

ALASKA LEGISLATURE

2647

HOUSE and SENATE FINANCE COMMITTEE FILES, 2003-2004

213

LAKE AND PENINSULA BOROUGH

(Population 1,850)

School Construction Package

Two Bond Bank Programs:

General Obligation Bonds and Revenue Bonds

GENERAL OBLIGATION BONDS:

This is the Bond Bank's "mainstream" program. These bonds are used to finance facilities that do not generate revenue such as schools, roads, public safety and municipal buildings. They are paid off through the municipality's capacity to generate revenues through taxes and other funding sources like shared state revenues. Contrary to popular belief, repayment of the bonds does not have to be based on a local property tax. General obligation bonds require the approval of municipal voters. The four examples of debt financing presented in this booklet all used general obligation bonds.

REVENUE BONDS:

Used less frequently, these bonds are designed to finance capital projects that can generate revenue such as an electrical utility or port facilities. Revenue bonds are paid off through the revenues of the facility itself, rather than a municipality's general funds. Since revenue bonds are not secured by a municipality's taxing power, local voter approval is not required unless otherwise mandated by local ordinances.

At the beginning of this decade, many of the community schools in the recently incorporated Lake and Peninsula Borough had significant unmet needs. Local school advisory committees reported failing fuel tanks, inadequate water and sewer systems, fire code infractions, and undersize classrooms. About this time, the Alaska Legislature created a statute providing for 70% reimbursement of school construction costs. The passage of this new law motivated the borough to put together a financial package to build and repair community schools.

In an October 1993 election, borough voters authorized the sale of general obligation bonds for school construction. Using the Bond Bank, the borough sold \$4.6 million in bonds at an interest rate of 4.6% to be paid off over ten years. The borough pays about \$500,000 every six months, and is then reimbursed 70% of this amount through the state's school construction program. The borough's bond package is being repaid based on the borough's fish tax receipts.

"In a nutshell, the important thing about the Bond Bank is that it allows municipalities with little or no bond market experience to venture into this market and get the added advantage of low interest rates based on the Bond Bank's good credit rating."

Walt Wrede, Manager, Lake & Peninsula

**DEBT FINANCING HELPED
MAKE THIS HAPPEN.**

Steps of the Bond Bank Process

- 1** Municipality determines need for project and specific project design and costs

The community undertakes some form of local planning or visioning process to establish what projects are needed and supported by community residents. Project designs and cost estimates are completed.

- 2** Municipality contacts the Bond Bank and begins informal discussions about project financial needs

Bond Bank staff works with community officials to examine the possibilities and requirements of using debt financing for the project. If it becomes clear that debt financing through the Bond Bank is not possible, or won't work for a municipality, the Bond Bank continues to work with the municipality's administration to find ways of meeting their financial objectives.

- 3** Municipality holds a local election to gain resident approval of bond sales

If the municipality intends to sell general obligation bonds, Title 29 of the Alaska Statutes requires the municipality to hold an election and get approval from a majority of local voters. The election may occur either during regular general elections or any time during the year as a special election. During the election process, it is very important for the municipality to work with an attorney experienced in bond sales to ensure proper documentation for a successful financing.

- 4** Municipality prepares and submits formal loan application

Bond Bank staff assist municipal officials in preparing an application. Application information includes a description of the project, resumes of key municipal officials, a list of major local taxpayers and employers, a general description of the community's economy, and a statement of the municipality's financial status, any outstanding debts, and method by which the municipality proposes to pay off the bonds. During an internal review, Bond Bank staff will consult with the municipality to ensure the application is completed properly.



5 Bond Bank financial advisors review loan application and examine municipality's financial health

Financial consultants retained by the Bond Bank assess the information submitted in the municipality's formal loan application, carry out follow-up interviews with local officials, and prepare a report for the Bond Bank.

6 Bond Bank Board votes on proposal

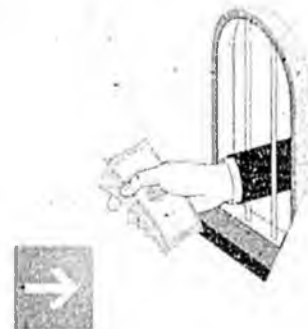
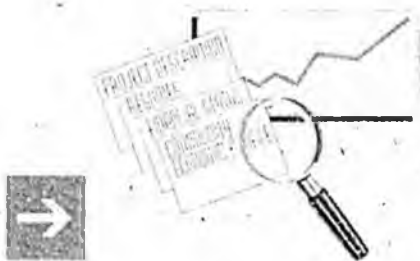
Bond Bank staff presents the municipality's loan application and financial advisor's report to the Bond Bank Board. The municipality may be there to answer questions, or make their own presentation. The Board then votes on the proposal.

7 Bond Bank arranges bond sale

If the Board approves the sale, Bond Bank staff arrange for the sale of bonds in the financial market. This usually takes about 60 to 90 days.

8 Municipality gets funding

As soon as the bonds are sold, the municipality can receive its funding for project construction. First payments are usually due in six months with payments twice a year thereafter. The repayment period is typically 10 to 15 years, and may be up to 20 years for some projects.



How to get in touch with the Bond Bank

**Executive Director, Alaska Municipal
Bond Bank Authority**

P.O. Box 110405 • Juneau, AK 99811

Phone: (907) 465-3750

Fax: (907) 465-2902

e-mail: AMBRA@rev.state.ak.us

Other Debt Financing Resources:

There are a number of other sources that provide loan funding for capital projects. Some of these are targeted at specific kinds of projects while others may apply more generally. These funding sources, and Bond Bank funding, can sometimes be combined to fund projects in cases where one source cannot cover the total project cost.

DCRA POWER PROJECT FUND

The Alaska Department of Community and Regional Affairs program provides loans to electric utilities, local governments, regional and village corporations, and independent power producers for the development and upgrade of electric power and conservation facilities, bulk fuel storage, and potable water supply. The loan term is related to the life of the project.

CONTACT:

Terri Bramlett, Loan Specialist
DCRA, Division of Energy
333 West Fourth Avenue, Suite 220
Anchorage, AK 99501-2341
Phone: (907) 269-4628 • Fax: 269-4645
e-mail: TBramlett@ComRegAf.state.ak.us

DEC DRINKING WATER AND CLEAN WATER LOAN FUNDS

The Alaska Department of Environmental Conservation operates two programs which provide loan funds for the construction of water systems and sanitation systems. Loan periods are 20 years for both programs and both offer below market interest rates.

CONTACT:

Mike Burns, DEC
Division of Facility Construction & Operation
410 Willoughby Ave., Suite 105
Juneau, AK 99801-1795
Phone: (907) 465-5136 • Fax: 465-5177
e-mail: Mike_Burns@environcon.state.ak.us

USDA RURAL DEVELOPMENT, COMMUNITY FACILITY LOANS

This U. S. Department of Agriculture program makes facility construction loans available to municipalities under 50,000 population. Priority is given to communities with less than 5,500 people. Loan terms depend on the facility and interest rates are based on current municipal bond market rates.

CONTACT:

Frank Muncy or Dave Winter
USDA Rural Development
800 W. Evergreen, Suite 201 Palmer, AK 99645
Phone: (907) 745-2176; Fax: 745-5398
e-mail: FMuncy@rurdev.usda.gov

ECONOMIC DEVELOPMENT FUNDING FORUM

A number of state and federal agencies meet on a regular basis to exchange information and facilitate cooperative efforts in economic development grant and loan programs. The forum discusses specific project proposals and seeks to coordinate state and federal funding for these projects.

CONTACT:

Martin Richard, Director, Div. of Investments
Dept. of Commerce & Economic Development
P. O. Box 34159 • Juneau, AK 99803-4159
Phone: (907) 465-2510 • Fax: 465-2103
e-mail: Martin_Richard@Commerce.state.ak.us

AIDEA TAX EXEMPT REVENUE BOND PROGRAM

The Alaska Industrial Development and Export Authority (AIDEA) provides for tax-exempt financing under this program. AIDEA acts only as a conduit for the issuance of tax-exempt bonds. The assets and creditworthiness of AIDEA are not involved. A municipality using this program must still arrange for the underwriting and placement of bonds for sale. AIDEA charges a fee for this program which is dependent on the size of the bond issue.

CONTACT:

Jim McMillan, Deputy Director
Alaska Industrial Development & Export Authority
480 W. Tudor Rd. • Anchorage, AK 99503-6690
Phone: (907) 269-3000 • Fax: 269-3044
e-mail: JMcMillan@AIDEA.Alaska.net

This publication was produced
with the assistance of the
Department of Community and Regional Affairs



This publication was released by the Alaska Department of Revenue,
produced at a cost of \$2.31 per copy, to provide information on debt
financing options to interested parties.

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STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110400
JUNEAU, ALASKA 99811-0400
TELEPHONE: (907) 465-2300
FACSIMILE: (907) 465-2389

February 17, 2003

RECEIVED

FEB 18 2003

The Honorable Gary Wilken
Chair, Senate Finance Committee
State Capitol, Room 518
Alaska State Legislature
Juneau, AK 99801

Dear Senator Wilken,

I am writing to request a hearing at the earliest possible date for Senate Bill 51, an act increasing the annual revenue bond issuance limit and the overall debt limit for the Alaska Municipal Bond Bank Authority. The Senate Community and Regional Affairs Committee moved out the bill on February 14, sending the measure to Senate Finance.

Because of the timing on several municipal projects around the state, the Bond Bank Authority requests expedited action on this legislation. We would need final approval by both chambers and signature into law by early March to avoid delays — or additional costs — to municipalities. The Bond Bank expects to reach its statutory debt issuance limit early this spring.

