

914

HJ

HB 183

-

HB

215

4

HB

183

COMMITTEE REPORT

(9)

HOUSE

2/20/80

FURTHER:

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 183

"An Act providing for public disclosure of contractors and the terms of public contracts; effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 183 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

P. W. E. III - D. H.
Buehler
Nels G. Anderson
Charles H. Papp
H. Malone

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Terry Martin - Do not pass

Charles H. Papp

CHAIRMAN

JUDICIARY

HB 133

2/20/80

I don't need an amendment to change
"First Session" to "Second Session"
as I can change in engrossing.
edith

SUGGESTED HOUSE BILL NO. 183

A BILL

For an Act entitled: "An Act providing for public disclosure of contractors and terms of public contracts; and providing for an effective date."

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

* Section 1. AS 44.21 is amended by adding a new section to read:

Sec. 44.21.035. REPORT OF PUBLIC CONTRACTS. (a) The Department of Administration shall publish, not later than December 31 of each year, a report which indicates

- (1) the name of contractors contracting to receive state funds appropriated during the previous fiscal year;
- (2) whether:
 - (a) the business address is in state, or
 - (b) the contractor has an Alaskan Business License
- (3) a summary of the major terms of the contracts, including the contract period, the consideration, and the product, service or work contracted for.

(b) Upon request, the department shall provide an annual report to the legislature and to public libraries in the state. Individuals may obtain a personal copy of the report at cost.

(c) In this section, "contractors" includes those vendors receiving ^{purchase} orders, ~~lease~~ vouchers and professional services contract as processed by the Department of Administration in its role as centralized purchasing agent.

This act takes effective January 1, 1981.

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Department of Administration Proposed Draft HB 183

Title An Act providing for public disclosure of contractors

Requested by House Judiciary Committee

Date 4/22/80

II. FISCAL DETAIL

Agency Affected Administration

Program Category Affected General Government

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		23.3	25.6	28.1	31.0	
200 TRAVEL						
300 CONTRACTUAL		14.6	16.1	17.7	19.4	
400 COMMODITIES		.2	.2	.2	.3	
500 EQUIPMENT		1.4				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		39.5	41.9	46.0	50.7	

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		39.5	41.9	46.0	50.7	
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		1.0	1.0	1.0	1.0	
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

100 Personal Services

Correspondent Secretary II - Range 10B

\$1487 Salary (10B)

225 Benefits (15.15%)

99 Supplemental Benefits

127 Insurance

\$1938 Monthly

\$23,256 Annual Cost

300 Contractual

Printing:

Costs of printing and producing 100 copies of a 400 page document
in Central Duplicating \$1,600

IV. DATE April 23, 1980

PREPARED BY Eileen O'Day

AGENCY Administration

PHONE 465-2290

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

gc PV

Lease

Costs of a one year lease of a WANG OIS 125:

Central Processing Unit	\$7,938
Video Work Station	1,742
Printer	2,430
Software to provide list processing capabilities	900
	<u>\$13,010</u>

TOTAL CONTRACTUAL

\$14,610

400 Commodities

Office Supplies

200

500 Equipment

A one time charge to furnish the work location with
Design Systems furniture

1,400

Assume 10% annual inflation in personal services, contractual and commodities.



Alaska State Legislature

House of Representatives

Committee on Judiciary

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Legislative Affairs Agency

FROM: Margaret W. Berck, Staff

DATE: April 30, 1980

RE: Request for CS for HB 183.

Please provide a CS for HB 183 in final version form for the House Judiciary Committee that incorporates the suggestions of the Department of Administration. (See attached.)

SUGGESTED HOUSE BILL NO. 183

A BILL

For an Act entitled: "An Act providing for public disclosure of contractors and terms of public contracts; and providing for an effective date."

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

* Section 1. AS 44.21 is amended by adding a new section to read:

Sec. 44.21.035. REPORT OF PUBLIC CONTRACTS. (a) The Department of Administration shall publish, not later than December 31 of each year, a report which indicates

- (1) the name of contractors contracting to receive state funds appropriated during the previous fiscal year;
- (2) whether:
 - (a) the business address is in state, or
 - (b) the contractor has an Alaskan Business License
- (3) a summary of the major terms of the contracts, including the contract period, the consideration, and the product, service or work contracted for.

(b) Upon request, the department shall provide an annual report to the legislature and to public libraries in the state. Individuals may obtain a personal copy of the report at cost.

(c) In this section, "contractors" includes those vendors receiving ^{purchase} orders, ~~leases~~ vouchers and professional services contract as processed by the Department of Administration in its role as centralized purchasing agent.

This act takes effective January 1, 1981.

Dick Smith
2200
789-7695

SUGGESTED HOUSE BILL NO. 183

A BILL

For an Act entitled: "An Act providing for public disclosure of contractors and terms of public contracts; and providing for an effective date."

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

* Section 1. AS 44.21 is amended by adding a new section to read:

Sec. 44.21.035. REPORT OF PUBLIC CONTRACTS. (a) The Department of Administration shall publish, not later than December 31 of each year, a report which indicates

- (1) the name of contractors contracting to receive state funds appropriated during the previous fiscal year;
- (2) whether:
 - (a) the business address is in state, or
 - (b) the contractor has an Alaskan Business License
- (3) a summary of the major terms of the contracts, including the contract period, the consideration, and the product, service or work contracted for.

(b) Upon request, the department shall provide an annual report to the legislature and to public libraries in the state. Individuals may obtain a personal copy of the report at cost.

(c) In this section, "contractors" includes those vendors receiving ^{purchase} orders, ~~leases~~ vouchers and professional services contract as processed by the Department of Administration in its role as centralized purchasing agent.

This act takes effective January 1, 1981.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Department of Administration Proposed Draft HB 183

Title An Act providing for public disclosure of contractors

Requested by House Judiciary Committee

Date 4/22/80

II. FISCAL DETAIL

Agency Affected Administration

Program Category Affected General Government

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		23.3	25.6	28.1	31.0	
200 TRAVEL						
300 CONTRACTUAL		14.5	16.1	17.7	19.4	
400 COMMODITIES		.2	.2	.2	.3	
500 EQUIPMENT		1.4				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		39.5	41.9	46.0	50.7	

FUNDING (Thousands of Dollars)

GENERAL FUND		39.5	41.9	46.0	50.7	
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1.0	1.0	1.0	1.0	
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

100 Personal Services

Correspondent Secretary II - Range 10B

\$1487 Salary (10B)

225 Benefits (15.15%)

99 Supplemental Benefits

127 Insurance

\$1938 Monthly

\$23,256 Annual Cost

300 Contractual

Printing:

Costs of printing and producing 100 copies of a 400 page document
in Central Duplicating \$1,600

IV. DATE April 23, 1980

PREPARED BY Eileen O'Day

AGENCY Administration

PHONE 465-2290

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Lease

Costs of a one year lease of a WANG OIS 125:

Central Processing Unit	\$7,938
Video Work Station	1,742
Printer	2,430
Software to provide list processing capabilities	<u>900</u>
	\$13,010

TOTAL CONTRACTUAL

\$14,610

400 Commodities

Office Supplies

200

500 Equipment

A one time charge to furnish the work location with
Design Systems furniture

1,400

Assume 10% annual inflation in personal services, contractual and commodities.

HB

184

COMMITTEE REPORT

HOUSE

FURTHER:

March 12, 1979

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 184

"An Act relating to the delegation of planning and zoning authority by boroughs."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

[Handwritten signatures]

MEMBERS HAVING

OTHER RECOMMENDATIONS:

[Handwritten signature]

CHAIRMAN

Article 4. Planning, Platting and Zoning.

Section

70. Planning, platting and zoning

90. Zoning

Sec. 29.33.070. Planning, platting and zoning. (a) First and second class boroughs shall provide for planning, platting and zoning on an areawide basis.

(b) The assembly by ordinance may

(1) designate the council of a city within the borough as a board of adjustment within the city;

(2) delegate other planning and zoning administrative and enforcement responsibilities to the city, provided that borough jurisdiction is not impaired;

(3) withdraw powers delegated under this subsection. (§ 2 ch 118 SLA 1972; am § 1 ch 17 SLA 1977; am § 7 ch 93 SLA 1977)

Effect of amendments. — The first 1977 amendment, in subsection (b) deleted "If a city within a borough is located more than 25 miles from a boundary of the borough seat" from the beginning of the introductory language and substituted "a city within the borough" for "the city" in paragraph (1).

The second 1977 amendment substituted "First and second class boroughs" for "Boroughs" at the beginning of subsection (a).

Cited in Moor v. State, Sup. Ct. Op. No. 1284 (File Nos. 2551, 2587), 553 P.2d 8 (1976).

Sec. 29.33.090. Zoning. (a) In accordance with the comprehensive plan, the assembly shall regulate and restrict the use of land and improvements by districts or contract zoning to permit specific uses provided for in the contract. Regulations shall be uniform for each class or kind of building, structure, land or water area within each district, but the regulations may differ among districts and exceptions may be made in order to provide for the preservation, maintenance and protection of historic sites, buildings and monuments. In this section, "contract zoning" means a zoning reclassification to a less restricted use when the owner of the rezoned property, either through an agreement with the assembly or a covenant in favor of the borough, places restrictions on the use of the land beyond the zoning requirements generally attaching to the new district in which the property has been placed. The assembly shall hold a public hearing on the proposed contract zoning.

(d) The assembly shall regulate and restrict the use of state land within the borough which is vacant, unappropriated and unreserved and which is found suitable for classification and disposal for homesite entry under AS 38.08.010. Compliance with the provisions of this subsection is a prerequisite to issuance of homesite entry permits for land within the borough.

(am § 1 ch 104 SLA 1974; am § 3 ch 142 SLA 1977)

Effect of am
amendment adde
permit specific u
contract" to the e
subsection (a) a
fourth sentences

The 1977 amer
(d).

As the rest
affected by the a
out.

Editor's note. —
1977, provides: "I
longstanding polic
the Constitution o
VIII, sec. 1) and t
3S.05.350), has
settlement of th

Sec. 29.33.1

Stated in City o
Sup. Ct. Op. No. 1
P.2d 986 (1977).

Sec. 29.33.1

Quoted in City o
Sup. Ct. Op. No. 1
P.2d 986 (1977).

Sec. 29.33.29

Cited in Jefferso
No. 1084 (File No. 2

Chapter 38

Section
20. Second class bo

Sec. 29.38.02
exercise in the
incorporation, c
chapter. Before
seek to have th
borough or prop
SLA 1972)

Cross reference. —
this chapter to th

HB

189

22189

February 12, 1979

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to elevator safety. The bill proposes essentially four changes in the statutory provisions dealing with elevator safety (AS 18.60.800 - 18.60.820).

First, the bill would replace the 1971 national elevator standards with the 1978 standards as the minimum elevator safety standards for Alaska. Second, the bill would adopt the uniform inspection procedures for elevators established by the American National Standards Institute as the standard inspection procedures for elevators in Alaska. Third, the bill would authorize the Department of Labor to establish a schedule of fees for inspections performed by it in order to provide a source of program receipts to offset, in part, the department's costs of administering the elevator safety program. These first three changes would all be accomplished by sec. 1 of the bill.

The fourth change, set out in sec. 2 of the bill, would amend AS 18.60.810 by requiring that emergency power sources on elevators conform with the appropriate standards established by the American National Standards Institute. This would replace the current statutory requirement that the emergency power source be capable of providing lights in the elevator and ringing an alarm for at least five hours.

Sincerely,

JSH

Jay S. Hammond
Governor

*Section 1, AS 18.60.800(a) is amended to read:
(lines 9 through 14)

Section 18.60.800. Elevator Safety Standards. (a) The 1978 [Depart-
ment of Labor shall adopt the 1971] edition of the American National Standards
Institute [Standard] Safety Code for Elevators, Dumbwaiters, Escalators and
Moving Walks and those sections of the American National Practice Inspectors
Manuals that are applicable to Manlifts, Material and Workmen's Hoists and
Stage and Orchestra Lifts, (ANSI A10.4 - 1963), (ANSI A90.1 - 1969), (ANSI
A17.2 - 1973) published by the American Society of Mechanical Engineers is adopted
as the minimum elevator safety code in [Standards of] the state.

