

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2846

garantía de la vigencia del principio de legalidad como el principio rector que debe orientar nuestra vida nacional.

26. Favorecer una interpretación de las normas constitucionales electorales que favorezca su potenciación, con sentido general y amplio, para el fortalecimiento de un régimen de derechos humanos, y evitar así, desde el más alto tribunal del país, posiciones reduccionistas que limiten la trascendencia del sistema de justicia electoral a una materia o aspecto determinados.

En materia de Derecho Privado se propuso:

1. Desarrollar políticas públicas con perspectiva comunitaria, para brindar soluciones a la problemática de la familia de hoy, bajo las circunstancias y realidades actuales, tales como la desintegración, el desarraigo, la violencia, la marginación y un entorno social desfavorable para los más débiles.
2. Impulsar iniciativas que permitan la democratización de la familia mediante programas, políticas y adecuaciones legislativas que atiendan aspectos específicos y de atención urgente, con mecanismos viables de implementación y seguimiento permanentes.
3. Buscar una fórmula de unidad, mediante la revisión del artículo 121 constitucional, respecto de la disparidad de regímenes jurídicos locales aplicables a la familia, habida cuenta de la autonomía legislativa y jurisdiccional de los estados y la diversidad cultural del país.

En materia de Derecho Social se propuso:

1. Buscar la creación de una tendencia que en materia laboral consense la adecuación del marco regulatorio vigente, constitucional y reglamentario -y en conjunto los órdenes público y privado- a los tiempos modernos, manteniendo los valores que nos dan identidad como nación y lleve la

democratización al ámbito de la justicia social y el desarrollo del individuo como persona humana.

2. Fomentar las condiciones, en el medio rural, para rejuvenecer el campo, bajo nuevos paradigmas de productividad, mediante la capacitación agraria y productiva como la vía necesaria para transitar al desarrollo rural integral que consolide el patrimonio familiar, los recursos naturales, el financiamiento y la tecnología, la vida democrática en ejidos y comunidades y la gobernabilidad.
3. Abordar la necesidad de reformas en la seguridad social como un fenómeno de atención urgente y multidisciplinario, que aborde los aspectos financieros, de servicios, de atención médica y pensiones con una visión a largo plazo y una inversión en la viabilidad del sistema en su conjunto.
4. Integrar a todos los sectores involucrados en la seguridad social en mecanismos de discusión y análisis, a fin de conjuntar los diversos intereses en opciones legales sólidas, sin perder de vista los principios constitucionales y el carácter humanista de la política del Estado Mexicano en esta materia.

5 de octubre de 2004

Dr. Eduardo Castellanos Hernández  
Lic. Ernesto Reyes Cadena  
Lic. Claudia Ivette Ángeles Villegas

**HB**

**97**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT  
 APR 28 2005  
 SENATE FINANCE  
 COMMITTEE

DATE: 3/23/05

FURTHER:

DATE TURNED IN TO OFFICE: 28 April 2005

Finance Committee considered CS FOR HOUSE BILL NO. 97(FIN)

## HB 97 OATHS; NOTARIES PUBLIC; STATE SEAL

"An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

and recommends:

- be replaced with 5 CS CS HB 97 (FIN)
- adopt previous CS forthcoming (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_



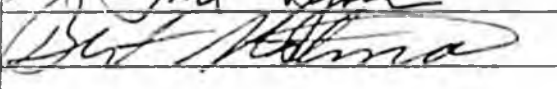
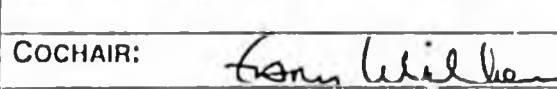
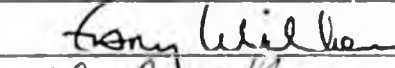
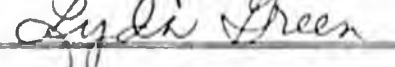
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#
Gov	1/24/05			✓	#1 correct

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
	✓			
	✓			
	✓			
	✓			
COCHAIR: 	✓			
COCHAIR: 	✓			

APR 28 2005

SENATE FINANCE COMMITTEE

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1 \*\*CORRECTED\*\*  
Bill Version: HB 97  
(H) Publish Date: 1/26/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: GOV  
Title: An Act relating to oaths RDU: Office of the Lt. Governor  
affirmations, and acknowledgements ... Component: Office of the Lt. Governor  
Sponsor: Governor  
Requester: Rules Component No: 11

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>8.7</b>	<b>8.7</b>	<b>8.7</b>	<b>8.7</b>	<b>8.7</b>	<b>8.7</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 CF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
The proposed fee changes for certificates from \$2 to \$5, as set out in Section 6 of the bill, will generate anticipated 8.7 in additional unrestricted revenues.

Prepared by: Linda J. Perez, Director Phone: 465-3876  
Division: Administrative Services Date/Time: 1/24/05 3:41 PM  
Approved by: Lt. Governor Loren Leman Date: 1/24/2005  
Agency: Office of the Lt. Governor

SENATE FINANCE  
COMMITTEE

Amendment Number: #1  
Bill Number: HB 97  
Sponsor: Green Date: 4/27/05  
Logged In By: Miody

24-GH1008V.L1  
Bannister  
4/11/05

adopted

AMENDMENT

Sponsored by Sen. Green

OFFERED IN THE SENATE

TO: SCS CSHB 97(STA)

1 Page 8, lines 16 - 22:

2 Delete all material and insert:

3 "(A) have had the person's notary public commission revoked  
4 under AS 44.50.068(a)(2) or (4) or under the notary public laws of another  
5 jurisdiction for a substantially similar reason;

6 (B) have had the person's notary public commission revoked  
7 under AS 44.50.068(a)(3), unless the person has reestablished residency in this  
8 state under AS 01.10.055 before the person submits the application;

9 (C) have been disciplined under AS 44.50.068 if, at the time  
10 the person applies for a notary public commission under this chapter, the  
11 disciplinary action prohibits the person from holding a notary public  
12 commission; or

13 (D) have been disciplined under the notary public laws of  
14 another jurisdiction if, at the time the person applies for a notary public  
15 commission under this chapter, the disciplinary action prohibits the person  
16 from holding a notary public commission; and"

17

18 Page 10, lines 25 - 27:

19 Delete all material and insert:

20 "(4) applicant's commission as a notary public has been revoked,  
21 within 10 years before the commission is to take effect, in

22 (A) this state for a reason stated in

23 (i) AS 44.50.068(a)(2) or (4);

1 (ii) AS 44.50.068(a)(3), unless the person has  
2 reestablished residency in this state under AS 01.10.055 before the  
3 person submits the application; or

4 (B) another jurisdiction for a reason substantially similar to  
5 AS 44.50.068(a)(2) or (4)."

6

7 Page 16, line 16, following "chapter;":

8 Insert a subparagraph to read:

9 "(3) failure to maintain residency in this state under AS 01.10.055;"

10

11 Page 16, line 17:

12 Delete "(3)"

13 Insert "(4)"

SENATE FINANCE COMMITTEE  
4/18/2005 COMMITTEE ACTION

Bill Number	HB 97		
Amendment	#1		
Motion	adpt		
<u>Motion by</u>	Wilken		
<u>Objection by</u>	Green		
<u>Removed</u>	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Hoffman			
Senator Olson			
Senator Stedman			
Senator Bunde			
Senator Dyson			
Co-Chair Wilken			
Co-Chair Green			
<u>Tally</u>			
Yea			
Nay			
Absent			
<b>MOTION</b>	<b>Pass</b>		

Proof  
delivered to  
Kim  
4/28 @ 4PM

Proof

24-GH10081S

SENATE CS FOR CS FOR HOUSE BILL NO. 97(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the authority to take oaths, affirmations, and acknowledgments in  
2 the state, to notarizations, to verifications, to acknowledgments, to fees for issuing  
3 certificates with the seal of the state affixed, and to notaries public; and providing for an  
4 effective date."

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

6 \* Section 1. AS 09.63.010 is amended to read:

7 Sec. 09.63.010. Oath, affirmation, and acknowledgment. The following  
8 persons may take an oath, affirmation, or acknowledgment in the state:

- 9 (1) a justice, judge, or magistrate of a court of the State of Alaska or of
- 10 the United States;
- 11 (2) a clerk or deputy clerk of a court of the State of Alaska or of the
- 12 United States;
- 13 (3) a notary public;
- 14 (4) a United States postmaster;

1 (5) a commissioned officer under AS 09.63.050(4); [OR]

2 (6) a municipal clerk carrying out the clerk's duties under  
3 AS 29.20.380;

4 (7) the lieutenant governor when carrying out the lieutenant  
5 governor's duties under AS 24.05.160;

6 (8) the presiding officer of each legislative house when carrying  
7 out the officer's duties under AS 24.05.170.

8 \* Sec. 2. AS 09.63.030(c) is amended to read:

9 (c) If the document is sworn to or affirmed before a notary public of the state,  
10 the notary public shall

11 (1) affix [ENDORSE AFTER THE SIGNATURE OF THE NOTARY  
12 PUBLIC THE DATE OF EXPIRATION OF THE NOTARY'S COMMISSION;

13 (2) PRINT OR EMBOSS THE NOTARY'S SEAL] on the document

14 the

15 (A) notary public's official signature and official seal; and

16 (B) date of expiration of the notary public's commission;

17 and

18 (2) [; (3)] comply with AS 44.50.060 - 44.50.065 and [AS 44.50.060 -  
19 44.50.080 OR] other applicable law.

20 \* Sec. 3. AS 09.63.040(d) is amended to read:

21 (d) If the verification is sworn to or affirmed before a notary public of the  
22 state, the notary public shall

23 (1) affix [ENDORSE AFTER THE SIGNATURE OF THE NOTARY  
24 PUBLIC THE DATE OF EXPIRATION OF THE NOTARY'S COMMISSION;

25 (2) PRINT OR EMBOSS THE NOTARY'S SEAL] on the document

26 the

27 (A) notary public's official signature and official seal; and

28 (B) date of expiration of the notary public's commission;

29 and

30 (2) [; (3)] comply with AS 44.50.060 - 44.50.065 and [AS 44.50.060 -  
31 44.50.080 OR] other applicable law.

1 \* Sec. 4. AS 09.63.090 is amended to read:

2           **Sec. 09.63.090. Certificate of acknowledgment.** The words "acknowledged  
3 before me" mean that

4           (1) the person acknowledging

5                   (A) appeared before the person taking the acknowledgment;

6                   (B) acknowledged that the person executed the instrument;

7                   (C) in the case of

8                           (i) a natural person, acknowledged that the person  
9 executed the instrument for the purposes stated in it;

10                           (ii) an officer or agent of a corporation, acknowledged  
11 that the person held the position or title set out in the instrument and  
12 certificate, acknowledged that the person signed the instrument on  
13 behalf of the corporation by proper authority, and acknowledged that  
14 the instrument was the act of the corporation for the purposes stated in  
15 it;

16                           (iii) a member or manager of a limited liability  
17 company, acknowledged that the individual signed the instrument  
18 on behalf of the limited liability company by proper authority and  
19 executed the instrument as the act of the limited liability company  
20 for the purposes stated in it;

21                           (iv) a partner or agent of a partnership, limited  
22 partnership, or limited liability partnership, acknowledged that the  
23 person signed the instrument on behalf of the partnership by proper  
24 authority and executed the instrument as the act of the partnership for  
25 the purposes stated in it;

26                           (v) [(iv)] a person acknowledging as a principal by an  
27 attorney in fact, acknowledged that the person executed the instrument  
28 by proper authority as the act of the principal for the purposes stated in  
29 it;

30                           (vi) [(v)] a person acknowledging as a public officer,  
31 trustee, administrator, guardian, or other representative, acknowledged

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that the person signed the instrument in the capacity and for the purposes stated in it; and

(2) the person taking the acknowledgment either knew or had satisfactory evidence that the person acknowledging is the person named in the instrument or certificate.

\* Sec. 5. AS 09.63.100 is amended to read:

**Sec. 09.63.100. Forms of acknowledgment.** (a) The forms of acknowledgment set out in this subsection may be used and are sufficient for their respective purposes under a law of the state. The authorization of the forms in this section does not preclude the use of other forms.