The Municipal Bond Bank Authority was created in 1975 to assist municipalities in issuing bonds for local projects. The Bond Bank is able to realize savings for municipalities by pooling bonds in large numbers and obtaining lower interest rates that result in reduced costs, and often better terms overall, than municipalities could obtain on their own. The purpose of this legislation is to raise the limit on the amount of revenue bonds the Authority may issue in any one fiscal year and to raise the limit on the total outstanding bond debt the Authority may carry on its books. The Legislature has not raised these limits since 1983 and 1984, respectively.

An increase in the amount of the Authority's indebtedness limit will not have a fiscal impact on the state's General Fund. Bond Bank debt is not a direct liability of the state, and the municipalities that use the Authority pay all of the debt service on the bonds.

As of January 23, 2003, the Bond Bank had issued \$27,145,000 in revenue bonds in Fiscal 2003, and there were \$235,655,878 in bonds outstanding. The existing limits in statute are \$50 million in any one year in revenue bonds and \$300 million in total bonds outstanding. Additional projects scheduled for funding in the next three months are the City and Borough of Juneau's hospital expansion at \$25 million, the City and Borough of Juneau's port improvement at \$5.6 million, the City of Valdez' hospital replacement at \$19 million, the Lake and Peninsula

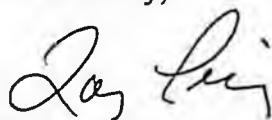
Borough's Chignik dock project at \$1 million, and the Kodiak Island Borough \$3.3 million refinancing of existing debt. Following these bond issues, the Authority would be at \$289,555,878 in total bonds outstanding, just \$11 million shy of its statutory limit.

Additional expected financing activity includes the City of Homer seawall at \$1 million and dock improvements at \$1 million, Aleutians East Borough school and dock improvements, Kenai Peninsula Borough solid waste project, City of Fairbanks fire protection facility, and the City of Petersburg \$1 million refinancing of existing debt. The combination of these would exceed the Authority's debt limit.

An increase in the annual bonding cap under AS 44.85.100(b) from \$50 million to \$75 million would enable the Authority to act on the applications it has received from municipalities this fiscal year. And, the increase in the cap on the total outstanding debt from \$300 million to \$500 million under AS 44.85.180(c) would enable the Authority to issue the bonds and notes already applied for as well as those that are anticipated this fiscal year. The Bond Bank has sufficient reserve capacity to continue financing capital projects up to the requested \$500 million cap.

Thank you for your consideration, and please let me know if you have any questions. My direct line is 465-5469. Or you also may contact Deven Mitchell, State Debt Manager, at 465-3750.

Sincerely,



Larry Persily
Deputy Commissioner

cc: Mike Tibbles, Legislative Liaison, Office of the Governor



217 Second Street, Suite 200 • Juneau, Alaska 99801
Tel (907) 586-1325 • Fax (907) 463-5480 • www.akml.org

February 19, 2003

Senator Lyda Green
Co-Chair, Senate Finance Committee
State Capitol
Room 516
Juneau, AK 99801

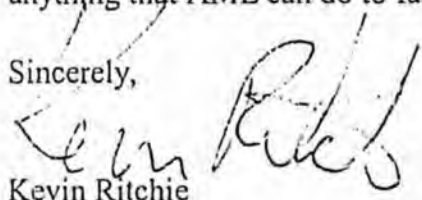
Dear Senator Green,

I am writing on behalf of the Alaska Municipal League (AML) Revenue and Finance Subcommittee to express AML's support for S.B. 51.

The AML believes that it is both necessary to (1) increase the maximum amount of revenue bonds that the Alaska Municipal Bond Bank Authority may issue from \$50,000,000 to \$75,000,000; and (2) increase the total amount of bonds that the Bond Bank may issue from \$300,000,000 to \$500,000,000. In fact, the AML 2003 Municipal Policy Statement "urges the state to take whatever action is necessary to ensure that the Municipal Bond Bank continues to be an independent and strong entity to help municipalities meet public facility construction needs at the lowest possible bonding cost."

Last week, the AML Revenue and Finance Subcommittee, which is comprised of seventeen municipal government officials and leaders, held a teleconference with Deven J. Mitchell, Executive Director of the Alaska Municipal Bond Bank Authority, to discuss S.B. 51 and its companion bill, H.B. 70. I am pleased to inform you that the subcommittee voted unanimously in support of S.B. 51 and H.B. 70. Thus, if there is anything that AML can do to facilitate the passage of this legislation, please let me know.

Sincerely,


Kevin Ritchie
Executive Director

Cc: Senator Gary Wilken
Representative Carl Morgan
Deven J. Mitchell

CITY OF VALDEZ NEW HOSPITAL AND SB 51

The City of Valdez has submitted an application to the Bond Bank for \$19.0 million of revenue bonds to assist in the financing of the new hospital in Valdez. The current revenue bond application to the Bond Bank exceeds the Bond Bank's annual \$50.0 million cap. The City's application pushes the Bond Bank over the limitation by approximately \$5.0 million. With the present statutory limitation on the amount of revenue bonds that the Bond Bank can issue annually, the Bond Bank will need to issue the City's bonds in two series. If the City's application is approved, the Bond Bank would issue \$14.0 million in March and the balance of \$5.0 million after July 1st. The additional cost to the City to issue two series of revenue bonds is approximately \$9,000.

In 1997 the State closed the Harborview Developmental Center. The closure has had a severe impact on the operation of the Valdez Regional Hospital, which is co-located within the vacant state building.

The City began planning for a new facility in 1998. The City investigated the potential of remodeling the building to provide for a modern medical facility. It was determined that the cost to remodel the 35 year old building was almost the same to construct a new hospital. In 2002, the City received a Certificate of Need from the State to construct a new 21-bed hospital. The project will replace the present hospital, which is co-located in a vacated state-owned building, which was constructed in 1966.

In October of 2002, the Valdez voters approved the issuance of \$19.0 million of revenue to finance the construction of a new hospital. The City chose to use the Alaska Bond Bank to issue the revenue bonds as it reduces the cost to the City. This provides more funds to the construction of the hospital.

The total cost of the facility is approximately \$27.0 million. The City will finance the cost with the issuance of \$19.0 million of revenue bonds and the balance from City reserves and other sources. The City has entered into a Guaranteed Maximum Price contract with JE Dunn Construction to construct the project. Construction is scheduled to begin in April 2003 with completion in November of 2004.

Provided by the City Manager of Valdez.

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



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JUNEAU

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January 30, 2003

The Honorable Gene Therriault
President of the Senate
Alaska State Legislature
State Capitol, Room 107
Juneau, AK 99801-1182

Dear President Therriault:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority.

The Alaska Municipal Bond Bank Authority (AMBBA) was created in 1975 to assist Alaskan municipalities issue bonds for local projects. The AMBBA is able to realize savings for municipalities by pooling bonds in large numbers and obtaining lower interest rates that result in reduced costs for bond issuance, and often better terms overall, that would not be obtainable by municipalities on their own. The purpose of this bill is to raise the limit on the amount of revenue bonds that the AMBBA may issue in any one fiscal year and to raise the limit on the total outstanding bond debt the AMBBA may carry at any one time. These limits have not been raised by the legislature since 1983 and 1984, respectively.

An increase in the annual bonding cap under AS 44.85.100(b) from \$50,000,000 to \$75,000,000, would enable the AMBBA to act on the applications it has already received from municipalities this fiscal year. Current fiscal year applications exceed \$56,000,000.

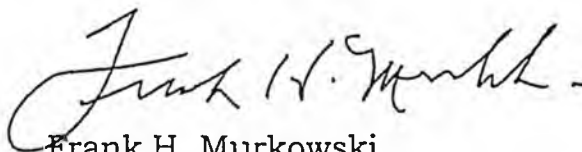
Further, an increase in the cap on the total outstanding bonds and notes from \$300,000,000 to \$500,000,000 under AS 44.85.180(c), would enable AMBBA to issue the bonds and notes already applied for as well as those that are anticipated, which may exceed \$70,000,000. Reaching the annual fiscal year limit or the outstanding limits would prevent municipalities from proceeding with projects or prevent municipalities from using the financially more attractive debt terms that could be made available if the bonds are issued by AMBBA.

An increase in the amount of the AMBBA's indebtedness limit will not have a fiscal impact on the state's general fund. Debt of the AMBBA is not a direct liability of the state. Additionally, municipalities that use the AMBBA to issue bonds pay all of the debt service on the bonds. And the AMBBA has sufficient reserve capacity to continue financing capital projects up to the requested \$500,000,000 cap.

Finally, in order to accommodate current fiscal year applications received by the AMBBA, an immediate effective date is included in the bill.

I urge your prompt and favorable action on this measure.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/31/03

FURTHER: Finance

Date of 5-Day Notice: 2/6/03
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/12/03

Community and Regional Affairs Committee considered SENATE BILL NO. 51

SB 51 BONDS OF BOND BANK AUTHORITY

"An Act relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority; and providing for an effective date."

and recommends:

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

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DCEB	2/7		✓	2

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
REV	1/29		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:

Elton
Lincoln
Wagner, chair

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
	✓			
	✓			
	✓			
CHAIR:				

SB

53

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/10/03

REPORTED OUT
APR 25 2003
SENATE FINANCE
COMMITTEE
SENATE BILL NO. 53

FURTHER:

DATE TURNED
IN TO OFFICE: 4/25/03

Finance Committee considered

SB 53 REVOKE DRIVER'S LIC. FOR FATAL ACCIDENT

"An Act relating to disposition of a traffic offense involving the death of a person; providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

and recommends:

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

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Admin	2/17/03	✓		1
Admin	2/18/03	✗		2
Law	2/11/03		✓	3

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Robin Taylor</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
COCHAIR: <i>Lynne Green</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

FISCAL NOTE

REPORTED OUT

APR 25 2003

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 53
(S) Publish Date: 2/19/03

SENATE FINANCE
1 COMMITTEE

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title License revocation for traffic offense BRU Motor Vehicles
involving fatality Component _____
Sponsor Senator Ogan
Requester (S) TRA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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 ()	1.0	1.0	1.0	1.0	1.0	1.0
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
There will be approximately 10 revocations per year and the reinstatement fee for each driver is \$100. The 10 revocations is only a very small fraction of the total revocation workload and will not require extra expenditure.