* Section 2. AS 18.60.810 is amended to read:
(amend line 5 to read after "ANSI")

17.2 [17.1]

FISCAL NOTE

Revised 3/12/79

I. REQUEST
 Bill/Resolution No. HB 189
 Title An Act Relating to Elevator Safety
 Requested by Office of the Governor Date 3-12-79

II. FISCAL DETAIL
 Agency Affected Department of Labor
 Program Category Affected Life & Property Protection
 BRU, Program, or Subprogram(s) Affected Mechanical Inspection
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Program Receipts		20.2	27.0	27.0	27.0	27.0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

With existing staff, additional expenditures are not expected. This bill would provide for establishment of a fee schedule through departmental regulations.

One elevator inspector is adequate to inspect the 540 elevators in the state. The FY-80 projected revenue will be \$20,250. based on nine months service with three months to promulgate regulations, 45 inspections per month, and an average \$50 inspection fee. FY-81 income should increase to \$27,000. based on 540 elevators, and an average \$50 inspection fee.

IV. DATE 3-12-79 PREPARED BY [Signature]
 AGENCY LABOR
 PHONE 465-2121
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Name)

HB

195

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

February 14, 1979

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 195

"An Act providing for an advisory committee on judicial sentencing practices; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s) same title
- replace with CS for _____ new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

POCCE ORR Do Pass

Terry Martin

Richard O'Connell

Robert Anderson

Charles H. R.

CHAIRMAN

AMENDMENT

OFFERED IN THE HOUSE:

By: House Judiciary

To: _____ HOUSE BILL No. 195

SENATE BILL No. _____

PAGE: 1

LINE: 18 and 23

on line 18 delete "four" and insert "three"

on line 23 delete the period after "legislature" and
insert "; and"

on line 24 insert "(4) one member from another minority,
appointed by the governor.

do not delete the original line 24, just move everything down
one line

Introduced: 2/14/79
Referred: Judiciary and
Finance

BY ANDERSON, FULLER, HURLBERT,
MARTIN, MILLER, MUNSON, OSTERBACK,
PARR AND SCHAEFFER

1 IN THE HOUSE

2 HOUSE BILL NO. 195

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for an advisory committee on judicial
7 sentencing practices; and providing for an effective
8 date."

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

10 * Section 1. ADVISORY COMMITTEE ON JUDICIAL SENTENCING PRACTICES. There
11 is established the Advisory Committee on Judicial Sentencing Practices as a
12 temporary committee to assist the Judicial Council in its review, investiga-
13 tion, and formulation of responses to problems and concerns arising out of
14 the Judicial Council's findings of apparent discrimination in the sentencing
15 of minority persons convicted of crimes in the courts of the state.

16 * Sec. 2. MEMBERSHIP. (a) The Advisory Committee on Judicial Sentencing
17 Practices is composed of nine members, selected as follows:

18 (1) ^{Three} ~~four~~ members, appointed by the Judicial Council, who shall be
19 broadly representative of criminal justice agencies;

20 (2) three Alaska Natives, one appointed by the governor, and one
21 by the presiding officer of each house of the legislature; and

22 (3) two Blacks, one appointed by the presiding officer of each
23 house of the legislature,

24 (4) ^{one member from another minority, appointed by the governor,}
25 (b) Appointments shall be made with due consideration to the
26 availability and willingness of an appointee to devote the time and
27 efforts necessary to permit the committee to function effectively, and
28 with regard to the degree of commitment of an appointee to the principle
29 of equal justice under law for all people. Appointments shall be with-
out regard to political affiliation, and shall be made, if possible,

1 within 20 days of the effective date of this Act, or of the effective
2 date of any vacancy in the membership of the committee.

3 (c) Vacancies in office shall be appointed in the manner provided in
4 (a) of this section.

5 * Sec. 3. COMPENSATION. The members of the Advisory Committee on Judi-
6 cial Sentencing Practices do not receive compensation for their services, but
7 they are entitled to the same travel pay and per diem as state officials and
8 employees.

9 * Sec. 4. CHAIRMAN AND VICE-CHAIRMAN. The members of the Advisory Com-
10 mittee on Judicial Sentencing Practices shall elect a chairman and vice-
11 chairman from the members of the committee.

12 * Sec. 5. MEETINGS. The Advisory Committee on Judicial Sentencing Prac-
13 tices shall meet at least or a every two months to carry out its duties under
14 this Act. The first meeting of the committee shall be convened at the call
15 of the chairman of the Alaska Judicial Council not later than 20 days
16 following appointment of the nine members of the committee.

17 * Sec. 6. DUTIES. The Advisory Committee on Judicial Sentencing Prac-
18 tices shall

19 (1) receive and review reports concerning sentencing, correction,
20 probation, and parole practices and procedures, with particular regard to the
21 treatment of individuals who are members of racial or cultural minorities;

22 (2) hold public hearings and meetings to determine whether racial
23 or cultural minorities are being unfairly disadvantaged in their involvement
24 with the criminal justice system; and

25 (3) complete a report with recommendations for the correction of
26 abuses and violations of the civil rights of racial or cultural minorities
27 that may be found to exist in the criminal justice system, furnishing copies
28 to the Judicial Council, the governor and the presiding officer of each house
29 of the legislature not later than March 1, 1980.

1 * Sec. 7. TERMINATION. The Advisory Committee on Judicial Sentencing
2 Practices terminates March 31, 1980.

3 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
4 dance with AS 01.10.070(c).

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

HB

196

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

February 14, 1979

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 196

"An Act making a special appropriation to the Judicial Council; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

P. D. ...

Terry ...

Patrick ...

Wesley ...

Charles ...

Charles ...

CHAIRMAN

Carol Hodge

276-7070

KAKM

3211 Providence Dr.

99504

MB 195 & 196

HCR 5

February 13, 1979

I. Investigators

a)	Coders: 5, at \$937.50/month + 9% benefits, x 6.4 months	= \$32,700
b)	Evaluation Methodologist, part-time, \$958.40/mo. x 9 months + benefits	= 9,108
c)	Statistical Advisor, 50 hours at \$16.88/hr.	= 844
d)	Computer Programmer, \$500/month x 8 months	= 4,000
e)	Data Analyst, 5.5 months	= <u>8,053</u>
	Subtotal, Investigators	= \$56,955

II. Staff Travel

5 Coders, coding supervisor and evaluation methodologist based in Anchorage. Travel costs and per diem to Barrow, Bethel, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Nome, and Sitka.

= \$15,850

III. Contractual and Other

a)	Key punch charges, estimated, for 1700 defendants, 3-4 cards per defendant	= \$ 1,500
b)	Computer charges, average per month, \$1166.67	= 10,500
c)	Supplies	= <u>195</u>
	Subtotal, Contractual	= \$12,195

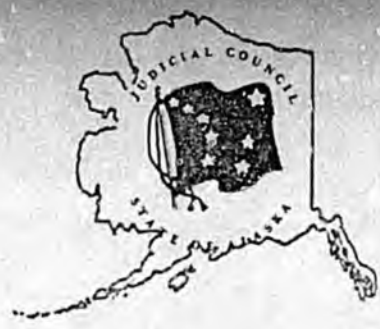
Total, Investigative Expenses = \$85,000

Advisory Board Travel

Transportation of members of the Advisory Committee on Judicial Sentencing Practices to meetings: = \$ 5,000

Total, State General Funds = \$90,000

Klrop - for Com.



Alaska Judicial Council

EXECUTIVE DIRECTOR
MICHAEL L. RUBINSTEIN

303 K STREET
ANCHORAGE, ALASKA
99501

LAY MEMBERS
KENNETH L. GRADY
JOHN E. LONGWORTH
ROBERT H. MOSS

LAW MEMBERS
MARCUS R. CLAPP
MICHAEL M. HOLMES
JOSEPH L. YOUNG

CHAIRMAN, EX OFFICIO
JAY A. RABINOWITZ
CHIEF JUSTICE
SUPREME COURT

February 13, 1979

Enclosed is the suggested budget for the Investigation of Judicial Sentencing Practices by the Judicial Council. The items under Investigators titled Evaluation Methodologist and Statistical Advisor provide for the services of Professors Stevens Clarke and Gary Koch (resumes enclosed) who have worked with us on all of our previous studies. As you will see from their resumes, they are very well qualified to assist in the research which we are undertaking.

Thank you for your help. Let me know if you need any more detailed information. We are looking forward to receiving our copy of the legislation in its final form.

Sincerely,

Teresa J. White

Teresa J. White
Research Supervisor

Enclosure

↓
Copy sent

STEVENS H. CLARKE

TEACHING, PUBLICATION, AND OTHER ACTIVITIES
WHILE AT INSTITUTE OF GOVERNMENT

APRIL 1971 - SEPTEMBER 1975

TEACHING AT INSTITUTE OF GOVERNMENT

Probation and parole officers (N.C. Department of Correction, Division of Adult Probation and Parole).

Basic school: Introduction to criminal process, court organization and procedure, sentencing and probation officer's role, duties and powers of officers, review and revocation of probation and parole (October 1974, January 1975).

Supervisors' school: Recent research on probation and parole, evaluation methods, effectiveness of case-load reduction, volunteer workers, and other innovations (June 1975).

Correctional Service Officers (Prison Guards, N.C. Department of Correction)

Basic school: Introduction to law of prisoners' rights; constitution, state and federal statutes, departmental regulations (July 1975).

Prison Administrators

Workshop on inmate grievance procedures: History of development of grievance procedures; North Carolina's Inmate Grievance Commission; related prison regulations (April 1975)

North Carolina Wildlife Protectors [these officers enforce laws concerning fishing, hunting, and boating safety]. Recruit and in-service schools.

Boat law: state and federal statutes and regulations (June, July, December 1974; June, July, August 1975).

Law of arrest: N.C. Criminal Procedure Act, common law and constitutional provisions (July 1975).

State Highway Patrol (N.C. Department of Transportation). Recruit and in-service schools.

Elements of crime (September 1975).

Law of arrest: N.C. Criminal Procedure Act, common law and constitutional provisions (June, July 1975).

License and Theft Section, Division of Motor Vehicles (N.C. Department of Transportation). [Officers of this section enforce laws relating to vehicle theft, dealers' licenses, vehicle safety and inspection, truck weight, etc. The Institute of Government's instruction of these officers is a new program beginning in October 1975.]

Law of arrest: N.C. Criminal Procedure Act, common law and constitutional provisions (October, November 1975).

Magistrates

Magistrates' Conference: Law regarding bail (October 1974).

Institute of Government Press Seminars (November 1972, November 1974)
Recent research on crime in North Carolina, including extent of crime victimization and citizen attitudes; recent trends in crime; causal factors; characteristics of offenders and victims.

Governor's Committee on Law and Order

Workshops on Evaluation Methods [sponsored by the Governor's Committee, these workshops are attended by criminal justice planners from a number of southeastern states]: Lectured on methods of evaluating effectiveness of programs of criminal justice and crime control (July 1974).

UNIVERSITY TEACHING OUTSIDE INSTITUTE OF GOVERNMENT

Undergraduate Honors Thesis Supervision

Supervised undergraduate UNC student in preparation of senior honors thesis, a survey of research on deterrence of crime [departmental supervisor was Professor Richard Richardson of Political Science Department] (September 1974 - May 1975).

LEGISLATIVE WORK

Legislative Reporting Service, 1973, 1974, 1975: Served on staff of Institute of Government's Bulletin, a daily and weekly summary and analysis of actions of the General Assembly.

Mental Health Committee of the Legislative Research Commission: Served as staff to Committee on Mental Health Services, May-December 1972. Drafted Committee's report and bills implementing its recommendations.

Commission on Sentencing, Criminal Punishment and Rehabilitation: Served as member of staff, July 1974-January 1975. Briefed Commission on crime trends, effectiveness of correctional programs, and related topics; drafted bills.

CONFERENCES

Youth Service Bureau Conference (January 1972). Participants were directors and staff of "youth service bureau" programs for juvenile delinquents. Agenda included talk on reform of juvenile justice system, report comparing activities of various youth service bureau programs in state, and identification of chief concerns of group.

Conference of Youth Diversion and Community Correctional Programs (June 1972). Objective of conference was to draft plan of action to provide alternatives to the juvenile justice system, encourage legislative and executive branches of the state government to establish community-based programs for delinquents, and set standards for such programs. Agenda included talk comparing recommendations of eight national and state study commissions.

