs fee.

Before returning property to a finder or owner, and before delivering money to the treasury, the Chief of Police shall require a reasonable fee from the person receiving the property or money delivered for the costs of notice, publication and sale attributable to the property or money delivered. The proceeds from that fee shall be deposited into the Police Service Area Fund. The Chief may waive this requirement for a good cause. (CAC 2.76.050, am AO 79-203, AO 88-79).

7.25.060 Dangerous or perishable property--Immediate disposal.

Property in the possession of the Police Department and determined by the Chief of Police to be perishable or to constitute an immediate danger to the public may be disposed of immediately in any manner without notice of sale. Proceeds of any such disposition shall be subject to this chapter. (CAC 2.76.060 and new, am AO 79-203).



Rick Myslrum,
Mayor

ANCHORAGE POLICE DEPARTMENT
01 - Bureau - Anchorage, Alaska (907-1599)
Telephone (907) 786-8500



Service since 1921

April 13, 1995

Daniella Loper, Legislative Aide
Representative Brian Porter
State Capitol
Juneau, AK 99808

Re: HB 295 Regarding Disposal of Property

Dear Ms. Loper:

The Anchorage Police Department supports passage of HB 295 to authorize municipalities which have specific code provisions regarding disposal of property by municipal law enforcement agencies to follow those ordinances rather than the state statues in Titles 12 and 34.

Following the procedures outlined in AS 12.36 and AS 34.45, a municipal law enforcement agency coming into possession of property for which the owner is unknown must hold that property for up to two years. If the property was not seized as part of a criminal investigation (e.g. found property voluntarily turned in by citizens) the property is required to be held two years and is then turned over to the Commissioner of Revenue.

The Anchorage Police Department converted over 700 bicycles in 1994 to the YMCA for auction by the YMCA to raise funds for youth programs. Mandating the department store each bicycle for two years would result in an overwhelming storage problem for the department and deprive the YMCA of this funding source.

Bicycles are just one example of the property handled by the Anchorage Police Department, over 20,000 items of property were handled in 1994. Imposing a two year storage requirement would backlog our Property and Evidence Section and delay processing items of evidence vital to prosecuting criminals.

Sincerely,

Bruce H. Richter
Captain, Technical Services

HB 295 - PROPERTY HELD BY LAW ENFORCEMENT AGENCIES

Number 280

CHAIRMAN PORTER stated that Lieutenant Bachman from the Alaska State Troopers was present to answer questions. He stated that this bill deals with a statute that has been on the books for a long time unbeknownst to many. It requires that property coming in to possession of law enforcement agencies throughout the state, be held, different properties for different lengths of time, and then be returned to the state in some cases. In Anchorage there was a recent audit of the Anchorage Police Department's property room. Part of the problem was that they were failing to follow state law, unbeknownst to them and almost everybody else. When they tried to figure out what it was they were supposed to do, they called the department that administered the statute and the Department asked, "What statute?" So basically, this is something that needs fixing only because nobody is doing it. What this bill provides is that if a municipality provides itself with an ordinance dealing with the disposition of property that its law enforcement agency receives, that they may do so notwithstanding this obscure state law.

JOHN NEWELL, President, Alaska Chiefs Association, testified via teleconference. He agreed with Chairman Porter's opening comments. Sitka, as well as many other cities have existing laws or ordinances that provide for a local manner of dealing with the same property that is discussed in this statute. He totally supports HB 295, to make all of us on a more equal basis.

REPRESENTATIVE FINKELSTEIN asked Mr. Newell how it worked in Anchorage. Does it occur on a 15 day basis? If someone had a bicycle, and they were out of town for a couple of weeks, when they come back, the bicycle has been stolen. Under the municipal ordinance, could it have been disposed of already by the time they return home and report the theft?

MR. NEWELL answered that he saw that as a possibility with the 15 day holding period. He thought the period in Sitka was longer than that. We get into the due process issue when dealing with the Division of Motor Vehicles. They have other steps and hoops we have to jump through.

CHAIRMAN PORTER clarified that the 15 day requirement states that property be kept for at least 15 days after the final disposition

of a criminal case in which that property had been evidence.

REPRESENTATIVE FINKELSTEIN asked if the disposition of property not involved in a criminal case, as unclaimed property, is that governed by the state statute as well?

CHAIRMAN PORTER answered that it includes any property.

REPRESENTATIVE FINKELSTEIN asked if this is the same statute that governs bank accounts that people do not reclaim.

CHAIRMAN PORTER said no, that property is not turned over to law enforcement agencies.

Number 300

MARGOT KNUTH, Assistant Attorney General, Criminal Division, Department of Law, stated that the Department of Law supports the purpose of the bill and the concept, but they do have pretty serious concerns about the way it is done, which is simply to exempt municipalities from AS 12.36 and AS 34.45. We are concerned that this may do more than the purposes that law enforcement has identified, for example, the question that was just raised. The bill would require that municipalities adopt ordinances, but there is no specifications as to what these ordinances shall provide, and you could have communities setting up ordinances that have what we might consider too short of a time period. Within that, it seems to be dealing with more than simply the abandoned property such as bicycles, or property used in evidence. Section 4 proposed that checks, drafts, currency, and tangible property recovered by a law enforcement agency will go to municipalities now instead of to the State of Alaska. She was not sure what impact that might have but it could have a significant one. If there is any chance that this is interpreted as impacting forfeitures, then we have touched another whole gnarly mess of problems. There is not anything that says forfeitures are not brought up in this context. She felt that the time lines in AS 12.36.030 should simply be changed from one year to 30 days, and in AS 12.36.040 it would read six months instead of two years. She and a staff member of the committee as well as the municipal attorney in Anchorage, all felt much more comfortable just changing those time deadlines, and exempting municipalities from the mandatory reporting requirements. She felt the bill may have some unintended consequences, given its breadth.

CHAIRMAN PORTER mentioned that those suggestions were not incorporated because of the obstinacy of the sponsor. He sees

nothing in here that would indicate that forfeitures would be handled any differently. A forfeiture is a court order which law enforcement abides by. This is just property that is clogging every property room throughout the state, and now that we have found it, there is concern, but up until about a week ago, nobody in the state knew that anybody was supposed to be turning this property over to the state, nobody has received it. The Department of Revenue never heard of it until we pointed it out to them. The effect on the state is going to be taking them out of the loop they did not know they were in, and received nothing from in the first place. He did not think it was appropriate to have a statute on the books that everybody is violating. Nobody is turning any property over to the state. His obstinacy comes into effect by saying, "Why is the state involved in this in the first place, it seems this is a local matter, of local property being dealt with by local law enforcement, local government. Why should this function go through the state?"

Number 370

MS. KNUTH said that in terms of what happens to the property, the concern the state has is that it is property that is used as evidence in state prosecuting cases. That type of property is dealt with in AS 12.36.030 and it does require the property be kept as long as necessary for prosecution. The concern she would like to express is we need municipalities if they are going to handle this property through their ordinances, to require that the property be kept long enough for prosecution purposes.

CHAIRMAN PORTER argued that is why the bill states that property having been collected as evidence in children's court proceedings, criminal proceedings, or an official investigation, is to be held until at least 15 days after final disposition of the case to which the evidence pertains.

MARGOT KNUTH said the committee staff member has just provided her with a draft of the CS, which she had not seen.

CHAIRMAN PORTER apologized, and stated that it goes on to say that the municipality will make a reasonable attempt towards locating and identifying the owner of the property that is unclaimed. There are some standards.

Number 400

REPRESENTATIVE TOOHEY asked what would happen if a municipality

came into possession of a local drug deal, involving a house which is confiscated, and it is tried under state statute. Who gets the benefit when that house is sold?

CHAIRMAN PORTER answered that is under the forfeiture that the District Attorney's Office administers, and he believed any revenues from those forfeitures are divided.

MS. KNUTH stated there is a specific provision for divvying it up under federal forfeiture provisions.

REPRESENTATIVE GREEN moved to adopt the CS, Version F. Hearing no objection, the CS was adopted as the working draft.

REPRESENTATIVE BUNDE made motion to move CSHB 295(JUD) out of committee with individual recommendations and zero fiscal notes. Hearing no objection, the bill was moved

ADJOURNMENT

CHAIRMAN PORTER announced that the remaining scheduled bills would be heard the next day, Saturday, at 11:00 a.m. The House Judiciary Committee adjourned at 3:45 p.m.

B

HOUSE COMMITTEE REPORT

4/22/95

(7)

Date Referred: April 5, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/21/95

4/24/95 address
FN
HB 295

The JUDICIARY Committee considered:

HOUSE BILL NO. 295

PROPERTY HELD BY LAW ENFORCEMENT AGENCIES

"An Act relating to the custody and disposition of property in the custody of municipal law enforcement agencies."

recommends it be replaced with the following committee substitute CS HB 295 (Jud) [X] the same title [] a new title

[] additional referral to _____ Committee
[] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
[] fiscal note(s) _____ [] fiscal note(s) _____

(2) [X] zero fiscal note(s) Public Safety [] zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Brian Porter</i>	Porter	✓			
<i>Jan Finkelstein</i>	Finkelstein	✓			
<i>Green</i>	Green	✓			
<i>Van Bunde</i>	Bunde	✓			
<i>TOOhey</i>	TOOhey	✓			
		(5)			

CHAIR'S SIGNATURE *Brian Porter*
Porter

HB

297

HFIN

FILE

HOUSE COMMITTEE REPORT

(1)

Date Referred: April 5, 1995

FURTHER REFERRALS:

Date of Committee Action: 4/28/95

The FINANCE Committee considered:

HB 297

HOUSE BILL NO. 297

VESSEL FEES

"An Act relating to fees for a commercial fishing vessel license."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee attached amendment(s)

ADOPTS: _____ Letter of Intent

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

fiscal note(s) FAG fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Richard Foster</u>	X			
<u>William Hanley</u>			X	
<u>John Mulder</u>	X			
<u>Tom Martin</u>			X	
<u>Jack Parnell</u>			X	
<u>Vic Kohring</u>			X	
<u>Julie Navarre</u>	X			
<u>Tom Brown</u>	✓			
<u>John Kelly</u>			X	
<u>Greg Theriault</u>	X			

CHAIR'S SIGNATURE

William Hanley Richard Foster
Hanley Foster

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB297

Revision Date: 4/25/95 Dept. Affected: Fish and Game
 Title: An Act relating to fees for commercial fishing vessel license BRU: Commercial Fisheries (Limited) Entry Commission
 Sponsor: Rep. Moses Component: Limited Entry Program Administration
 Requester: Rep. Moses COMPONENT SERIAL NO. 0471

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY #
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 ()	544.5	544.5	544.5	544.5	544.5	544.5

FUND SOURCE		(Thousands of Dollars)				
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 CFEC is responsible for collecting vessel license fees. HB 297 would change flat rate vessel license fee of \$20 to sliding scale based on length of vessel and vary from \$20 for 25' and under to \$750 for 251' and over. See attachment for revenue increase.