Prepared by: Kevin Jardell, Assistant Commissioner Phone (907)-465-5568
Division Dept. of Admin. Date/Time 2/17/03 1:36 PM
Approved by: Mike Miller, Commissioner Date 2/17/2003
Agency Department of Administration

FISCAL NOTE

REPORTED OUT

APR 25 2003

SENATE FINANCE
2 COMMITTEE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version:
(S) Publish Date:

SB 53
2/19/03

Revision Date/Time (Note if correction):

Dept. Affected: Administration

Title License revocation for traffic offense
involving fatality

BRU Legal and Advocacy Services

Component Public Defender Agency

Sponsor Senator Ogan

Requester (S) TRA

Component No. 1631

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	***	***	***	***	***	***
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	***	***	***	***	***	***

Estimate of any current year (FY2003) cost: ***

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time	***	***	***	***	***	***
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Public Defender Agency's operations may be affected by this bill. Drivers generally do not have a right to a court-appointed attorney in traffic violation proceedings. However, the Alaska Supreme Court has held that a person has a right to a jury trial (and court-appointed counsel) for offenses which may result in loss of valuable license such as a driver's license. *Baker v. City of Fairbanks*, 471 P.2d 386 (Alaska 1970). The Public Defender Agency does not anticipate many of these cases and does not have a reliable way of estimating the costs. Therefore, the fiscal impact is indeterminate.

Prepared by: Linda K. Wilson, Deputy Director

Division: Public Defender Agency

Phone (907)-334-4416

Date/Time 2/18/03 6:20 AM

Approved by: Mike Miller, Commissioner

Agency: Department of Administration

Date 2/18/2003

APR 25 2003

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: SB 53
(S) Publish Date: 2/19/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title "An Act relating to disposition of a traffic offense BRU Criminal Division
involving the death . . . revocation of driving privileges. . ." Component All
Sponsor Senator Ogan
Requester Senate Transportation Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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 (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would allow the revocation of driving privileges for up to three years of a person who drives a vehicle, including a commercial vehicle, that is involved in a fatal traffic accident if the person is convicted of a violation of traffic laws in connection with the accident, and the violation of the traffic laws was a significant contribution to the accident that resulted in the death of another person.

Because conviction of the traffic offense may result in loss of a valuable license, the person has a right to a jury trial. However, a jury trial on traffic matters is a relatively short time commitment. The Department of Law estimates less than a dozen of these trials will occur statewide per year, and does not anticipate a measurable fiscal impact from passage of this legislation.

Prepared by: Joan M. Kasson Phone (907) 465-5370
Division Attorney General's Office Date/Time 2/11/03 9:12 AM
Approved by: Kathryn Daughettee for Gregg D. Renkes, Attorney General Date 2/11/2003
Agency Department of Law



SENATOR SCOTT OGAN Alaska State Legislature

Senate District H Lazy Mountain * Butte * Chugiak * Peters Creek
Knik-Goose Bay * Big Lake * Houston * Willow * Talkeetna * Trapper Creek

State Capitol, Room 103, Juneau Alaska 99801*(907) 465-3878*1 (800) 862-3878 * Fax (907) 465-3265

Senator_Scott_Ogan@legis.state.ak.us

[Http://www.akrepublicans.org/ogan](http://www.akrepublicans.org/ogan)

January 31, 2003

Revision Date: February 18, 2003

SPONSOR STATEMENT

SB53: REVOKE DRIVER'S LICENSE FOR FATAL ACCIDENT

The bill allows a court to revoke the driving privileges of a driver who violates the traffic laws, and the violation contributes to an automobile accident that results in a death. Drivers who violate traffic laws may not have committed a crime, but if their poor driving causes the death of another person, their driving privileges should be revoked. Several traffic deaths occur in Alaska every year when a driver causes the death of another by poor driving and the only consequence is a small fine. This is very difficult for the families of the victims. Under these circumstances, Senate Bill 53 provides revocation of driving privileges for a period of up to three years. This period would be concurrent with any other revocation that might apply, and the court may grant a limited license if the court finds the limited license will not endanger the public.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 5, 2003

SUBJECT: Traffic accident involving a fatality (SB 53)

TO: Senator Scott Ogan
Attn: Karen

FROM: Michael F. Ford 
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. Requires the Alaska Supreme Court and municipalities to establish rules that require a court appearance when a person is cited for a traffic offense that involves a motor vehicle accident that results in a fatality.

Section 2. Provides for driver's license revocation of up to three years when a person is convicted of violating traffic laws, the violation caused an accident and a fatality, and the violation was a significant contributing cause of the accident. Allows the court to grant limited license privileges, and allows a family representative of the person who died in the accident to testify.

Section 3. Provides for indirect amendment of Rules 43 and 43.1 of the Alaska Rules of Administration and provides that section 1 only takes effect if section 1 receives a two-thirds majority vote of each house of the legislature.

Section 4. Provides that the Act applies to accidents that occur on or after the effective date of the Act.

Section 5. Effective date.

MFF:med
03-106.med

February 5, 2003

Senator Scott Ogan
State Capitol
Juneau AK 99801

In Support of Senate Bill 53

Our family has experienced the unfortunate and untimely loss of our son through a motor vehicle accident in March of 1994. At the time of his accident, there were and still are no laws in affect in our state to deal with this situation.

The young man involved in the accident received no punishment of any kind, again, because of the way our laws are set up in the state of Alaska. He did not receive anything but a basic slap on the hand and was involved in another vehicle accident in the months following this accident.

As one can imagine, this was very disturbing to our family. We attended his hearing at traffic court in Palmer and even the judge apologized to us for being unable to do anything due to the way the laws read in our state. He received 300 hours of community service for the deaths of two young men and then was later involved in another vehicular accident involving the deaths of two more young men.

Had this law been in place at that time, at least this young man would not have been behind the wheel of a car and been involved in further accidents. There were witnesses to the accident but all of this was to no avail. They were not even allowed to testify at the hearing.

In summary, we not only had to deal with the unexpected loss of our nineteen-year-old son, but also the emotional trauma of knowing an injustice had taken place and no recompense was to follow.

There needs to be some kind of accountability put on the driver in this type of accident. I believe SB 53 would be a step in the right direction and put the responsibility on the driver.

Sincerely,

Nancy Campbell
P.O. Box 3075
Palmer AK 99645

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Taylor, Albert (Lewis)
From: Taylor, Albert (Lewis)
Sent: Monday, February 10, 2003 9:52 AM
To: 'Senator Scott Ogan'
Subject: FW: Senate Bill #53

-----Original Message-----

From: Taylor, Albert (Lewis)
Sent: Monday, February 10, 2003 9:46 AM
To: 'Senator Scott Ogan'
Subject: Senate Bill #53

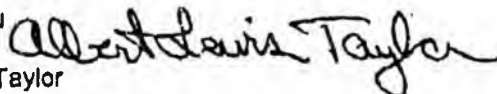
Senator Ogan

I was lead to believe that driving is a privilege. If a motor vehicle operator / driver chooses to drive irresponsibly, (breaking traffic laws and killing others), then their driving privileges should be taken from them. There are too many deaths on our roads and highways brought on by negligence due to the actions of careless and irresponsible drivers.

Senate Bill #53 would be a step towards holding these irresponsible and careless drivers accountable for there actions. Also, it will be an encouragement for others to drive more responsibly.

I would like to encourage you and your fellow legislatures to pass this bill.

Thank You



Albert Lewis Taylor
POB111033
Anchorage Alaska

(907-3447486)

tiak@Alaska.net



ACTUAL CASES SUPPORTING SB53

Here are four actual cases of the type that SB53 is intended to address.

Case 1 – A man driving along Glenn Highway into Anchorage one summer afternoon fell asleep at the wheel and violated a traffic regulation by driving onto the bike path. His car struck and killed a woman riding her bicycle on the bike path.

Case 2 – A woman drove from Anchorage to Cooper Landing, where she violated a traffic law by crossing the double yellow line and crashing into another car head on, killing the driver of the other car.

Case 3 – A teenage girl drove down Dimond Boulevard in Anchorage late at night. She violated a traffic law by driving over the median and collided with another vehicle head-on, killing the driver of the other car.

Case 4 – On a winter night, the driver of a pick-up truck on C Street in Anchorage was going under the posted speed limit, but still too fast for icy conditions. This is a violation of the state's "basic speed" law, which prohibits driving faster than is safe under existing road and weather conditions. The driver lost control and crossed into the opposite lane, hitting another car, and killing Albert Taylor's son.

In all these cases, alcohol and drug tests were negative, and there were no reported erratic driving prior to the collisions. There was no evidence of mechanical causes for the collisions.

No criminal prosecutions were possible because the state could not prove that the driver acted recklessly or with criminal negligence.

Rule 43. Bail Forfeiture Schedules.