Crime Control Conferences (December 1974, June 1975). Participants, engaged in crime-related research at colleges and universities in North Carolina, meet to discuss each other's work and hear speakers from outside the state. Topics have included effectiveness of correctional programs, measurement of deterrent effect of criminal sanctions, prison inmates' explanations of their crimes, effectiveness of North Carolina's work release program, and trends in psychiatric approaches to offender rehabilitation.

ADMINISTRATIVE ASSIGNMENTS

Within Institute of Government

Secretary of Faculty, August 1974-July 1975.

Member, Publications Committee, January 1975-Present.

Member, Building Committee, January 1975-Present.

Outside Institute of Government

None.

PUBLICATIONS

Criminal Justice Publications in Progress

Handbook of Correctional Law (expected completion January 1, 1976; est. length 100 p.). A manual for training of, and general daily use by, prison officials and probation and parole officers in North Carolina. Will include organization of correctional system, sentencing, powers and responsibilities of probation and parole officers, review and revocation of probation and parole, rights of convicted prisoners, prisoners' remedies and civil and criminal liabilities of correctional officials, detainers, extradition, pardon, and restoration of citizenship after conviction.

Manual on Sentencing (expected completion March 1, 1976; est. length 50 p.). To be used by judges, probation officers and others. Will include possible sentences for various types of criminal offenses, relevant statutes, suggested wording of judgments, and information on parole and work release.

Elements of Crime [chapters on Burglary, Breaking and Entering, Larceny, and Robbery]. (This book will be the product of six Institute of Government faculty members, and will probably be complete by January, 1976.) Used in training law enforcement officers and as a general reference by criminal justice officials.

Completed Criminal Justice Publications Published by Institute of Government

"North Carolina Legislation in 1975 Affecting Adult Corrections," in North Carolina Legislation 1975 (Institute of Government, August 1975, pp. 21-39). Summary and analysis of legislation affecting prisons, probation, and parole.

Criminal Sentencing in North Carolina: A Compilation of Statutory Law (Institute of Government, December 1974). 53 p. Statutory compilation used in teaching correctional officials.

Provisions of Law Relating to the Parole Commission (Institute of Government, December 1974) 48 p. Statutory compilation prepared at request of Parole Commission; used by Commission and in teaching parole officers.

North Carolina Laws Relating to Adult Probation (Institute of Government, January 1975) 30 p. Statutory compilation used in teaching probation officers.

"Crime and Delinquency in North Carolina" (Popular Government, Vol. 40, No. 2, Fall 1974, pp. 6-15). Analyzes crime trends in North Carolina, victimization, and characteristics of offenders; considers possible future effects on crime of demographic changes.

[with Gary G. Koch] "A Study of Self-Reported Delinquency in Charlotte/Mecklenburg" (Popular Government, Vol. 41, No. 1, Summer 1975, pp. 37-43) Analyzes responses of 9,716 students to anonymous questionnaires concerning delinquent activity and contact with the police; considers relative importance of factors such as home and school relationships, sex, income, and race in influencing individual's likelihood of becoming delinquent.

"Who Goes to Prison? A Study of Persons Arrested for Burglary and Larceny" (Popular Government, Vol. 41, No. 2, Fall 1975, pp. _____). Statistical analysis of criminal defendant's likelihood of receiving active prison sentence; compares relative importance of ten factors, including offense charged, criminal record, weight of evidence, income, race, age, and employment.

[with Jean L. Freeman and Gary G. Koch] "Bail Risk: A Statistical Analysis of Nonappearance and Rearrest While on Bail" (completed; publication by Institute of Government in progress as of August 1975), 50 p. Analyzes data on 861 criminal defendants in Charlotte to determine how factors such as court delay, criminal history, and form of pre-trial release affect the defendant's chance of failing to appear in court and being rearrested on a new charge.

Juvenile Delinquency, the Juvenile Justice System, and Related Functions of Youth-Serving Agencies in North Carolina in 1973 [part of 1974 Comprehensive Plan for Juvenile Justice of Governor's Committee on Law and Order] (1974, 83 p.) Prepared at request of staff of Governor's Committee on Law and Order. Describes geographic and age-specific incidence of delinquency, and activities of state and local agencies affecting delinquent youth.

Plan for the Allocation of North Carolina's 1974 LEAA Block Grant Funds to Programs Affecting Juvenile Delinquency and the Juvenile Justice System [part of 1974 Comprehensive Plan for Juvenile Justice of Governor's Committee on Law and Order] (1974, 60 p.) Prepared at request of staff of Governor's Committee on Law and Order. States overall goals: reduction of delinquency, increasing fairness of juvenile justice system, increasing efficiency and humaneness of system, and improving knowledge of delinquency. Proposes programs of legislative study, juvenile diversion, juvenile court legal assistance, and community residential treatment and shelter, and examines their relation to overall goals.

Other Institute of Government Publications

Report of the Legislative Research Commission Concerning Mental Health Services to the 1973 General Assembly (1972, 31 p.) Prepared as part of staff work to Mental Health Committee of Legislative Research Commission. Describes current trends in state mental health services; proposes new programs of staff development and institutional and community service; analyzes costs.

Criminological Writing Published Outside Institute of Government

"Juvenile Offender Treatment Programs and Delinquency Prevention" (Crime and Delinquency Literature, Vol. 6, No. 3, pp. 377-398, Sep. 1974). Reviews published rigorous evaluations of juvenile offender rehabilitation programs; recommends future policy.

"Juvenile Offender Treatment Programs and Delinquency Prevention", in The Aldine Crime & Justice Annual 1974 (Aldine Publishing Co., 1975, pp. 385-406) [reprinted from Crime and Delinquency Literature]

"Getting 'Em Out of Circulation: Does Incarceration of the Juvenile Offender Reduce Crime?" (Journal of Criminal Law and Criminology, Vol. 65, No. 4, pp. 528-535, Dec. 1974). Estimates effect on total crime of incapacitation of juvenile offenders using unpublished data collected by Marvin Wolfgang and other criminologists in Philadelphia.

"Some Implications for North Carolina of Recent Research in Juvenile Delinquency" (Journal of Research in Crime and Delinquency, Vol. 12, No. 1, pp. 51-60, Jan. 1975). Analyzes unpublished Philadelphia data of Wolfgang and others to develop predictions of future offending based on type of first officially known offense. Criticizes public policy of emphasizing service to "juvenile status" offenders.

Publications of Institute of Government in Mecklenburg Criminal Justice Pilot Project Series

"Criminal and Juvenile Courts in Mecklenburg County, North Carolina: Measurement and Analysis of Performance" (1972, 102 p.). Analyzes data on court operation; evaluates changes in juvenile court scheduling; estimates degree of adherence to American Bar Association standards of criminal justice.

"Burglary and Larceny in Charlotte-Mecklenburg: A Description Based on Police Data" (1972, 47 p.). Analyzes available information on specific types of burglary, breaking and entering, and larceny, including spatial and temporal distribution and characteristics of heavily victimized areas; suggests counter-strategies.

"Factors Related to the Crime Preventive Function of the Criminal Courts in Charlotte: Dispositions, Delays, and an Analysis of the Felony Preliminary Hearing Court" (1973, 27 p.). Prepared to assist prosecutor and police in convicting those guilty of felonies; deals with question why large number of felony charges dropped at pretrial stage and possible remedies to problem; analyzes court delay and possible effect of speedy trial legislation.

"Evaluation of the Bail System in Charlotte-Mecklenburg, 1971-72" (1973, 34 p.). [National Technical Information Service, Publication No. PB 223 396] See next title.

"The Bail System in Charlotte, 1971-73" (1974, 66 p.). [National Technical Information Service, Publication No. PB 239 827/AS] This study and earlier 1971-72 study deal with all aspects of Charlotte bail system, including opportunity for bail, discrimination in opportunity, characteristics of each form of pre-trial release, and effectiveness of two recently introduced forms of release that are alternatives to conventional bail bond. Contains multivariate analysis of failure to appear in court and rearrest on new charge while on bail.

"Retrospective Evaluation of a Juvenile Offender Diversion Program: A Preliminary Report" (1973, 32 p.). Evaluates program aimed at diverting juvenile status offenders (those who are truant or run away from home) from commitment to training school by the juvenile court. Compares eligible groups in year previous to initiation of program and in first year of program. Discusses statistical methodology.

"Preliminary Design for Evaluation of the Bethlehem Center's Emergency School Aid Act Program in Charlotte" (1974, 14 p.). Prepared at request of Bethlehem Center (settlement house that operates youth programs in Charlotte). Design of evaluation for Emergency School Assistance Act program aimed at reducing school-related juvenile delinquency. Discusses options of controlled and uncontrolled evaluation, data collection, and acceptability to school personnel.

"Delinquency Prevention in Charlotte-Mecklenburg: A Community Based Program for Truants and School Disruptive Children" (1971, 55 p.). Prepared as part of staff work for local inter-agency planning council. Presents and compares program proposals for anti-delinquency efforts suggested by various agencies.

"Juvenile Delinquency and Youth Crime in Charlotte: A Brief Discussion of Published Statistics for 1970 and 1971" (1972, 15 p.). Analyzes contribution of youth to crime in Charlotte.

"Some Implications for North Carolina of Recent Research in Juvenile Delinquency" (1973, 17 p.). [Contents summarized above in section headed "Criminological Writing".]

"The Contribution of Juvenile Offender Treatment and Service Programs to the Reduction of Juvenile Delinquency" (1973, 31 p.). [Contents summarized above in section headed "Criminological Writing".]

"Some Basic Facts about Youth Service Bureau Projects in North Carolina" (1972, 9 p.). Describes projects in North Carolina considered "youth service bureaus"; outlines and compares functions.

CURRICULUM VITAE

1. Gary G. Koch
703 Longleaf Drive
Chapel Hill, North Carolina 27514
2. Born:
January 6, 1942
Mt. Vernon, Ohio
3. Education:
Ohio State University, Columbus, Ohio B.S. 1962 Mathematics
Ohio State University, Columbus, Ohio M.S. 1963 Industrial Eng.
Univ. North Carolina, Chapel Hill, N. C. Ph.D. 1968 Statistics
4. Major research interests
Analysis of categorical data
Non-parametric multivariate inference
Random effects multivariate models and components of variance
Non-sampling errors in sample surveys
Design of efficient combinatorial information retrieval schemes
5. Professional affiliations
American Statistical Association (Elected Fellow in August 1972)
Biometric Society
American Association Advancement Science
American Forestry Association
Sigma Xi
American Public Health Association (Recipient of 1974 Spiegelman Award)
6. Professional activities
Member, Committee on Research on Law Enforcement and Criminal Justice,
Assembly of Behavioral and Social Sciences, National Research Council
(October 1975 until present)
Statistical Expert, Bureau of Drugs, Food and Drug Administration (DHEW)
(January 1974 until present)
Consultant, Office of Defects Investigation, National Highway Traffic
Safety Administration (DOT) (May 1971 until present)
Consultant, Manual on Standards for Reviewing Statistical Reports,
Office of Statistical Methods, National Center for Health Statistics
(DHEW) (March 1973 until present)
Member, Dental Study Section, Division of Research Grants, National
Institutes of Health (DHEW) (April 1973 until present)
Member, Executive Committee to the North Carolina Central Cancer Reg-
istry (October 1972 until present)
Associate Editor for Biometrics (January 1975 until present)
Member, Regional Committee of ENAR Biometric Society (1975-1977)
Participant, Social Science Research Council Workshop on Crime and
Criminal Justice Statistics (July 1975)
Consultant, Office of International Statistical Programs, National
Center for Health Statistics (DHEW) (June 1971)
ENAR Biometric Society Program Chairman for 1975 Annual Meeting
Book Review Editor for Technometrics (August 1970 until December 1974)

7. Current position

Associate Professor, Department of Biostatistics jointly with Department of Surgery, and North Carolina Highway Safety Research Center; University of North Carolina, Chapel Hill, North Carolina, July 1971 to present.

8. Previous professional experience

Visiting Professor, 16th Graduate Summer Session of Statistics in the Health Sciences, School of Public Health, University of Texas, Houston, Summer 1974.