Prepared By: Roger Kolden Phone: 789-6160
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/25/95
 Approved by Commissioner: Frank Homan Date: 4/25/95
 Agency: Commercial Fisheries (Limited) Entry Commission

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For further distribution information call the Governor's Legislative Office

HB 297 Proposed Fee Schedule
 1994 Vessel License File
 Commercial Fisheries Entry Commission

Length	Number of Vessels	Percentage	Proposed Licensing Fee	Revenue Generated
0 to 25 feet	6,189	38.1%	\$20	123,780
> 25 to 50 feet	8,560	52.6%	\$50	428,000
> 50 to 75 feet	744	4.6%	\$100	74,400
> 75 to 150 feet	585	3.6%	\$250	146,250
> 150 to 250 feet	154	0.9%	\$500	77,000
> 251 feet	27	0.2%	\$750	20,250
	<u>16,259</u>	<u>100.0%</u>		<u>\$869,680</u>

1994 Vessel License
 Revenue Increase

New Fee Schedule from HB 297	\$869,680
\$20 Vessel License fee	<u>\$325,180</u>
Increased Revenue	\$544,500

Source: Commercial Fisheries Entry Commission

04/25/95

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

VICE-CHAIRMAN
HOUSE SPECIAL COMMITTEE ON FISHERIES

MEMBER
HOUSE SPECIAL COMMITTEE ON
ECONOMIC DEVELOPMENT

COMMITTEE ON COMMITTEES

FINANCE SUBCOMMITTEES
TRANSPORTATION AND PUBLIC FACILITIES
FISH & GAME

SESSION:
STATE CAPITOL BUILDING #204
JUNEAU, ALASKA 99801-1182
PHONE (907) 465-4451
FAX (907) 465-3445

INTERIM:
715 W 4TH AVE #630
ANCHORAGE, ALASKA 99501-2133
PHONE (907) 258-8167
FAX (907) 258-3468

SPONSOR STATEMENT

House Bill 297

An Act relating to fees for commercial fishing vessel licenses.

House Bill 297 raises the commercial vessel license fee from a flat \$20 to a fee based on the overall length of the vessel. The lengths and corresponding fees are defined on page 2 of the bill. The bill caps the fee at \$750 for vessels over 250 feet in length.

House Bill 297 would raise an additional \$544,500 in revenue to the state. The state's commercial fisheries management and development programs are fast losing ground in budget reductions. We have a multi-billion dollar commercial fishing industry in this state and we need to be doing more to manage and protect our resources in order to maximize their use. For that reason, House Bill 297 includes intent language directing the revenue generated by this legislation be used for commercial fisheries management and development programs. While we have no real authority to dedicate these funds, it is clearly the intent of this legislation to direct the additional revenue toward their intended purpose.

HB

297

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/1/95

FURTHER:

DATE TURNED INTO OFFICE: 5-2-95

The Finance Committee considered HOUSE BILL NO. 297

"An Act relating to fees for a commercial fishing vessel license."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical change
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Steve Klein</i>	✓	<i>2000 EC 1400</i>	✓		
		<i>Donna Dancy</i>	✓		
		<i>Paul G. Kenoff</i>	✓		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>Rick Halford</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal	
<i>DF&G</i>	<i>4/25/95</i>	0		<i>544.5 Revenue</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

No. 1
 Bill Version: HB 297
 (H) Publish Date: 4/28/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: 4/25/95 Dept. Affected: Fish and Game
 Title: An Act relating to fees for commercial fishing vessel license BRU: Commercial Fisheries (Limited) Entry Commission
 Sponsor: Rep. Moses Component: Limited Entry Program Administration
 Requester: Rep. Moses COMPONENT SERIAL NO. 0471

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TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	544.5	544.5	544.5	544.5	544.5	544.5

FUND SOURCE	(Thousands of Dollars)					
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1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 CFEC is responsible for collecting vessel license fees. HB 297 would change flat rate vessel license fee of \$20 to sliding scale based on length of vessel and vary from \$20 for 25' and under to \$750 for 251' and over. See attachment for revenue increase.

Prepared By: Roger Kolden Phone: 789-6160
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/25/95

Approved by Commissioner: Frank Homan Date: 4/25/95
 Commercial Fisheries (Limited) Entry Commission

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	16,259	100.0%		\$869,680

**1994 Vessel License
Revenue Increase**

New Fee Schedule from HB 297	\$869,680
\$20 Vessel License fee	<u>\$325,180</u>
Increased Revenue	\$544,500

Source: Commercial Fisheries Entry Commission

04/25/95

MEMORANDUM

STATE OF ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION


TO: SENATE FINANCE COMMITTEE
Senator Frank, Co-Chair
Senator Halford, Co-Chair
Senator Rieger
Senator Sharp
Senator Phillips
Senator Zharoff
Senator Donley

DATE: May 4, 1995

FAX NO.: 789-6170

TELEPHONE NO.: 789-6160

SUBJECT: HB 297 -- Senator Phillips' Question: What do other states charge for commercial fishing vessel licenses?

FROM:  Bruce Twomley, Chairman
COMMERCIAL FISHERIES
ENTRY COMMISSION

Following the Senate Finance Committee's favorable consideration of HB 297 (raising Alaska's commercial fishing vessel license fees), Senator Phillips asked for a rough survey of what other states charge for commercial fishing vessel licenses.

By phone, we collected the following information and shared it with Senator Phillips, who thought that it would be of interest to the Senate Finance Committee as a whole.

At a glance, you can see that varying fees according to size of vessels is common. Additionally, the upper limit in this bill does not appear to sell short a source of revenue for Alaska. Please note that the upper limit (\$750) is consistent with the limit set by the Alaska legislature for captains' licenses in AS 16.43.60.

Finally, although some states charge higher fees for non-residents, in Alaska this issue is now in the hands of the Alaska Supreme Court in the Carlson case. Until the state gets a favorable ruling in Carlson, it would be extremely unwise to add higher fees for non-residents to HB 297 [as the result of such an amendment last year, Governor Hickel was compelled to veto a similar bill].

cc: Representative Carl Moses
Frank Rue, Commissioner, ADF&G
David Benton, Deputy Commissioner, ADF&G
Geron Bruce, Special Assistant to the Commissioner, ADF&G

MEMORANDUM

STATE OF ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION

TO: Bruce Twomley
Chairman
CFEC
MS: 0302

DATE: May 3, 1995

FILE NO:

TELEPHONE NO: 789-6160

FROM: Kurt Schelle ^{vs}
Susan Haymes ~~SA~~
Ben Muse ~~SA~~
MS: 0302

SUBJECT: Vessel License Fees
In Other States

As you requested, this morning we did a quick telephone survey of other coastal states to obtain information on their vessel license laws and fees. The following paragraphs provide a summary of what we learned.

Due to the quickness and brevity of the surveys, this summary information should be viewed with caution. We tried to get our information sources in each state to focus on the licensing of commercial fishing vessels. However, in many cases the licensing laws were complex and vessel licenses were inter-related with other licenses. Thus some of the cursory information below may not be completely accurate.

Moreover, some of these states may see changes in fee schedules with the new fiscal year. We have asked for additional information on licensing from these states. For now, we hope that these summaries are reasonably accurate for your purposes.

Washington

Contact: Anita Victory (360) 902-3770, option 7
Customer Service
Department of Licensing
P.O. Box 9042
Olympia, Washington 98507-9042

Purchase of vessel decal:
first time \$20.50
annual renewal 12.50

Oregon

Contact: Karen McGill (503) 229-5410
Department of Fish and Wildlife
Licensing Section
P.O. Box 59
Portland, OR 97207

Commercial fishing vessel registration:
resident \$200/year

non-resident \$400/year

California

Contact: Erma (916) 227-2282
License and Revenue Branch
California Department of Fish and Game
3211 S St.
Sacramento, CA 95816

Commercial fishing vessel registration:
resident \$200/year
non-resident \$400/year

Hawaii

Contact: Russell Kagesa, Vessel Registrar (808) 587-1970
Hawaii Department of Land and Natural Resources
333 Queen St., Suite 300
Honolulu, Hawaii 96813

Vessel license:
Up to 20 feet \$13/year
20 feet and up \$25/year

There are no resident non-resident distinctions. These fees apply to other boats as well as commercial fishing boats.

Texas

Contact: Kathy Gil (512) 389-4822
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Commercial Fishing Boat License (all boats):
Resident: \$15
Non-resident: \$60

There are additional and higher fees for boats engaged in particular fisheries such as the menhaden fishery, the bait-shrimp fishery, Bay-shrimp, Gulf-Shrimp, and Commercial Oysters. Some of these fees are substantial. For example, a Menhaden boat license fee is \$3,500.