(1) For an individual acting in the individual's own right:

State of \_\_\_\_\_ Judicial  
District (or County of \_\_\_\_\_ or Municipality  
of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this (date) by (name of person who acknowledged).

\_\_\_\_\_  
Signature of Person Taking

Acknowledgment

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial Number, if any

(2) For a corporation:

State of \_\_\_\_\_ Judicial  
District (or County of \_\_\_\_\_ or Municipality  
of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this (date) by (name of officer or agent, title of officer or agent) of (name of corporation acknowledging) a (state or place of incorporation) corporation, on behalf of the corporation.

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Signature of Person Taking  
Acknowledgment

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Title or Rank  
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Serial Number, if any

(3) For a limited liability company:

State of \_\_\_\_\_ Judicial  
District (or County of \_\_\_\_\_ or Municipality of  
\_\_\_\_\_ )

The foregoing instrument was acknowledged before me this  
(date) by (name of member or manager), member (or manager) of  
(name of limited liability company acknowledging) a (state or place  
of organization) limited liability company, on behalf of the limited  
liability company.

\_\_\_\_\_  
Signature of Person Taking  
Acknowledgment

\_\_\_\_\_  
Member (or Manager)  
\_\_\_\_\_  
Serial Number, if any

(4) For a partnership:

State of \_\_\_\_\_ Judicial  
District (or County of \_\_\_\_\_ or Municipality  
of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this  
(date) by (name of acknowledging partner or agent), partner (or agent)  
on behalf of (name of partnership), a (partnership, limited  
partnership, or limited liability partnership).

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Signature of Person Taking

Acknowledgment

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial Number, if any

(5) [(4)] For an individual acting as principal by an attorney in fact:

State of \_\_\_\_\_ Judicial

District (or County of \_\_\_\_\_ or Municipality

of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this  
(date) by (name of attorney in fact) as attorney in fact on behalf of  
(name of principal).

\_\_\_\_\_  
Signature of Person Taking

Acknowledgment

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial Number, if any

(6) [(5)] By a public officer, trustee, or personal representative:

State of \_\_\_\_\_ Judicial

District (or County of \_\_\_\_\_ or Municipality

of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this  
(date) by (name and title of position).

\_\_\_\_\_  
Signature of Person Taking

Acknowledgment

Title or Rank

Serial Number, if any

(b) If a document is acknowledged before a notary public of the state, the notary public shall

(1) affix [ENDORSE AFTER THE NOTARY'S SIGNATURE THE DATE OF EXPIRATION OF THE NOTARY'S COMMISSION;

(2) PRINT OR EMBOSS THE NOTARY'S SEAL] on the document the

(A) notary public's official signature and official seal; and

(B) date of expiration of the notary public's commission;

and

(2) [; (3)] comply with AS 44.50.060 - 44.50.065 and [AS 44.50.060 - 44.50.080 OR] other law.

\* Sec. 6. AS 44.19.024 is amended to read:

**Sec. 44.19.024. Fees for issuing certificate.** For issuing each certificate with the seal of the state affixed, the lieutenant governor shall collect a fee of \$5 for each certificate [\$2 FOR THE FIRST THREE FOLIOS OR LESS AND 20 CENTS PER FOLIO FOR EACH ADDITIONAL FOLIO. THE LIEUTENANT GOVERNOR SHALL ACCOUNT FOR THE FEES RECEIVED UNDER THIS SECTION AND SHALL PAY THEM INTO THE STATE TREASURY].

\* Sec. 7. AS 44.50.010 is repealed and reenacted to read:

**Sec. 44.50.010. Notary public commission; term.** (a) The lieutenant governor may commission for the state

(1) notaries public without limitation, who are authorized to use the notary seal for all legal purposes; and

(2) limited governmental notaries public, who are state, municipal, or federal employees authorized to use the notary seal only for official government business.

(b) The term of a notary public commission is four years, except that the term of a limited governmental notary public commission coincides with the term of

1 government employment.

2 (c) A person who is a state, municipal, or federal employee commissioned as a  
3 limited governmental notary public may also be commissioned as a notary public  
4 without limitation.

5 \* Sec. 8. AS 44.50.020 is repealed and reenacted to read:

6 Sec. 44.50.020. Qualifications. To be commissioned as a notary public, a  
7 person

8 (1) shall submit an application under AS 44.50.032;

9 (2) shall be at least 18 years of age;

10 (3) shall have established residency in this state under AS 01.10.055;

11 (4) shall reside legally in the United States;

12 (5) may not, within 10 years before the commission takes effect, have  
13 been convicted of a felony or incarcerated in a correctional facility for a felony  
14 conviction;

15 (6) may not, within 10 years before the commission takes effect,

16 (A) have had the person's notary public commission revoked  
17 under AS 44.50.068(a)(2) or (4) or under the notary public laws of another  
18 jurisdiction for a substantially similar reason;

19 (B) have had the person's notary public commission revoked  
20 under AS 44.50.068(a)(3), unless the person has reestablished residency in this  
21 state under AS 01.10.055 before the person submits the application;

22 (C) have been disciplined under AS 44.50.068 if, at the time  
23 the person applies for a notary public commission under this chapter, the  
24 disciplinary action prohibits the person from holding a notary public  
25 commission; or

26 (D) have been disciplined under the notary public laws of  
27 another jurisdiction if, at the time the person applies for a notary public  
28 commission under this chapter, the disciplinary action prohibits the person  
29 from holding a notary public commission; and

30 (7) shall meet the other requirements in this chapter to be  
31 commissioned as a notary public.

Amend  
#1

1 \* Sec. 9. AS 44.50 is amended by adding new sections to read:

2           Sec. 44.50.032. Application. (a) A person applying for a commission as a  
3 notary public shall submit a completed application as required by this section, using  
4 the forms or format required by the lieutenant governor.

5           (b) A completed application for a commission under AS 44.50.010(a)(1) must  
6 include

7                   (1) an affirmation that the applicant meets the qualifications set out in  
8 AS 44.50.020(2) - (6);

9                   (2) the applicant's mailing and physical addresses; the applicant's  
10 telephone number, if any; the applicant's employer or business; the physical address  
11 and telephone number of the applicant's employer or business at the location where the  
12 applicant works; and an electronic mailing address, if any, where the applicant can be  
13 contacted;

14                   (3) information concerning any denial, suspension, revocation, or  
15 restriction of the applicant's commission as a notary public in this state or another  
16 jurisdiction; that information must include

17                           (A) identification of the jurisdiction;

18                           (B) the date the jurisdiction issued the denial, suspension,  
19 revocation, or restriction;

20                           (C) the reasons for the denial, suspension, revocation, or  
21 restriction; and

22                           (D) information concerning final resolution of the matter;

23                   (4) the applicant's notarized signature on the portion of the application  
24 that contains the oath or affirmation required by AS 44.50.035;

25                   (5) the fee required by AS 44.50.033; and

26                   (6) the bond required by AS 44.50.034.

27           (c) A completed application for a commission under AS 44.50.010(a)(2) must  
28 include

29                   (1) a signed statement by the applicant's government employer that the  
30 commission is needed for the purpose of conducting official government business;

31                   (2) the applicant's mailing and physical addresses; the applicant's

1 telephone number, if any; the applicant's employer; the name, address, and telephone  
 2 number for the employer where the applicant works; and an electronic mailing  
 3 address, if any, where the applicant can be contacted:

4 (3) the affirmation, information, and signature required by (b)(1), (3),  
 5 and (4) of this section; and

6 (4) the fee required by AS 44.50.033.

7 **Sec. 44.50.033. Application fee.** A person applying for a commission as a  
 8 notary public shall pay a nonrefundable application fee of \$40. However, an applicant  
 9 for a limited governmental notary public commission under AS 44.50.010(a)(2) who is  
 10 employed by the state may not be required to pay an application fee.

11 **Sec. 44.50.034. Bond.** (a) A person applying for a commission as a notary  
 12 public without limitation under AS 44.50.010(a)(1) shall execute an official bond of  
 13 \$1,000 and submit the bond with the application under AS 44.50.032. The bond must  
 14 be for a term of four years from the date of commission.

15 (b) The lieutenant governor shall keep a bond submitted under this section for  
 16 two years after the end of the term of the commission for which the bond was issued.  
 17 Disposition of the bond after the end of the commission does not affect the time for  
 18 commencing an action on the bond.

19 **Sec. 44.50.035. Oath.** The application required by the lieutenant governor  
 20 under AS 44.50.032 must contain an oath or affirmation, in the form set out in  
 21 AS 39.05.045, to be signed by the applicant. A signed oath or affirmation submitted  
 22 in an application under AS 44.50.032 takes effect on the date of the applicant's  
 23 commission as a notary public under this chapter.

24 **Sec. 44.50.036. Denial of applications.** The lieutenant governor shall deny  
 25 an application for a notary public commission if the

26 (1) applicant does not meet the requirements of this chapter;

27 (2) application is not complete or contains a material misstatement or  
 28 omission of fact relating to the requirements for a commission under this chapter;

29 (3) applicant has, within 10 years before the commission is to take  
 30 effect, been convicted of a felony or incarcerated in a correctional facility for a felony  
 31 conviction; or

1 (4) applicant's commission as a notary public has been revoked, within  
2 10 years before the commission is to take effect, in

3 (A) this state for a reason stated in

4 (i) AS 44.50.068(a)(2) or (4);

5 (ii) AS 44.50.068(a)(3), unless the person has  
6 reestablished residency in this state under AS 01.10.055 before the  
7 person submits the application; or

8 (B) another jurisdiction for a reason substantially similar to  
9 AS 44.50.068(a)(2) or (4).

10 **Sec. 44.50.037. Certificate of commission.** Upon commission of a notary  
11 public under this chapter, the lieutenant governor shall provide to the notary public a  
12 certificate of commission indicating the commission and the dates of the term of the  
13 commission.

14 **Sec. 44.50.038. Subsequent commissions.** A notary public whose term of  
15 commission is ending may apply for a new notary public commission by submitting a  
16 new application under AS 44.50.032 and complying with the requirements of this  
17 chapter. The lieutenant governor's approval of a new application for a commission for  
18 a notary public without limitation under AS 44.50.010(a)(1) terminates an applicant's  
19 existing commission under that paragraph.

20 **Sec. 44.50.039. Limited governmental notaries public.** A state, municipal,  
21 or federal employee commissioned as a notary public under AS 44.50.010(a)(2)

22 (1) is designated a limited governmental notary public;

23 (2) may perform notarial acts only in the conduct of official  
24 government business; and

25 (3) may not charge or receive a fee or other consideration for notarial  
26 services provided under this chapter.

27 \* **Sec. 10.** AS 44.50.060 is amended to read:

28 **Sec. 44.50.060. Duties.** A notary public may [SHALL]

29 (1) administer oaths and affirmations [WHEN REQUESTED,  
30 DEMAND ACCEPTANCE AND PAYMENT OF FOREIGN AND INLAND BILLS  
31 OF EXCHANGE, OR PROMISSORY NOTES, PROTEST THEM FOR

Amend #1

1 NONACCEPTANCE AND NONPAYMENT, AND EXERCISE THE OTHER  
 2 POWERS AND DUTIES THAT BY THE LAW OF NATIONS AND ACCORDING  
 3 TO COMMERCIAL USAGES, OR BY THE LAWS OF ANY OTHER STATE,  
 4 GOVERNMENT, OR COUNTRY, MAY BE PERFORMED BY NOTARIES];

5 (2) take the acknowledgment of or proof of execution of [POWERS  
 6 OF ATTORNEY, MORTGAGES, DEEDS, GRANTS, TRANSFERS, AND OTHER]  
 7 instruments in [OF] writing, and give a notarial certificate of the proof or  
 8 acknowledgment, included in [ENDORSED ON] or attached to the instrument; the  
 9 notarial certificate shall be signed by the notary public in the notary public's  
 10 [NOTARY'S] own handwriting or by electronic means as authorized by  
 11 regulations adopted by the lieutenant governor [;

12 (3) TAKE DEPOSITIONS AND AFFIDAVITS, AND ADMINISTER  
 13 OATHS AND AFFIRMATIONS, IN ALL MATTERS INCIDENT TO THE DUTIES  
 14 OF THE OFFICE, OR TO BE USED BEFORE A COURT, JUDGE, OFFICER, OR  
 15 BOARD IN THE STATE; A DEPOSITION, AFFIDAVIT, OATH, OR  
 16 AFFIRMATION SHALL BE SIGNED BY THE NOTARY IN THE NOTARY'S  
 17 OWN HANDWRITING, AND THE NOTARY SHALL ENDORSE AFTER THE  
 18 SIGNATURE THE DATE OF EXPIRATION OF THE NOTARY'S COMMISSION].