Visiting Professor, 14th Graduate Summer Session of Statistics in the Health Sciences, School of Public Health, University of California, Berkeley, Summer 1972.

Assistant Professor, Instructor, and Research Associate, Department of Biostatistics, School of Public Health, University of North Carolina, Chapel Hill, N. C., September 1963-June 1971.

Statistician, Research Triangle Institute, Research Triangle Park, North Carolina, June 1966 to November 1967. Statistical Adviser, November 1967 until present.

- Koch, G. G. [1967]. A General Approach to the Estimation of Variance Components. Technometrics, Vol. 9, No. 1, pp. 93-117.
- Koch, G. G. [1967]. An Algorithm to Determine the Compatibility of Donor-Recipient Pairs in Organ Transplantation. Mathematical Biosciences, Vol. 1, No. 1, pp. 27-37.
- Koch, G. G. [1967]. A Type of Statistical Analysis Useful in Experiments Involving Drugs with Transient Effects. Mathematical Biosciences, Vol. 1, No. 3, pp. 413-419.
- Koch, G. G. [1967]. A Procedure to Estimate the Population Mean in Random Effects Models. Technometrics, Vol. 9, No. 4, pp. 577-585.
- Bhaphkar, V. P., and Koch, G. G. [1968]. Hypotheses of 'No Interaction' in Multi-Dimensional Contingency Tables. Technometrics, Vol. 10, No. 1, pp. 107-123.
- Koch, G. G., and Sen, P. K. [1968]. Some Aspects of the Statistical Analysis of the 'Mixed Model.' Biometrics, Vol. 24, No. 1, pp. 27-48.
- Koch, G. G. [1968]. Some Further Remarks Concerning 'A General Approach to the Estimation of Variance Components.' Technometrics, Vol. 10, No. 3, pp. 551-558.
- Bhaphkar, V. P., and Koch, G. G. [1968]. On the Hypotheses of 'No Interaction' in Contingency Tables. Biometrics, Vol. 24, No. 3, pp. 567-594.
- Palumbo, L., Jr., Shingleton, E. M., Fishburne, J. I., Jr., Pepper, F. D., Jr., and Koch, G. G. [1969]. Primary Carcinoma of the Vagina. Journal of the Southern Medical Association, Vol. 62, No. 9, pp. 1048-1053.
- Koch, G. G. [1969]. Some Aspects of the Statistical Analysis of 'Split-Plot' Experiments in Completely Randomized Layouts. Journal of the American Statistical Association, Vol. 65, No. 326, pp. 485-505.
- Grizzle, J. E., Starmer, C. F., and Koch, G. G. [1969]. Analysis of Categorical Data for Linear Models. Biometrics, Vol. 25, No. 3, pp. 489-504.
- Koch, G. G. [1969]. The Effect of Nonsampling Errors on Measure of Association in 2 x 2 Contingency Tables. Journal of the American Statistical Association, Vol. 65, No. 327, pp. 851-864.
- Koch, G. G. [1969]. A Useful Lemma for Proving the Equality of Two Matrices with Applications to Least Squares Type Quadratic Forms. Journal of the American Statistical Association, Vol. 65, No. 327, pp. 963-970.

- Horvitz, D. C., and Koch, G. G. [1969]. The Effect of Response Errors on Measures of Association. New Developments in Survey Sampling, edited by Norman L. Johnson and Harry Smith, Jr., John Wiley and Sons, pp. 247-282.
- Koch, G. G. [1969]. A Class of Covers for Finite Projective Geometries Which Are Related to the Design of Combinatorial Filing Systems. Journal of Combinatorial Theory, Vol. 7, pp. 215-220.
- Bose, R. C., and Koch, G. G. [1969]. The Design of Combinatorial Information Retrieval Systems for Files with Multiple-Value Attributes. The SIAM Journal of Applied Mathematics, Vol. 17, No. 6, pp. 1203-1214.
- Koch, Gary G. [1969]. The Design of Combinatorial Filing Systems for Efficient Information Retrieval. The Information Bazaar: Proceedings of the Sixth Annual National Colloquium on Information Retrieval, edited by Louise Schultz, Medical Documentation Service, The College of Physicians of Philadelphia, pp. 327-344.
- Shingleton, H. M., Fowler, W. C., Palumbo, L., Jr., and Koch, G. G. [1970]. Carcinoma of the Vulva Influence of Radical Operation on Cure Rate. Obstetrics Gynecology, Vol. 35, No. 1, pp. 1-6.
- Koch, G. G. [1970]. The Use of Non-Parametric Methods in the Statistical Analysis of a Complex Split-Plot Experiment. Biometrics, Vol. 26, No. 1, pp. 105-126.
- Koch, G. G., and Reinfurt, D. W. [1970]. The Analysis of Complex Contingency Table Data from General Experimental Designs and Sample Surveys. Proceedings of the Sixteenth Conference on the Design of Experiments in Army Research, Development, and Testing; Fort Lee, Virginia, 21-23 October, 1970, pp. 453-527.
- Johnson, W. D., and Koch, G. G. [1970]. Analysis of Qualitative Data: Linear Functions. Health Services Research, Vol. 5, Winter, pp. 358-369.
- Johnson, W. D., and Koch, G. G. [1971]. A Note on the Weighted Least Squares Analysis of the Ries-Smith Contingency Table Data. Technometrics, Vol. 13, No. 2, pp. 438-447.
- Koch, G. G., and Reinfurt, D. W. [1971]. The Analysis of Categorical Data from Mixed Models. Biometrics, Vol. 27, No. 1, pp. 157-173.
- Shingleton, H. M., Fowler, W. C., and Koch, G. G. [1971]. Pretreatment Evaluation in Cervical Cancer. American Journal of Obstetrics and Gynecology, Vol. 110, No. 3, pp. 385-389.
- Voors, A. W., Reddick, R. L., and Koch, G. G. [1971]. Trace Metals May Decrease Hypercholesterolemia in Crowded Cholesterol-Fed Rats. Environmental Research, Vol. 4, No. 6, pp. 520-529.

- Koch, G. G. [1972]. The Use of Non-parametric Methods in the Statistical Analysis of the Two-Period-Change-Over Design, *Biometrics*, Vol. 28, No. 2, pp. 577-584.
- Crist, T., Shingleton, H. M., and Koch, G. G. [1972]. Stress Incontinence and the Nulliparous Patient, *Obstetrics-Gynecology*, Vol. 40, No. 1, pp. 13-17.
- Woolweaver, D. A., Koch, G. G., Crawford, J. J., and Lundblad, R. L. [1972]. Relation of the Oroganulocytic Migratory Rate to Periodontal Disease and Blood Leukocyte Count: A Clinical Study, *Journal of Dental Research*, Vol. 51, No. 4, pp. 929-939.
- Koch, G. G., Imrey, P. B., and Reinfurt, D. W. [1972]. Linear Model Analysis of Categorical Data with Incomplete Response Vectors, *Biometrics*, Vol. 28, No. 3, pp. 663-692.
- Koch, G. G., Johnson, W. D., and Tolley, H. D. [1972]. A Linear Models Approach to the Analysis of Survival and Extent of Disease in Multi-dimensional Contingency Tables, *Journal of the American Statistical Association*, Vol. 67, No. 340, pp. 763-796.
- Koch, G. G. and Lemeshow, S. [1972]. An Application of Multivariate Analysis to Complex Sample Survey Data, *Journal of the American Statistical Association*, Vol. 67, No. 340, pp. 780-782.
- Koch, G. G. and Lehnen, R. G. [1972]. The Stability of Voter Preferences in Two Southern States: An Analysis of Panel Data with Attrition, *Proceedings of the Social Statistics Section of the American Statistical Association*, pp. 352-355.
- Forthofer, R. N. and Koch, Gary G. [1973]. An Analysis for Compounded Functions of Categorical Data, *Biometrics*, Vol. 29, No. 1, pp. 143-157.
- Koch, Gary G. [1973]. An Alternative Approach to Multivariate Response Error Models for Sample Survey Data with Applications to Estimators Involving Subclass Means, *Journal of the American Statistical Association*, Vol. 68, No. 344, pp. 906-913.
- Koch, Gary G., Freeman, Daniel H., and Freeman, Jean L. [1973]. Some Useful Strategies in the Multivariate Analysis of Data from Complex Sample Surveys. *Proceedings of the Social Statistics Section of the American Statistical Association*, pp. 8-17.
- Lehnen, Robert G. and Koch, Gary G. [1974]. A General Linear Approach to the Analysis of Non-Matrix Data: Application for Political Science, *American Journal of Political Science*, Vol. 18, No. 2, pp. 233-313.
- Freeman, Jean L. and Koch, Gary G. [1974]. Linear Segmented Analysis: Statistical Methodology for Analyzing Frequency Tables Pertaining to the Relationship between Unwanted Pregnancies and Media-Time Factors. Appendix C in *The Media and Family Planning* by J. R. Udry et al., Ballinger Publishing Company, Cambridge, Mass., pp. 201-213.

- Forthofer, Ronald N. and Koch, Gary G. [1974]. A Program for the Analysis for Compounded Functions of Categorical Data. Computer Programs in Biomedicine, Vol. 3, pp. 237-248.
- Koch, Gary G. and Forthofer, Ronald N. [1974]. An Extension of the Symmetric Sum Approach to the Estimation of Variance Components. Biometrische Zeitschrift, Vol. 16, No. 1, pp. 3-14.
- Lehnen, Robert G. and Koch, Gary G. [1974]. Analyzing Panel Data with Uncontrolled Attrition. The Public Opinion Quarterly, Vol. 38 (Spring 1974), pp. 40-56.
- Koch, Gary G. and Reinfurt, Donald W. [1975]. An Analysis of the Relationship between Driver Injury and Vehicle Age for Automobiles Involved in North Carolina Accidents During 1966-1970, Accident Analysis and Prevention, Vol. 6, pp. 1-18.
- Lehnen, Robert G. and Koch, Gary G. [1975]. The Analysis of Categorical Data from Repeated Measurements Research Designs. Political Methodology, Summer 1975,
- Koch, Gary G. and Tolley, H. Dennis. [1975]. A Generalized Modified χ^2 Analysis of Categorical Data from a Complex Dilution Experiment. Biometrics, Vol. 31, No. 1, pp. 59-92.
- Koch, Gary G., Abernathy, James R., and Inrey, Peter B. [1975]. On a Method for Studying Family Size Preferences. Demography, Vol. 12, No. 1, pp. 57-66.
- Koch, Gary G., Freeman, Daniel E., Jr., and Freeman, Jean L. [1975]. Strategies in the Multivariate Analysis of Data from Complex Surveys. International Statistical Review, Vol. 43, No. 1, pp. 59-78.
- Clarke, Stevens H. and Koch, Gary G. [1975]. A Study of Self-Reported Delinquency in Charlotte/Mecklenburg. Popular Government, Vol. 41, No. 1, pp. 37-43.
- Bauman, Karl E., Koch, Gary G., Udry, J. Richard, and Freeman, Jean L. [1975]. The Relationship Between Legal Abortion and Marriage. To appear in Social Biology, Vol. 22, No. 2.
- Landis, J. Richard and Koch, Gary G. [1975]. A Review of Statistical Methods in the Analysis of Data Arising from Observer Reliability Studies, Part I. To appear in Statistica Neerlandica, Fall 1975.
- Landis, J. Richard and Koch, Gary G. [1975]. A Review of Statistical Methods in the Analysis of Data Arising from Observer Reliability Studies, Part II. To appear in Statistica Neerlandica, Winter 1975.
- Clarke, Stevens H. and Koch, Gary G. [1975]. Who Goes to Prison? Report on a Study of Persons Arrested for Burglary and Larceny. To appear in Popular Government.

Koch, Gary G., Freeman, Jean L., and Lehnen, Robert G. [1975]. A Contingency Table Approach to the Analysis of Ranked Policy Preference Data. To appear in 1975 Proceedings of the Social Statistics Section of the ASA.

Freeman, Daniel H., Jr., and Koch, Gary G. [1975]. Cross-Classified Data from Complex Sample Surveys: The Effects of Complex Adjustment Procedures on Variances. To appear in 1975 Proceedings of the Social Statistics Section of the ASA.