Louisiana

Contact: Debbie Thornton (504) 765-2886
Dept. of Wildlife and Fisheries
Commercial Licensing section.

Saltwater Vessel License:
Resident: \$16
Non-resident \$61

There are apparently additional license fees to use different gears. A captain's license costs \$56 for residents and \$401 for non-residents.

Mississippi

Contact: Lynn Lawson (601) 364-2042
Dept of Wildlife, Fisheries, and Parks
Licensing Section

Boat Registration Fee

Boat Size Category:
LE feet \$ 5.00
16 to 26 feet \$15.00
GT 26 feet \$30.00

This fee does not vary by resident and non-resident category. There are also commercial fishing licenses and saltwater licenses where the fees do vary depending upon residency. Additionally, there are also tags required for different types of gear.

Alabama

Contact: Janet Hastings (334) 968-7576
Dept. of Conservation
Marine Resources Division
Post Office Drawer 458
Gulf Shores, AL 36547

Shrimp Vessel License:

Shrimp Vessel Size Class:		(nonresidents)
(residents)		vary by agreement among states based on state of vessel owner.
LT 30 feet	\$ 51	
30-45 feet	\$ 76	
GT 45 feet	\$ 101	

With the exception of the shrimp vessel license, Alabama did not license commercial fishing vessels. There was a crabber's license issued to a fisherman and a dealer's license issued to the person selling commercially caught product.

Florida

Contact: Tabatha Ward (904) 487-3122 Ext 100
Dept. of Environmental Protection
Saltwater Licenses and Permits
Saltwater License Section
P.O. Box 3070
Tallahassee, FL 32315-3070

Vessel Saltwater Products License:
Resident: \$100

Nonresident: \$400
Aliens: \$600

Licenses are also required for individuals. Additional fees are charged for particular endorsements.

Georgia

Contact: Debbie Johnson (912) 263-7237
Dept. of Natural Resources
Wildlife Resources Div.

Commercial Boat License Fees:

Trawler:

\$50 for first 18 feet
\$3 for each additional foot
\$25 additional for non-resident.

Non-Trawlers:

\$5 for first 18 feet
\$.50 for each additional foot
\$25 additional for non-resident

South Carolina

Contact: Dottie Lewis (803) 762-5053
Department of Natural Resources F(803) 762-5425
Marine Resources Division
Commercial License Office
P.O. Box 12559
Charleston, S.C. 29422-2559

Commercial Power Boat License:

Boat to 18 feet:
resident \$20
non-resident varies by state agreements

Boat over 18 feet:
resident \$25
non-resident varies by state agreements

There is also a captain's license, a trawler license (vessel), and separate licenses for each type of gear. Non-resident fees for some of these are substantially higher and vary by state depending upon reciprocal agreements.

North Carolina

Contact: Janice Fulcher (919) 726-7021
Dept. of Environmental Health and Natural Resources
Div. of Marine Fisheries
Licensing Section
P.O. Box 769
Morehead City, NC 28557

Commercial Vessel License Decals:

Boat Size Category:

LE 18 feet	\$1.00 per foot
19-38 feet	\$1.50 per foot
GE 39 feet	\$3.00 per foot

There is a non-resident surcharge to the vessel license that varies by reciprocal agreement with each state but that can be no less than \$200 by law. In addition there are endorsements needed to sell commercial catch which vary progressively by vessel size class.

Virginia

Contact: Nancy Jamerson (804) 367-0939
Department of Game and Inland Fisheries
P.O. Box 11528
Richmond, VA 23230

Commercial Fishing Boat License Registration Fees (all boats):

Less than 16 feet -	\$18
16 to 19 feet -	\$22
20 to 40 feet -	\$28
Over 40 feet -	\$36

These fees do not vary by resident and non-resident category.

Maryland

Contact: Frances McFaden (410) 974-3365
Maryland Department of Natural Resources
Fisheries Division
580 Taylor Avenue
Annapolis, MD 21401

Maryland does not license commercial fishing vessels, only commercial fishers.

Delaware

Contact: Delaware Department of Natural Resources (302) 739-4431
License Section - Division of Fish & Wildlife
P.O. Box 1401
Dover, Delaware 19903

Commercial Fishing Boat Licensing Fees (by vessel length):

Class A - less than 16 feet -	\$10
Class 1 - 16 to 25 feet -	\$20
Class 2 - 26 to 39 feet -	\$30
Class 3 - 40 to 64 feet -	\$50
Class 4 - 65 feet or over -	\$60

New Jersey

Contact: Department of Motor Vehicles (609) 292-2121

Commercial Fishing Boat License Registration Fees (all boats):

Less than 16 feet -	\$7
16 to 25 feet -	\$15
26 to 39 feet -	\$27
40 to 64 feet -	\$41
65 feet and over -	\$126

These fees do not vary by resident and non-resident category.

New York

Contact: Office of Parks and Recreation (518) 457-3521
Nelson Potter
Empire State Plaza
Albany, NY 12238

Commercial Fishing Boat Licensing Fees (by tonnage)

Less than 10 tons	\$20
10 to 19 tons	\$30
20 to 49 tons	\$40
50 to 100 tons	\$50
Over 100 tons	\$100

Connecticut

Contact: Fisheries Division (203) 424-3474
Licensing and Revenue
Hartford, CT

Connecticut does not charge a fee for vessel licenses. They charge by the individual only. There is a \$25 lifetime boater certificate fee for all new boaters.

Rhode Island

Contact: Margaret McGrath (401) 277-6647
Office of Boat Registration & Licensing
22 Hayes Street
Providence, RI 02908

Commercial Fishing Boat Licensing Fees (by vessel length):

36 to 40 feet	\$125
41 to 45 feet	\$150
46 to 49 feet	\$200
50 feet and over	\$300

Massachusetts

Contact: Division of Marine Fisheries (617) 727-3193
100 Cambridge Street
Boston, MA 02202

Commercial Fishing Boat Licensing Fees (by vessel length):

Large Boats, 60-99 ft. \$195
Small Boats, 0-59 ft. \$130

Maine

Contact: Inland Fisheries and Wildlife (207) 287-3371
Augusta, Maine 04333

Commercial Fishing Boat License:
All Boats: \$4

Wisconsin

Contact: Nancy Anderson (608) 266-2621
Boat Registration and Titling
Department of Natural Resources
P.O. Box 7236
Madison, Wisconsin 53707-7236

Vessel registration:

< 16 feet	\$ 6.50/2 years
16 - < 26 feet	8.50/2 years
26 - < 40 feet	10.50/2 years
> 40 feet	12.50/2 years

These fees are for the renewal of the Wisconsin registration on motorized boats. There is no resident-nonresident differential. These fees are the same for commercial fishing and other vessels. All boats over 16 feet must be titled. There is a one-time \$5 fee for this.

Michigan

Contact: Denise Yockey (517) 373-2520
Public Relations Section
Department of State
Lansing, Michigan

Vessel registration for commercial fishing vessels:
\$15 for three years

Vessels over 20 feet must be titled. There is a one-time charge of \$5 for this.

Ohio

Contact: Officer Roseler (419) 621-1402
Division of Watercraft
Department of Natural Resources

Vessel registration:
 < 16 feet \$ 7.50/year
 16 - < 26 feet 10.00/year
 >= 26 feet 15.00/year

This only applies to smaller vessels that are not documented by the USCG. Vessel owners would need to present proof of title to get a registration. Title can be had for a one-time \$3.00 charge.

Alaska State Legislature
Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

VICE-CHAIRMAN
HOUSE SPECIAL COMMITTEE ON FISHERIES

MEMBER
HOUSE SPECIAL COMMITTEE ON
ECONOMIC DEVELOPMENT

COMMITTEE ON COMMITTEES

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SESSION:
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INTERIM:
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ANCHORAGE, ALASKA 99501-2173
PHONE: (907) 258-8167
FAX: (907) 258-3468

SPONSOR STATEMENT

House Bill 297

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HB

301

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred April 5, 1995

FURTHER REFERRALS:

Date of Committee Action: _____

The FINANCE Committee considered:

HB 301

HOUSE BILL NO. 301

MEDICAID FUNDING

"An Act relating to the medical assistance program; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
Died in committee				

CHAIR'S SIGNATURE _____



Representative Mark Hanley

Alaska State Legislature

SPONSOR STATEMENT

House Bill No. 301

One-year Suspension of Medicaid Options List

The State of Alaska has two methods of controlling Medicaid spending:

- regulation of "amount, duration and scope"; and,
- turning on and off optional services through appropriation levels.

The Department of Health and Social Services (DHSS) has regulatory control over "amount, duration and scope." The Legislature controls funding of optional services. HB 301 has been introduced to lessen the impact of recent short-funding of the optional services list.

Medicaid provides medical coverage under two service lists: mandatory and optional. Federal law requires DHSS to provide all eligible Alaskans mandatory services. Congress allows states to provide, and will help pay for, services not on the mandated list. These services are included in Alaska's Medicaid plan through amendment of AS 47.07.035, referred to as the "options list."

Traditionally, ~~new~~ optional services or providers are added to the statute through a "last on, first off" rule. According to statute, when appropriation levels are insufficient, ~~the~~ optional service/provider listed as #1 is the first to be turned off for state/federal reimbursement. Some amendments to the options list have not occurred under the "last on, first off" rule, however. Few would dispute that our current options list is poorly prioritized, both from a health care and fiscal perspective.

The options list has not been fully funded for several fiscal years. All optional services are available to children, regardless of appropriation levels.

By having to adhere to the prioritization contained in our statutory options list, DHSS will testify that some preventive services will not be paid for under the Medicaid program, thus shifting medical costs higher up the priority list, and usually increasing costs to the state. HB 301 will allow DHSS the flexibility to re-prioritize services and providers in a more cost-effective and appropriate manner.