19 \* Sec. 11. AS 44.50 is amended by adding new sections to read:

20 Sec. 44.50.061. **Unauthorized practice.** (a) A notary public who is not an  
 21 attorney may complete but may not select notarial certificates, and may not assist  
 22 another person in drafting, completing, selecting, or understanding a document or  
 23 transaction requiring a notarial act.

24 (b) This section does not prohibit a notary public who is qualified in and, if  
 25 required, licensed to practice, a particular profession from giving advice relating to  
 26 matters in that professional field.

27 (c) A notary public may not make representations to have powers,  
 28 qualifications, rights, or privileges that the office of notary public does not have.

29 Sec. 44.50.062. **Prohibited acts.** A notary public may not

30 (1) violate state or federal law in the performance of acts authorized by  
 31 this chapter;

1 (2) influence a person to enter into or avoid a transaction involving a  
2 notarial act by the notary public;

3 (3) affix the notary public's signature or seal on a notarial certificate  
4 that is incomplete;

5 (4) charge a fee for a notarial act unless a fee schedule has been  
6 provided to the signer before the performance of the notarial act;

7 (5) affix the notary public's official seal to a document unless the  
8 person who is to sign the document

9 (A) appears and signs the document before the notary public or,  
10 for an acknowledgment, appears and indicates to the notary public that the  
11 person voluntarily affixed the person's signature on the document for the  
12 purposes stated within the document;

13 (B) gives an oath or affirmation if required under law or if the  
14 notarial certificate states that the document was signed under oath or  
15 affirmation; and

16 (C) is personally known to the notary public, produces  
17 government-issued identification containing the photograph and signature of  
18 the person signing, or produces

19 (i) government-issued identification containing the  
20 signature of the person signing, but without a photograph; and

21 (ii) another valid identification containing the  
22 photograph and signature of the person signing;

23 (6) perform a notarial act if the notary public

24 (A) is a signer of or named in the document that is to be  
25 notarized; or

26 (B) will receive directly from a transaction connected with the  
27 notarial act a commission, fee, advantage, right, title, interest, cash, property,  
28 or other consideration exceeding in value the normal fee charged by the notary  
29 for the notarial act.

30 **Sec. 44.50.063. Official signature.** (a) When performing a notarization, a  
31 notary public shall

1 (1) sign in the notary public's own handwriting, on the notarial  
 2 certificate, exactly and only the name indicated on the notary public's commission  
 3 certificate, or sign an electronic document by electronic means as authorized by  
 4 regulations adopted by the lieutenant governor; and

5 (2) affix the official signature only at the time the notarial act is  
 6 performed.

7 (b) A notary public shall comply in a timely manner with a request by the  
 8 lieutenant governor to supply a current sample of the notary public's official  
 9 handwritten signature and information regarding the notary public's electronic  
 10 signature.

11 (c) Within 10 days after the security of a notary public's electronic signature  
 12 has been compromised, the notary public shall provide the lieutenant governor with  
 13 written notification that the signature has been compromised. After the notary public  
 14 has provided the lieutenant governor with the notification, the notary public shall  
 15 provide the lieutenant governor with any additional information that the lieutenant  
 16 governor requests about the compromise of the signature.

17 **Sec. 44.50.064. Official seal.** (a) A notary public shall keep an official seal,  
 18 which is the exclusive property of the notary public, and shall ensure that another  
 19 person does not possess or use the official seal.

20 (b) A notary public's official seal

21 (1) must contain

22 (A) the notary public's name exactly as indicated on the notary  
 23 public's commission certificate;

24 (B) the words "Notary Public" and "State of Alaska"; and

25 (2) may be a circular form not over two inches in diameter, may be a  
 26 rectangular form not more than one inch in width by two and one-half inches in  
 27 length, or may be an electronic form as authorized by regulations adopted by the  
 28 lieutenant governor.

29 (c) When not in use, a notary public's official seal shall be kept secure and  
 30 under the exclusive control of the notary public.

31 (d) Within 10 days after a notary public's official seal is stolen or lost, or the

1 security of the notary public's official electronic seal is compromised, the notary  
2 public shall provide the lieutenant governor with written notification of the theft, loss,  
3 or compromised security. After the notary public has provided the lieutenant governor  
4 with the notification, the notary public shall provide the lieutenant governor with any  
5 additional information that the lieutenant governor requests about the compromise of  
6 the seal.

7 (e) In order to avoid misuse, a notary public's official seal shall be destroyed  
8 or defaced

9 (1) upon the notary public's resignation or death;

10 (2) upon the revocation or termination by the lieutenant governor of  
11 the notary public's commission; or

12 (3) when the notary public's term of commission ends if the notary  
13 public has not received a new commission under this chapter.

14 **Sec. 44.50.065. Seal impression or depiction.** (a) With regard to each paper  
15 document being notarized, a sharp, legible, photographically reproducible impression  
16 or depiction of a notary public's official seal shall be affixed

17 (1) on the notarial certificate near the notary public's official signature;  
18 and

19 (2) only at the time the notarial act is performed.

20 (b) For a notarized paper document, illegible information within a seal  
21 impression or depiction may be typed or printed legibly by the notary public adjacent  
22 to, but not within, the impression or depiction.

23 (c) An embossed seal impression that is not photographically reproducible  
24 may be used in addition to, but not in place of, the seal impression or depiction  
25 required by (a) of this section.

26 (d) A notary public may use a seal in electronic form on electronic documents  
27 notarized by the notary public as authorized by regulations adopted by the lieutenant  
28 governor. The seal shall be affixed only at the time the notarial act is performed.

29 **Sec. 44.50.066. Notary public's status notification.** (a) Within 30 days after  
30 change of a notary public's name, mailing address, or physical address, the notary  
31 public shall, on a form provided by the lieutenant governor, submit written notification

1 of the change, signed by the notary public.

2 (b) The lieutenant governor may require limited governmental notaries public  
3 commissioned under AS 44.50.010(a)(2) who change departmental or agency  
4 employers to submit written notification of the change on a form provided by the  
5 lieutenant governor.

6 (c) A notary public commissioned under AS 44.50.010(a)(1) reporting a name  
7 change shall submit to the lieutenant governor payment of the fee under AS 44.19.024  
8 for the issuance of a replacement certificate of commission.

9 (d) A notary public reporting a name change under (a) and (c) of this section  
10 shall use the person's former name for the performance of notarial acts until the person  
11 has

12 (1) provided written notification of the name change to the surety for  
13 any bond required under AS 44.50.034;

14 (2) received a replacement certificate of commission reflecting the  
15 name change from the lieutenant governor; and

16 (3) obtained a new seal reflecting the name change.

17 (e) The lieutenant governor may require a notary public to update the  
18 information required under AS 44.50.032, including the notary public's current  
19 notarized signature and information regarding the notary public's electronic signature.

20 **Sec. 44.50.067. Resignation.** (a) To resign a commission, a notary public  
21 shall notify the lieutenant governor in writing of the resignation and the date that it is  
22 effective. The notary public shall sign the notification.

23 (b) A notary public who does not any longer meet the requirements of this  
24 chapter to be a notary public shall immediately resign the commission.

25 **Sec. 44.50.068. Disciplinary action; complaint; appeal; hearing;**  
26 **delegation.** (a) The lieutenant governor may suspend or revoke a notary public's  
27 commission or reprimand a notary public for good cause shown, including

28 (1) a ground on which an application for a commission may be denied;

29 (2) failure to comply with this chapter;

30 (3) failure to maintain residency in this state under AS 01.10.055; and

31 (4) incompetence or malfeasance in carrying out the notary public's

*Amend #1*

1 duties under this chapter.

2 (b) A person harmed by the actions of a notary public may file a complaint  
3 with the lieutenant governor. The complaint shall be filed on a form prescribed by the  
4 lieutenant governor and shall be signed and verified by the person alleging misconduct  
5 by the notary public.

6 (c) If the lieutenant governor determines that the allegations in the complaint  
7 do not warrant formal disciplinary action, the lieutenant governor may decline to act  
8 on the complaint or may advise the notary public of the appropriate conduct and the  
9 applicable statutes and regulations governing the conduct. The lieutenant governor  
10 shall notify the notary public and the complainant of the determination in writing.

11 (d) If the lieutenant governor determines that the complaint alleges sufficient  
12 facts to constitute good cause for disciplinary action, the lieutenant governor shall  
13 serve the notary public with a copy of the complaint as provided in Rule 4, Alaska  
14 Rules of Civil Procedure. The notary public may file a written response to the  
15 complaint with the lieutenant governor within 20 days after receipt of the complaint.  
16 The lieutenant governor may extend the time for the notary public's response. The  
17 lieutenant governor shall provide a copy of the notary public's response to the  
18 complainant.

19 (e) The lieutenant governor shall review the complaint and the response to  
20 determine whether formal disciplinary action may be warranted. The lieutenant  
21 governor may determine that the allegations in the complaint do not warrant formal  
22 disciplinary action, in which case the lieutenant governor may determine not to take  
23 further action on the complaint or may determine to advise the notary public of the  
24 appropriate conduct and the applicable statutes and regulations governing the conduct.  
25 If the lieutenant governor determines that formal disciplinary action is not warranted,  
26 the lieutenant governor shall provide the complainant and the notary public with a  
27 written statement of the basis for the determination.

28 (f) If the lieutenant governor finds that formal disciplinary action may be  
29 warranted, the lieutenant governor may suspend or revoke a notary public's  
30 commission or reprimand a notary public. If the lieutenant governor suspends or  
31 revokes the commission or issues a reprimand, the lieutenant governor shall provide,

1 by certified mail, the notary public with a written statement of the lieutenant  
2 governor's decision, including a written statement of the basis for the determination.

3 (g) A person who is issued a reprimand, suspension, or revocation under (f) of  
4 this section may appeal the reprimand, suspension, or revocation by requesting a  
5 hearing within 15 days after receiving the statement provided under (f) of this section.  
6 If a hearing is requested, the lieutenant governor shall deny or grant the request under  
7 AS 44.64.060(b) and refer the matter to the office of administrative hearings under  
8 AS 44.64.060(b).

9 (h) The lieutenant governor may delegate the powers under this section.

10 \* Sec. 12. AS 44.50 is amended by adding new sections to read:

11 **Sec. 44.50.071. Confidentiality.** (a) An address, telephone number, and  
12 electronic mail address of a notary public or an applicant that is submitted under  
13 AS 44.50.032 or 44.50.038 and that is designated by the notary public or applicant as  
14 confidential shall be kept confidential. However, a notary public shall provide a  
15 nonconfidential address and telephone number at which the notary public can be  
16 contacted.

17 (b) Compilations and data bases of those addresses, telephone numbers, and  
18 electronic mail addresses of notaries public that are confidential under (a) of this  
19 section shall be kept confidential, except that the lieutenant governor may disclose  
20 compilations and data bases if the lieutenant governor determines that disclosure is in  
21 the public interest.

22 (c) A complaint filed under AS 44.50.068 shall be kept confidential unless the  
23 lieutenant governor determines under AS 44.50.068(d) that the complaint alleges  
24 sufficient facts to constitute good cause for disciplinary action.

25 **Sec. 44.50.072. Regulations.** The lieutenant governor may adopt regulations  
26 under AS 44.62 (Administrative Procedure Act) to carry out the purposes of this  
27 chapter.

28 **Sec. 44.50.073. Published summary.** The lieutenant governor may publish  
29 by electronic means for commissioned notaries public a summary of the provisions of  
30 this chapter and the regulations adopted under this chapter. The lieutenant governor  
31 shall, upon request, distribute the summary to each person who is commissioned a

1 notary public under this chapter.