Brock, Dwight B., Freeman, Daniel H., Jr., Freeman, Jean L., and Koch, Gary G. [1975]. An Application of Categorical Data Analysis to the National Health Interview Survey. To appear in 1975 Proceedings of the Social Statistics Section of the ASA.

Koch, Gary G., Tolley, H. Dennis and Freeman, Jean L. [1976]. An Application of the Clumped Binomial Model to the Analysis of Clustered Attribute Data. To appear in Biometrics.

Landis, J. Richard and Koch, Gary G. [1976]. Compound Function Measures of Observer Agreement for Multivariate Categorical Data. To appear in Biometrics.

Koch, Gary G., Freeman, Jean L. and Lehnen, Robert G. [1976]. A Generalized Approach for the Analysis of Ranked Policy Preference Data. To appear in International Statistical Review.

Freeman, Daniel H., Freeman, Jean L., and Koch, Gary G. [1974]. A Modified χ^2 Approach for Fitting Weibull Models to Synthetic Life Tables. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 958. Submitted to the Journal of the American Statistical Association.

Koch, Gary G., Freeman, Jean L., Freeman, Daniel H., and Lehnen, Robert G. [1974]. A General Methodology for the Analysis of Experiments with Repeated Measurement of Categorical Data. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 961. Submitted to Biometrics.

Lehnen, Robert G. and Koch, Gary G. [1974]. A Comparison of Conventional and Categorical Regression Techniques in Political Analysis. Submitted to Political Methodology.

Clarke, Stevens H. and Koch, Gary G. [1974]. What Determines Whether Persons Arrested for Burglary and Larceny Go to Prison? Submitted to Journal of Criminal Law and Criminology.

Inrey, Peter B., Johnson, William D. and Koch, Gary G. [1975]. An Incomplete Contingency Table Approach to Paired Comparison Experiments, Institute of Statistics Mimeo Series, No. 1004. Submitted to the Journal of the American Statistical Association.

Landis, J. Richard and Koch, Gary G. [1975]. A Components of Variance Model for Categorical Data: Binomial Case. Submitted to the Journal of the American Statistical Association.

Landis, J. Richard and Koch, Gary G. [1975]. A Components of Variance Model for Categorical Data: Multinomial Case. Submitted to the Journal of the American Statistical Association.

Clarke, Stevens H., Freeman, Jean L. and Koch, Gary G. [1975]. Bail Risk: A Multivariate Analysis. Submitted to the Journal of Legal Studies.

University of North Carolina Institute of Statistics Mimeo Series

- Koch, Gary G. [1966]. Some considerations about the effect of redundancies and restrictions in the general linear regression model. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 459.
- Koch, Gary G. [1966]. The analysis of incomplete blocks experiments with particular emphasis on the relationship between the recovery of interblock information and generalized least squares when block effects are assumed random. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 464.
- Koch, Gary G. [1967]. The design of combinatorial information retrieval systems for files with multiple-valued attributes. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 552.
- Koch, Gary G. and Greenberg, Bernard G. [1971]. The growth curve model approach to the statistical analysis of large data files. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 786.
- Koch, Gary G., Abernathy, James R., Caltagirone, Sam A., and Johnson, William D. [1971]. The paired choice technique for measuring desired family size. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 793.
- Imrey, Peter B. and Koch, Gary G. [1972]. Linear models analysis of incomplete multivariate categorical data. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 820.
- Tolley, H. Dennis and Koch, Gary G. [1974]. A two-stage approach to the analysis of longitudinal type categorical data. University of North Carolina at Chapel Hill, Institute of Statistics Mimeo Series No. 912.

North Carolina Highway Safety Research Center Technical Reports

- Waller, Patricia F., Reinfurt, Donald W., Reifler, Clifford B., and Koch, Gary G. [1969]. Motorcycles versus automobiles: how do their owners differ? North Carolina Highway Safety Research Center Technical Report.
- Waller, Patricia F. and Koch, Gary G. [1971]. Characteristics of North Carolina drivers. North Carolina Highway Safety Research Center Technical Report.
- Koch, Gary G. and Reinfurt, Donald W. [1973]. An analysis of the relationship between driver injury and vehicle age for automobiles involved in North Carolina accidents during 1966-1970. North Carolina Highway Safety Research Center Technical Report.
- Campbell, B. J., Griffin, Lindsay, Reinfurt, Donald, Hochberg, Yosef, Tingley, Beth, Smith, Lucy, and Koch, Gary. [1974]. Forecasts of the 1985 accident environment. North Carolina Highway Safety Research Center Technical Report.
- House, E. G., Waller, P. F., and Koch, G. G. [1974]. How complete are driver records? An analysis based on insurance claim crashes. North Carolina Highway Safety Research Center Technical Report.
- Freeman, J. L., Hunter, W. W., Koch, G. G., and Lacey, J. E. [1975]. Shoulder harness usage in the population of drivers at risk in North Carolina. North Carolina Highway Safety Research Center Technical Report.

Research Triangle Institute Technical Reports

- Koch, Gary G. "Study of Curriculum Needs in the Richmond County Schools." Unpublished Technical Report, Research Triangle Institute, Project SU-278, November, 1966.
- Creech, Sharon Rae and Koch, Gary G. "Study of Curriculum Needs in the Northampton County Schools." Unpublished Technical Report, Research Triangle Institute, Project SU-297, February, 1967.
- Koch, Gary G. "Some Remarks Concerning the Design of Experiments in Simulation Models." Working Paper #12, Research Triangle Institute, Project SU-285, August, 1967.
- Creech, Sharon Rae and Koch, Gary G. "Study of Curriculum Needs in the Northampton County Schools." Unpublished Technical Report, Research Triangle Institute, Project SU-336, December, 1967.
- Koch, G. G. and Horvitz, D. G. "The Effect of Response Errors on Measures of Association." Unpublished Technical Report, Research Triangle Institute, Project SU-363, April, 1968.
- Koch, Gary G. "Three Notes on Models for Assessing the Effects of Non-Sampling Errors." Unpublished Technical Report, Research Triangle Institute, Project SU-363, June, 1968.

- Koch, Gary G. "The Effects of Response Errors in Sample Surveys on Certain Aspects of Statistical Methodology. Part I: The Sample Mean." Unpublished Technical Report #5, Research Triangle Institute, Project SU-434, December, 1969.
- Koch, Gary G. "An Alternative Approach to the Formulation of Response Error Models." Unpublished Technical Report #1, Research Triangle Institute, Project SU-618, March, 1971.
- Koch, Gary G. "A Response Error Model for Sample Variances and Covariances in Simple Random Samples." Unpublished Technical Report #2, Research Triangle Institute, Project SU-618, April, 1971.
- Koch, Gary G. "Some Aspects of the Dependence of Components in Response Error Models on the Survey Design." Unpublished Technical Report #3, Research Triangle Institute, Project SU-618, July, 1971.
- Koch, Gary G. "A Response Error Model for a Simple Interviewer Structure Situation." Unpublished Technical Report #4, Research Triangle Institute, Project SU-618, July, 1971.
- Koch, Gary G. "A Response Error Model for Sub-Class Means and Post-Stratified Means." Unpublished Technical Report #6, Research Triangle Institute, Project SU-618, September, 1971.
- Horvitz, D. G., Mason, Karen, Bayless, David, Jackson, Donald, Hunt, Nileen, and Koch, Gary. "The Design of a Longitudinal Survey of Secondary School Seniors." Unpublished Technical Report, Research Triangle Institute, Project SU-610, February, 1972.
- Koch, Gary G. "Some Survey Designs for Estimating Response Error Model Components." Unpublished Technical Report #5, Research Triangle Institute, Project 21U-730, January, 1973.

Other Technical Reports

- Koch, Gary G. [1971]. An application of the statistical theory for compound distributions to the analysis of failure data involving trucks equipped with three-piece wheels. Prepared for the National Highway Traffic Safety Administration of the Department of Transportation.
- Koch, Gary G. [1972]. Report on the estimated number of owners with three-piece wheel failures. Prepared for the National Highway Traffic Safety Administration of the Department of Transportation.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

REQUEST

Bill/Resolution No. HB 196 - HB 196
 Title Special Appropriation to the Judicial Council
 Requested by House Judiciary Committee Date 2/23/79

II. FISCAL DETAIL

Agency Affected Judicial Council
 Program Category Affected Administration of Justice
 BRU, Program, or Subprogram(s) Affected Judicial Council
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	57					
200 TRAVEL	21					
300 CONTRACTUAL	12					
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	90,000					

FUNDING (Thousands of Dollars)

GENERAL FUND	90,000					
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-					
PART TIME	-0-					
TEMPORARY	9					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 2/23/79 PREPARED BY Michael Rubenstein
 AGENCY Judicial Council
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) 274-8942

HB

206



ALASKA

NUSHAGAK ELECTRIC CO-OPERATIVE, INC.

P. O. BOX 197 . DILLINGHAM, ALASKA 99576 . AREA CODE (907) 842-5251

April 2, 1979

*Charlie - This is
a letter regarding
HB 206 for
your info.
Nels*

Honorable Nels A. Anderson, Jr.
Alaska State House of Representatives
Pouch V, State Capitol Building
Juneau, Alaska 99811

Dear Nels:

I am writing to you on behalf of both Nushagak Electric and Nushagak Telephone Co-operatives concerning HB No. 206 entitled "An Act relating to the disposition of unclaimed property; and providing for an effective date."

The title to the Act is somewhat misleading since it encompasses considerably more than it implies, and, if enacted, would destroy the financial viability of all cooperatives. Specifically, I am referring to the following Sections:

09.51.040
09.51.100
09.51.120
09.51.240

Briefly, the problem with this Act centers around the distribution of capitol credits which may be considered as the distributed profits of the cooperatives.

Since NEC became a cooperative in 1964, our revenues have exceeded our expenses by \$264,418.00. This amount is properly allocable to each consumer in the same ratio that his energy billings were to the total energy billings. This allocation is generally done after the books are closed at the end of each year. The allocation, however, does not mean that funds will actually be forthcoming. Usually a cooperative will have at least 40% equity in the system before any disbursements are made. We have approximately 10% equity in this system which indicates that 90% of the system is debt financed.

Honorable Nels A. Anderson, Jr.
Juneau, Alaska 99811

April 2, 1979

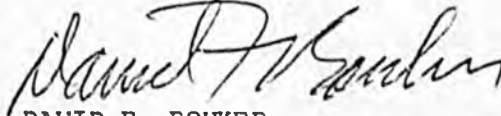
If we were obligated to pay capital credits, we would have to immediately raise rates to establish a cash reserve equal to five times our present cash balances. Under our present rate system this action would rapidly drive everyone back to the kerosene lantern era.

I haven't really had the time to look at HB 206 in light of any other effect it may have on our standard of living, but I respectfully suggest that you make every effort to see that it gets a thorough review by responsible parties.

In the event you may have any questions on this matter, please feel free to call our attorney who is quite knowledgeable in utility operations. His name is Roger Kempel and his number is 277-1604 (Anchorage).

I hope this finds you and your family in the best of health.

Yours very truly,



DAVID F. BOUKER
Manager

cc: Roger Kempel

DFB:ka

ff 206

February 13, 1979

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill which largely displaces AS 09.50.070 - 09.50.160 -- the escheat provisions of Title 9 -- and adopts, in their stead, the Revised Uniform Disposition of Unclaimed Property Act (1966) drafted by the National Conference of Commissioners on Uniform State Laws. This bill adds ch. 51 to AS 9, and amends four sections of existing law to conform to the Uniform Act.

The Uniform Act applies to a wider range of abandoned intangible personal property than does the present AS 09.50.070, and it provides for simple transfer of the custody of the property from the holder to the state, rather than transfer of the title. Savings accounts, deposits, drafts, money orders, traveler's checks, and safety deposit box contents are among the various property interests held by banking or financial organizations or by business associations which are covered by the Act (AS 09.51.010). Also included is money held and owing by a life insurance corporation under a life insurance or annuity agreement (AS 09.51.020), deposits and refunds held by utilities (AS 09.51.030), undistributed dividends, stock, and payments relating to a debt held by a corporation (AS 09.51.040), and intangible personal property held by private fiduciaries (AS 09.51.050), public officers and state courts (AS 09.51.070).