The one-year time frame specified in this bill will be used by DHSS and the Legislature to work together on building a better options list. The new list should be assembled using criteria for prioritization, rather than the "last on, first on" rule. Additionally, the new list should contain consistent items. Our current statute contains both services and providers. Consideration should be given to listing diagnosis, as is done on the Oregon options list.

Finally, the attached letter of intent makes clear that the Medical Assistance Division of DHSS will live within the appropriation level made in the FY96 operating budget.



Representative Mark Hanley
Alaska State Legislature

LETTER OF INTENT, HB 301

Offered in House Finance Committee by Representative Hanley

Expenditures by the Department of Health and Social Services, Division of Medical Assistance, must not exceed the FY96 appropriation level, despite the suspension of the optional services list (AS 37.07.035). No supplemental appropriation will be made to the division in FY96.

January 1, 1994, inserted "hospice care" near the end of subsection (b). The 1994 amendment, effective September 7, 1994, added subsection (d).

The third 1993 amendment, effective June 26, 1993, added subsection (c).

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

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

intermediate care facility, to receive an optional state supplementary payment;

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

(30) individuals under age 21 under supervision of the department for whom maintenance is being paid in whole or in part from public money and who are in foster homes or private child-care institutions.

(31) individuals under age 21 who the department has determined cannot be placed for adoption without medical assistance because of a special need for medical or rehabilitative care and who the department has determined are hard-to-place children eligible for subsidy under AS 25.23.190 — 25.23.220. (§ 3 ch 132 SLA 1982; am § 2 ch 20 SLA 1986; am § 5 ch 105 SLA 1986; am § 3 ch 119 SLA 1988; am § 4 ch 45 SLA 1989; am § 38 ch 168 SLA 1990; am § 4 ch 69 SLA 1991; am § 2 ch 70 SLA 1991; am § 2 ch 38 SLA 1992; am § 2 ch 110 SLA 1992; am § 3 ch 51 SLA 1993; am § 2 ch 75 SLA 1993; am § 3 ch 76 SLA 1993)

Delayed amendment of paragraph (25). — Under Section 4, ch. 76, SLA 1993, paragraph (23) (now (25)) takes effect on the 180th day after the effective date of Medicaid plan amendments approved by the federal government under which the state would implement a waiver for home and community-based services under 42 U.S.C. 1396n for persons who are Medicaid eligible and who would otherwise require a level of care provided in a hospital, nursing facility, or intermediate care facility for the mentally retarded in the absence of home and community-based services.

Revisor's notes. — Paragraphs (14) and (15) enacted as (2) and (13) and renumbered in 1992. Renumbered again by the first 1993 amendment. Paragraph (20) was enacted as (19), paragraph (25) was enacted as (23), and paragraph (31) was enacted as (29). Renumbered in 1993.

Effect of amendments. — The first 1991 amendment, effective September 19, 1991, added paragraph (9) (now (11)) and redesignated the succeeding paragraphs accordingly.

The second 1991 amendment, effective September 19, 1991, added paragraphs (1) and (2) (now (2) and (3)) and redesignated the subsequent paragraphs accordingly.

The first 1992 amendment, effective July 1, 1992, added paragraphs (12) and (13) (now (13) and (14)) and redesignated former paragraphs (12) to (24) as paragraphs (14) to (26) (now (15) — (19), (20) — (24), and (26) — (30)).

The second 1992 amendment, effective September 20, 1992, added paragraph (4) (now (5)) and redesignated the subsequent paragraphs accordingly.

The first 1993 amendment, effective July 1, 1993, added present paragraph (1) and redesignated the subsequent paragraphs accordingly.

The second 1993 amendment, effective January 1, 1994, added present paragraph (20) and renumbered the subsequent paragraphs accordingly.

The third 1993 amendment added present paragraph (25), redesignated the subsequent paragraphs accordingly, and added paragraph (31).

Administrative Rules
For Oregon
Medical Assistance Program

OREGON HEALTH PLAN ADMINISTRATIVE RULES



Department of Human Resources

OFFICE OF MEDICAL ASSISTANCE PROGRAMS

Salem, Oregon
January 1, 1995

410-141-520 Prioritized List of Health Services

- (1) The Prioritized List of Health Services is the Health Services Commission listing of physical health services presented to the Oregon Legislative Assembly.
- (2) By this reference the Prioritized List of Health Services includes the "expanded definitions" of Ancillary Services and Preventive Services published at the end of the list.
- (3) Certain Mental Health services are only covered for payment when provided by a Mental Health Organization (MHO), Community Mental Health Program (CMHP) or authorized Fully Capitated Health Plan (FCHP) for clients residing in the designated 25% expanded mental health area. These codes are identified on their own Mental Health (MH) section of the appropriate lines on the list.
- (4) Chemical dependency services are covered for all OHP clients when provided by an FCHP or by a provider who has a letter of approval from the Office of Alcohol and Drug Abuse Programs (ODAP) and approval to bill Medicaid for CD services. These codes are identified on the Chemical Dependency (CD) section of line 181.

PRIORITIZED LIST OF HEALTH SERVICES January 1, 1995

Diagnosis: Severe/Moderate Head Injury: Hematoma/Edema with loss of consciousness
Treatment: Medical and surgical treatment
ICD-9: 850.1-850.5,851.02-851.06,851.1,851.22-851.26,851.3,851.42-851.46,851.5,
851.62-851.66,851.7,851.82-851.86,851.9
CPT: 61108,61313-61315,62140-62141,90700-90713,90716,90718-90724,90726-90799,90900-92353,
92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,
99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 1

Diagnosis: Insulin-Dependent Diabetes Mellitus
Treatment: Medical therapy
ICD-9: 250.01,250.11,250.13,250.21,250.23,250.31,250.33,250.61,250.63,251.3,775.1
CPT: 11400-11402,11420,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,
92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,
99058-99078,99175-99178,99185-99362,99375-99440,99499,9982D
Line: 2

Diagnosis: Peritonitis
Treatment: Medical and surgical treatment
ICD-9: 567,569,83,777.6
CPT: 49060,49420,49040,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,
92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,
99058-99078,99175-99178,99185-99362,99375-99440,99499,9982D
Line: 3

Diagnosis: Acute Glomerulonephritis: with lesion of rapidly progressive Glomerulonephritis
Treatment: Medical therapy including dialysis
ICD-9: 580.4
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,
99175-99178,99185-99362,99375-99440,99499
Line: 4

Diagnosis: Pneumothorax and Hemothorax
Treatment: Tube thoracostomy/thoracotomy, medical therapy
ICD-9: 511.8,512,860,998.81
CPT: 32020,32500,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,
92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,
99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 5

MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area.

Diagnosis: Hernia with obstruction and/or gangrene; uncomplicated hernias under age 18
 Treatment: Repair
 ICD-9: 550-553,728.84
 CPT: 39502-39541,43330-43331,44050,44346,49250,49500-49611,51500,55540,57556,90700-90713,
 90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,
 95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,
 99185-99362,99375-99440,99499
 Line: 6

Diagnosis: Addison's disease
 Treatment: Medical therapy
 ICD-9: 255.4,255.5
 CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
 93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,
 99175-99178,99185-99362,99375-99440,99499
 Line: 7

Diagnosis: Flail chest
 Treatment: Medical and surgical treatment
 ICD-9: 807.4,998.81
 CPT: 21800-21825,32905,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,
 92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,
 99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 8

Diagnosis: Appendicitis
 Treatment: Appendectomy
 ICD-9: 540-543
 CPT: 44900-44960,49020
 Line: 9

Diagnosis: Ruptured spleen
 Treatment: Repair/splenectomy/incision
 ICD-9: 865
 CPT: 38100,38115
 Line: 10

Diagnosis: Tuberculosis
 Treatment: Medical therapy
 ICD-9: 010-012,031.0
 CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
 93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,
 99175-99178,99185-99362,99375-99440,99499
 Line: 11

Diagnosis: Deep open wound of neck, including larynx; fracture of larynx or trachea, open
 Treatment: Repair
 ICD-9: 807.5-807.6,874
 CPT: 12001-12007,13101,13131-13150,21493-21495,31584-31586,90700-90713,90716,
 90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,
 95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-
 99178,99185-99362,99375-99440,99499
 Line: 12

Diagnosis: Croup syndrome, epiglottitis, acute laryngotracheitis
 Treatment: Medical therapy, intubation, tracheotomy
 ICD-9: 464.1-464.4
 CPT: 31600,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
 93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-
 99178,99185-99362,99375-99440,99499
 Line: 13

Diagnosis: Pneumococcal pneumonia, other bacterial pneumonia, bronchopneumonia, influenza with pneumonia
 Treatment: Medical therapy
 ICD-9: 020.3-020.5,022.1,073.0,481-483,485-486,487.0,507,508.0
 CPT: 31645,43246,43830,43832,44300,44372-44373,90700-90713,90716,90718-90724,90726-90799,
 90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,
 97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 14

Diagnosis: Whooping cough
Treatment: Medical therapy
ICD-9: 032-033
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-
99178,99185-99362,99375-99440,99499
Line: 15

Diagnosis: Rupture of papillary muscle
Treatment: Medical and surgical treatment
ICD-9: 429.5-429.6
CPT: 33542,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-
99178,99185-99362,99375-99440,99499
Line: 16

Diagnosis: Coagulation defects
Treatment: Medical therapy
ICD-9: 286.0-286.5,286.7-286.9,719.1
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,
93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-
99178,99185-99362,99375-99440,99499
Line: 17

Diagnosis: Dissecting or ruptured aortic aneurysm
Treatment: Surgical treatment
ICD-9: 441.0-441.1,441.3,441.5
CPT: 33320-33350,33690,33803,33860-33877,33916,34520,35081-35103,35301-35311,35331-35351,
35450-35515,35526-35531,35536-35551,35560-35563,35601-35616,35626-35646,35651,35663,
35870-35875,36825-36830,36834,90700-90713,90716,90718-90724,90726-90799,90900-92353,
92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-
99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 18