(a) **Procedure for Adopting Bail Forfeiture Schedule.** The supreme court will consider adopting a bail forfeiture schedule only when so authorized by statute. The agency charged with enforcement under a statute for which a bail forfeiture schedule has been authorized shall forward to the administrative director its recommendations for a proposed schedule, listing offenses by number, describing the offenses, and proposing a bail forfeiture amount. The proposed schedule shall be accompanied by commentary explaining the basis for the agency's recommendation, and by a copy of the proposed citation form. The supreme court shall consider the recommendation, and shall determine whether to adopt a bail forfeiture schedule, and if so, shall determine which offenses are amenable to disposition by bail forfeiture and whether the bail forfeiture amounts are appropriate. The administrative director shall notify the agency when an order adopting the schedule is issued.

(b) Procedures for Amending Bail Forfeiture Schedules.

(1) By July 1 of each year, each agency charged with enforcement under a statute for which a bail forfeiture schedule has been authorized shall forward to the administrative director of the Alaska Court System its written recommendation concerning whether the schedule must be amended to reflect any legislative and regulatory changes, or whether policy considerations warrant revisions. Any proposed amendments shall be accompanied by commentary. The supreme court shall consider the agency's recommendations and determine by October 1 whether to adopt them. If it will be impractical for the court to respond by that date, the administrative director will inform the agency of the date by which the response can be expected. The administrative director shall notify the agency when an order amending the schedule is issued.

(2) In addition to the provisions of paragraph (b)(1), an agency may request a bail forfeiture schedule amendment whenever the need arises.

(3) Any person or agency may request a bail forfeiture schedule amendment at any time by proposing an amendment in writing to the chief justice or to the administrative director.

(Adopted by SCO 651 effective July 1, 1985; amended by SCO 1180 effective July 15, 1995)

Rule 43.1. Traffic Bail Forfeiture Schedule.

Pursuant to AS 28.05.151, the following vehicle and traffic offenses are amenable to disposition without court appearance upon payment and forfeiture of the bail amounts listed. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the bail amount for that offense listed below. An offense for which a bail forfeiture amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered or processed as a criminal case.

Effective April 30, 1999, the bail amounts listed below are doubled for violations of AS 28 and regulations adopted under AS 28 committed within a highway work zone, as that term is defined in AS 28.40.100 and 13 AAC 40.010(b).

Pursuant to AS 28.15.131 and 13 AAC 04.008, a citation for an offense listed as "Corr" must be dismissed (or voided) if proof of correction is presented to an inspection official within the time allowed. If the required repair is not made, the offense may be disposed of without court appearance upon payment and forfeiture of the bail amount listed.

Effective August 27, 1998, as a condition of the disposition of an offense without appearance, the defendant shall pay the surcharge prescribed in AS 12.55.039 in addition to the bail forfeiture amount listed below. A court may allow a defendant who is unable to pay the surcharge to perform community work under AS 12.55.055(c) in lieu of the surcharge. The surcharge must be deposited into the general fund in a separate account designated for such surcharges.

Provided by Senator Ogan

Sec. 28.05.151

CITATIONS FOR SCHEDULED VEHICLE AND TRAFFIC OFFENSES.

(a) The supreme court shall determine by rule or order those motor vehicle and traffic offenses, except for offenses subject to a scheduled municipal fine, that are amenable to disposition without court appearance and shall establish a scheduled amount of bail, not to exceed fines prescribed by law, for each offense. A municipality shall determine by ordinance the municipal motor vehicle and traffic offenses that may be disposed of without court appearance and shall establish a fine schedule for each offense.

(b) The supreme court shall establish a scheduled amount of bail allowing disposition of a citation for a violation of AS 28.05.095 without court appearance.

(c) *Effective January 1, 1996* The supreme court shall require as a condition of the disposition of an offense without appearance that a person charged with any offense for which a bail forfeiture amount has been adopted shall pay a surcharge of \$10 in addition to the bail forfeiture amount established by the supreme court. The surcharge required to be paid under this subsection shall be deposited into the general fund and accounted for under AS 37.05.142.

Sec. 28.15.261

DEFINITIONS FOR AS 28.15.221 - 28.15.261.

In AS 28.15.221 - 28.15.261

(1) "licensee" includes, but is not limited to, an applicant for a new driver's license if the applicant's license was revoked under AS 28.15.221 - 28.15.261;

(2) "traffic laws" means statutes, regulations, and municipal ordinances governing the driving or movement of vehicles.

Sec. 28.15.181

COURT SUSPENSIONS, REVOCATIONS, AND LIMITATIONS.

(a) Conviction of any of the following offenses is grounds for the immediate revocation of a driver's license, privilege to drive, or privilege to obtain a license:

- (1) manslaughter or negligent homicide resulting from driving a motor vehicle;
- (2) a felony in the commission of which a motor vehicle is used;
- (3) failure to stop and give aid as required by law when a motor vehicle accident results in the death or personal injury of another;
- (4) perjury or making a false affidavit or statement under oath to the department under a law relating to motor vehicles;
- (5) operating a motor vehicle or aircraft while intoxicated;
- (6) reckless driving;
- (7) using a motor vehicle in unlawful flight to avoid arrest by a peace officer;
- (8) refusal to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) while under arrest for operating a motor vehicle, commercial motor vehicle, or aircraft while intoxicated, or authorized under AS 28.35.031(g);
- (9) driving while license, privilege to drive, or privilege to obtain a license, canceled, suspended, or revoked, or in violation of a limitation.

(b) A court convicting a person of an offense described in (a)(1) - (4), (6), or (7) of this section shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license for not less than 30 days for the first conviction, unless the court determines that the person's ability to earn a livelihood would be severely impaired and a limitation under AS 28.15.201 can be placed on the license that will enable the person to earn a livelihood without excessive danger to the public. If a court limits a person's license under this subsection, it shall do so for not less than 60 days. Upon a subsequent conviction of a person for any offense described in (a)(1) - (4), (6), or (7) of this section occurring within 10 years after a prior conviction, the court shall revoke the person's license, privilege to drive, or privilege to obtain a license and may not grant the person limited license privileges for the following periods:

- (1) not less than one year for the second conviction; and
- (2) not less than three years for a third or subsequent conviction.

(c) A court convicting a person of an offense described in (a)(5) or (8) of this section arising out of the operation of a motor vehicle, commercial motor vehicle, or aircraft shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license. The revocation may be concurrent with or consecutive to an administrative revocation under AS 28.15.165. The court may not, except as provided in AS 28.15.201, grant limited license privileges during the minimum period of revocation. The minimum periods of revocation are:

- (1) not less than 90 days if the person has not been previously convicted;
- (2) not less than one year if the person has been previously convicted once;
- (3) not less than 3 years if the person has been previously convicted twice;
- (4) not less than 5 years if the person has been previously convicted more than twice.

(d) A court convicting a person of an offense described in (a)(9) of this section shall revoke that person's driver's license, privilege to drive, or privilege to obtain a license for not less than the minimum period under AS 28.15.291(b)(4).

(e) *Repealed, Sec. 34 ch 119 SLA 1990.*

(f) The court may terminate a revocation for an offense described in (a)(5) or (8) of this section if

(1) the person's license, privilege to drive, or privilege to obtain a license has been revoked for the minimum periods set out in (c) of this section; and

(2) the person complies with the provisions of AS 28.15.211(d) and (e).

(g) In this section, "previously convicted" has the meaning given in AS 28.35.030.

Sec. 28.15.165

ADMINISTRATIVE REVOCATIONS AND DISQUALIFICATIONS RESULTING FROM CHEMICAL SOBRIETY TESTS AND REFUSALS TO SUBMIT TO TESTS.

(a) A law enforcement officer shall read a notice, and deliver a copy of it, to a person operating a motor vehicle, commercial motor vehicle, or aircraft, if a chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produces a result described in AS 28.35.030(a)(2); a chemical test administered under AS 28.33.031(a) produces a result described in AS 28.33.030(a)(2); or the person refuses to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g). The notice must advise that

(1) the department intends to revoke the person's driver's license, privilege to drive, or privilege to obtain a license, refuse to issue an original license to the person, or disqualify the person;

(2) the person has the right to administrative review of the action taken against the person's license or determination not to issue an original license;

(3) if the person has a driver's license or a nonresident privilege to drive, the notice itself is a temporary driver's license that expires seven days after it is delivered to the person, except that if the person was operating a commercial motor vehicle the person will be ordered out of service for 24 hours under AS 28.33.130;

(4) revocation of the person's driver's license, privilege to drive, or privilege to obtain a license, a determination not to issue an original license, or a disqualification of the person, takes effect seven days after delivery of the notice to the person unless the person, within seven days, requests an administrative review.

(b) After reading the notice under (a) of this section, the law enforcement officer shall seize the person's driver's license if it is in the person's possession and shall deliver it to the department with a sworn report describing the circumstances under which it was seized. If the person was operating a commercial motor vehicle, the officer shall order the person out of service under AS 28.33.130.