2 \* Sec. 13. AS 44.50 is amended by adding a new section to read:

3 Sec. 44.50.200. Definitions. In this chapter, unless the context otherwise  
4 requires,

5 (1) "convicted" or "conviction" means that the person has entered a  
6 plea of guilty, guilty but mentally ill, or nolo contendere, or has been found guilty or  
7 guilty but mentally ill by a court or jury;

8 (2) "notarial act" means an act that is identified as a notarial act under  
9 AS 09.63.120 and an act that a notary public is directed to perform under  
10 AS 44.50.060;

11 (3) "notary public" means a person commissioned to perform notarial  
12 acts under this chapter.

13 \* Sec. 14. AS 44.50.030, 44.50.040, 44.50.070, 44.50.080, 44.50.090, 44.50.100,  
14 44.50.110, 44.50.120, 44.50.130, 44.50.140, 44.50.170, 44.50.180(c), and 44.50.190 are  
15 repealed.

16 \* Sec. 15. The uncodified law of the State of Alaska is amended by adding a new section to  
17 read:

18 APPLICABILITY. (a) AS 44.50.010, repealed and reenacted by sec. 7 of this Act,  
19 and AS 44.50.032, 44.50.033, 44.50.035, 44.50.036, 44.50.037, and 44.50.039, enacted by  
20 sec. 9 of this Act, do not apply to a notary public whose commission is in effect on the day  
21 before the effective date of secs. 1 - 14 of this Act until the notary public's term of office  
22 expires under former AS 44.50.030, the notary public resigns under AS 44.50.067, enacted by  
23 sec. 11 of this Act, or the notary public's commission is revoked under AS 44.50.068, enacted  
24 by sec. 11 of this Act.

25 (b) Notwithstanding (a) of this section, if a notary public whose commission is in  
26 effect on the day before the effective date of secs. 1 - 14 of this Act has been, within 10 years  
27 before the notary public's term of office expires under former AS 44.50.030, convicted of a  
28 felony or incarcerated in a correctional facility for a felony conviction, the lieutenant governor  
29 may take an action under AS 44.50.068, enacted by sec. 11 of the Act, against the notary  
30 public. In this subsection, "convicted" and "conviction" have the meanings given in  
31 AS 44.50.200.

1 \* Sec. 16. The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3 TRANSITION: REGULATIONS. The lieutenant governor may proceed to adopt  
4 regulations necessary to implement the changes made by this Act. The regulations take effect  
5 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the  
6 respective statutory change.

7 \* Sec. 17. Section 16 of this Act takes effect immediately under AS 01.10.070(c).

8 \* Sec. 18. Except as provided in sec. 17 of this Act, this Act takes effect July 1, 2005.



Official Business

# Alaska State Senate

## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### FAX COVER SHEET

DATE: 28 April 2005 TIME: 10:25 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: Final Please  
SCS CS HB 97 (FIN) 24-GH1008/L  
plus 1 amendment: L.1

Thanks

Mindy


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## Lieutenant Governor Loren Leman

### MEMO

TO: Senator Lyda Green, Co-Chairman  
Senator Gary Wilken, Co-Chairman  
Senate Finance Committee

FROM: Lieutenant Governor Loren Leman 

DATE: March 23, 2005

RE: Senate Finance Committee hearing on  
SCS CSIB 97(STA): Oaths, Notaries Public, State Seal

---

Please schedule a hearing on SCS CSIB 97(STA) at your earliest possible convenience. SCS CSIB 97(STA) updates the notary statutes. These statutes have not been comprehensively revised since 1961. Notarial practices and terms have changed in the interim. The bill also increases the notarial fee from \$2 per folio to \$5 per certificate.

Attached are a copy of Governor Murkowski's transmittal letter, a sectional analysis and some additional backup material to assist your review of this legislation.

Please contact my Chief of Staff, Annette Kreitzer at extension 4081 if you have further questions or need additional information beyond the attached material.

The Governor's transmittal letter dated January 20, 2005, follows:

"Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, verifications, and acknowledgements, to notaries public, and to fees for issuing certificates with the seal of the state affixed.

The primary purpose of the bill is to comprehensively update AS 44.50, the chapter that governs notaries public, which includes among its provisions the qualifications to become a notary public, duties of notaries public, and liability in the event of misconduct or neglect. AS 44.50 has not been comprehensively revised since it was enacted in 1961. These changes will allow the Lieutenant Governor to: focus attention on web-based education for notaries, allow businesses which employ large groups of notaries to keep track of their terms of office, lay a foundation for e-signatures for the future, and continue to provide information to notaries without internet access. Sections 7-14 of the bill would repeal obsolete provisions in AS 44.50, update antiquated language, and add new provisions as needed.

Sections 1-5 of the bill would update statutes in AS 09, the Alaska civil code, relating to the taking of oaths, affirmations, and acknowledgements and to notaries' responsibilities when notarizing, verifying, and acknowledging signed instruments. Section 6 of the bill would change the fee for the lieutenant governor's issuance of a certificate with the seal of the state affixed. Sections 15 and 16 of the bill contain applicability and transition provisions, respectively.

A more detailed description of the bill is found in a sectional analysis of the bill available from the office of the lieutenant governor.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski  
Governor"

## Frequently Asked Questions – SCS CSHB 97(STA)

**Q: Why is this bill necessary?**

A: There has not been a comprehensive update to the notary statutes since 1961.

**Q: What changes are being proposed?**

A: The bill:

- Lowers the minimum age requirement from 19 to 18 years of age.
- Prohibits felons from applying as notaries public until 10 years post incarceration/conviction.
- Removes impediments for notarizations by electronic means
- Establishes disciplinary procedures for commission suspensions and revocations.
- Separates publicly available notary information from private notary information.
- Updates and expands the current State Employee notary commission system to include Municipal and Federal government employees.

**Q: I'm a notary now, how does this bill affect me?**

A: This bill will not impact current notaries unless they are felons.

**Q: What is not changing?**

A:

- The notary information that is currently publicly available remains publicly available.
- Notary testing remains voluntary.
- The notary bond amount remains unchanged.
- The application fee remains unchanged.

**Q: What about fees?**

A: The \$40.00 application fee for notary commissions will remain unchanged. The fee for certificates is being raised from \$2.00 to \$5.00.

## Notary Statute Comparison – SCS CSHB 97(STA)

	Current	Proposed
<b>Qualifications</b>	<p>Applicants must be a resident of the state at least 19 years of age.</p> <p>Resident defined to mean a person who maintains a permanent place of abode in the state, and is in fact living in the state.</p>	<p>Minimum age lowered to 18 years.</p> <p>Residency requirements made consistent with general residency statute AS 01.10.055, rather than separate definition.</p> <p>Applicant must reside legally in the United States.</p> <p>Applicants may not, within 10 years before the commission takes effect, have been convicted of a felony or incarcerated for a felony conviction.</p>
<b>Term</b>	<b>Current</b>	<b>Proposed</b>
	<p>Four years.</p> <p>Automatic revocation of commissions of State employee notaries who terminate employment prior to the commission expiration date.</p>	<p>Notaries Public will continue to serve a term of four years.</p> <p>Limited Governmental Notaries Public commissions will be open-ended with automatic revocation upon termination of government employment.</p>
<b>Fees</b>	<b>Current</b>	<b>Proposed</b>
	<p>\$40 application fee for non-state employee notaries.</p> <p>\$2 per Lieutenant Governor certificate.</p>	<p>\$40 application fee for non-state employee notaries (No change).</p> <p>\$5 per Lieutenant Governor certificate (\$3 increase).</p>
<b>Bond</b>	<b>Current</b>	<b>Proposed</b>
	<p>\$1,000 Notary Bond is required of all applicants.</p>	<p>\$1,000 Notary Bond required of all applicants except Limited Governmental Notaries. Lt. Gov. required to keep for 2 years.</p>

<b>Commission Types</b>	<b>Current</b>	<b>Proposed</b>
	Notaries Public who serve four-year commissions.  Limited Governmental Notaries Public commissions available for State employees only.	Notaries Public who serve four-year commissions.  Limited Governmental Notaries Public commissions – Expanded to include Municipal and Federal employees in addition to State employees.
<b>Commission Revocation</b>	<b>Current</b>	<b>Proposed</b>
	Via Administrative Procedure Act. Act must be invoked to review all complaints against notaries, no matter how trivial.	By Lieutenant Governor for good cause via a formal disciplinary procedure using administrative hearing office.
<b>Notary Data</b>	<b>Current</b>	<b>Proposed</b>
	Each notary's name, mailing address, surety information and commission dates are available to the public.	The notary information currently available remains unchanged. The notary's name, mailing address, surety information and commission dates continue to be publicly available.  To facilitate training and communication the Lieutenant Governor may collect additional information from applicants and notaries that will not be available to the public.
<b>Non-Commissioned Notaries</b>	<b>Current</b>	<b>Proposed</b>
	Justices, Judges, Magistrates, Clerks or Deputy Clerks of Court, United States Postmasters, and Commissioned Military Officers are authorized to take oaths, affirmations or acknowledgments.	No change.
<b>Electronic Notarization</b>	<b>Current</b>	<b>Proposed</b>
	Does not address this issue.	Removes impediments for notarizations by electronic means.

SECTIONAL ANALYSIS  
SCS CSHB 97(STA)

An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state; to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date.

Section 1. Adds presiding officers of each house of the Legislature and the Lieutenant Governor to the list of persons permitted to administer oaths. This permission is limited to the administration of the oath of office to new legislators (AS 24.05.160) and to the presiding officers for the same purpose during second and special sessions (AS 24.05.170).

Sections 2 and 3. Conform sections of Alaska Civil Procedure concerning notarial acts to the updated language in Sec. 44.50.061 (5). These sections apply to court system employees, U.S. Postmasters, U.S. military personnel and municipal clerks.

Sections 4 and 5. Update 09.63 to include reference to limited liability companies, limited partnerships, and limited liability partnerships. In Section 5, (H) STA added "or Municipality of" on the forms of acknowledgment in recognition of Alaska not having counties.

Section 6. Increases fee per notarial certificate from \$2/three folios to \$5/certificate. "Folio" is an outdated term not used in current practice. The increase reflects the State's cost to process the certificates. Deletes territorial language re: accounting for fees.

Section 7. Two categories of notaries:

- a) notary public without limitation
  - terms are for 4 years
  - can charge fees for service
- b) limited governmental notary public (state, municipal and federal employees)
  - conduct only official government business
  - terms are for the length of government employment
  - cannot charge fees for service (new Sec. 44.50.039)

Can have concurrent commissions as a notary public without limitation and as a limited governmental notary public, as long as the activities are separated.

**Section 8. Changes Qualifications to be commissioned notary public:**

- Lowers the age from 19 to 18.
- Must have established Alaska residency. The definition of "residency" is updated to a more widely used and more current definition (AS 01.10.055) than current statute (AS 44.50.020).
- Notary public must reside legally in the U.S.
- 10 years between felony conviction/incarceration and ability to apply as notary.

**Section 9. Sets out the application requirements for notary public commission whether notary public without limitation or limited governmental notary public.**

Restates the current \$40 fee per application along with the current requirement that State limited governmental notaries public are exempt from the fee.

Restates current bonding requirement of \$1,000 with term of four years for notaries public without limitation.

Requires Lieutenant Governor to keep the bond for two years following the notary's term of commission.

Provides opportunities for Lieutenant Governor to deny applications if:

- a) application is incomplete
- b) applicant has been convicted of or incarcerated for a felony less than 10 years previous to application
- c) applicant's commission has been revoked

Clarifies current law as to when a new commission begins.

**Section 10. Much of AS 44.50.060 is antiquated language.** The changes here acknowledge that the duties of a notary public can be encompassed in the broader language of administering oaths and affirmations, taking acknowledgment of or proof of instruments of writing and giving notarial certificates. (H) JUD added language from this section on which removes impediments to providing electronic notarizations. The language is broad enough to allow for necessary flexibility in what is rapidly changing technology.