Diagnosis: Injury to major blood vessels of upper extremity
Treatment: Ligation
ICD-9: 903
CPT: 37618
Line: .9

Diagnosis: Intestinal obstruction w/o mention of hernia; foreign body in stomach, intestines, colon & rectum
Treatment: Excision, medical therapy
ICD-9: 560.0,560.2,560.8-560.9,935.2,936-938
CPT: 44005-44010,44020-44025,44050,44110-44130,44139-44144,90700-90713,90716,90718-90724,
90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,
97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 20

Diagnosis: Non-dissecting aneurysm without rupture
Treatment: Surgical treatment
ICD-9: 441.2,441.4,441.9,442
CPT: 33320-33350,33860-33877,33916,35001-35081,35091,35102,35111-35162,35188,35301-35311,
35331-35351,35450-35515,35526-35531,35536-35551,35560-35563,35601-35616,35626-35646,
35651,35663,35875,36825-36830,36834,37565-37606,37618,61680-61692,61700,61712,90070-
90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,
95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-
99362,99375-99440,99499
Line: 21

Diagnosis: Ruptured viscus
Treatment: Repair
ICD-9: 530.4,569.3,569.4,569.89,862.22
CPT: 43405,44602-44805,45560,57268-57270,90700-90713,90716,90718-90724,90726-90799,
90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,
97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 22

Diagnosis: Acute bacterial meningitis
Treatment: Medical therapy
ICD-9: 036.0-036.1,036.3-036.9,320
CPT: 61000-61070,61107,61210-61215,90700-90713,90716,90718-90724,90726-90799,90900-
92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,
99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 23

MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area:

Diagnosis: Varicose veins of lower extremities
Treatment: Stripping/sclerotherapy
ICD-9: 454.459
CPT: 36468-36471,37700,37720-37735,37760,37780-37799,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 715

Diagnosis: Vulval varices
Treatment: Vascular surgery
ICD-9: 456.6
CPT: 37799,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 716

Diagnosis: Chronic pancreatitis
Treatment: Surgical treatment
ICD-9: 577.1
CPT: 48000,48999
Line: 717

Diagnosis: Chronic prostatitis, other disorders of prostate
Treatment: Medical therapy
ICD-9: 601.1,602,608.1
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 718

Diagnosis: Plantar fascial fibromatosis
Treatment: Medical therapy
ICD-9: 728.1,728.71
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97250,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499,9330M
Line: 719

Diagnosis: Cancer of various sites with distant metastases where treatment will not result in a 5% 5 year survival
Treatment: Curative medical and surgical treatment
ICD-9: 140-198
CPT: 11600-11646,38720-38724,41110-41114,41130,42120,42842-42845,42880,47610,47420-47425,58951,61500,61510,61518-61521,61546-61548,77261-77799,79000-79999,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 720

Diagnosis: Agenesis of lung
Treatment: Medical therapy
ICD-9: 748.5
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97250,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499,9982D
Line: 721

Diagnosis: Disease of capillaries
Treatment: Excision
ICD-9: 448.1-448.9
CPT: 11400-11426
Line: 722

Diagnosis: Benign polyps of vocal cords
Treatment: Medical therapy
ICD-9: 478.4
CPT: 31540-31541,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 723

Diagnosis: Fractures of ribs and sternum, closed
Treatment: Medical therapy
ICD-9: 807.0,807.2
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 724

MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area.

Diagnosis: Diseases of thymus gland
 Treatment: Medical therapy
 ICD-9: 254
 CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 725

Diagnosis: Dental services (marginal improvement)
 Treatment: Restorative dental service
 ICD-9: N/A
 CPT: 01204-01205,03410,03421,03425-03426,03430,03450,03470,03920,04249-04250,04261-04271,06780,06940,07271-07272,07993-07994,09910,09940,09952
 Line: 726

Diagnosis: Anti-social personality disorder
 Treatment: Medical/psychotherapy
 ICD-9: 301.7
 CPT: 90862,90870,90871,99052,99221-99275,99291
 MH: 90801-90857,90880-90899,BA007,BA008,BA009,BA010,BA107,BA108,BA109,BA110
 Line: 727

Diagnosis: Sebaceous cyst
 Treatment: Medical therapy
 ICD-9: 685.1,706.2,744.47
 CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 728

Diagnosis: Central retinal artery occlusion
 Treatment: Paracentesis of aqueous
 ICD-9: 362.31-362.32
 CPT: 67015,67500-67505
 Line: 729

Diagnosis: Oral aphthae
 Treatment: Medical therapy
 ICD-9: 528.2
 CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 730

Diagnosis: Sublingual, scrotal, and pelvic varices
 Treatment: Venous injection, vascular surgery
 ICD-9: 456.3-456.5
 CPT: 36470,37799,55530-55535,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 731

Diagnosis: Superficial wounds without infection and contusions
 Treatment: Medical therapy
 ICD-9: 910.0,910.2,910.4,910.6,910.8,911.0,911.2,911.4,911.6,911.8,912.0,912.2,912.4,912.6,912.8,913.0,913.2,913.4,913.6,913.8,914.0,914.2,914.4,914.6,914.8,915.0,915.2,915.4,915.6,915.8,916.0,916.2,916.4,916.6,916.8,917.0,917.2,917.4,917.6,917.8,919.0,919.2,919.4,919.6,919.8,920-924,608.8
 CPT: 10140,11740,12001-12014,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 732

Diagnosis: Unspecified retinal vascular occlusion; central retinal vein occlusion
 Treatment: Laser surgery
 ICD-9: 362.30,362.35
 CPT: 67228
 Line: 733

Diagnosis: Vitiligo, congenital pigmentary anomalies of skin
 Treatment: Medical and surgical treatment
 ICD-9: 709.0,757.3,757.9
 CPT: 11920-11922,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
 Line: 734

MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area.

Diagnosis: Benign neoplasm of external female genital organs
Treatment: Excision
ICD-9: 221.1-221.9
CPT: 56440,56501,57130-57135
Line: 735

Diagnosis: Benign neoplasm of male genital organs: testis, prostate, epididymis
Treatment: Medical therapy
ICD-9: 222.0,222.2,222.3,222.8,222.9
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 736

Diagnosis: Xerosis
Treatment: Medical therapy
ICD-9: 706.8
CPT: 11000-11052,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 737

Diagnosis: Sarcoidosis
Treatment: Medical therapy
ICD-9: 135
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 738

Diagnosis: Congenital cystic lung - severe
Treatment: Lung resection
ICD-9: 748.4
CPT: 32500
Line: 739

Diagnosis: Ichthyosis
Treatment: Medical therapy
ICD-9: 757.1
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 740

Diagnosis: Lymphedema
Treatment: Medical therapy, other operation on lymph channel
ICD-9: 457
CPT: 38300-38308,38380-38382,38542-38555,38700-38760,90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 741

Diagnosis: Other aplastic anemias
Treatment: Medical therapy
ICD-9: 284.9
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 742

Diagnosis: Tubal dysfunction and other causes of infertility
Treatment: In-vitro fertilization, gift
ICD-9: 256
CPT: 56970-58976
Line: 743

Diagnosis: Hepatorenal syndrome
Treatment: Medical therapy
ICD-9: 572.4
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075,95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 744

MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area.

Diagnosis: Spastic dysphonia
Treatment: Medical therapy
ICD-9: 478.79
CPT: 90700-90713,90716,90718-90724,90726-90799,90900-92353,92358-92371,92502-92977,93000-95075, 95115-97260,97265-97541,97700-97750,97799,99025-99054,99058-99078,99175-99178,99185-99362,99375-99440,99499
Line: 745

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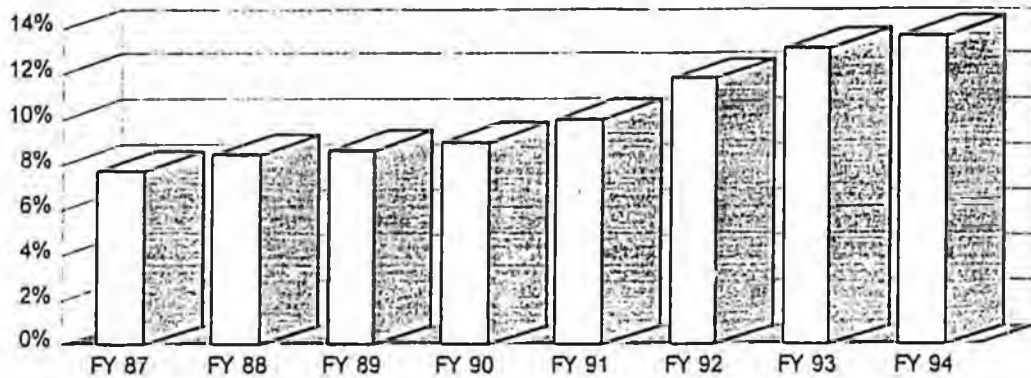
MH = Codes covered for payment only when provided by a MHO, CMHP or authorized FCHP for a client residing in the 25% expanded mental health area.