(c) Unless the person has obtained a temporary permit or stay of a departmental action under AS 28.15.166, if the chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produced a result described in AS 28.35.030(a)(2) or the person refused to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g), the department shall revoke the person's license, privilege to drive, or privilege to obtain a license, shall refuse to issue an original license, and, if the chemical test administered under AS 28.33.031(a) produced a result described in AS 28.33.030(a)(2) or the person refused to submit to a chemical test authorized under AS 28.33.031(a), shall disqualify the person. The department's action takes effect seven days after delivery to the person of the notice required under (a) of this section, and after receipt of a sworn report of a law enforcement officer

(1) that a chemical test administered under AS 28.33.031(a) or AS 28.35.031(a) or (g) produced a result described in AS 28.35.030(a)(2), that a chemical test administered under AS 28.33.031(a) produced a result described in AS 28.33.030(a)(2), or that a person refused to submit to a chemical test authorized under AS 28.33.031(a) or AS 28.35.031(a) or (g):

(2) that notice under (a) of this section was provided to the person; and

(3) describing the

(A) circumstances surrounding the arrest and the grounds for the officer's belief that the person operated a motor vehicle, commercial motor vehicle, or aircraft while intoxicated in violation of AS 28.33.030 or AS 28.35.030; or

(B) grounds for the officer's belief that the person operated a motor vehicle or commercial motor vehicle that was involved in an accident causing death or serious physical injury to another person.

(d) The period of revocation of a driver's license, privilege to drive, privilege to obtain a license, refusal to issue an original license, or disqualification shall be for the appropriate minimum period for court revocations under AS 28.15.181(c) or court disqualifications under AS 28.33.140. A department hearing officer may grant limited license privileges in accordance with the standards set out in AS 28.15.201 to a person whose driver's license or nonresident privilege to drive was revoked under this section. The department may terminate a revocation imposed under this section and issue a driver's license to the person, if the license, privilege to drive, or privilege to obtain a license was revoked for an offense described in AS 28.15.181(a)(5) or (8) and the person meets the conditions set out for termination of a revocation by the court under AS 28.15.181(f).

SENATE COMMITTEE REPORT

DATE: 2/19/03

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 4/2/03

Judiciary Committee considered

SENATE BILL NO. 53

SB 53 REVOKE DRIVER'S LIC. FOR FATAL ACCIDENT

"An Act relating to disposition of a traffic offense involving the death of a person; providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
ADM	2/17	✓		1
ADM	2/18	xx		2
LAW	2/11		✓	3

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			X	
<i>[Signature]</i>	X			
<i>[Signature]</i>	X			
<i>[Signature]</i>				
<i>[Signature]</i>				
CHAIR: <i>[Signature]</i>	X			

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/31/03

FURTHER: Judiciary

Date of 5-Day Notice: _____
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: _____

Transportation Committee considered SENATE BILL NO. 53

SB 53 REVOKE DRIVER'S LIC. FOR FATAL ACCIDENT

"An Act relating to disposition of a traffic offense involving the death of a person; providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

and recommends:

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

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
ADM	2/17/03	✓		1
ADM	2/18/03	xxx		2
C LAW	2/11/03		✓	3

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>Thomas H. Wagner</i> Wagner			✓	
<i>Chris Threlkeld</i> Threlkeld			✓	
<i>Robert Olson</i> Olson			✓	
<i>Lincoln</i> Lincoln	✓			
CHAIR: <i>Lincoln</i> Cowden	✓			

SB

56

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: May 14, 2003

FURTHER REFERRALS:

Date of Committee Action: 2.3.04

The FINANCE Committee considered:

CSSB 56(FIN)

CS FOR SENATE BILL NO. 56(FIN)

SPORT FISHING FEES FOR YUKON RESIDENTS

"An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada; and providing for an effective date."

Recommends it be replaced with HCS or CS for CSSB 56 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

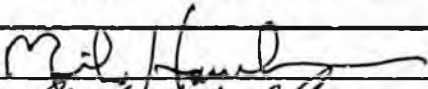
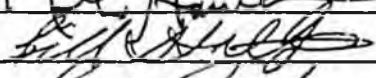
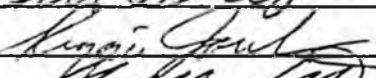
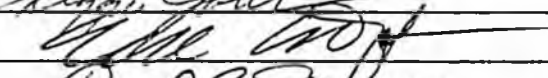
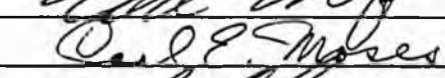
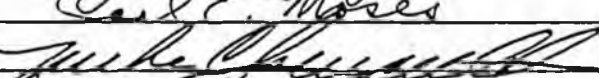



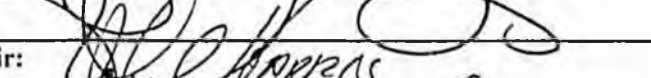
- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:

- ADM
- CED
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- ISS
- LEG
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
DFG		✓		

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>		Printed Last Name	DP	DNP	NR	AM
		Hawker	.		✓	
		STOLTZ			✓	
		Joubert	✓			
		CROFT	✓			
		MOSES	✓			
		Chenault	✓			
		Fode	✓			
		FOSTER	X			
Co-Chair:		Harris	✓			
Co-Chair:		Williams	✓			

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSB 56(FIN)
 () Publish Date: _____

Revision Date/Time (Note if correction): 1/30/04 9:55 a.m. Dept. Affected: Fish and Game
 Title Fishing Licenses for Yukon RDU Administration and Support
Residents Component Administrative Services
 Sponsor Senator Dyson
 Requester House Finance Component No. 479

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (55.8)	(55.8)	(55.8)	(55.8)	(55.8)	(55.8)	(55.8)

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

Fiscal note reflects estimated change in revenues to the Fish and Game Fund from revenues that were received from license sales to Yukon Territory residents in 2003. The total number of licenses sold to Yukon residents in 2003 was 2682 for a total of \$99.8. Our records show that these licenses were sold to 2202 individuals (480 Yukon residents chose to purchase two or more short-term licenses rather than the \$100 annual non-resident license).

King salmon tag sales are not tracked by licensee. Revenue projections are based on an estimate that 50% of licensees also purchase a king tag.

Prepared by: Kevin Brooks, Director Phone 465-5999
 Division Administration Date/Time 1/30/04 9:55 AM
 Approved by: Commissioner Kevin Duffy Date 1/30/2004
 Agency Department of Fish and Game

AMENDMENT

OFFERED IN THE HOUSE

TO: CSSB 56(FIN)

- 1 Page 2, line 1:
- 2 Delete "immediately under AS 01.10.070(c)"
- 3 Insert "January 1, 2005"



SENATOR FRED DYSON

SB 56

Sponsor Statement

"An Act relating to Fishing Licenses for Yukon Residents"

Updated: April 7, 2003

Contact: Senator Fred Dyson's office at (907) 465-2199

The Yukon Territory and its residents have a great deal in common with Alaska and Alaskans. SB 56 extends a small, but important, gesture of good will to our closest neighbor. Yukoners have no coast on the Pacific Ocean and several hundred of them buy Alaska Fishing Licenses each year to fish in Alaskan salt waters. They spend thousands of dollars in our local economies on their fishing expeditions.

When Representative John Harris and former Senator Phillips introduced similar legislation in April of 2000, the Yukon Legislative Assembly immediately passed laws that will give reciprocity to Alaskans. They not only give us resident fishing license rates for the fresh water fish that are under territorial jurisdictions, but they have worked through an agreement with their Federal Department of Oceans and Fish to allow Alaskans to catch Salmon in Yukon rivers. Yukon has some wonderful fishing opportunities including in world record Lake Trout and Pike.

The people and government of Yukon Territory are going through difficult times with a decreasing population now under 30,000 people and a stifled economy. Regardless, they are supporting our efforts to build our gas pipeline, connect our railroad to the North American Railroad System, and upgrade the Alaska Highway. This bill is a small but significant step to further enhance our good relationship with our Canadian neighbors.

Headquarters:
217 2nd Street, Suite 201
Juneau, Alaska 99801
(907) 586-2323 FAX 463-5515

Regional Office:
601 West 5th Ave., Suite 600
Anchorage, Alaska 99501
(907) 278-2722 FAX 278-6643



April 28, 2003

Senator Fred Dyson
Alaska State Capitol
Juneau, Alaska

Dear Senator Dyson:

The Alaska State Chamber of Commerce, representing approximately 700 member businesses and 35 local chambers of commerce, supports Senate Bill 56, sport fishing fees for Yukon residents.

Senate Bill 56 will allow residents of the Yukon Territory to purchase fishing licenses at the in-state rate, in order to encourage them to visit Alaska. The Yukon Territory has no Pacific coastline, and we believe it is eminently fair and reasonable to extend to its residents the less-expensive alternative of purchasing a fishing license as Alaskans themselves can do. Moreover, it is clearly an excellent opportunity to send a message of friendship and cooperation to this part of Canada. The Yukon Legislative Assembly has already acted to extend the benefits of fishing licenses enjoyed by locals to Alaskans, and the spirit of reciprocity calls for us to do the same.

We wish you the success in securing passage of SB 56 by the State Legislature this year, and we stand ready to assist you in this endeavor.

Sincerely,

Pamela La Bolle
President

**THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES**



CITY OF SKAGWAY

GATEWAY TO THE GOLD RUSH OF '98"

P.O. BOX 415, SKAGWAY, ALASKA 99840

(PHONE) (907) 983-2297

(FAX) (907) 983-2151

May 1, 2003

To: Senator Georgianna Lincoln
Fax: (907)-465-2652
From: Bob Ward, City Manager
Re: SB 56

Dear Senator Lincoln:

I understand that you will be hearing SB 56 today, which deals with a reciprocal arrangement between Alaskan and Yukon residents for resident fishing license fees, without conferring resident status for bag limits.

I believe this to be a desirable, if not important, "cross border handshake" that recognizes the close economic, social and historical ties between the residents of Yukon and Alaska.

While this is a new issue for us and has not enjoyed any public debate, cursory discussion indicates favor for this legislation.