Section 11. Defines scope of practice and makes clear that a notary public who is not an attorney may not perform functions that require the practice of law.

Also, sets out what a notary public cannot do (Sec. 44.50.062), the specifications of the official seal, and its care and keeping, what constitutes a "seal impression", changes in notary status and disciplinary actions. It also specifies at (5) (A) – (C) the elements that must be present for a notary public to notarize a document:

- Person must appear and sign the document before the notary public.
- Person must produce identification unless personally known to the notary public.
- The notary must sign in his/her own handwriting the name on his/her commission certificate.
- Notary cannot notarize documents which benefit the notary

This section reorders and clarifies current law defining the notary's seal, and defining the seal impression. The \$5 name change fee is not in addition to the cost of a new certificate under Sec. 44.19.024.

New section 44.50.068 gives the Lieutenant Governor the latitude to suspend or revoke a notary public's commission or to reprimand a notary public for good cause. The Lieutenant Governor may delegate his authority. With regard to a complaint, the Lieutenant Governor may find no merit to the complaint or may refer the complaint to the office of administrative hearings for a formal disciplinary hearing which could end with revocation of the notary public's commission. In all instances the notary public may appeal the Lieutenant Governor's decision to the office of administrative hearings (rewritten by (H) FIN).

Section 12. Describes the information gathered from notaries public on the application which will be public information. House State Affairs Committee added language allowing the Lt. Governor to publish a summary of this chapter and regulations that can be distributed by electronic means. Provides for the Lieutenant Governor to adopt regulations.

Section 13. Defines terms used in this Chapter.

#### Section 14. Repealers:

- AS 44.50.030 (Term of office, now covered in new 44.50.010)
- AS 44.50.040 (Fees, now covered in new 44.50.033)
- AS 44.50.070 (Presence and ID, now covered in new 44.50.062)
- AS 44.50.080 (Seal, now covered in new 44.50.064)
- AS 44.50.090 (Protest of bill or note. Notaries don't do this, antiquated language, repealed and not replaced)
- AS 44.50.100 (Return of papers. There are no papers to return. Repealed and not replaced)
- AS 44.50.110 (APA procedure for disciplinary actions, replaced by more comprehensive 44.50.068)
- AS 44.50.120 (Bond requirements, now covered in new 44.50.034)
- AS 44.50.130 (Filing oath and bond, now covered in new 44.50.035)
- AS 44.50.140 (Disposition of bond, now covered in new 44.50.034)
- AS 44.50.170 (State employees as notaries, now covered in 44.50.010, 44.50.031 (c) and 44.50.039)
- AS 44.50.180(c) (Federal law prohibits postmasters from charging fees. Alaska law is inconsistent and this subsection must be repealed)
- AS 44.50.190 (Savings clause, a transitional measure from 1961 that is no longer necessary and can be repealed).

#### Section 15. Applicability

- Current commissions continue in effect until term of office expires, except if the commissioned is a felon and 10 years have not elapsed since conviction or incarceration.
- Bonds, seals, liabilities in effect continue through the notary public's term of office.
- All notaries with current commissions or who are commissioned following the effective date of the legislation must follow the notarial procedures encompassed in the legislation.
- When commissions expire, notaries public will apply for new commissions under the new AS 44.50.032 (Section 9).

#### Sections 16 and 17. Transition

Allows the Lieutenant Governor to immediately proceed to adopt regulations with an effective date following the effective date of the legislation.

#### Section 18. Effective Date

Effective date is July 1, 2005 to allow time for revision of website, online handbook and forms.

HB 97



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

P.O. Box 110001  
JUNEAU, ALASKA 99811-0001  
(907) 465-3500  
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STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 20, 2005

The Honorable John Harris  
Speaker of the House  
Alaska State Legislature  
State Capitol, Room 208  
Juneau, AK 99801-1182

Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, verifications, and acknowledgements, to notaries public, and to fees for issuing certificates with the seal of the state affixed.

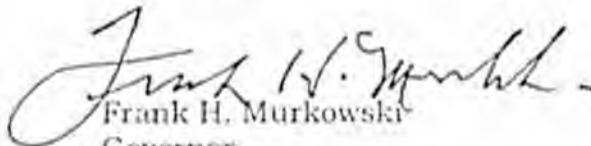
The primary purpose of the bill is to comprehensively update AS 44.50, the chapter that governs notaries public, which includes among its provisions the qualifications to become a notary public, duties of notaries public, and liability in the event of misconduct or neglect. AS 44.50 has not been comprehensively revised since it was enacted in 1961. These changes will allow the Lieutenant Governor to: focus attention on web-based education for notaries, allow businesses which employ large groups of notaries to keep track of their terms of office, lay a foundation for e-signatures for the future, and continue to provide information to notaries without internet access. Sections 7-14 of the bill would repeal obsolete provisions in AS 44.50, update antiquated language, and add new provisions as needed.

Sections 1-5 of the bill would update statutes in AS 09, the Alaska civil code, relating to the taking of oaths, affirmations, and acknowledgements and to notaries' responsibilities when notarizing, verifying, and acknowledging signed instruments. Section 6 of the bill would change the fee for the lieutenant governor's issuance of a certificate with the seal of the state affixed. Sections 15 and 16 of the bill contain applicability and transition provisions, respectively.

A more detailed description of the bill is found in a sectional analysis of the bill available from the office of the lieutenant governor.

I urge your prompt and favorable action on this measure.

Sincerely yours,

  
Frank H. Murkowski  
Governor

Enclosure

# SENATE COMMITTEE REPORT

DATE: 3/18/05

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 3/23/05

State Affairs Committee considered CS FOR HOUSE BILL NO. 97(FIN)

## HB 97 OATHS; NOTARIES PUBLIC; STATE SEAL

"An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

and recommends:

- be replaced with SCS CS HB 97 (STPA)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**

- Same Title
- New Title

**SCS House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
Govt	1/24/05	✓			1

APPROPRIATION - no fiscal note

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

Altan  
 Warriner  
 Higgins  
 Lewis  
 Prominent

SENATE FINANCE COMMITTEE

SIGN-IN

HB 97: OATHS, NOTARIES PUBLIC, STATE S&AC  
SB 153-INTERNATIONAL AIRPORTS REVENUE BONDS

NAME: Brian Westfall Subject/Bill No: HB 97  
Co./Dept./Title: Lt. Gov. Legation's Office Phone: 465-3520  
Address: Capital ~~Building~~ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: Annette Kreitzer Subject/Bill No: HB 97  
Co./Dept./Title: Lt. Gov. Legation's Office / Int. Aff. Staff Phone: 465-3520  
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

**HB**

**98**

**HFIN**

**FILE**



CS FOR HOUSE BILL NO. 98(STA)  
 IN THE LEGISLATURE OF THE STATE OF ALASKA  
 TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 2/18/05  
 Referred: Finance

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the compensation of certain public officials, officers, and employees  
 2 not covered by collective bargaining agreements; and providing for an effective date."

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

4 \* Section 1. AS 39.27.011(a) is repealed and reenacted to read:

5 (a) The following monthly basic salary schedule is approved as the pay plan  
 6 for classified and partially exempt employees in the executive branch of the state  
 7 government who are not members of a collective bargaining unit established under the  
 8 authority of AS 23.40.070 - 23.40.260 (Public Employment Relations Act), and for  
 9 employees of the legislature under AS 24:

10	Range	Step	Step	Step	Step	Step	Step
11	No.	A	B	C	D	E	F
12	05	1724	1773	1822	1874	1929	1981
13	06	1822	1874	1929	1981	2038	2098
14	07	1929	1981	2038	2098	2163	2230

1	08	2038	2098	2163	2230	2294	2366
2	09	2163	2230	2294	2366	2440	2510
3	10	2294	2366	2440	2510	2587	2663
4	11	2440	2510	2587	2663	2753	2840
5	12	2587	2663	2753	2840	2936	3035
6	13	2753	2840	2936	3035	3142	3255
7	14	2936	3035	3142	3255	3368	3496
8	15	3142	3255	3368	3496	3608	3744
9	16	3368	3496	3608	3744	3878	4015
10	17	3608	3744	3878	4015	4152	4295
11	18	3878	4015	4152	4295	4429	4597
12	19	4152	4295	4429	4597	4740	4914
13	20	4429	4597	4740	4914	5061	5249
14	21	4740	4914	5061	5249	5410	5606
15	22	5061	5249	5410	5606	5788	5997
16	23	5410	5606	5788	5997	6196	6426
17	24	5788	5997	6196	6426	6641	6866
18	25	6196	6426	6641	6866	7115	7379
19	26	6426	6641	6866	7115	7379	7645
20	27	6641	6866	7115	7379	7645	7932
21	28	6866	7115	7379	7645	7932	8209
22	29	7115	7379	7645	7932	8209	8498
23	30	7379	7645	7932	8209	8498	8797

24 \* Sec. 2. AS 39.27.011(e) is amended to read:

25 (e) Effective July 1, 2005 [2001], the amounts set out in the salary schedule  
26 contained in (a) of this section are increased by two percent.

27 \* Sec. 3. AS 39.27.011(f) is amended to read:

28 (f) Effective July 1, 2006 [2002], the amounts set out in the salary schedule  
29 contained in (a) of this section, as increased under (e) of this section, are increased by  
30 two [THREE] percent.

31 \* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 SALARY ADJUSTMENTS FOR CERTAIN EXEMPT OFFICERS AND  
3 EMPLOYEES OF THE EXECUTIVE BRANCH. Public officers and permanent and  
4 temporary employees in the executive branch of the state government, other than the governor  
5 and lieutenant governor, who are in the exempt service under AS 39.25.110, are not members  
6 of a collective bargaining unit established under AS 23.40.070 - 23.40.260 (Public  
7 Employment Relations Act), and are not otherwise covered by AS 39.27.011(a), are entitled  
8 to receive salary adjustments comparable to those received by classified and partially exempt  
9 employees of the executive branch under AS 39.27.011(a), as repealed and reenacted by sec.  
10 1 of this Act, and AS 39.27.011(e) and (f), as amended by secs. 2 and 3 of this Act.

11 \* Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 SALARY ADJUSTMENTS FOR CERTAIN EMPLOYEES OF THE JUDICIAL  
14 BRANCH. (a) Permanent and temporary employees in the judicial branch of the state  
15 government, other than magistrates and judicial officers, who are not members of a collective  
16 bargaining unit established under AS 23.40.070 - 23.40.260 (Public Employment Relations  
17 Act) are entitled to receive salary adjustments comparable to those received by classified and  
18 partially exempt employees of the executive branch under AS 39.27.011(a), as repealed and  
19 reenacted by sec. 1 of this Act, and AS 39.27.011(e) and (f), as amended by secs. 2 and 3 of  
20 this Act.

21 (b) Justices of the supreme court, judges of the court of appeals and the superior and  
22 district courts, and magistrates are entitled to receive salary adjustments provided for in secs.  
23 1 - 3 of this Act, in accordance with AS 22.05.140(d), AS 22.07.090(e), AS 22.10.190(d), and  
24 AS 22.15.220(b) and (c).

25 \* Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to  
26 read:

27 SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE UNIVERSITY OF  
28 ALASKA. The employees of the University of Alaska who are not members of a collective  
29 bargaining unit are entitled to receive salary increases in accordance with the compensation  
30 policy of the Board of Regents of the University of Alaska.

31 \* Sec. 7. This Act takes effect July 1, 2005.

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB98 Amended  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: All  
Title Compensation of non-covered employees RDU Alaska Court System  
Component All  
Sponsor Rules Committee  
Requester Alaska Court System Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	1,618.3	2,477.7	2,477.7	2,477.7	2,477.7	2,477.7
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,618.3</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,618.3	2,477.7	2,477.7	2,477.7	2,477.7	2,477.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>1,618.3</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>

Estimate of any current year (FY2005) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill revises the salary schedules for judges, magistrates, and non-judicial employees of the Alaska Court System. No employees of the court system are members of a bargaining unit at the present time.

This amended fiscal note was required to address the calculation of the increased salary amounts for judicial officers, which were incorrectly calculated in the previously submitted fiscal note.