In general, any of these property interests which have been abandoned and which are being held in this state by any person or by any business association organized under the laws of or created in this state, or by any foreign corporation or business association doing business in this state whose records indicate the amount held and owing belongs to a person whose last known address was in

this state, are subject to the reporting requirements of the Act, which are set out in AS 09.51.100. Abandonment is generally presumed to have occurred if the owner has not claimed the property or contacted the holder in any way concerning it for a period of seven years. This is the same period currently prescribed in AS 09.50.070.

Holders of property are required to file a report with the commissioner of revenue (AS 09.51.100) after first sending a notice to the last known address of each owner whose property is presumed abandoned (AS 09.51.105). The commissioner is then required to publish a list of the names of owners believed to have abandoned property interests under the Act and to otherwise exercise due diligence to ascertain the whereabouts of the owners (AS 09.51.110). Except in certain narrowly defined circumstances, the holders are then required to pay or deliver the reported property to the commissioner (AS 09.51.120). Thereafter, the holders are relieved of all liability related to the disposition of the abandoned property (AS 09.51.130).

In addition, the Act requires the commissioner to offer to sell all abandoned property other than money to the highest bidder at public sale within one year of its delivery to him unless he determines that the probable proceeds to be obtained at such a sale would not exceed the probable costs of the sale (AS 09.51.160). These proceeds along with all other funds received by the commissioner are to be deposited in the general fund of the state after deducting not more than \$25,000 to retain in a separate trust fund from which he shall make prompt payment of any claims which he has determined to be valid brought by owners of property which has been turned over to the commissioner under the Act (AS 09.51.170). The commissioner may hold a hearing to determine the merits of an individual's claim to the property (AS 09.51.190), and an owner who is aggrieved by a decision of the commissioner or whose claim is not acted upon may, within 90 days, bring an action in the superior court to establish his claim (AS 09.51.200). It will be necessary for the legislature to appropriate a portion of these program receipts to cover the mailing and publication costs and the costs relating to the sale of the property.

The commissioner is authorized to adopt necessary regulations to carry out the provisions of the Act (AS 09.51.250), to examine the books and records of a person who he has reason to believe has failed to report property subject to the Act (AS 09.51.220), and to bring an action to compel delivery of property wrongfully withheld by a holder (AS 09.51.230). Finally, civil

penalties and criminal sanctions will be incurred by those who wilfully fail to comply with the Act (AS 09.51.240).

The procedures set out in the Uniform Act are designed to safeguard the interests of both the state and the rightful owner of the property, if any. In the first place, the reporting requirements imposed upon the holders, combined with the broader investigation and enforcement powers of the commissioner of revenue and with the addition of criminal penalties for wilful failure to report or deliver, will make it easier for the state to ascertain the whereabouts of abandoned property held in this state. The expansion of the categories of personal property affected by the Act will help obtain greater revenue for the state. On the other hand, the Act requires the commissioner to comply with mailing and notification procedures which are reasonably aimed at locating the real owner of reported property. Furthermore, the Act is custodial in nature in that the owner's rights to the property are never lost although his right to income from the property, accruing after payment or delivery to the commissioner, will be cut off (AS 09.51.140). The owner retains the right to establish and claim his interest in the property or the proceeds from the sale of his property from the commissioner at any time in the future.

Correspondence with Minnesota, a leader in implementation of the Uniform Act, shows that in their experience approximately 25 per cent of the abandoned funds are ultimately claimed by rightful owners. In Minnesota the annual volume of unclaimed property exceeds six million dollars. The Department of Law, acting under the reporting requirements currently contained in AS 09.50.140 has received abandoned account reports from several Alaska banks totaling approximately \$500,000, although this figure appears to be understated due to suspension of interest payments and levying of service charges, and deals with only one category of unclaimed property.

Sections 2 through 5 of the bill prescribe amendments to AS 34.45 and to the escheat provisions of AS 09.50 which are the two other statutory procedures for disposing of unclaimed property. The former deals primarily with tangible personal property left in the care of certain bailees or consignees whereas the latter will now primarily apply to real property and any tangible personal property interests not expressly covered by either of the other acts.

Specifically, sec. 5 amends AS 34.45.070 by incorporating the claims procedure and right of action provided for by the Uniform Act. Like the Uniform Act, it also will make the state the mere custodian of the property or the proceeds and the rightful owner's property interest will never be lost.

Section 2 of the bill redefines the scope of AS 09.50 to exclude those interests covered by the Uniform Act.

Finally, secs. 3 and 4 of the bill amend certain provisions of AS 09.50 to incorporate some of the procedures set out in the Uniform Act. However, under this chapter, a potential claimant's interest in property which has been made the subject of a formal escheat proceeding can be cut off by the failure to assert such a claim within seven years after the judgment (AS 09.50.110).

The official comments of the National Conference of Commissioners on Uniform State Laws offer additional explanation of the purposes of and the need for the Uniform Act.

Sincerely,

A handwritten signature in dark ink, appearing to read "JSH", is written over the typed name.

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST HOUSE BILL NO. 206
 Bill/Resolution No. _____
 Title Uniform Disposition of Unclaimed Property Act
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Department of Revenue
 Program Category Affected Revenue Collection and Management
 Budget Request Unit(s) Affected Audit Division

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		16.8	16.8	16.8	16.8	16.8
200 TRAVEL						
300 CONTRACTUAL		8.5	8.5	8.5	8.5	8.5
400 COMMODITIES		.5	.5	.5	.5	.5
500 EQUIPMENT		.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		26.6	25.8	25.8	25.8	25.8


FUNDING (Thousands of Dollars)

GENERAL FUND		26.6	25.8	25.8	25.8	25.8
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 2/12/79 PREPARED BY 
 AGENCY Department of Revenue
 PHONE 465-2300
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

ALASKA STATE LEGISLATURE

ELEVENTH Legislature FIRST... Session

HOUSEBILL..... NO. 206...

By ..THE RULES COMMITTEE BY...
REQUEST OF THE GOVERNOR

"An Act relating to the disposition of unclaimed property; and providing for an effective date."

Disposition of unclaimed property

Introduced in the House ..2-14....., 19..79

HISTORY IN THE HOUSE

19 79	Read first time and referred to Committee on												
Feb. 14	Judiciary Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

HB

215

21

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 215
 Title An Act Relating to Funding of the Judicial Retirement System
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement and Benefits
 Program Category Affected Retirement and Benefits
 BRU, Program, or Subprogram(s) Affected Judicial Retirement System
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 TRS STATE MATCH						
100 BENEFITS		1,920.5	2,016.5	2,117.3	2,223.2	2,334.4
TOTAL		1,920.5	2,016.5	2,117.3	2,223.2	2,334.4

FUNDING (Thousands of Dollars)

GENERAL FUND		*1,920.5	2,016.5	2,117.3	2,223.2	2,334.4
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

*\$389.5 is the FY 80 budget request for the court system, therefore only \$1,531.0 will need to be appropriated the first year.

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- It is assumed that the Judicial Retirement System will be funded in a similar manner to the PERS & TRS where the employer makes regular contributions. The level of contribution is expressed as a percentage of covered payroll for active members. The contribution rates indicated below have been determined by our actuary to be sufficient to fund current benefits as they accrue and to amortize past benefits that have not been funded to date (\$13,891,455).
- Judicial Retirement System (AS 22.25) - 96.0246% of covered payroll.
- Estimated payroll for FY 80 is \$2,000,000.
- Assume salaries are increased at 5% per year.

IV. DATE 2/13/79 PREPARED BY Paul B. Arnoldt, Director
 AGENCY Division of Retirement & Benefits
 PHONE 465-4460

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 Office of the Governor (Keith Speckler)

PR 215

February 13, 1979

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec 18 of the Alaska Constitution, I am transmitting a bill relating to the funding of the judicial retirement system.

At present, state contribution to this retirement system is funded by an annual appropriation to meet the costs of the program. This measure would amend the source of funding by requiring that employer (State of Alaska) contributions be made in accordance with a rate based upon actuarial valuation in the same manner as the Public Employees' Retirement System and the Teachers' Retirement System. The director of the Division of Retirement and Benefits, as administrator of the program, under the commissioner of administration, will designate the actuarial methods and assumptions which produce the actuarial rate. The employer contribution would be expressed as a percentage figure which may be altered as required.

The bill clarifies the commissioner of administration's responsibilities, but does not reduce or increase employer liability.

Sincerely,



Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

ELEVENTH Legislature FIRST... Session

HOUSE BILL..... NO.215.....

By THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

"An Act relating to funding of the judicial retirement system; and providing for an effective date."

Funding of the judicial retirement system

Introduced in the House ...2-14..., 19.79.

HISTORY IN THE HOUSE

19 79	Read first time and referred to Committee on Judiciary																												
Feb. 14	Reported back with recommendation that																												
	Read second time and																												
	Read third time and																												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reported correctly engrossed</td> </tr> <tr> <td colspan="2">Signed by Speaker</td> </tr> <tr> <td colspan="2">Sent to Senate</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reported correctly engrossed		Signed by Speaker		Sent to Senate	
PASS	Effective Date																												
Yeas	Yeas																												
Nays	Nays																												
Absent	Absent																												
Excused	Excused																												
Reconsideration																													
PASS	Effective Date																												
Yeas	Yeas																												
Nays	Nays																												
Absent	Absent																												
Excused	Excused																												
Reported correctly engrossed																													
Signed by Speaker																													
Sent to Senate																													
CHIEF CLERK OF THE HOUSE																													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																												
	Reported back with recommendation that																												
	Read second time and																												
	Read third time and																												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reported correctly engrossed</td> </tr> <tr> <td colspan="2">Signed by President</td> </tr> <tr> <td colspan="2">Returned to House</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reported correctly engrossed		Signed by President		Returned to House	
PASS	Effective Date																												
Yeas	Yeas																												
Nays	Nays																												
Absent	Absent																												
Excused	Excused																												
Reconsideration																													
PASS	Effective Date																												
Yeas	Yeas																												
Nays	Nays																												
Absent	Absent																												
Excused	Excused																												
Reported correctly engrossed																													
Signed by President																													
Returned to House																													
SECRETARY OF THE SENATE																													

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

(b) To be eligible for the survivors' benefits, the surviving spouse must have been married to the justice or judge for at least two years immediately preceding the death of the justice or judge. The benefits continue until the remarriage or death of the surviving spouse.

(c) If there is no surviving spouse, or if the surviving spouse does not meet the requirements of (b) of this section, or upon the remarriage or death of the surviving spouse, the surviving dependent child or children of the justice or judge are entitled to receive in equal shares 50 per cent of the amount of the survivors' benefits specified under (a) of this section.

(d) The surviving child or children are entitled to the survivors' benefits under (c) of this section during the period of their dependency. Dependency exists with respect to any child of a justice or judge who is either (1) a minor under the laws of Alaska, (2) under the age of 23 and is a student attending on a full-time basis an accredited educational or technical institution recognized by the state Department of Education, or (3) so mentally or physically incapacitated as to be unable to provide for self care.

(e) If there are both an eligible surviving spouse and surviving dependent children, but who reside in separate households, the surviving spouse and dependent children will share equally in the benefits payable under (a) of this section. (§ 1 ch 102 SLA 1963; am § 12 ch 83 SLA 1967; am § 2 ch 160 SLA 1972)

Effect of amendment.

The 1972 amendment rewrote this section.

Legislative committee report. — For report on ch. 83, SLA 1967 (HB 141), see 1967 House Journal, pp. 339-340.

Sec. 22.25.040. Refund of contributions.

Repealed by § 16 ch 83 SLA 1967.

Editor's note. — The repealed section derived from § 1, ch. 102, SLA 1963.

Legislative committee report. — For report on ch. 83, SLA 1967 (HB 141), see 1967 House Journal, pp. 339-340.

Sec. 22.25.045. Appropriations. An estimated amount sufficient to pay all benefits anticipated to be paid under this chapter in each fiscal year shall be included in the annual appropriation for the state court system. If the actual authorized benefits necessary to be paid in any fiscal year exceed the sum appropriated, the benefits due shall nevertheless be paid from general funds of the state not otherwise appropriated. (§ 13 ch. 83 SLA 1967)

Legislative committee report. — For report on ch. 83, SLA 1967 (HB 141), see 1967 House Journal, pp. 339-340.

Sec. 2
Repeal

Editor's
derived from
Legislative
report on
1967 House

Sec. 2
Repeal

Editor's
derived from
Legislative
report on
1967 House

Sec. 22
Repeal

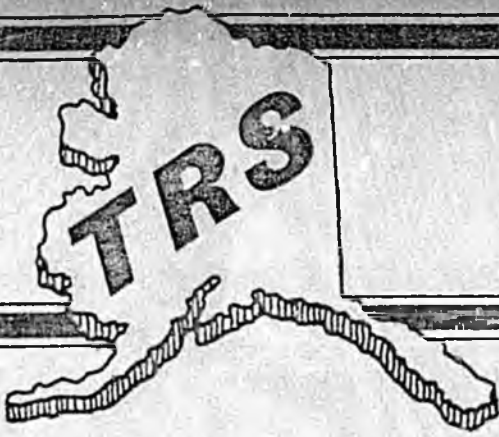
Editor's
derived from
Legislative
report on
1967 House

Sec. 22
exempt from

Sec. 22.
receive a n
shall be pr
become eff
cease whe
receive a n
shall be th
the benefit
federal Old
ch 245 SLA

Chapter

- Section
- 10. Applicat
- 20. Adminis
- 30. Regulati
- 40. Contribu
- 50. Retireme
- 60. Retireme
- 70. Survivor



newsbreak

NUMBER 2

NOVEMBER 1978

LEGISLATIVE BOARD PRIORITY

The Legislative Board of Retirement Benefits, at their November meeting in Juneau, passed a motion stating they would examine the Alaska Judicial Retirement System. The study to determine if benefits are excessive is already underway. In addition, the Board unanimously recommended that the legislature place the system on a funded basis.

As a result of information provided last year which said that the average TRS employer contributes approximately 14% of each employee's gross pay in order to fund benefits for all past and future service, the Legislative Board learned that in order to guarantee the Judicial Retirement System sufficient funds to cover all past and future liabilities, the State must immediately begin setting aside over 100% of the pay of each employee covered under the Judicial Retirement System.

At present, the Alaska Judicial Retirement System is an unfunded retirement system. This differs from the Alaska Public Employees' and Teachers' Retirement Systems which are funded. The difference between the two is a matter of preparation: a funded system can determine future costs and plan for tomorrow, but an unfunded system can't; a funded system sets aside money in readiness for any future eventuality, but an unfunded one doesn't.

Under the statutes governing the PERS and TRS, each employee contributes according to a fixed percentage, and each employer contributes according to a floating rate. The rate depends on many complicated factors, but the figure arrived at each year ensures that there will always be enough money on hand to pay the benefits which employees will have earned when they retire. The actuary for the PERS and TRS is able to state with considerable accuracy the contribution rates necessary every year in the future in order to fund lifetime benefits for all members in each system. Each of you can feel confident that sufficient funds will have been set aside to pay your benefits when you retire.

In contrast, the Judicial Retirement System only receives enough money to pay benefits due in the current year. For Fiscal Year 79, approximately \$370,000 was appropriated to pay retirement benefits. However, a current study indicates that in order to place the system on a funded basis, more than \$1,800,000 should be appropriated annually for benefits that will come due in the future. And as salaries and employees continue to increase, the annual budget request of \$1,800,000 will have to increase proportionately. The pay-as-you-go appropriation of \$370,000 means that an enormous payment will eventually be due at some time in the future.

PAGE 1 of 6

PA-215

February 13, 1979

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec 18 of the Alaska Constitution, I am transmitting a bill relating to the funding of the judicial retirement system.

At present, state contribution to this retirement system is funded by an annual appropriation to meet the costs of the program. This measure would amend the source of funding by requiring that employer (State of Alaska) contributions be made in accordance with a rate based upon actuarial valuation in the same manner as the Public Employees' Retirement System and the Teachers' Retirement System. The director of the Division of Retirement and Benefits, as administrator of the program, under the commissioner of administration, will designate the actuarial methods and assumptions which produce the actuarial rate. The employer contribution would be expressed as a percentage figure which may be altered as required.

The bill clarifies the commissioner of administration's responsibilities, but does not reduce or increase employer liability.

Sincerely,

JSH

Jay S. Hammond
Governor

215

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 215
Title An Act Relating to Funding of the Judicial Retirement System
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement and Benefits
Program Category Affected Retirement and Benefits
BRU, Program, or Subprogram(s) Affected Judicial Retirement System
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 TRS STATE MATCH						
100 BENEFITS		1,920.5	2,016.5	2,117.3	2,223.2	2,334.4
TOTAL		1,920.5	2,016.5	2,117.3	2,223.2	2,334.4

FUNDING (Thousands of Dollars)

GENERAL FUND		*1,920.5	2,016.5	2,117.3	2,223.2	2,334.4
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

*\$389.5 is the FY 80 budget request for the court system, therefore only \$1,531.0 will need to be appropriated the first year.

POSITIONS NONE

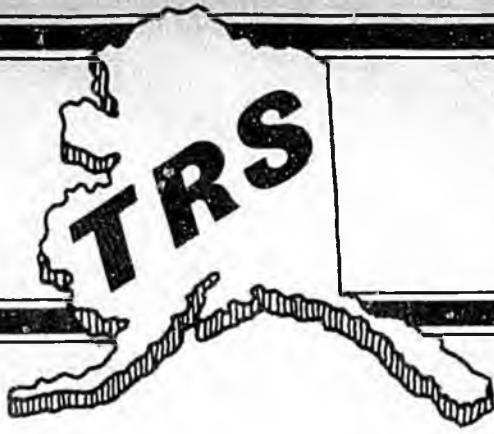
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

1. It is assumed that the Judicial Retirement System will be funded in a similar manner to the PERS & TRS where the employer makes regular contributions. The level of contribution is expressed as a percentage of covered payroll for active members. The contribution rates indicated below have been determined by our actuary to be sufficient to fund current benefits as they accrue and to amortize past benefits that have not been funded to date (\$13,891,455).
2. Judicial Retirement System (AS 22.25) - 96.0246% of covered payroll.
3. Estimated payroll for FY 80 is \$2,000,000.
4. Assume salaries are increased at 5% per year.

IV. DATE 2/13/79 PREPARED BY Paul B. Arnoldt, Director
AGENCY Division of Retirement & Benefits
PHONE 465-4460

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
Office of the Governor (Keith Specking)
33-001 (Rev. 12/78)



newsbreak

NUMBER 2

NOVEMBER 1978

LEGISLATIVE BOARD PRIORITY

The Legislative Board of Retirement Benefits, at their November meeting in Juneau, passed a motion stating they would examine the Alaska Judicial Retirement System. The study to determine if benefits are excessive is already underway. In addition, the Board unanimously recommended that the legislature place the system on a funded basis.

As a result of information provided last year which said that the average TRS employer contributes approximately 14% of each employee's gross pay in order to fund benefits for all past and future service, the Legislative Board learned that in order to guarantee the Judicial Retirement System sufficient funds to cover all past and future liabilities, the State must immediately begin setting aside over 100% of the pay of each employee covered under the Judicial Retirement System.

At present, the Alaska Judicial Retirement System is an unfunded retirement system. This differs from the Alaska Public Employees' and Teachers' Retirement Systems which are funded. The difference between the two is a matter of preparation: a funded system can determine future costs and plan for tomorrow, but an unfunded system can't; a funded system sets aside money in readiness for any future eventuality, but an unfunded one doesn't.

Under the statutes governing the PERS and TRS, each employee contributes according to a fixed percentage, and each employer contributes according to a floating rate. The rate depends on many complicated factors, but the figure arrived at each year ensures that there will always be enough money on hand to pay the benefits which employees will have earned when they retire. The actuary for the PERS and TRS is able to state with considerable accuracy the contribution rates necessary every year in the future in order to fund lifetime benefits for all members in each system. Each of you can feel confident that sufficient funds will have been set aside to pay your benefits when you retire.

In contrast, the Judicial Retirement System only receives enough money to pay benefits due in the current year. For Fiscal Year 79, approximately \$370,000 was appropriated to pay retirement benefits. However, a current study indicates that in order to place the system on a funded basis, more than \$1,800,000 should be appropriated annually for benefits that will come due in the future. And as salaries and employees continue to increase, the annual budget request of \$1,800,000 will have to increase proportionately. The pay-as-you-go appropriation of \$370,000 means that an enormous payment will eventually be due at some time in the future.

PAGE 1 of 6



TRS BOARD MEETING

The Teachers' Retirement Board conducted its semiannual fall meeting the week of October 23 in Nome. The meeting, held in the Governor's Conference Room on the 2nd floor of the State Office Building, was attended by Paul Arnoldt, Director of the Division of Retirement and Benefits; Carl Petersen, Field Representative for the Division of Retirement; Robert Richardson, the actuary for the Teachers' Retirement System; Board chairman Jerry Norum; and Board members Merritt Olson, Steve Kinney, Jane Gustafson and Harry Purdy. Recent appointees Mrs. Gustafson and Mr. Purdy had little difficulty in making the transition from newcomers to efficient, functioning Board members.

The Board scheduled its meeting in Nome as part of a continuing effort to make itself more accessible to people from all areas of the state. Continually impressed by the warm reception they received, Board members appreciated the opportunity to visit Nome and become acquainted with some of its residents.

The Board's agenda included contemplating future alternatives for the system as well as reevaluating current priorities in light of probable legislative proposals in the forthcoming session. In other business, the Board reduced the amortization period for funding past service liability from 40 to 30 years, and it disapproved a member's request for disability payments.

Robert Richardson presented a detailed financial analysis of the Teachers' Retirement System. The analysis covered the present condition of the fund, the status of investments made by the system, and projections for the future.

Paul Arnoldt advised the Board that the Commissioner of Administration had promulgated various regulations designed to improve daily operation of the retirement system. Paul also gave the Board a briefing on a conference he attended last August. At that conference, he was appointed Vice President of the National Association of State Retirement Administrators for the Western Region of the United States. The appointment, in addition to being a distinct honor for the Director, also ensures that Alaska will stay abreast of current national thinking about retirement programs.

Before concluding all business in preparation for adjournment, the Board considered possible methods of increasing public attendance at the meetings. One alternative suggested was to reschedule meeting times so as not to conflict with usual, daytime work hours. This alternative was discussed but not resolved. With a feeling of definite accomplishment, the Board adjourned and established March 13 as the date for the spring meeting in Juneau.



WHAT'S HAPPENING WITH THE RETIREMENT FUNDS

As you probably know, your retirement fund is made up of employee contributions, employer contributions, and all investment earnings on that capital. What you may not know is how the money is being invested.

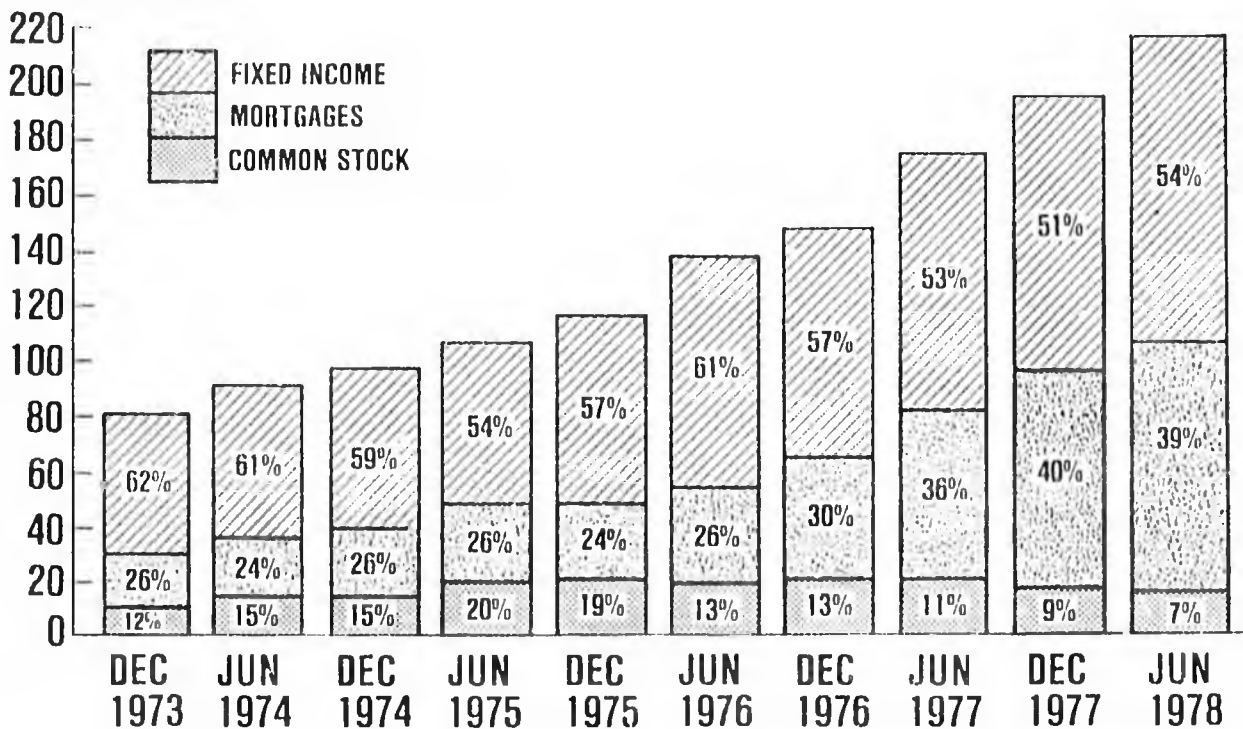
The Commissioner of Revenue is the treasurer of the retirement assets. When the fund has a surplus over and above what may reasonably be needed to pay benefits, the Commissioner has the responsibility to invest that surplus.

The graph below gives an idea how the assets are broken down and how they've increased over the last 5 years. As you can see, more than half of the total fund is invested in fixed income items such as Certificates of Deposit and U.S. Government Notes and Bonds. Most of the rest of the assets consist of conventional and residential mortgages in Alaska. In these cases, the fund is a source of money to banks and other lending institutions who in turn loan to individuals and businesses in the state.

The net investment income for your fund during Fiscal Year 1978 was more than \$16,000,000. Needless to say, investment earnings are an important source of revenue to the fund and yet another indication of the overall strength of the system.

TEACHERS' RETIREMENT SYSTEM

TOTAL ASSETS
(\$ in millions)



MEET YOUR NEW BOARD MEMBERS

Jane Gustafson, Juneau, and Harry Purdy, Dillingham, were recently appointed by Governor Hammond to the Alaska Teachers' Retirement Board. Mrs. Gustafson and Mr. Purdy, who both attended the TRS Board meeting in Nome, will serve 3 year terms to expire in June, 1981. When added to the current members from Anchorage, Fairbanks, and Ketchikan, the two new appointees give the Board a balanced statewide representation.

Mrs. Gustafson, retired since 1975, was born and raised in Denver, Colorado. After graduation from high school, she enrolled at the University of Denver and received her BA degree with a double major in education and religion. Subsequent to this, she completed a Master's degree in Special Education at Columbia University. Mrs. Gustafson's varied teaching career has included work with senior high school students in Colorado as well as involvement with a preschool class for retarded children in Juneau. She received a Teacher Foundation Award while in Denver, and she was named Juneau Teacher of the Year in 1968. Like so many others, she and her husband lived in Alaska on a trial basis before deciding to make it their home.

Prior to coming to Alaska, Harry Purdy spent eleven years as a school speech therapist in Michigan. For the last three years, he has been Assistant Superintendent in Dillingham, and his responsibilities include preparing the budget and investing various school funds.

In addition to his work as a speech therapist, Mr. Purdy has 12 years of experience as a chief negotiator for teachers and school boards. He feels that his ability to deal with opposing factions in pressure situations will be a valuable asset as a Board member.

THE STRANGE CASE OF THE UNIDENTIFIED MEMBER

No, the above is not the title of some Agatha Christie mystery you might find on the paperback book shelf, but it is a whodunnit in which you have the potential to be the victim or the hero. If you fail to include your Social Security number and the code letters TRS on your correspondence to us, you may be the "unidentified member."

One of the things that takes up time and keeps us from serving you better is having to track down Social Security numbers. Our office handles the retirement programs for all Teachers, Public Employees, Judges, Justices, Magistrates and National Guard Personnel, as well as Health Insurance and Life Insurance for employees and retirees, Death and Disability benefits, the Deferred Compensation program, and the contract for Social Security contributions for state and local governments. All told, we deal with several hundred employers and many thousands of employees and retirees.

Admittedly, playing amateur detective is fun if you have unlimited time and no pressing commitments, but because of our limited resources, we don't have a lot of extra time to spend checking through alphabetical cross-reference lists, squinting at signatures, and trying to figure out who you are.

So remember, please include the letters TRS and your Social Security number on all correspondence. In that way, it will be much easier for us to track you down, and you will be helping us to serve you better.



TRS newsbreak

is published by the State of Alaska, Department
of Administration, Division of Retirement and Benefits,
Pouch CR, Juneau, Alaska 99811.



Paul B. Arnoldt
Director



TRS Retirement Board

Jerome W. Norum
(Chairman)

Merritt C. Olson
Jane Gustafson

Steve Kinney
Harry Purdy



PAGE 6 of 6

DEPARTMENT OF ADMINISTRATION
RETIREMENT OFFICE
POUCH CR
Juneau, Alaska 99811

HB

218

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

February 14, 1979

Date: _____

Mr. Speaker:

The Committee on JUDICIARY has had HB 218

"An Act making a supplemental appropriation to the Alaska Court system; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

J. Malone

Bill [unclear]
[unclear]
[unclear]
[unclear]
[unclear]
[unclear]

Charles [unclear]
 CHAIRMAN

218

February 13, 1979

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill making a supplemental appropriation to the Alaska Court System.

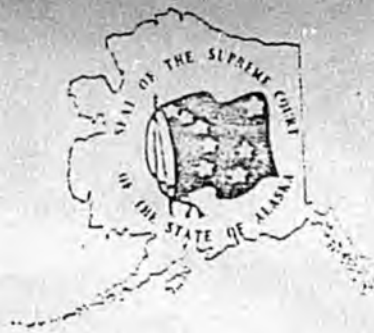
This bill is submitted at the request of the court system, and is for the contractual payment of private attorneys appointed to represent indigents in criminal cases where the public defender's office had a conflict of interest.

The amount of supplemental funding requested by the court system is based on projections using FY 79 expenditure data through December 31, 1978, which was the latest available data at the time the request was written. A review of FY 79 expenditures through January by the Division of Budget and Management reveals a drop in the monthly rate of payments to appointed counsel. A review of more recent FY 79 expenditures may indicate that the earlier projection of a need for this amount can be adjusted downward. I would recommend that the legislature postpone action on this bill until later in the session when the most recent FY 79 expenditure data is available.

Sincerely,

JSH

Jay S. Hammond
Governor



191

148-218

Alaska Court System

State of Alaska

303 K STREET
ANCHORAGE, ALASKA 99501

RICHARD P. BARRIER
DEPUTY ADMINISTRATIVE DIRECTOR

OFFICE OF ADMINISTRATIVE DIRECTOR

(907) 274-8611

January 29, 1979

Ron Lind, Director
Division of Budget & Management
Office of the Governor
Pouch AM
Juneau, AK 99811

Dear Ron:

As I have mentioned to you in previous discussions and by letter in December, The Alaska Court System must request introduction of a supplemental budget appropriation for contractual payment of attorneys in criminal conflict of interest indigency cases. The projected year-end deficit based on expenses through December and the amount we request be included in the supplemental is \$581,000.

We have met with the Governor and his staff concerning this supplemental request and to discuss possible alternatives for future years to avoid similar fiscal problems. We are now cooperating with the Governor's Office in planning for an independent legal office to handle these conflicts of interest cases and possibly other types of appointments including guardians ad litem. We are currently preparing an analysis of the numbers of cases and cost per case in various types of conflict of interest cases to assist in determining the proper size and funding of an independent agency for that function.


The requested \$581,000 supplemental is a result of projected expenditures of \$1,103,000 against an appropriation of \$52,000 for attorney appointments in criminal cases. Attached to this letter is a brief recap of the historical expenses incurred by the Court System in this budget category during years FY 76 through the current date. You will note that these costs have been rising rapidly each year but that the current year projection is approximately 100 percent

higher than the expenditures for FY 78. We have found that the expenditures through December 31, 1978 represent at most one-third of the total expenses for the year. This is a result of a lapse of approximately two months in submission of bills by attorneys following most of the work done in their cases. In each of the previous years the first six months expenses have represented approximate a quarter or less of the total expenses for the year. Were this trend to continue in FY 79, the amount requested for supplemental would need to be increased greatly. However, since the first six months of FY 79 did include several expensive cases, and since it is assumed that the second half of the year will not have as many extraordinarily large cases, the projection is reduced somewhat over the historical past.

The Alaska Court System has very little control over the amounts billed by attorneys in these appointments. These appointments originate with the filing of a request by the Public Defender to be removed from a case due to a conflict within his office concerning the representation of an indigent defendant. This results primarily from situations where there are multiple defendants in a case or a witness in one case might be a defendant in another case in which the defendant is represented by the Public Defender. Since the Canons of Ethics do not allow a law firm to represent more than one side of any case, it is often necessary for private counsel to be appointed. When an attorney finishes his case, bills are submitted to the judge for review and approval and payment by the court at \$40 per hour.

If you have any questions concerning this request for a supplemental, please let me know as soon as possible. Thank you for your assistance.

Sincerely,

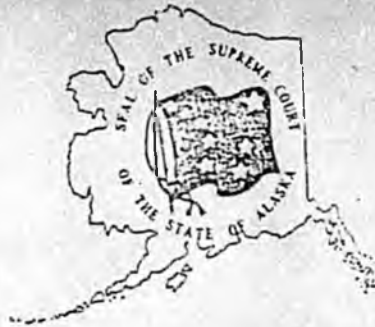


Richard P. Barrier
Deputy Administrative Director

Attachments

Historical Expenses Pattern - Attorney Payments
In Conflict-of-Interest Cases

District or Service Area	FY 76		FY 77		FY 78		FY 79	
	<u>12/31/75</u>	<u>Entire Year</u>	<u>12/31/76</u>	<u>Entire Year</u>	<u>12/31/77</u>	<u>Entire Year</u>	<u>12/31/78</u>	<u>Entire Yr. Pro- jected</u>
First	11.1	31.9	2.1	59.3	7.7	69.6	50.5	150.0
Second	.2	3.4	1.2	2.6	1.3	2.8	6.7	14.0
Third	53.5	178.7	63.0	188.5	58.6	279.8	274.4	650.0
Fourth	13.2	66.7	38.9	131.1	23.2	111.5	80.9	240.0
Bethel			6.9	18.3	13.1	44.8	13.1	45.0
Barrow					.5	5.6	.4	4.0
TOTAL	78.0	280.7	112.1	399.8	104.4	514.1	426.0	1103.0



Alaska Court System

State of Alaska

SUSAN BURKE
DEPUTY ADMINISTRATIVE DIRECTOR

OFFICE OF ADMINISTRATIVE DIRECTOR

303 K STREET
ANCHORAGE, ALASKA 99501

(907) 274-8611

February 1, 1979

Mike Harper
Office of the Governor
Pouch A
Juneau, Alaska 99811

Dear Mike:

This is a short summary of the history and current problems associated with the compensation of private counsel in Public Defender conflict cases. I have listed the questions we need to discuss on Monday at the end of this letter.

In 1974 the Legislature amended the Public Defender Act to transfer to the Court System the responsibility for appointment and compensation of private counsel appointed to represent indigent defendants whom the Public Defender cannot represent because of conflict of interest. Before this transfer, the Public Defender compensated substitute counsel at the rate of \$42.00 per hour which was then the minimum hourly fee set by the Bar Association. When the Court System took over the responsibility, the fee schedule was set at \$35.00 per hour. This remained the rate of compensation until July 1, 1978 when the rate was raised to \$40.00.

For Fiscal Year 1975, the Court System received the amount that had been requested by the Public Defender Agency for these expenses. The budget and expenditure history for Fiscal Year 1975 and subsequent years is as follows:

EXPENDITURE

Fiscal Year 1975	133,800
Fiscal Year 1976	280,700
Fiscal Year 1977	399,800
Fiscal Year 1978	514,100