Sincerely,

Robert W. Ward Jr.,
City Manager

**HAINES BOROUGH, ALASKA**

P.O. BOX 1209 • HAINES, ALASKA 99827

Administration (907) 766-2231 • Fax (907) 766-3179

Tax Office/Assessor (907) 766-2711 • Fax (907) 766-2716

Tourism (907) 766-2234 • Tourism Fax (907) 766-3155

May 2, 2003

Senator Georgianna Lincoln
Alaska State Legislature
M/S 3100
State Capitol
Juneau, AK 99801-1182

Re: SB 56

Dear Senator Lincoln:

At the request of your staff I have polled the Borough Assembly members and Mayor to get their feelings on the above-referenced bill. I have not been able to reach them all, but the majority of them think this is a great idea.

The people of the Yukon Territory have always been good neighbors with Haines -- allowing us to hunt and fish in their back yard and welcoming us with open arms.

We can't do anything about the exchange on their money - the least we can do is try to help them out with resident licenses so that a fishing trip to Alaska's waters can be affordable once again. Not only will this be to their benefit, but the money they spend in Haines will help our flagging economy.

Please do all you can to see that this bill is successful.

Sincerely,

Tim Troll
Manager
HAINES BOROUGH

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 2004

The Honorable John Harris
House Finance Committee Co-Chair
Alaska House of Representatives
Alaska State Capitol, Room 507
Juneau, AK 99801-1182

Dear Representative Harris:

Alaska has much in common with our neighbors in the Yukon Territory. We are working together on the gas pipeline, the railroad extension, border issues, trade agreements, cultural exchanges, fish and game management, roads, invasive species, and many other issues. I have recently entered into a Bi-Lateral Agreement with Premier Dennis Fentie of the Yukon and we are both very committed to building a great future together.

Due to the whims of old border agreements, Yukon has no access to salt water on the Pacific Ocean. Many Yukoners love to fish the salt water. They come by the hundreds to Haines and Skagway to fish each summer and spend significant amounts of their depreciated dollars in those communities.

Senate Bill 56 makes a small gesture of good will to the Yukoners by allowing them to purchase fishing licenses at Alaska resident rates. Our friends in the Yukon are very excited about this show of neighborliness and have already passed legislation that will provide reciprocity for Alaskans.

There are approximately 31,000 people in the entire Yukon Territory, less than the population of several of our cities and all of our Senate districts. The implementation of SB 56 will cost our state very little and will probably result in many more Yukoners coming to fish and spend money in Alaska.

You should be receiving a letter from Premier Fentie explaining why this small gesture on our part is so very important to our Yukon neighbors. Please honor his request and mine that will significantly improve the existing good will between neighbors and pass SB 56.

Sincerely yours,

A handwritten signature in black ink that reads "Frank H. Murkowski".

Frank H. Murkowski
Governor

cc: House Finance Committee Members



Office of the Premier
Box 2703, Whitehorse, Yukon Y1A 2C6

2620-50-02-04
2605-40-06-04

January 22, 2004

Representative Bill Williams
State Capitol, Room 515
Juneau, AK 99801-1182

Dear Representative Williams:

I understand you have a bill in your Finance Committee that will mean a great deal to the people of Yukon. Yukoners love to fish, but Yukon has no saltwater access. The kind offer of the Alaska Legislature to allow Yukoners to buy Alaska fishing licences at resident rates is a marvelous gesture of goodwill that will facilitate even more Yukoners traveling to the Alaskan coast to fish and support the local economy.

Amendments to the Yukon Territory Fishery Regulations to provide for licence fee reciprocity for residents of Alaska were adopted in September 2003. These provisions will allow Alaskans to fish in Yukon at resident rates when similar provisions are enacted for residents of Yukon in Alaska. Your attention to the passage of SB-56 will be greatly appreciated by the people of Yukon.

Sincerely,

Premier
Dennis Fentic

c Jim Kenyon, Minister of Environment

Sport Fishing License Sales to Yukon Territory Residents

Fishing Licenses Sold in 2003							
Class	Number of Licenses Sold	Fee for License	Total License Revenue	Number of King Salmon Stamps Sold*	Fee for King Salmon Stamp	Total King Salmon Stamp Revenue	Total Revenue
07	249	\$100.00	\$24,900.00	125	\$100.00	\$12,450.00	\$37,350.00
09	1	\$100.00 **	\$100.00	1	\$100.00	\$50.00	\$150.00
6A	26	\$50.00	\$1,300.00	13	\$50.00	\$650.00	\$1,950.00
6B	1193	\$20.00	\$23,860.00	597	\$20.00	\$11,930.00	\$35,790.00
6C	983	\$10.00	\$9,830.00	492	\$10.00	\$4,915.00	\$14,745.00
6D	219	\$30.00	\$6,570.00	110	\$30.00	\$3,285.00	\$9,855.00
9C	0	\$30.00***	\$0.00	0	\$30.00	\$0.00	\$0.00
Total	2673****		\$66,560.00	1336		\$33,280.00	\$99,840.00
Fishing Revenues with SB56 license fee							
Class	Number of Licenses Sold	Fee for License	Total License Revenue	Number of King Salmon Stamps Sold*	Fee for King Salmon Stamp	Total King Salmon Stamp Revenue	Total Revenue
01	2202	\$15.00	\$33,030.00	1101	\$10.00	\$11,010.00	\$44,040.00
Total	2202		\$33,030.00			\$11,010.00	\$44,040.00
							\$55,800.00
*King Salmon Stamp sales are not tracked by licensee. The Department is assuming that 50% of the licensees are purchasing a king salmon stamp.							
**Sport fishing portion of license is \$100.00. Total license cost includes hunting license of \$85.00 for a total license cost of \$185.00.							
***Sport fishing portion of license is \$30.00. Total license cost includes hunting license of \$85.00 for a total license cost of \$115.00.							
****This is the total number of sport fishing licenses purchased by 2,202 unique residents of the Yukon. 480 of the 2,202 residents purchased two or more licenses in 2002 for a total of 2,682 licenses sold.							
1/21/2004							

SB

56

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAY 8 2003

SENATE FINANCE COMMITTEE

DATE: 5/1/03

FURTHER:

DATE TURNED IN TO OFFICE: 8 May 2003

Finance Committee considered

SENATE BILL NO. 56

SB 56 SPORT FISHING FEES FOR YUKON RESIDENTS

"An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada."

and recommends:

- be replaced with _____ CS SB 56 (FIN)
- adopt previous _____ CS CS forthcoming (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Fish & Game	4/28/03		<input checked="" type="checkbox"/>	#1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Adrian L. Taylor</i>			<input checked="" type="checkbox"/>	
<i> </i>			<input checked="" type="checkbox"/>	
<i> </i>			<input checked="" type="checkbox"/>	
<i>L. C. Buentke</i>		<input checked="" type="checkbox"/>		
<i>Ken Struons</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>Lynne Green</i>			<input checked="" type="checkbox"/>	
COCHAIR: <i>Gary Wilkes</i>	<input checked="" type="checkbox"/>			

FISCAL NOTE

REPORTED ONLY
MAY 8 2003
SENATE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 56
(S) Publish Date: 5/1/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
Title Fishing Licenses for Yukon Residents BRU Administration
Component Administration
Sponsor Senator Dyson
Requester Resources, Finance Component No. 479

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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 (1024)	(46.0)	(46.0)	(46.0)	(46.0)	(46.0)	(46.0)
-----------------------------	--------	--------	--------	--------	--------	--------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TCTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Fiscal note reflects estimated change in revenues to the Fish and Game Fund from revenues that were received from license sales to Yukon Territory residents in 2002.

It is difficult to predict numbers of license sales as the 2002 numbers likely reflect multiple sales of short term (one day, three day, etc) licenses to the same individuals. This number may offset a potential increase in the number of annual participants with the passage of SB 56. Also, king salmon tag sales are not tracked by licensee. Revenue projections are based on an estimate that 50% of licensees also purchase a king tag.

Prepared by: Kevin Brooks, Director Phone 465-5999
Division Administration Date/Time 4/28/03 1:54 PM
Approved by: Commissioner Kevin Duffy Date 4/28/2003
Agency Department of Fish and Game

SENATE FINANCE COMMITTEE
SB / 2003 COMMITTEE ACTION

Bill Number	SB 50		
Amendment	as amended		
Motion	move from committee		
<u>Motion by</u>			
<u>Objection by</u>			
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	Vote	N
Senator Bunde			✓
Senator Hoffman			✓
Senator Olson	✓		
Senator Stevens	✓		
Senator Taylor	✓		
Co-Chair Green	✓		
Co-Chair Wilken	✓		
<u>Tally</u>			
Yea		5	
Nay		2	
Absent			
<u>MOTION</u>	Pass		

Amend. #1
conceptual

23-LS0450VA

SENATE BILL NO. 56

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR DYSON

Introduced: 2/3/03

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to sport fishing license fees and anadromous king salmon tag fees for
2 residents of Yukon, Canada."

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

4 * Section 1. AS 16.05.340 is amended by adding a new subsection to read:

5 (h) If the commissioner determines that residents of the state are entitled to
6 obtain licenses for sport fishing, including sport fishing for anadromous king salmon,
7 in Yukon, Canada, for the same fees that are charged to residents of Yukon for
8 comparable sport fishing licenses, the commissioner may adopt regulations
9 authorizing residents of Yukon to receive

10 (1) nonresident annual sport fishing licenses for the fee charged to
11 residents under (a) of this section for a resident sport fishing license; and

12 (2) nonresident anadromous king salmon annual tags for the fee
13 charged to residents under (a) of this section for a resident anadromous king salmon
14 tag.