Prepared by: C.S. Christensen III, Deputy Administrative Director Phone 463-4736  
Division Alaska Court System Date/Time 4/12/05 10:06 AM  
Approved by: Stephanie Cole, Administrative Director Date 4/12/2005  
Agency Alaska Court System

FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

BILL NO. HB98

ANALYSIS CONTINUATION

<u>Component</u>	<u>FY2006</u>	<u>FY2007</u>
Appellate Courts	142.6	215.9
Trial Courts	1,314.7	1,992.7
Administration	140.3	234.0
Alaska Judicial Council	16.1	27.2
Alaska Judicial Conduct	4.6	7.9
Total General Funds	1,618.3	2,477.7

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1  
 Bill Version: HB 98  
 (H) Publish Date: 1/21/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: All  
 Title Compensation of non-covered employees RDU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Sponsor Rules Committee  
 Requester Governor Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	9,829.5	12,834.5	12,834.5	12,834.5	12,834.5	12,834.5
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>9,829.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE -- See attachments** (Thousands of Dollars)

1002 Federal Receipts	379.3	500.5				
1003 GF Match	78.9	102.7				
1004 GF	4,109.0	5,364.8				
1005 GF/Program Receipts	33.0	38.5				
1007 GF/Mental Health	213.8	282.4				
Other (See Attached for FY 05)	5,015.5	6,545.6				
<b>TOTAL</b>	<b>9,829.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>	<b>12,834.5</b>

Estimate of any current year (FY2005) cost: 00

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill provides that for particular state employees not covered by collective bargaining agreements in the executive, legislative, and judicial branches, a revised salary schedule is established bringing the salaries into conformity with previously negotiated salaries for the supervisory bargaining unit. Additionally, these employees would receive a two percent across-the-board increase in fiscal years 2006 and 2007, to parallel certain recently negotiated collective bargaining unit increases.

Prepared by: Joan Brown, Chief Analyst Phone: 465-4681  
 Division: Office of Management and Budget Date/Time: 1/13/05 2:04 PM  
 Approved by: Cheryl Frasca, Director Date: 1/13/2005  
 Agency: Office of Management and Budget

## Department Summary

### FY2006 Non-covered Employees Salary Bill

Department	GF	Federal	Other	Total	PFT
Administration	950.0	0.0	263.4	1,213.4	0
Commerce	28.0	3.3	883.3	914.6	0
Corrections	153.3	0.0	0.0	153.3	0
Educ & Early Devel	83.2	2.6	408.3	494.1	0
Environ Conservation	29.9	16.2	20.1	66.2	0
Fish and Game	271.8	12.9	69.9	354.6	0
Governor	720.6	4.4	17.4	742.4	0
Health & Social Svcs	358.8	233.9	23.9	616.6	0
Labor & Workforce	78.0	61.2	75.1	214.3	0
Law	1,194.1	13.3	635.3	1,842.7	0
Military & Veterans Affairs	79.4	8.9	16.3	104.6	0
Natural Resources	253.4	17.9	212.2	483.5	0
Public Safety	94.5	0.0	15.3	109.8	0
Revenue	80.6	4.7	2,135.7	2,221.0	0
Transportation	59.1	0.0	239.3	298.4	0
<b>General Funds:</b>				<b>4,434.7</b>	
<b>Federal Funds:</b>				<b>379.3</b>	
<b>Other Funds:</b>				<b>5,015.5</b>	
<b>Total:</b>				<b>9,829.5</b>	
<b>Permanent Full Time:</b>				<b>0</b>	
<b>Permanent Part Time:</b>				<b>0</b>	
<b>Non Permanent:</b>				<b>0</b>	
<b>Total Positions:</b>				<b>0</b>	

Statewide Totals - Operating Budget

DRAFT

Description	FY2006 Non-covered Employees Salary Bill
Statewide Totals	9,829.5

**Objects of Expenditure:**

71000 Personal Services	9,829.5
72000 Travel	0.0
73000 Services	0.0
74000 Commodities	0.0
75000 Capital Outlay	0.0
77000 Grants & Benefits	0.0
78000 Debt Service	0.0

**Funding Sources:**

1002 Fed Repts	379.3
1003 C/F Match	78.9
1004 Gen Fund	4,109.0
1005 GF/Prgm	33.0
1007 VA Repts	1,067.2
1017 Bus Sys	3.9
1018 EVOSS	57.2
1021 Agric Loan	3.1
1023 FICA Acct	0.3
1024 Fish/Game	3.5
1026 Hwy Capill	8.5
1027 Int Airprt	54.0
1029 P/E Retire	7.6
1034 Teach Ret	3.1
1036 Cm Fish Ln	6.5
1037 GF/MI	213.0
1040 Surety Fnd	1.5
1045 Nat Guard	0.1
1046 Stdat Loan	2.0
1050 PFD Fund	11.1

Statewide Totals - Operating Budget

DRAFT

Description	FY2006 Non-covered Employees Salary Bill
1052 Oil/Haz Fd	11.1
1055 IWOIL HAZ	23.7
1061 CIP Rcpts	374.5
1066 Pub School	6.9
1070 Fish En Ln	0.7
1075 Clean Wtr	1.5
1076 Marine Hwy	36.5
1081 Info Svc	15.4
1092 MHTAAR	57.3
1093 Clean Air	0.1
1094 MHT Admin	68.8
1098 ChildTrErn	1.4
1100 ADWF	1.5
1101 AERO Rcpts	166.9
1102 AIDEA Rcpt	170.2
1103 AHFC Rcpts	1,568.6
1104 MBB Rcpts	4.8
1105 PFund Rcpt	292.1
1106 P-Sec Rcpt	401.1
1108 Stat Desiq	43.0
1134 F&G CFP	6.2
1141 RCA Rcpts	80.3
1142 RHIF/ISM	2.6
1143 RHIF/LTC	1.6
1147 PublicBldg	1.5
1152 AFSC Rcpts	3.6
1153 State Land	20.9
1156 Rcpt Svcs	207.5
1157 Wkrs Safe	21.6
1162 AOGCC Rcpt	147.7
1164 RDIF	0.1
1166 Vessel Con	0.1
1168 Tob Fr/Cus	5.5
1169 PCE Endow	4.1

Statewide Totals - Operating Budget

DRAFT

Description	FY2006 Non-covered Employees Salary Bill
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1170 SmBusEDRLF	0.1
1172 Bldg Safe	1.2
1175 BLic Rcpts	34.6
1180 Alcohol Fd	0.6

**Totals:**

General Funds	4,434.7
Federal Funds	379.3
Other Funds	5,015.5

**Positions:**

Permanent Full Time	0
Permanent Part Time	0
Non Permanent	0

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: CSHB 98(STA)  
(H) Publish Date: 2/18/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title: "An Act relating to the compensation of BRU All  
certain public officials, officers, and employees ...." Component: All  
Sponsor: House Rules by request of the Governor  
Requestor: Senate Finance Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	1,650.2	2,156.0	2,156.0	2,156.0	2,156.0	2,156.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>1,650.2</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,650.2	2,156.0	2,156.0	2,156.0	2,156.0	2,156.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>1,650.2</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>

Estimate of any current year (FY2005) cost: 0.0  
Check 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)  
This bill provides that for particular state employees not covered by collective bargaining agreements in the Executive, Legislative, and Judicial Branches, a revised salary schedule is established bringing the salaries into conformity with previously negotiated salaries for the supervisory bargaining unit. Additionally, these employees would receive a two percent across-the-board increase in fiscal years 2006 and 2007, to parallel certain recently negotiated collective bargaining unit increases.  
  
This fiscal note reflects the cost of these increases for the Legislative Branch only.

Prepared by: Karla Scheldt, Dep. Dir. Staff Liaison, Human Resources Mgr Phone: 465-6626  
Division: Administrative Services Date/Time: 1/24/05 3:40 PM  
Approved by: Pamela Varn, Executive Director Date: 1/24/2005  
Agency: Legislative Affairs Agency

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Replacement

Fiscal Note Number: 3  
Bill Version: CSHB 98(STA)  
(H) Publish Date: 2/18/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: All  
Title: Compensation of non-covered employees RDU: Alaska Court System  
Component: All  
Sponsor: Rules Committee  
Requester: Alaska Court System Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	1,267.7	2,116.9	2,116.9	2,116.9	2,116.9	2,116.9
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,267.7</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,267.7	2,116.9	2,116.9	2,116.9	2,116.9	2,116.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>1,267.7</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>	<b>2,116.9</b>

Estimate of any current year (FY2005) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill provides a revised salary schedule for employees of the Alaska Court System, bringing their salaries into conformity with previously negotiated salaries for the supervisory bargaining unit in the Executive Branch. In addition, these employees would receive a two percent across-the-board increase in fiscal years 2006 and 2007, to parallel certain recently negotiated bargaining unit increases. Employees of the court system are not members of a bargaining unit at the present time.

Prepared by: C S. Christensen III, Deputy Administrative Director Phone 463-4736  
Division: Alaska Court System Date/Time 2/16/05 11:40 AM  
Approved by: Stephanie Cole, Administrative Director Date 02/16/05  
Agency: Alaska Court System

FISCAL NOTE #3

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

BILL NO. CSHB 98(STA)

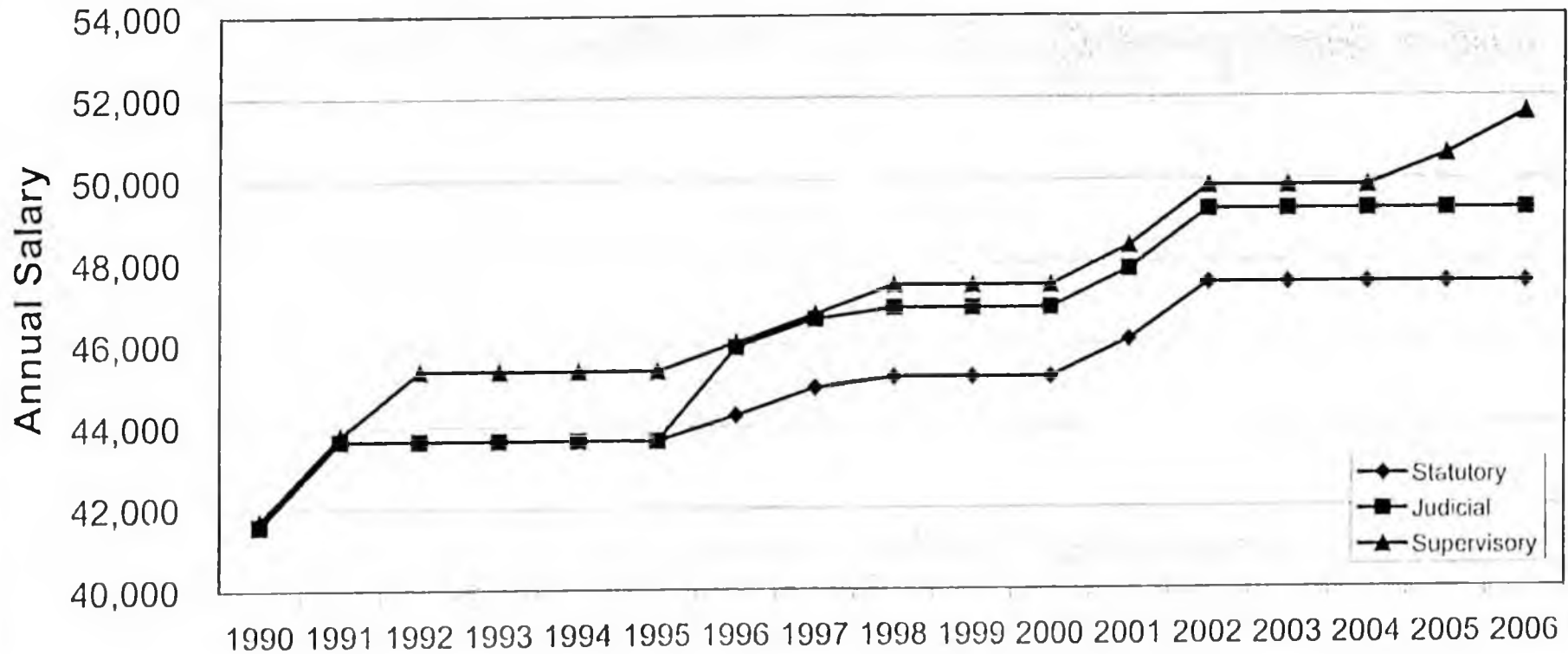
ANALYSIS CONTINUATION

<u>Component</u>	<u>FY2006</u>	<u>FY2007</u>
Appellate Courts	100.1	172.4
Trial Courts	1,009.3	1,678.3
Administration	137.6	231.1
Alaska Judicial Council	16.1	27.2
Alaska Judicial Conduct	4.6	7.9
Total General Funds	1,267.7	2,116.9

## Comparison of Statutory, Judicial and Supervisory Salary Schedules

Year	Statutory	Judicial	Supervisory
1990	41,568	41,568	41,688
1991	43,644	43,644	43,776
1992	43,644	43,644	45,348
1993	43,644	43,644	45,348
1994	43,644	43,644	45,348
1995	43,644	43,644	45,348
1996	44,256	45,912	46,032
1997	44,916	46,596	46,728
1998	45,180	46,872	47,424
1999	45,180	46,872	47,424
2000	45,180	46,872	47,424
2001	46,080	47,808	48,372
2002	47,460	49,248	49,824
2003	47,460	49,248	49,824
2004	47,460	49,248	49,824
2005	47,460	49,248	50,568
2006	47,460	49,248	51,576

Annual salary based on Range 18C with no geographic differential  
Comparable to Attorney I, Accountant III and Revenue Auditor III



Source: AKPAY

x:Projects/Historical Wage Negotiations/BU vs Noncovered Wage Increases since 1990-Log-050126

Prepared by C. Preecs, Human Resource Specialist, Division of Personnel

### Historical Negotiated Wage Increase Summary

% CPI Change	Year	CPI-U	Wage Increases for Noncovered (XE & PX)	Wage Increases for XJ	Negotiated Wage Incr GGU 2&3	Negotiated Wage Incr GGU 1	Negotiated Wage Incr SU	Negotiated Wage Incr LTC	Negotiated Wage Incr CEA	Negotiated Wage Incr PSEA	Negotiated Wage Incr TEAME	Negotiated Wage Incr AVTECTA	Negotiated Wage Incr ACSEA
6.2%	1990	118.6	3.30	3.30	3.30	4.25	3.3,4.08	3.3,4.6	3.30	3.30	1.70		
4.6%	1991	124	5.00	5.00	5.00	5.00	5.00	4.5,3.2	5.00	5.00	5.00		
3.4%	1992	128.2			3.60	3.60	3.60	3.60	3.60	3.60	3.60		
3.1%	1993	132.2											
2.1%	1994	135			0.00	-					1.60		
2.9%	1995	138.9			0.00	-			2.50		2.00		1.40
2.7%	1996	142.7	1.40	5.20	1.40	1.40	1.40	1.40	0.00	1.50	3.00		
1.5%	1997	144.8	1.50	1.50	0.75	0.75	0.75	0.75	1.50	1.50		0.75	
1.5%	1998	146.9	0.60	0.60	0.75	0.75	0.75	0.75	0.00	1.50			
1.0%	1999	148.4			0.00	-							
1.7%	2000	150.9	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump	1200 Lump
3%	2001	155.2	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
2%	2002	158.2	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
3%	2003	162.5											

\* (PSEA) 1.5% went to health trust as lump sum payment

\* (LTC) 3.30 % wage increase for class 2&3 employees; 4.60% wage increase for class 1 employees

## Annual Salary at Range 16C by Designated Salary Schedule

Salary Schedules	Annual Salary 16 C	Annual Salary 16C (effective 2006)
Supervisory	43,296	44,820
Confidential	42,888	44,616
Judicial	42,744	42,744
General Govt	42,468	43,968
Post Secondary	41,376	41,376
Statutory	41,184	41,184

This list of Salary Schedules does not include, Labor, Trades and Crafts, Troopers, Airport Safety Officers and Marine units or Teachers who have a different salary range scales that do not include range 16.

### Comparison of Statutory and Supervisory Salary Schedules after bargained increases

Range 23 in Supervisory Salary Schedule effective 2006

Step A	Step B	Step C	Step D	Step E	Step F
67212	69720	71916	<b>74508</b>	76980	79824

Range 26 in Statutory Salary Schedule if no changes occur

Step A	Step B	Step C	Step D	Step E	Step F
<b>73752</b>	76248	78828	81744	84816	87852

**HB**

**98**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 5/4/05

FURTHER:

REPORTED OUT

MAY 8 2005

SENATE FINANCE  
COMMITTEE

DATE TURNED IN TO OFFICE: 8 May 2005

Finance Committee considered CS FOR HOUSE BILL NO. 98(RLS)

## HB 98 NONUNION PUBLIC EMPLOYEE SALARY & BENEFIT

"An Act relating to the compensation of the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date."

and recommends:

- be replaced with S CS CS HB 98 ( FIN )
- adopt previous \_\_\_\_\_ CS CS forthcoming ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Ind.	Zero	FN#
Legislature	1/24/05	1,650.2			#2
Court	4/12/05	1,618.3			#4
Att	4/29/05	10,463			#5

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do Pass	Do NOT Pass	NO REC	AMEND
	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>			
COCHAIR:	<input checked="" type="checkbox"/>			
COCHAIR:	<input checked="" type="checkbox"/>			

# FISCAL NOTE

REPORTED OUT

MAY 8 2005

SENATE FINANCE  
COMMITTEE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2  
 Bill Version: CSHB 98(STA)  
 (H) Publish Date: 2/18/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
 Title: "An Act relating to the compensation of certain public officials, officers, and employees ....." BRU: All  
 Sponsor: House Rules by request of the Governor Component: All  
 Requestor: Senate Finance Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	1,650.2	2,156.0	2,156.0	2,156.0	2,156.0	2,156.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>1,650.2</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>

<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
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<b>CHANGE IN REVENUES ( )</b>	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,650.2	2,156.0	2,156.0	2,156.0	2,156.0	2,156.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>1,650.2</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>	<b>2,156.0</b>

Estimate of any current year (FY2005) cost: 0.0

Check 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)

This bill provides that for particular state employees not covered by collective bargaining agreements in the Executive, Legislative and Judicial Branches, a revised salary schedule is established bringing the salaries into conformity with previously negotiated salaries for the supervisory bargaining unit. Additionally, these employees would receive a two percent across-the-board increase in fiscal years 2006 and 2007, to parallel certain recently negotiated collective bargaining unit increases.

This fiscal note reflects the cost of these increases for the Legislative Branch only.

Prepared by: Karla Schofield, Dep. Dir., Skill Lobaugh, Human Resource Mgr Phone: 465-6626  
 Division: Administrative Services Date/Time: 1/24/05 3:40 PM  
 Approved by: Pamela Varni, Executive Director Date: 1/24/2005  
 Agency: Legislative Affairs Agency

MAY 8 2005

SENATE FINANCE COMMITTEE

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 4  
Bill Version: CSHB 92(STA)  
(H) Publish Date: 4/14/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: All  
Title: Compensation of non-covered employees RDU: Alaska Court System  
Component: All  
Sponsor: Rules Committee  
Requester: Alaska Court System Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	1,618.3	2,477.7	2,477.7	2,477.7	2,477.7	2,477.7
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,618.3</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,618.3	2,477.7	2,477.7	2,477.7	2,477.7	2,477.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>1,618.3</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>	<b>2,477.7</b>

Estimate of any current year (FY2005) cost: 00

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill revises the salary schedules for judges, magistrates, and non-judicial employees of the Alaska Court System. No employees of the court system are members of a bargaining unit at the present time.

This amended fiscal note was required to address the calculation of the increased salary amounts for judicial officers, which were incorrectly calculated in the previously submitted fiscal note.

Prepared by: C S. Christensen III, Deputy Administrative Director Phone: 463-4736  
Division: Alaska Court System Date/Time: 4/12/05 10:06 AM  
Approved by: Stephanie Cole, Administrative Director Date: 4/12/2005  
Agency: Alaska Court System

FISCAL NOTE #4

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

BILL NO. CSHB 98(STA)

ANALYSIS CONTINUATION

<u>Component</u>	<u>FY2006</u>	<u>FY2007</u>
Appellate Courts	142.6	215.9
Trial Courts	1,314.7	1,992.7
Administration	140.3	234.0
Alaska Judicial Council	16.1	27.2
Alaska Judicial Conduct	4.6	7.9
Total General Funds	1,618.3	2,477.7

# FISCAL NOTE

REPORTED OUT  
  
MAY 8 2005  
  
SENATE FINANCE  
COMMITTEE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: 5  
 Bill Version: CSHB 98(RLS)  
 (H) Publish Date: 4/30/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: All  
 Title Compensation of non-covered employ .es RDU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Sponsor Rules Committee  
 Requester Governor Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	10,463.0	13,696.3	13,713.0	13,713.0	13,713.0	13,713.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>10,463.0</b>	<b>13,696.3</b>	<b>13,713.0</b>	<b>13,713.0</b>	<b>13,713.0</b>	<b>13,713.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE -- See attachments** (Thousands of Dollars)

1002 Federal Receipts	382.9	532.8				
1003 GF Match	78.9	109.3				
1004 GF	4,610.4	5,745.2				
1005 GF/Program Receipts	33.0	41.0				
1037 GF/Mental Health	213.8	300.6				
Other (See Attached for FY 06)	5,144.0	6,967.4				
<b>TOTAL</b>	<b>10,463.0</b>	<b>13,696.3</b>	<b>13,713.0</b>	<b>13,713.0</b>	<b>13,713.0</b>	<b>13,713.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill provides that for particular state employees not covered by collective bargaining agreements in the executive, legislative, and judicial branches, a revised salary schedule is established bringing the salaries into conformity with previously negotiated salaries for the supervisory bargaining unit. Additionally, these employees would receive a two percent across-the-board increase in fiscal years 2006 and 2007, to parallel certain recently negotiated collective bargaining unit increases. The Governor and Lt. Governor salary increases are for seven months in FY2007 and a full year in FY2008.

Prepared by: Joan Brown, Chief Analyst Phone 465-4681  
 Division Office of Management and Budget Date/Time 4/27/05 4:35 PM  
 Approved by: Cheryl Frasca, Director Date 4/27/2005  
 Agency Office of Management and Budget

## COMMITTEE COPY

Department Summary

Department	FY2006 Non-covered Pay HB98 Amd				PFT
	GF	Federal	Other	Total	
Administration	985.1	0.0	263.4	1,248.5	0
Commerce	73.1	6.9	1,011.8	1,091.8	0
Corrections	188.4	0.0	0.0	188.4	0
Educ & Early Devel	118.3	2.6	408.3	529.2	0
Environ Conservation	65.0	16.2	20.1	101.3	0
Fish and Game	306.9	12.9	69.9	389.7	0
Governor	720.6	4.4	17.4	742.4	0
Health & Social Svcs	393.9	233.9	23.9	651.7	0
Labor & Workforce	113.1	61.2	75.1	249.4	0
Law	1,229.2	13.3	635.3	1,877.8	0
Military & Veterans Affairs	114.5	8.9	16.3	139.7	0
Natural Resources	288.5	17.9	212.2	518.6	0
Public Safety	129.6	0.0	15.3	144.9	0
Revenue	115.7	4.7	2,135.7	2,256.1	0
Transportation	94.2	0.0	239.3	333.5	0
<b>General Funds:</b>				<b>4,936.1</b>	
<b>Federal Funds:</b>				<b>382.9</b>	
<b>Other Funds:</b>				<b>5,144.0</b>	
<b>Total:</b>				<b>10,463.0</b>	
<b>Permanent Full Time:</b>				<b>0</b>	
<b>Permanent Part Time:</b>				<b>0</b>	
<b>Non Permanent:</b>				<b>0</b>	
<b>Total Positions:</b>				<b>0</b>	