Division of Medical Assistance



Prepared by
The Division of Medical Assistance
P.O. Box 110660
Juneau, Alaska 99811-0660

MEDICAID ELIGIBLES AS A
PERCENTAGE OF THE POPULATION



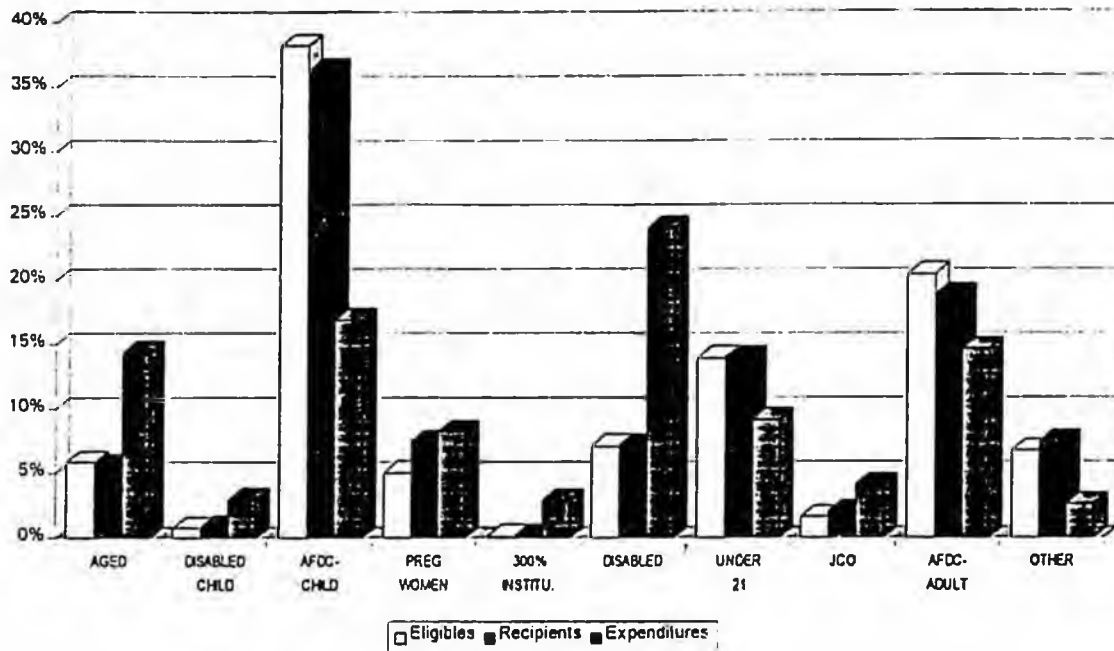
Fiscal Year	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>	<u>FY 94</u>
Percent	8%	8%	9%	9%	10%	12%	13%	14%
Eligibles	41,559	44,872	46,090	49,839	57,251	69,286	78,418	83,920
State Pop	537,800	531,000	534,400	553,600	570,300	586,900	599,200	612,500

The chart above shows the percentage of population covered by Medicaid in Alaska for the last eight (8) years. In 1987 the program provided coverage for 8% of the state's population. In 1994 the portion of the population covered by Medicaid was 14%. Medicaid has more and more become the means for extending coverage for health care to people who can't find coverage elsewhere.

There has been growth in the program due to increased costs, but a substantial part of the growth is due to addition of new eligibility groups and new provider groups added by Congress. Congressional emphasis for Medicaid coverage during the past decade has been on increasing services for pregnant women and children to gain the obvious quality of life and financial advantages that preventive care offers for these groups. Much of what began as optional coverage for children and pregnant women in now a mandatory coverage by federal law.

Interestingly, while 14% of the population depends upon this health care financing program to pay for medical care, the program represents about 8% of the State's total operating budget for FY 95.

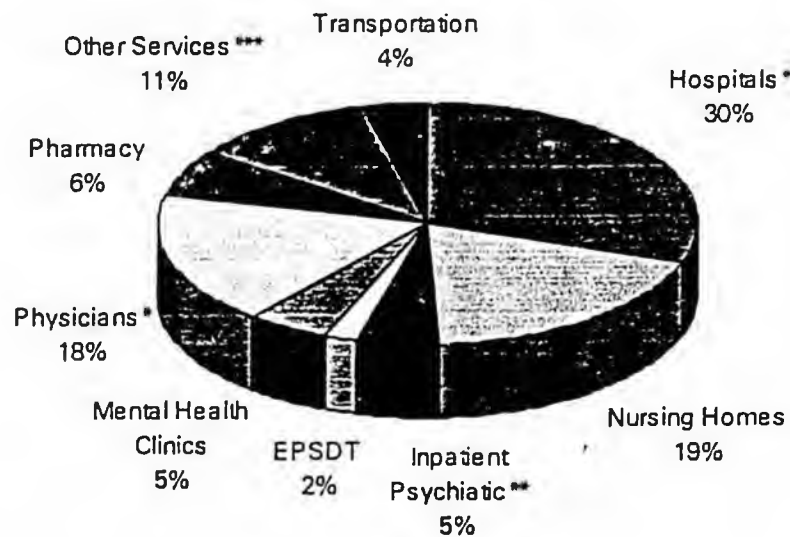
FY94 Medicaid Eligibles, Recipients, and Expenditures By Categories of Assistance



	ELIGIBLES		RECIPIENTS		EXPENDITURES	
AGED	4,888	6%	4,423	6%	\$35,053,816	14%
DISABLED CHILD	616	1%	624	1%	7216461	3%
AFDC-CHILD	32,148	38%	28,587	36%	41,137,654	17%
PREG WOMEN	4,236	5%	5,903	8%	20,012,994	8%
300% INSTTU.	133	0%	156	0%	7026616	3%
DISABLED	5,979	7%	5,604	7%	58,492,399	24%
UNDER 21	11,704	14%	11,027	14%	22,323,148	9%
JCO	1,370	2%	1,595	2%	9,942,089	4%
AFDC-ADULT	17,209	21%	14,849	19%	35,617,684	15%
OTHER	5,637	7%	5,840	7%	6,288,219	3%
TOTAL	83,920	100%	78,608	100%	\$243,111,080	100%

- ◆ Children receiving AFDC are the single largest group on Medicaid, accounting for over 35 percent of all Medicaid eligible individuals.
- ◆ Disabled adults are the group that accounts for the highest percentage of Medicaid spending, accounting for over 20 percent of all Medicaid spending.
- ◆ Five categories--the aged, disabled children, pregnant women, people in institutions, disabled adults, and children in court-ordered state custody--account for a higher percentage of Medicaid spending than they do Medicaid eligibles.
- ◆ Four categories--AFDC adults, AFDC children, other children under age 21, and other Medicaid--account for a lower percentage of Medicaid spending than they do Medicaid eligibles.

FY94 Medicaid Expenditures by Category of Service



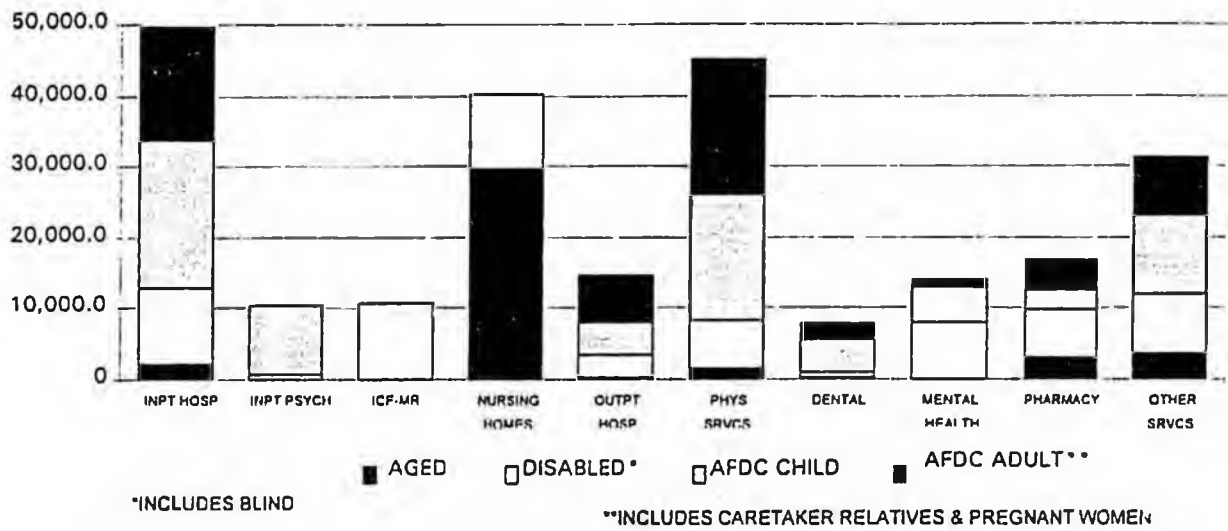
- ◆ Thirty percent of Medicaid payments go to hospitals.
- ◆ Nursing homes receive 19 percent of Medicaid payments.
- ◆ Physicians receive 18 percent of all Medicaid payments.