Sec. 2 Sec. 1 of this bill is to take effect
immediately.

SB0056A

-1-

SB 56

New Text Underlined [DELETED TEXT BRACKETED]

SENATE FINANCE COMMITTEE
5/8/2003 COMMITTEE ACTION

Bill Number	SB 56	
Amendment	#1 - conceptual	
Motion	adpt	
<u>Motion by</u>	Wilken	
<u>Objection by</u>	none	
<u>Removed</u>		
<u>Second Objection by</u>		
<u>Committee Member</u>	Y	<u>Vote</u> N
Senator Hoffman		
Senator Olson		
Senator Stevens		
Senator Taylor		
Senator Bunde		
Co-Chair Green		
Co-Chair Wilken		
<u>Tally</u>		
Yea		
Nay		
Absent		
<u>MOTION</u>	Pass	

CS FOR SENATE BILL NO. 56(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR DYSON

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to sport fishing license fees and anadromous king salmon tag fees for
2 residents of Yukon, Canada; and providing for an effective date."

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

4 * Section 1. AS 16.05.340 is amended by adding a new subsection to read:

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6 obtain licenses for sport fishing, including sport fishing for anadromous king salmon,
7 in Yukon, Canada, for the same fees that are charged to residents of Yukon for
8 comparable sport fishing licenses, the commissioner may adopt regulations
9 authorizing residents of Yukon to receive

10 (1) nonresident annual sport fishing licenses for the fee charged to
11 residents under (a) of this section for a resident sport fishing license; and

12 (2) nonresident anadromous king salmon annual tags for the fee
13 charged to residents under (a) of this section for a resident anadromous king salmon
14 tag.

Amend
#1

1

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



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: 8 May 2003 TIME: 9:55 am

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 1

FROM: MINDY ROWLAND
SENATE FINANCE COMMITTEE SECRETARY
PHONE: 465-4935
FAX: 465-2187

NOTES: SB 56

+ attached amendment

Final Please!

TK
Mindy



SENATOR FRED DYSON

SB 56

Sponsor Statement

"An Act relating to Fishing Licenses for Yukon Residents"

Updated: April 7, 2003

Contact: Senator Fred Dyson's office at (907) 465-2199

The Yukon Territory and its residents have a great deal in common with Alaska and Alaskans. SB 56 extends a small, but important, gesture of good will to our closest neighbor. Yukoners have no coast on the Pacific Ocean and several hundred of them buy Alaska Fishing Licenses each year to fish in Alaskan salt waters. They spend thousands of dollars in our local economies on their fishing expeditions.

When Representative John Harris and former Senator Phillips introduced similar legislation in April of 2000, the Yukon Legislative Assembly immediately passed laws that will give reciprocity to Alaskans. They not only give us resident fishing license rates for the fresh water fish that are under territorial jurisdictions, but they have worked through an agreement with their Federal Department of Oceans and Fish to allow Alaskans to catch Salmon in Yukon rivers. Yukon has some wonderful fishing opportunities including in world record Lake Trout and Pike.

The people and government of Yukon Territory are going through difficult times with a decreasing population now under 30,000 people and a stifled economy. Regardless, they are supporting our efforts to build our gas pipeline, connect our railroad to the North American Railroad System, and upgrade the Alaska Highway. This bill is a small but significant step to further enhance our good relationship with our Canadian neighbors.

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Anchorage, Alaska 99501
(907) 278-2722 FAX 278-6643



April 28, 2003

Senator Fred Dyson
Alaska State Capitol
Juneau, Alaska

Dear Senator Dyson:

The Alaska State Chamber of Commerce, representing approximately 700 member businesses and 35 local chambers of commerce, supports Senate Bill 56, sport fishing fees for Yukon residents.

Senate Bill 56 will allow residents of the Yukon Territory to purchase fishing licenses at the in-state rate, in order to encourage them to visit Alaska. The Yukon Territory has no Pacific coastline, and we believe it is eminently fair and reasonable to extend to its residents the less-expensive alternative of purchasing a fishing license as Alaskans themselves can do. Moreover, it is clearly an excellent opportunity to send a message of friendship and cooperation to this part of Canada. The Yukon Legislative Assembly has already acted to extend the benefits of fishing licenses enjoyed by locals to Alaskans, and the spirit of reciprocity calls for us to do the same.

We wish you the success in securing passage of SB 56 by the State Legislature this year, and we stand ready to assist you in this endeavor.

Sincerely,

A handwritten signature in cursive script that reads "Pamela La Bolle".

Pamela La Bolle
President

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FOLLOWING
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YUKON/ALASKA SPORT FISHING LICENSE FEE RECIPROACITY

ISSUE: What is the status of Yukon/Alaska Sport Fishing License Fee Reciprocity?

GENERAL RESPONSE:

- A license fee bill to implement a reciprocal fee arrangement was passed by the Alaska House of Representatives by a 29 to 1 vote in April 2000 but it "died" at the end of the Legislative Session in May, 2000 while still being considered by the Senate Finance Committee. Senator Phillips, who sponsored the original bill, indicated he was prepared to reintroduce the measure when an appropriate money bill was available but has not yet done so.
- The Department of Environment has proceeded with the necessary regulation changes to the Yukon Territory Fishery Regulations to allow for reciprocity when an Alaska bill is passed. Passage of the regulations is expected in July 2003.

MORE DETAILED RESPONSE:

- A proposed amendment to the Federal Yukon Territory Fishery Regulations to consider Alaskan residents as Yukon residents for license fee purposes was supported by the public during the 2001/02 regulation review process and recommended by the Fish and Wildlife Management Board. This regulation change is being processed through the federal regulation process but will only take effect when Alaska passes parallel legislation.
- Under the proposed reciprocity arrangement and current fee structure Yukon residents would pay \$15.00 U.S. for an Alaskan license and Alaska residents would pay \$15.00 Canadian for a Yukon license. The revenue implications of such an arrangement would be negligible for both Yukon and Alaska but the public relations benefit would be very significant.

BACKGROUND:

- In 1998, non-resident Alaska sport fishing license fees doubled from \$50.00 U.S. to \$100.00 U.S. The Alaska resident license fee is \$15.00 U.S.
- The Yukon non-resident fee is \$35.00 Canadian (or about \$25.00 U.S.). The Yukon resident license fee is \$15.00 Canadian.
- About 2000 Yukon residents buy Alaska licenses and about 600-700 Alaska residents buy Yukon licenses annually.

PREPARED FOR:
PREPARED BY:
DATE PREPARED:

Minister's Meetings with Alaskan Senators
Fish and Wildlife Branch, Department of Environment
March 21, 2003

APPROVED BY:


Ross Leaf, Acting Deputy Minister

Aw/YT-Alaska6.doc

Provided by Sen. Dyson

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 2/3/03

FURTHER: Finance

Date of 5-Day Notice: 4/24/03
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 5-1-03

Resources Committee considered SENATE BILL NO. 56

SB 56 SPORT FISHING FEES FOR YUKON RESIDENTS

"An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada."

and recommends:

Senate Bill:

be replaced with _____ CS _____ (_____)

same title
 new title

adopt previous _____ CS _____ (_____)

House Bill:
 same title
 technical title
 new: SCR # _____

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to _____ Committee

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
F&G	4/28/03	✓		1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:		DO PASS	DO NOT PASS	NO REC	AMEND
Seekins	<i>Joseph Seekins</i>	✓			
B. Stevens	<i>Ben Stevens</i>	✓			
Lincoln	<i>[Signature]</i>			✓	
Elton	<i>[Signature]</i>			✓	
<i>Wagner</i> Vs. CHAIR:	<i>Thomas H. Wagner</i>	✓			

SB

58

SFIN

FILE

SB 58

was referred to the
Senate Finance
Committee

Hearing(s) were held

The bill did not move
from Committee

Fax No
Amendment Number: # 1

Bill Number: SB 58

Sponsor: Wilkin Date: 5/15/03 23-LS0378V.1

Logged In By: Mindy

Cook
5/12/03

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 58(JUD)

BY SENATOR COWDERY

Wilkin

- 1 Page 1, line 3, following "insurance":
- 2 Insert "or a certificate of self-insurance"
- 3
- 4 Page 2, line 2, following "insurance":
- 5 Insert "or a certificate of self-insurance"
- 6
- 7 Page 2, line 6, following "insurance":
- 8 Insert "or a certificate of self-insurance"
- 9
- 10 Page 2, line 29, following "insurance":
- 11 Insert "or a certificate of self-insurance"
- 12
- 13 Page 3, line 8, following "insurance":
- 14 Insert "or a certificate of self-insurance"
- 15
- 16 Page 3, line 27, following "insurance":
- 17 Insert "or a certificate of self-insurance"

ALASKA STATE LEGISLATURE
SENATE DISTRICT C

Interim:

716 West 4th Ave.
Anchorage, AK 99501
Phone: 907-269-0222
Fax: 907-269-0223
Toll Free: 1-888-269-3879



Session:

State Capitol Building
Juneau, AK 99801
Phone: 907-465-3879
Fax: 907-465-2069
Toll Free: 1-888-269-3879

John J. Cowdery

Senate Rules, Chair

Senate Transportation Committee, Chair

World Trade State & Federal Relations, Chair

State Affairs, Legislative Council

SPONSOR STATEMENT SB58

“An act relating to permanent fund dividend program notice requirements and to the ineligibility ... of certain persons sentenced for crimes involving mandatory motor vehicle liability insurance.”

Each year hundreds of Alaskans fall victim to uninsured drivers.