## Statewide Totals - Operating Budget

Description	FY2006 Non-covered Pay HB98 Amd
<hr/>	
Statewide Totals	10,463.0
<b>Objects of Expenditure:</b>	
71000 Personal Services	10,463.0
72000 Travel	0.0
73000 Services	0.0
74000 Commodities	0.0
75000 Capital Outlay	0.0
77000 Grants & Benefits	0.0
78000 Debt Service	0.0
<b>Funding Sources:</b>	
1002 Fed Rcpts	382.9
1003 G/F Match	78.9
1004 Gen Fund	4,610.4
1005 GF/Prgm	33.0
1007 I/A Rcpts	1,067.2
1017 Ben Sys	3.9
1018 EVOSS	57.2
1021 Agric Loan	3.1
1023 FICA Acct	0.3
1024 Fish/Game	3.5
1026 Hwy Capitl	8.5
1027 Int Airprt	54.0
1029 P/E Retire	7.6
1034 Teach Ret	3.1
1036 Cm Fish Ln	6.5
1037 GF/MH	213.8
1040 Surety Fnd	1.5
1045 Nat Guard	0.1
1046 Stdnt Loan	2.0
1050 PFD Fund	11.1

Statewide Totals - Operating Budget

Description	FY2006 Non-covered Pay HB98 Amd
1052 Oil/Haz Fd	11.1
1055 I/OIL HAZ	23.7
1061 CIP Rcpts	438.4
1062 Power Proj	51.3
1066 Pub School	6.9
1070 Fish En Ln	0.7
1074 Bulk Fuel	2.7
1075 Clean Wtr	1.5
1076 Marine Hwy	36.5
1081 Info Svc	15.4
1092 MHTAAR	57.3
1093 Clean Air	0.1
1094 MHT Admin	68.8
1098 ChildTrErn	1.4
1100 ADWF	1.5
1101 AERO Rcpts	166.9
1102 AIDEA Rcpt	170.2
1103 AHFC Rcpts	1,568.6
1104 MBB Rcpts	4.8
1105 PFund Rcpt	292.1
1106 P-Sec Rcpt	401.1
1108 Stat Desig	53.6
1134 F&G CFP	6.2
1141 RCA Rcpts	80.3
1142 RHIF/MM	2.6
1143 RHIF/LTC	1.6
1147 PublicBldg	1.5
1152 AFSC Rcpts	3.6
1153 State Land	20.9
1156 Rcpt Svcs	207.5
1157 Wrks Sale	21.6
1162 AOGCC Rcpt	147.7
1164 RDIF	0.1
1166 Vessel Com	0.1

Statewide Totals - Operating Budget

Description	FY2006 Non-covered Pay HB98 Amd
1168 Tob Ed/Ces	5.5
1169 PCE Endow	4.1
1170 SmBusEDRLF	0.1
1172 Bldg Safe	1.2
1175 BLic&Corp	34.6
1180 Alcohol Fd	0.6
<b>Totals:</b>	
General Funds	4,936.1
Federal Funds	382.9
Other Funds	5,144.0
<b>Positions:</b>	
Permanent Full Time	0
Permanent Part Time	0
Non Permanent	0

adopted

1 government, other than magistrates and judicial officers, who are not members of a collective  
 2 bargaining unit established under AS 23.40.070 - 23.40.260 (Public Employment Relations  
 3 Act) are entitled to receive salary adjustments comparable to those received by classified and  
 4 partially exempt employees of the executive branch under AS 39.27.011(a), as repealed and  
 5 reenacted by sec. 5 of this Act, and AS 39.27.011(e) and (f), as amended by secs. 6 and 7 of  
 6 this Act.

7 (b) Justices of the supreme court, judges of the court of appeals and the superior and  
 8 district courts, and magistrates are entitled to receive salary adjustments provided for in secs.  
 9 5 - 7 of this Act, in accordance with AS 22.05.140(d), AS 22.07.090(c), AS 22.10.190(d), and  
 10 AS 22.15.220(b) and (e).

11 \* Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to  
 12 read:

13 SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE UNIVERSITY OF  
 14 ALASKA. The employees of the University of Alaska who are not members of a collective  
 15 bargaining unit are entitled to receive salary increases in accordance with the compensation  
 16 policy of the Board of Regents of the University of Alaska.

17 \* Sec. 12. The uncodified law of the State of Alaska is amended by adding a new section to  
 18 read:

19 BONUSES FOR CERTAIN LEGISLATIVE EMPLOYEES. In addition to  
 20 compensation authorized under AS 24.10.200, <sup>and AS 24.10.210</sup> an employee of the <sup>house of representatives or</sup>  
 21 ~~senate~~ <sup>legislature</sup> may be awarded and paid a bonus to reward extraordinary effort, competency, job  
 22 performance, or uncompensated overtime. However, after January 1, 2005, the authority to  
 23 award and pay a bonus under this section is terminated, and bonuses may not be awarded or  
 24 paid after that date.

25 \* Sec. 13. Section 1 of this Act takes effect January 16, 2007.

26 \* Sec. 14. Sections 2, 3, and 8 of this Act take effect December 4, 2006.

27 \* Sec. 15. Sections 4 - 7 and 9 - 11 of this Act take effect July 1, 2005.

28 \* Sec. 16. Except as provided in secs. 13, 14, and 15 of this Act, this Act takes effect  
 29 immediately under AS 01.10.070(c).

~~Adopted~~ 5/8/05

WORK DRAFT

WORK DRAFT

WORK DRAFT

24-GH1099\X  
Craver  
5/8/05

SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the compensation of legislators, the governor, the lieutenant  
2 governor, and certain public officials, officers, and employees not covered by collective  
3 bargaining agreements; and providing for an effective date."

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

5 \* Section 1. AS 24.10.100 is amended to read:

6       Sec. 24.10.100. Salary of legislators. The monthly salary for each member of  
7 the legislature is equal to Step A, Range 10, of the salary schedule in  
8 AS 39.27.011(a) [\$2,001]. The president of the senate and the speaker of the house of  
9 representatives are each entitled to an additional \$500 a year during tenure of office.

10 \* Sec. 2. AS 39.20.010(a) is amended to read:

11       Sec. 39.20.010. Annual salary of governor. (a) The annual salary of the  
12 governor is \$125,000 [\$81,648].

13 \* Sec. 3. AS 39.20.030(a) is amended to read:

14       Sec. 39.20.030. Annual salary of lieutenant governor. (a) The annual salary

1 of the lieutenant governor is \$100,000 [\$76,188].

2 \* Sec. 4. AS 39.20.080(a) is amended to read:

3 (a) The monthly salary of the head of each principal executive department of  
4 the state is not less than Range 28 nor more than Range 30 [EQUAL TO STEP E,  
5 RANGE 28] of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

6 \* Sec. 5. AS 39.27.011(a) is repealed and reenacted to read:

7 (a) The following monthly basic salary schedule is approved as the pay plan  
8 for classified and partially exempt employees in the executive branch of the state  
9 government who are not members of a collective bargaining unit established under the  
10 authority of AS 23.40.070 - 23.40.260 (Public Employment Relations Act), and for  
11 employees of the legislature under AS 24:

12	Range	Step	Step	Step	Step	Step	Step
13	No.	A	B	C	D	E	F
14	05	1724	1773	1822	1874	1929	1981
15	06	1822	1874	1929	1981	2038	2098
16	07	1929	1981	2038	2098	2163	2230
17	08	2038	2098	2163	2230	2294	2366
18	09	2163	2230	2294	2366	2440	2510
19	10	2294	2366	2440	2510	2587	2663
20	11	2440	2510	2587	2663	2753	2840
21	12	2587	2663	2753	2840	2936	3035
22	13	2753	2840	2936	3035	3142	3255
23	14	2936	3035	3142	3255	3368	3496
24	15	3142	3255	3368	3496	3608	3744
25	16	3368	3496	3608	3744	3878	4015
26	17	3608	3744	3878	4015	4152	4295
27	18	3878	4015	4152	4295	4429	4597
28	19	4152	4295	4429	4597	4740	4914
29	20	4429	4597	4740	4914	5061	5249
30	21	4740	4914	5061	5249	5410	5606
31	22	5061	5249	5410	5606	5788	5997

1	23	5410	5606	5788	5997	6196	6426
2	24	5788	5997	6196	6426	6641	6866
3	25	6196	6426	6641	6866	7115	7379
4	26	6426	6641	6866	7115	7379	7645
5	27	6641	6866	7115	7379	7645	7932
6	28	6866	7115	7379	7645	7932	8209
7	29	7115	7379	7645	7932	8209	8498
8	30	7379	7645	7932	8209	8498	8797

9 \* Sec. 6. AS 39.27.011(e) is amended to read:

10 (e) Effective July 1, 2005 [2001], the amounts set out in the salary schedule  
11 contained in (a) of this section are increased by two percent.

12 \* Sec. 7. AS 39.27.011(f) is amended to read:

13 (f) Effective July 1, 2006 [2002], the amounts set out in the salary schedule  
14 contained in (a) of this section, as increased under (e) of this section, are increased by  
15 two [THREE] percent.

16 \* Sec. 8. AS 39.20.010(b), 39.20.010(c), 39.20.030(b), and 39.20.030(c) are repealed.

17 \* Sec. 9. The uncodified law of the State of Alaska is amended by adding a new section to  
18 read:

19 SALARY ADJUSTMENTS FOR CERTAIN EXEMPT OFFICERS AND  
20 EMPLOYEES OF THE EXECUTIVE BRANCH. Public officers and permanent and  
21 temporary employees in the executive branch of the state government, other than the governor  
22 and lieutenant governor, who are in the exempt service under AS 39.25.110, are not members  
23 of a collective bargaining unit established under AS 23.40.070 - 23.40.260 (Public  
24 Employment Relations Act), and are not otherwise covered by AS 39.27.011(a), are entitled  
25 to receive salary adjustments comparable to those received by classified and partially exempt  
26 employees of the executive branch under AS 39.27.011(a), as repealed and reenacted by sec.  
27 5 of this Act, and AS 39.27.011(e) and (f), as amended by secs. 6 and 7 of this Act.

28 \* Sec. 10. The uncodified law of the State of Alaska is amended by adding a new section to  
29 read:

30 SALARY ADJUSTMENTS FOR CERTAIN EMPLOYEES OF THE JUDICIAL  
31 BRANCH. (a) Permanent and temporary employees in the judicial branch of the state

1 government, other than magistrates and judicial officers, who are not members of a collective  
2 bargaining unit established under AS 23.40.070 - 23.40.260 (Public Employment Relations  
3 Act) are entitled to receive salary adjustments comparable to those received by classified and  
4 partially exempt employees of the executive branch under AS 39.27.011(a), as repealed and  
5 reenacted by sec. 5 of this Act, and AS 39.27.011(e) and (f), as amended by secs. 6 and 7 of  
6 this Act.

7 (b) Justices of the supreme court, judges of the court of appeals and the superior and  
8 district courts, and magistrates are entitled to receive salary adjustments provided for in secs.  
9 5 - 7 of this Act, in accordance with AS 22.05.140(d), AS 22.07.090(c), AS 22.10.190(d), and  
10 AS 22.15.220(b) and (e).

11 \* Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to  
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13 SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE UNIVERSITY OF  
14 ALASKA. The employees of the University of Alaska who are not members of a collective  
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16 policy of the Board of Regents of the University of Alaska.

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19 BONUSES FOR CERTAIN LEGISLATIVE EMPLOYEES. In addition to  
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21 ~~senate~~ may be awarded and paid a bonus to reward extraordinary effort, competency, job  
22 performance, or uncompensated overtime. However, after January 1, 2005, the authority to  
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24 paid after that date.

25 \* Sec. 13. Section 1 of this Act takes effect January 16, 2007.

26 \* Sec. 14. Sections 2, 3, and 8 of this Act take effect December 4, 2006.

27 \* Sec. 15. Sections 4 - 7 and 9 - 11 of this Act take effect July 1, 2005.

28 \* Sec. 16. Except as provided in secs. 13, 14, and 15 of this Act, this Act takes effect  
29 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 2005 TIME: 8:25 pm

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 2

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

NOTES: Final Please  
SCS CS -IB 98 (FIN) 24-GH10991-EX  
Craver 5/7/05  
plus 1 amendment - attached  
Thix  
Mindy

SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

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13 \* Sec. 3. AS 39.20.030(a) is amended to read:

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