* Includes IHS

** Includes \$3.7 million General Match funds for APH and Harborview in DMHDD budget

***Includes RSA's, Medicare Buy-In and TPL Recovery Contracts

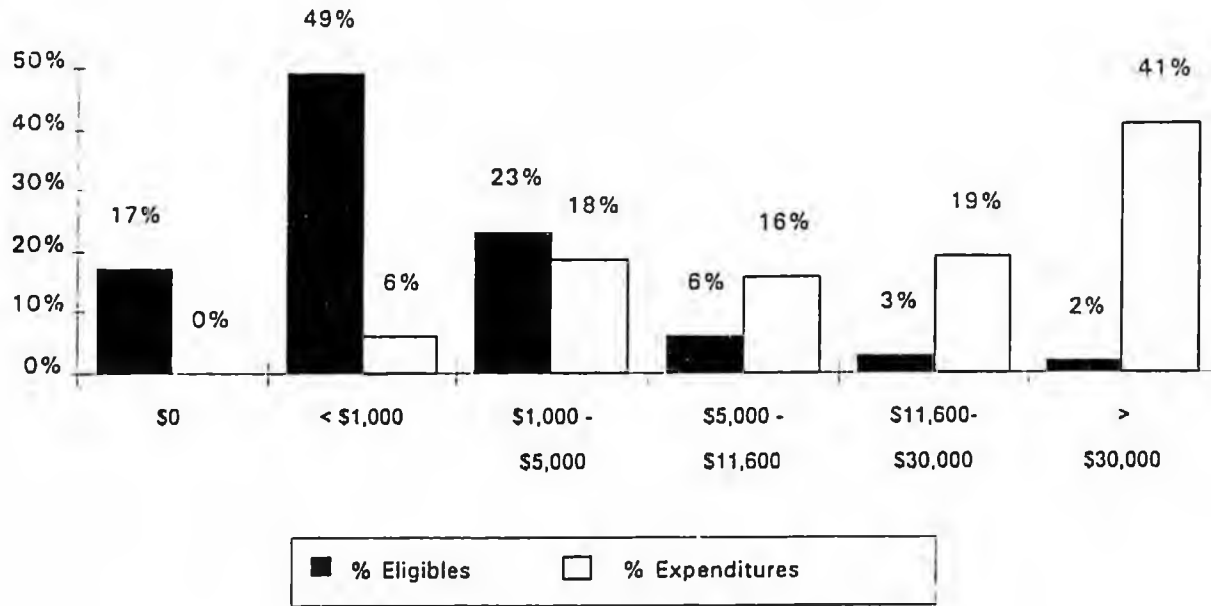
FY94 Medicaid Expenditures by Categories of Services and Assistance



- ◆ Nursing home expenditures on the aged are the largest single service/assistance category of Medicaid spending. Medicaid spent almost \$30 million on nursing home services for the aged.
- ◆ AFDC recipients, both children and adults, account for the largest amounts of Medicaid spending on hospitals, physician services, and dental care.
- ◆ The disabled account for the most spending on mental health services, pharmacy services, and intermediate care facilities for the mentally retarded.

FY 94 MEDICAID

Expenditure Distribution by Eligibles



Expend Category	Eligibles	% Eligibles	Expenditure	% Expend	Average Annual Expenditure Per Eligibles
\$0	14,307	17%	\$0	0%	\$0
< \$1,000	41,218	49%	\$14,562,015	6%	\$353
\$1,000 - \$5,000	19,524	23%	\$44,000,629	18%	\$2,254
\$5,000 - \$11,600	4,997	6%	\$37,364,512	16%	\$7,477
\$11,600-\$30,000	2,487	3%	\$45,578,387	19%	\$18,327
> \$30,000	1,387	2%	\$97,358,311	41%	\$70,193
Totals	83,920	100%	\$238,863,853	100%	\$2,846

Medical Assistance

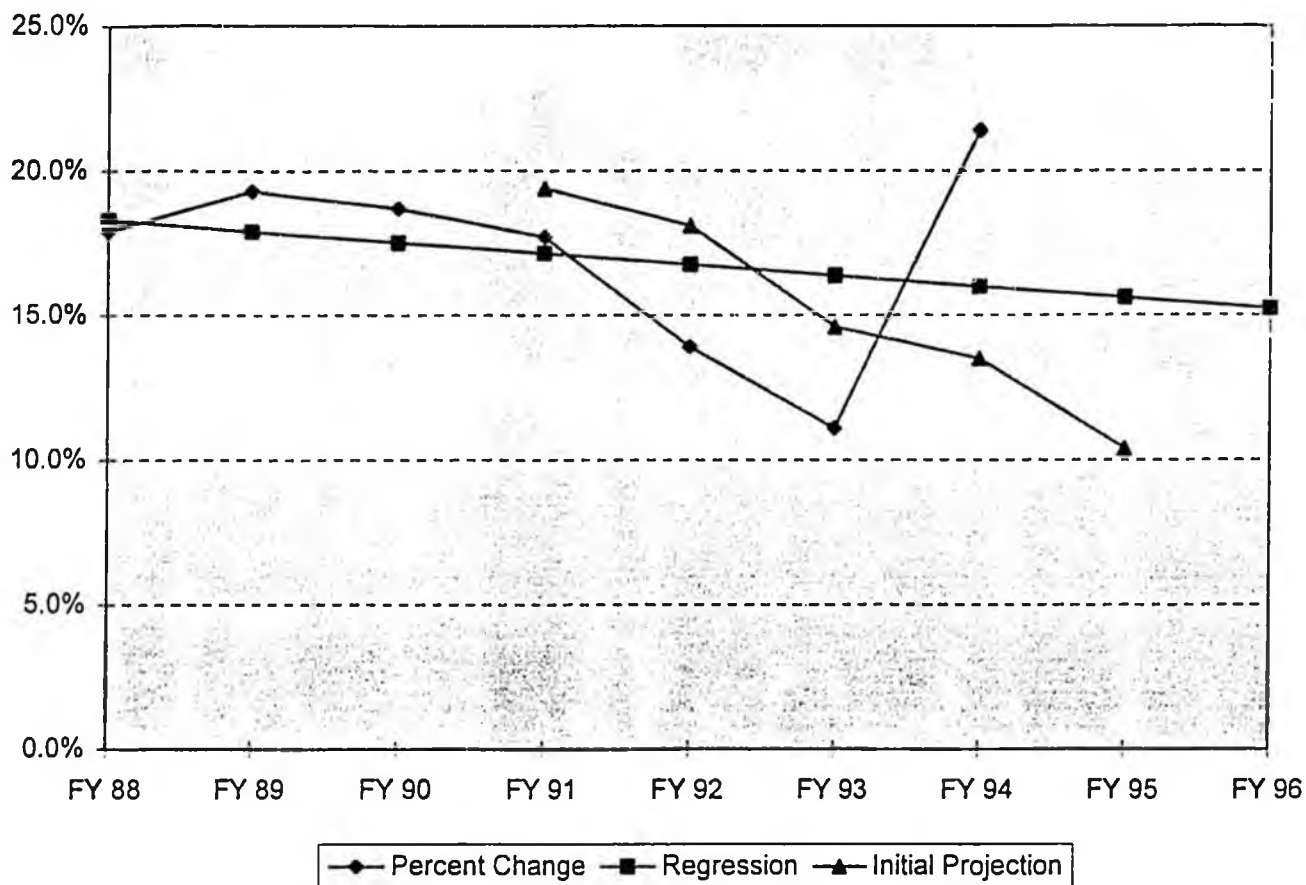


TABLE OF MEDICAID PRIORITIES - AS 47.07.035
(Lowest to Highest)
Adult Services Only

Service	FY96 Recipients	Gov Total Funds	04/10/95 Cumulative Balance
1. Direct Entry Midwives	0	0	0
2. Clinical Social Workers	0	0	0
3. Psychologists	0	0	0
4. Chiropractic	1,637	426,862	426,862
5. Advanced Nurse Practitioners	50	123,000	549,862
6. Adult Dental	7,256	3,657,541	4,207,403
7. Emergency Hospital Services	0	0	4,207,403
8. Speech, Hearing, & Language Disorders	1,218	417,678	4,625,081
9. Optometrist Service & Eyeglasses	8,407	464,826	5,089,907
10. Occupational Therapy	73	25,453	5,115,360
11. Mammography	135	18,580	5,133,940
12. Prosthetic Devices	0	0	5,133,940
13. Medical Supplies & Equipment	1,116	1,210,642	6,344,582
14. Targeted Case Management (S Abuse & MH)	913	1,878,960	8,223,542
15. Rehabilitative Services (Sub Abuse & MH)	1,163	11,123,316	19,346,858
16. Clinic Services Includes Mental Health Clinics	3,638	10,198,159	29,545,017
17. Physical Therapy	529	303,035	29,848,052
18. Personal Care	782	3,387,727	33,235,779
19. Prescribed Drugs	21,550	16,657,259	49,893,038
20. Hospice Care	0	0	49,893,038
21. Non-Institutional Long Term Care (Includes Home & Community Based Waivers)	0 652	0 13,629,800	49,893,038 63,522,838
22. Inpatient Psychiatric Services	0	10,224,760	73,747,598
23. Intermediate Care for the Mentally Retarded	76	10,672,760	84,420,358
24. Intermediate Care Services	682	40,758,842	125,179,200
25. Medically Complex Children's Services (TEFRA & OBRA)	235	4,246,711	129,425,911
26. Individuals Under 21 Not Eligible for AFDC	115	380,243	129,806,154
27. Skilled Nursing Services for Individuals Under 21	9	541,277	130,347,431
28. Aged, Blind and Disabled Individuals	11,538	132,013,571	262,361,002
29. Individuals in a Hospital, Skilled or Intermediate Care at 300% SSI Level	168	8,355,634	270,716,636
30. Individuals Under 21 Under supervision of the Department	1,792	12,315,146	283,031,782
31. Subsidized Adoptions	19	42,100	283,073,882

18. Includes Alaska Psychiatric Institute.

19. Includes Harborview Developmental Center.

26,28-31 Are Eligibility Groups. The cost shown are included in the above optional services as well as the mandatory medicaid Services.



HB 301

April 21, 1995

Representative Mark Hanley
Alaska House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Hanley:

I am writing to you on behalf of the Building Bridges Steering Committee regarding HB 301. As you are aware, the Building Bridges group is an organization of community mental health providers, consumers and family members who advocate for services and programs that meet the needs of the mentally ill. Having reviewed HB 301, we would like to share our thoughts and preferred solutions with you regarding the problems the bill addresses.

We understand and share your concerns regarding the need to contain the cost of the state's medical assistance program. Accordingly, we support the movement of the state's program to a managed care system which necessarily balances the elements of desired service outcomes with cost containment. We support a system of care that appropriately places emphasis on outpatient services, which are less costly and community based. At the same time, we recognize that it will take time to plan and implement a full managed care system in this state, and that cost containment must be dealt with during the interim, an issue HB 301 attempts to address.

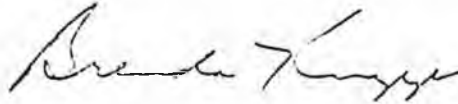
We are also aware that Medicaid cost containment utilizing the optional services priority list currently provided in statute could be extremely destructive to our existing community mental health programs. However, we do not believe that it would be in anyone's best interest for the Department of Health and Social Services to have unlimited authority to develop an alternative method of

prioritization without adequate opportunity for public participation. Therefore, before any changes in the existing priorities are made, we urge that public participation in the process be provided for and offer our organization as a participant.

Thank you for your consideration in this urgent matter.

Sincerely,

Copy: Karen Perdue
Commissioner, H&SS

A handwritten signature in cursive script, appearing to read "Brenda Knapp".

Brenda Knapp
Building Bridges Steering Committee Member

Members of the Building Bridges Campaign for Mental Health

Northern Region

Copper River Mental Health Center
Fairbanks Community Mental Health Center
Family Centered Services of Alaska
Four Rivers Counseling Center
KNA Community Counseling Center
Manilaq Counseling Services
North Slope Borough Community Counseling Center
Norton Sound Community Mental Health Center
Railbelt Mental Health & Addictions Program
Tanana Chiefs Conference Counseling Center
Tok Area Mental Health Center
Yukon Flats Care Center
Yukon-Koyukuk Mental Health & Alcohol Program
Yukon-Tanana Community Mental Health & Substance Abuse Programs

Statewide Advocacy Organizations

Alaska Alliance for the Mentally Ill
Mental Health Association in Alaska
Mental Health Consumers of Alaska
Disability Law Center of Alaska

Southcentral Region

Aleutians East Health Department
Alaska Specialized Education & Training Services
Anchorage Center for Families
Bethel Community Services
Bristol Bay Area Health Corporation
Central Peninsula Counseling Services
Kodiak Island Borough Mental Health Center
Life Quest
Seward Life Action Council
South Peninsula Community Mental Health Center
Southcentral Counseling Center
The ARC of Anchorage
Yukon Kuskokwim Health Corporation CMHC
Valdez Counseling Center

Southeast Region

COHO Mental Health Services, Inc.
Community Connections
Gateway Center for Human Services
Island Counseling Services
Juneau Alliance for the Mentally Ill
Juneau Community Mental Health Center
Juneau Youth Services, Inc.
Lynn Canal Counseling Center
Petersburg Mental Health Services, Inc.
SEARCH-Behavioral Health Services Division
Sound Alternatives
Wrangell Mental Health Services, Inc.



Alaska State Legislature

Please enter into the record my testimony to the House Finance
 committee name

committee on HB 301 , dated April 21, 1995
 bill/subject

Testimony from Carol Anne Chesitis, PO Box 155, Anchor Point, AK
 99556 Phone 235-6191

RE: HB 307

Page 1 of 2

Shooting?

Ack that include medical supplies, physical therapy & equipment (this includes wheel chairs)

Physical therapy aids in the level of function in many cases helps further deterioration of the body

Equipment helps keep folks in their homes - wheelchairs give individuals mobility support and a way to maintain some sense of self-worth

2) AFDC gets by \$6 million affects families where a member has a disability and cannot work -

How are these families to survive?
What are they doing? Break up their families? What would we do if you were in their place?

Page 2 of 2

3) Re-closing of DFYS offices in rural Alaska

These folks do a tremendous service for their communities.

As a care provider, I have seen the results of their work. They know many of our folks depend on them as their only link to the system. We need to keep these offices open without them many of our older folks will fall between the cracks.

Thank you for your time & consideration

Carol Anne Christie

PCA/CNA
Alzheimer's Respite
Provider

HB

307

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 28, 1995

FURTHER REFERRALS:

Date of Committee Action: 2/19/96

The FINANCE Committee considered:

HB 307

HOUSE BILL NO. 307

PULL-TABS PROHIBITED

"An Act prohibiting the sale of pull-tabs; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 307 (FIN) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) Revenue zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Mark Hanley</i>	Hanley	X			
<i>Glen Mulder</i>	Mulder			X	
<i>Terry Martin</i>	Martin	X			
<i>Scott Parnell</i>	Parnell	X			
<i>Vin Kohring</i>	Kohring	X			
<i>Mike Navarre</i>	Navarre				X
<i>Pete Kelly</i>	Kelly	X			
<i>Gene Theriault</i>	Theriault	X			
<i>Jan Brown</i>	BROWN				X
<i>Richard Foster</i>	FOSTER	X			

CO CHAIR'S SIGNATURE *Mark Hanley* *Richard Foster*
 Hanley Foster

Revision Date: 2/19/96 Dept. Affected: Revenue
 Title: Pull-Tabs Prohibited BRU: Revenue Operations
 Component: Charitable Gaming Division
 Sponsor: Toohy, Phillips, James, Martin
 Requestor: (H)FIN COMPONENT SERIAL NO. 1883

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Derinis R. Poshard, Director Phone: 465-2279
 Division: Charitable Gaming Division Date: 2/19/96
 Approved by Commissioner: Wilson L. Condon *Wilson L. Condon* Date: 2/19/96
 Agency: Department of Revenue

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Failed

AMENDMENT #1

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 307(FIN), "K" version, draft dated 2/7/96

1 Page 1, line 1, following "Act":

2 Insert "relating to bingo games;"

3 Page 4, following line 8:

4 Insert a new bill section to read:

5 "* Sec. 3. AS 05.15.180(f) is amended to read:

6 (f) A person under the age of 19 years may not play a bingo game. Before
7 a bingo session begins, the identity of each permittee that will benefit from that
8 session shall be announced to the public."

9 Renumber the following bill sections accordingly.

Failed

AMENDMENT #2

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 307(FIN), "K" version, draft dated 2/7/96

1 Page 1, line 1, following "Act":

2 Insert "relating to pull-tab games;"

3 Page 4, following line 8:

4 Insert a new bill section to read:

5 ** Sec. 3. AS 05.15.187 is amended by adding a new subsection to read:

6 (j) Before the sale of any pull-tab games, operators, vendors, and permittees
7 shall clearly identify to the public the permittee that will benefit from the sale of that
8 pull-tab series. The notice shall be posted so that it is clearly visible in a location in
9 close proximity to where the sale of pull-tabs occurs."

10 Renumber the following bill sections accordingly

Failed

AMENDMENT #7

OFFERED IN THE HOUSE BY REPRESENTATIVE BROWN
TO: CSHB 307(FIN), "K" version, draft dated 2/7/96

1 Page 1, line 1, following "Act":

2 Insert "relating to the percentage of adjusted gross income that operators must
3 pay to permittees; relating to authorized expenses of charitable gaming;"

4 Page 3, following line 6:

5 Insert a new bill section to read:

6 "* Sec. 2. AS 05.15.128(a) is amended to read:

7 (a) The department shall revoke the license of an operator who does not

8 (1) report an adjusted gross income of at least 15 percent of gross
9 income annually based on the total operation of the operator; or

10 (2) pay to each authorizing permittee annually at least 40 [30] percent
11 of the adjusted gross income, as determined under (1) of this subsection, from a pull-
12 tab activity or at least 10 percent of the adjusted gross income, as determined under
13 (1) of this subsection, from a gaming activity other than pull-tabs, received from
14 activities conducted on behalf of the authorizing permittee."

15 Renumber the following bill sections accordingly.

16 Page 4, following line 8:

17 Insert a new bill section to read:

18 "* Sec. 4. AS 05.15.160(c) is amended to read:

19 (c) The total amount of authorized expenses that may be incurred under (a)
20 of this section in connection with a pull-tab activity may not exceed 60 [70] percent
21 of the adjusted gross income from that pull-tab activity."

1. Renumber the following bill sections accordingly.

(Failed)

AMENDMENT #4

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 307(FIN), "K" version, Draft Dated 2/7/96

1 Page 1, line 1, following "Act":

2 Insert "relating to licensing fees for operators;"

3 Page 3, following line 6:

4 Insert a new bill section to read:

5 ** Sec. 2. AS 05.15.122(b) is amended to read:

6 (b) The department may issue an operator's license to a natural person,
7 municipality, or qualified organization that

8 (1) applies on the form provided by the department;

9 (2) pays the annual fee of \$1,000 [\$500];

10 (3) discloses the identity of persons employed by the applicant in a
11 managerial or supervisory capacity;

12 (4) submits proof of liability insurance satisfactory to the department;

13 (5) posts a bond or security satisfactory to the department in the
14 amount of \$25,000 for each permit under which the operator operates up to a
15 maximum of \$100,000; and

16 (6) if a natural person, has passed a test formulated by the department
17 on the contents of this chapter and the regulations adopted under this chapter and
18 administered by the department at least four times a year; or, if a municipality or
19 qualified organization, has designated a municipal employee or member of the
20 organization who has passed this test."

21 Renumber the following bill sections accordingly.

Withdrawn

AMENDMENT #5

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 307(FIN), "K" version, Draft Dated 2/7/96

- 1 Page 1, line 1, following "Act":
- 2 Insert "relating to the license fee for pull-tab distributors;"

- 3 Page 4, following line 8:
- 4 Insert a new bill section to read:
- 5 "* Sec. 3. AS 05.15.183(b) is amended to read:
- 6 (b) The department may issue a pull-tab distributor's license to a person who
- 7 pays an annual fee of \$2,000 [\$1,000]."

- 8 Renumber the following bill sections accordingly.

Withdrawn

AMENDMENT #6

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 307(FIN), "K" version, draft dated 2/7/96

1 Page 1, line 1, following "Act":

2 Insert "relating to license fees for manufacturers of pull tabs;"

3 Page 4, following line 8:

4 Insert a new bill section to read:

5 "** Sec. 3. AS 05.15.181(b) is amended to read:

6 (b) The department may issue a pull-tab manufacturer's license to a person
7 who pays an annual fee of \$5,000 [\$2,500]."

8 Renumber the following bill sections accordingly.