State law is clear: drivers must maintain a minimum amount of liability insurance in order to operate a motor vehicle. The purpose of SB58 is to add a conviction for driving without proper insurance to the list of conditions that make a person ineligible for a permanent fund dividend.

A first offense brings a one-year suspension of the PFD.

A second offense brings a five-year suspension of the PFD.

This means the dividend cannot be used to offset fines or debts. Instead, the offender is simply ineligible for the dividend, which leaves the dividend amount in the overall pot to be equally distributed among eligible Alaskans.

Because a permanent fund dividend is not a right, but a privilege, these penalties fall above and beyond all other penalties currently provided for by law.

FRANK MURKOWSKI, GOVERNOR

DEPARTMENT OF LAW
ADMINISTRATIVE SERVICES DIVISION

P.O. BOX 110300
ASSEMBLY BLDG., SUITE 205
JUNEAU, ALASKA 99811-0300
PHONE: (907)465-3672
FAX: (907)465-5419

April 18, 2003

The Honorable Gary Wilken, Co-Chair
The Honorable Lyda Green, Co-Chair
Senate Finance Committee
Capitol Building, Room 506
Juneau, Alaska 99801

Dear Senators Wilken and Green.

During recent deliberation on Senate Bills 58 and 59 regarding ineligibility for permanent fund dividends in certain circumstances, Senator Stevens asked for additional information regarding the Department of Law's Collections Unit.

The Collections Unit is part of the Department's Civil Division Collections and Support budget component. The unit is responsible for handling about 100,000 currently active civil and criminal collection matters for the State and for collecting restitution on behalf of victims of crimes and delinquent acts. Criminal judgments include criminal fines, cost of incarceration, cost of appointed counsel, forfeited bonds, minor offense fines, and costs related to those fines. Civil judgments include cost and attorney fees awarded to the state in civil litigation, and APOC and OSHA penalties. The unit has existed to perform the State's collection matters since 1988. Victim restitution was added with the passage of new legislation that became effective in January, 2002.

The unit is located in Anchorage, supervised by an attorney, but staffed by paralegals and administrative clerks. Some of the unit's funding also pays for staff in the Administrative Services Division in Juneau, where related accounting functions are performed.

In FY 2003, the Collections and Support budget component includes \$290,800 in general fund program receipts from the criminal fines shown in the table below. Those funds pay for collections not related to victim restitution. Annually, Law transfers some of the money collected under cost of counsel to the Department of Administration for the Office of Public Advocacy (OPA) and the Public Defender (PD). That transfer totals \$291,300 so far in FY 2003. The transfers to OPA and the PD are in accordance with the amount of general fund program receipts shown in the operating budgets for those programs. All monies collected under Cost of Incarceration are transferred to the Department of Corrections and help to fund Community Residential Centers operated by that agency. In recent years, the legislature has begun to use

some of the balance of money collected under cost of appointed counsel to make supplemental operating appropriations to OPA and the PD. Typically, about two-thirds of the amount collected is not appropriated by the legislature and becomes part of the available general fund balance.

In a given year, approximately 85% of total collections are garnishments from the permanent fund dividend. The dollar amount collected by the Collections Unit in any given year is subject to change based on such factors as the number of judgments transferred by the Court System; the number and dollar value of voluntary payments; the amount of the permanent fund dividend; the number of defendants applying for the dividend; the number of defendants who are eligible for the dividend; other money owed with higher statutory authority¹ for dividend seizure (child support, IRS taxes, etc.)²; and the amount of dividends refunded due to errors, vacated judgments, and court-approved community work service. Any time the legislature contemplates changes to permanent fund dividend eligibility or changes in the order of statutory authority for dividend seizure, the amount collected by the Department of Law and available to satisfy the operating appropriations from collections, and ultimately the amount that becomes available in the balance of the general fund for appropriation for other purposes, will be affected.

The table below lists the revenue generated by the Collections Unit, in thousands, for each of the past six fiscal years:

	FY98	FY99	FY00	FY01	FY02	FY03 ³
Criminal fines ⁴	\$999.1	\$1,330.0	\$1,099.5	\$1,963.6	\$1,583.8	\$1,147.5
Cost of counsel	\$751.8	\$847.4	\$888.9	\$936.0	\$883.3	\$765.6
Cost of incarceration	\$624.3	\$741.6	\$748.4	\$853.8	\$762.3	\$658.0
Civil judgments ⁵	\$18.4	\$49.2	\$32.8	\$27.1	\$86.0	\$67.3
Unposted collections ⁶	\$76.3	\$101.4	\$0.0	\$0.0	\$0.0	\$0.0
Restitution ⁷					\$104.7	\$562.2
Total	\$2,469.9	\$3,069.6	\$2,769.6	\$3,993.6	\$3,574.9	\$3,353.1

¹ AS 43.23.065 establishes the priority of dividend attachments: (1) child support; (2) court ordered restitution; (3) defaulted student loans; (4) court ordered fines; (5) civil judgments against a minor or the minor's parents or legal guardian; (6) other civil debts owed the state; (7) debts owed for a domestic violence rehabilitation program.

² The effect of other agencies' seizures on the collection rate partially accounts for the large increase in collections in FY99. The IRS did not attach dividends in 1998. Of course, part of the increase is also due to the growth of the permanent fund dividend itself.

³ Fiscal year to date, July 1, 2002, through March 31, 2003.

⁴ Includes collection of court fines, traffic & minor offense fines, and forfeited bonds.

⁵ Includes collection of OSHA and APOC penalties.

⁶ Payments received during a fiscal year, which cannot be posted to an individual's case before the year changes. For example, if a voluntary payment is made before a judgment is received from the court, the payment cannot be posted to a case. Most are reconciled during subsequent years, but recorded as miscellaneous in the year payment was made to avoid duplicate income reporting. Most of the unposted collections shown for FY 97, FY 98, and FY 99 have since been posted to specific judgment types or have been refunded if collected in error.

⁷ Restitution collection began in Fiscal Year 2002, as of January 1, 2002.

The Honorable Gary Wilken
The Honorable Lyda Green
April 3, 2003
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Please let me know if you have further questions about this area of inquiry.

Sincerely,



Kathryn Daughhete
Director

cc: Members of the Senate Finance Committee:

The Honorable Ben Stevens
The Honorable Con Bunde
The Honorable Donny Olson
The Honorable Lyman Hoffman
The Honorable Robin Taylor
Gregg Renkes, Attorney General
Scott Nordstrand, Deputy Attorney General, Civil Division
David Marquez, Assistant Attorney General/Legislative Liaison
Barbara Ritchie, Chief Assistant Attorney General
Diane Wendlandt, Supervising Attorney, Collections and Support
Sheila Peterson, Staff to Senator Gary Wilken

DWI MISDEMEANORS & FELONIES FY02 AND JULY-DEC. FY03 DRIVING WITHOUT INSURANCE						
	FY02		FY03 JULY - DECEMBER			
	FDWI	MDWI	FDWI	MDWI	INSURANCE	
ANCHORAGE	157	1750	97	894	3	
BARROW	13	76	1	24	0	
BETHEL	18	146	5	74	1	
CORDOVA	0	20	1	10	0	
CRAIG	1	44	2	18	0	
DELTA JCT	0	16	0	4	0	
DILLINGHAM	4	59	3	31	0	
FAIRBANKS	50	978	51	551	15	
GLENNALLEN	1	24	0	15	1	
HAINES	1	11	0	5	0	
HEALY	0	21	0	14	0	
HOMER	4	129	4	76	19	
JUNEAU	19	256	5	112	1	
KENAI	18	442	10	180	27	
KETCHIKAN	11	160	15	73	9	
KODIAK	6	148	3	70	1	
KOTZEBUE	12	91	5	45	1	
NAKNEK	0	15	0	14	1	
NENANA	0	17	0	19	0	
NOME	3	75	3	49	0	
PALMER	57	605	No statistics available			
PETERSBURG	1	24	1	17	4	
SEWARD	7	121	3	48	0	
SITKA	4	78	1	48	0	
TOK	0	17	0	6	0	

2-19-03 Alaska Count System

UNALASKA		4	40		2	15	11
VALDEZ		1	72		3	29	0
WRANGELL		2	27		0	11	1
TOTAL		394	5462		215	2452	95

2-19-03 Alaska Court System

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/5/03

FURTHER: Finance

Date of 5-Day Notice: 2/12/03
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 4/2/03

Judiciary Committee considered

SENATE BILL NO. 58

SB 58 PFD INELIGIBILITY/MOTOR VEHICLE INSURANCE

"An Act relating to permanent fund dividend program notice requirements and to the ineligibility for permanent fund dividends of certain persons sentenced for crimes involving mandatory motor vehicle liability insurance."

and recommends:

be replaced with _____ CS _____ SB 58 (JUD)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
OPS	2/26		✓	1
REV	2/16		✓	2
REV	2/16		✓	3
ADM	2/19	xxx		4
LAW	2/18	xxx		5

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:		DO PASS	DO NOT PASS	NO REC	AMEND
Ellis				X	
French				X	
Ogan				X	
Theriault				X	
Seckins	CHAIR:	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 58-PFD INELIGIBILITY/MOTOR VEHICLE INSURANCE

NAME: Raymond Daughbater Subject/Bill No: 58
Co./Dept./Title: Director, ASD, Law Phone: 465-3673
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

SENATE FINANCE COMMITTEE

SIGN-IN

SB 58-PFD INELIGIBILITY/MOTOR VEHICLE INSURANCE

NAME: LANDA BAILEY Subject/Bill No: SB 58
Co./Dept./Title: Dept of Revenue /CSBT Phone: 465-2307
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions