

HJ 9679 SB 104 (FILE NO. 4) - SB 114

TABLE II

## 1978 DISPOSITIONS

	Civil Appeals	Criminal Appeals	Sentence Appeals	Total Appeals	Petitions for Review	Originals	TOTAL
A. By Opinion & Mandate:							
Affirmed	42	56	23	121	8	2	131
Affirmed in part/reversed or remanded in part	24	7	2	33	1		34
Reversed	2	7		9	2	1	12
Reversed and remanded	26	19	2	47	2		49
Remanded only	11	5	3	19			19
Sentence too lenient			1	1			1
Bar disciplinary action						2	2
<u>Total Dispositions by Opinion &amp; Mandate</u>	105	94	31	230	13	5	248
B. By Memorandum Opinion and Judgment:							
Affirmed	6	5	1	12			12
Reversed	1	1		2			2
C. By Summary Order:							
Affirmed	2	1		3	3		6
Reversed or reversed and remanded	8			8	12		20
Other	1	2		3	6	5	14
TOTAL DISPOSITIONS ON MERITS	123	103	32	258	34	10	302
D. Petitions for Review/ Originals denied					85	14	99
E. Dismissals:							
By Agreement or by appellant	69	18	8	95	4		99
By court	27	9	3	39	12	1	52
On motion	6	1		7	1		8
TOTAL DENIALS & DISMISSALS	102	28	11	141	102	15	258
TOTAL CASE DISPOSITIONS	225	131	43	399	136	25	560

TABLE III - HISTORICAL<sup>a</sup>

	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
A. FILINGS <sup>b</sup>				
Civil Appeals	151	214	251	256
Criminal Appeals	76	120	156	135
Sentence Appeals	22	32	63	56
<u>Total Appeals</u>	<u>249</u>	<u>366</u>	<u>470</u>	<u>447</u>
Petitions for Review	81	86	126	156
Originals	7	16	17	27
TOTAL	<u>337</u>	<u>468</u>	<u>613</u>	<u>630</u>
B. DISPOSITIONS				
Civil Appeals		141	201	225
Criminal Appeals	> 193	67	88	131
Sentence Appeals	12	33	40	43
<u>Total Appeals</u>	<u>203</u>	<u>241</u>	<u>329</u>	<u>399</u>
Petitions for Review	84	82	103	136
Originals	10	12	18	25
TOTAL	<u>299</u>	<u>335</u>	<u>450</u>	<u>560</u>
C. DISPOSITIONS				
On Merits	c	148	231	302
P/R and Orig. Denied	c	52	67	99
Dismissals	c	135	152	159
TOTAL	299	<u>335</u>	<u>450</u>	<u>560</u>
D. OPINIONS PUBLISHED	122	142	189	237
E. PENDING END OF YEAR				
Civil Appeals	148	218	268	297
Criminal Appeals	76	132	200	209
Sentence Appeals	17	16	39	51
<u>Total Appeals</u>	<u>241</u>	<u>366</u>	<u>507</u>	<u>557</u>
Petitions for Review	16	20	43	61
Originals	1	5	4	6
TOTAL	<u>258</u>	<u>391</u>	<u>554</u>	<u>624</u>

a The figures for cases pending at the end of 1977 plus 1978 filings minus 1978 dispositions do not equal cases pending at the end of 1978 due to reclassifications and corrections. See footnote a to Table I. The same is true from 1975 to 1976.

b Includes reinstatements.

c Breakdown unavailable.

TABLE IV

CASES PENDING: DECEMBER 31, 1978

	<u>Civil Appeals</u>	<u>Criminal Appeals</u>	<u>Sentence Appeals</u>	<u>Total Appeals</u>	<u>Petitions for Review</u>	<u>Originals</u>	<u>TOTAL</u>
Awaiting Record	67	50	8	125			125
Awaiting Briefs	78	70	12	160	14	5	179
With Central Staff	5	3		8			8
Awaiting Hearing/Submission	33	10	1	44	2		46
Awaiting Draft Opinion	54	40	22	116	13		129
Draft Opinion Circulating	38	24	6	68	11		79
Awaiting Decision on Granting Petition for Review or Original					16	1	17
Awaiting Mandate or Decision On Rehearing	11	4	2	17	2		19
Stayed or Remanded	<u>11</u>	<u>8</u>	<u>—</u>	<u>19</u>	<u>3</u>	<u>—</u>	<u>22</u>
TOTAL	297	209	51	557	61	6	624

M E M O R A N D U M

January 31, 1979

TO: Susan Burke  
Merle Martin

FROM: Beverly Haywood

SUBJECT: Annual Report Preview

Bob Bacon asked me to send along the attached copies of statistics which will form part of our annual report. Sort of a sneak preview!

BA

BH

NUMBER OF CRIMINAL CASES BEING REPRESENTED

BY PUBLIC DEFENDER  
[Filings in 1978]

<u>P.D.</u>	<u>Ct. Appointed</u>	<u>Retained</u>	<u>Fro Se</u>
87	56	39	3
[24 are sentence appeals]	[7 are sentence appeals]	[21 are sentence appeals]	

JANUARY 1978

NO.	NAME	DATE FILED	TYPE
3822	Chin, Hilbers, et al v. Municipality of Anch.	1/5/78	Petition
3823	Mossberg, Clifford W., et al v. State	1/5/78	Petition
3824	Meyer, Gregory v. John Schober, et al	1/5/78	Petition
3825	Darling, Valeria v. Michael Darling		Appeal
3826 ✓	Quinn, Daniel James v. State of Alaska	9/20/77	Cr. Appeal
3827	Willis, Jennie v. Anchorage, Municipality of	1/13/78	Petition
3828	Fowler, Julian V. & Fowler, Roberta R. v. State, Dept. of Agriculture	1/9/78	Petition
3829	Boice, Stanley, et al v. Duane A. Coon	1/10/78	Petition
3830	McKie, John Lee v. State	1/16/78	Petition
3831	Nelson, Bill, et al v. Matanuska Sand & Gravel, Inc., et al	1/6/78	Appeal
3832	Flores, Christine v. David Flores	1/11/78	Petition
3833 no	Preston, Melody J. v. State	1/11/78	Sent. Appeal
3834 ✓	Alpiak, Oscar, Jr., v. State	1/3/78	Sent. Appeal
3835	AK Workmen's Comp. Bd., v. Saling, Mac L.	1/3/78	Appeal
3836	State v. Hartman, Jordan, et al		Petition
3837	Nana Dev. Corp., Inc., et al v. Douglas D. McLean	1/16/78	Petition
3838	Piaz, Virginia Dahl, et al v. Hickel Invest. Co., et al	1/16/78	Petition
3839 no	at. Buchanan, Terry C. v. State	11/28/77	Cr. Appeal
3840	In the Matter of D.C., a Minor & In the Matter of E.C., a Minor	1/3/78	Juv. Appeal
3841 ✓	Klepinger, Michael Ross, et al v. State	1/5/78	Cr. Appeal
3842	AK Public Defender Agency, Juneau v. Superior Court of the St. of AK, 1st Jud. Dist., Juneau	1/18/78	Original
3843	Great American Ins. Co., et al v. State, Dept. of Highways, et al	1/5/78	Appeal
3844	In the Matter of the Dissolution of Marriage of Karyn M. Settle & Thomas J. Settle	1/6/78	Appeal
3845	General Motors Corp., et al v. Russell Bartoo	1/5/78	Cross-Appeal
3846	Fraternal Order of Eagles, Fbks., et al v. Bablinskas, Marie Ann	1/27/78	Petition
3847 ✓	Griffith, Leroy v. State	1/6/78	Cr. Appeal
3848	Fernandes, Nicola J. v. Fernandes, Raymond F.	1/9/78	Appeal
3849	Avery, Charles Richard v. Bd. of Governors, ABA		<i>petition</i>
3850	Wear, Gordon v. Farmers and Merchants Bank of Las Cruces, New Mexico	1/9/78	Appeal
3851	State, Dept. of Trans. v. 14,313 Sq. Feet, et al		Petition

NO.	NAME	DATE FILED	TYPE
3852	Cox Enterprises, Inc. & Edna H. Cox v. Chandler Leasing Corp.	1/13/78	Appeal
3853	In the Matter of the Adoption of L.A.H., a Minor	1/11/78	<i>Civil</i> Juv. } Appeal
3854	Lounsbury, Hewitt V. & Assoc. v. AK Mutual Savings Bank		Appeal
3855 <i>no</i>	Gonzales, Norberto P. v. State	1/23/78	Cr. Appeal
3856	AK National Bk of the North v. Robert F. & Theresa Pierce	1/13/78	Appeal
3857 <i>no</i>	Burnett, Monte v. State	1/24/78	Sent. Appeal
3858	Puget Sound Tug & Barge Co., et al v. North Slope Borough	1/16/78	Cross-Appeal
3859	Hammond, Roy W. v. Becthel, Inc., et al	3/17/77	Appeal
3860 <i>no</i>	Rask, Douglas R. v. Municipality of Anch.	1/19/78	Cr. Appeal
3861	Libbey, John, et al v. City of Dillingham & Engstrom Brothers Co., Inc.	1/18/78	Appeal
3862	U. S. Fire Insurance Co., et al v. Warren C. Clover, et al	1/20/78	Appeal
3863	City of Anchorage v. Dale W. Rusnell	1/20/78	Appeal
3864	Freeman, George T. v. ABA		Petition
3865	Delbert, Susan v. ABA & Mary LaFollette	1/26/78	Appeal
3866	Strange, Beulah v. Midnight Logging, Inc.	1/20/78	Appeal
3867	Cavanah, Orvel C. v. Martin, Richard J.	1/18/78	Appeal
3868	Williams, Polley W. v. Anchorage	1/27/78	Petition
3869	In the Matter of N.P.M.		Petition
3870	McKay, Neil v. Pfeil, Robert		Petition
3871	Sollenberger, Lee Ann v. Ted Moninski	1/31/78	Original
3872 ✓	McConnell, Gary v. State	1/27/78	<i>Criminal</i> Appeal }
3873 <i>no</i>	<i>et al.</i> Penn, Robert v. State	1/26/78	Sent. Appeal
3874	Williwaw Lodge et al v. Bernard E. Locke	1/30/78	Appeal
3875	George A. Barth v. Patricia M. Barth	2/1/78	Appeal
3876	Carbin, Joseph E. v. State	1/30/78	Petition
3877	Australaska Corp. et al v. Mun. of Anchorage	2/1/78	Appeal
3878	Callen, Wayne d/b/a/ Valdez Charterers v. Alyeska Pipeline Service Co., Inc., et al	1/27/78	Appeal
3879	White, Cecil L. v. Alyeska Pipeline Service	2/2/78	Appeal
3880 ✓	Sakar, Sinka v. State	2/2/78	Cr. Appeal
3881	Michael, Minnie, et al v. State of Ak.	2/3/78	Petition
3882	Industrial Indemnity Company of Ak. v. Richard M. Cassa et al	2/2/78	Appeal

NO.	NAME	DATE FILED	TYPE
3883 no	Lopez, Willard, v. Anchorage	2/3/78	Cr. Appeal
3884 no	<i>stat.</i> Hill, Willie B., Jr., v. State	2/6/78	Cr. Appeal
3885 no	<i>ct. at.</i> Deacon, Herman Morgan v. State	2/6/78	Cr. Appeal
3886	State v. Eddie L. Moreland	2/9/78	Petition
3887	Chin, Hilbers v. Municipality of Anch.		Petition
3888	State v. Lundgren Pacific Construction Co., Inc	2/10/78	Petition
3889	Santos, Bernard T. v. A.B.A.	2/15/78	Petition
3890 no	<i>ct. at.</i> Ferguson, John Raymond v. State	2/14/78	Sentence App
3891 no	Gambardella, Alice v. State	2/7/78	Cr. Appeal
3892	Allstate Insurance Co., Inc., v. Anchorage	1/3/78	Appeal
3893	State of Alaska v. Robert Wayne Smith	2/7/78	Appeal
3894	In the Matter of F.S., a minor under the age of 18 years.	2/17/78	Petition
3895	North St. Telephone Co. v. RCA Ak. Comm.	2/17/78	Appeal
3896 no	<i>ct. at.</i> Deal, Edgar v. State of Alaska	2/17/78	Sent. Appeal
3897	Amoco Prod. Co. v. W.C. Church Welding & Contracting	3/13/78	Petition
3898 ✓	Garlejo, Jose A. v. State	2/7/78	Cr. Appeal
3899 no	<i>ct. at.</i> Johnson, Earl Lakev. State	2/14/78	Cr. Appeal
3900 no	Wright, Robert Dale v. Anchorage, Munic. of	2/14/78	Cr. Appeal
3901 ✓	Williams, Jimmie Roy v. State	2/14/78	Cr. Appeal
3902 ✓	Oxereok, Nathan v. State	2/14/78	Cr. Appeal
3903 ✓	Sovalik, Thomas v. State	2/27/78	Cr. Appeal
3904 no	McGee, Donavan Wesley v. State	2/16/78	Cr. Appeal
3905	Arctic Motor Freight v. Ak. Teamsters Employer Service	2/17/78	Appeal
3906	United Benefit Insurance Company v. Warren Fraser	2/17/78	Appeal
3907	Troyer, Marvin L., et al v. State of Ak.	3/2/78	Petition
3908 ✓	Shelton, Anthony v. State of Ak.	3/6/78	Sent. Appeal
3909	Troyer, Ivy Jewell, et al v. Allstate Insurance Company, <i>etal</i>		Petition
3910	Wilson, York, Jr., v. City of Kotzebue	3/10/78	ORIGINAL Petition
3911 no	Prencesti, Carmine T. v. State	2/10/78	Cr. Appeal
3912	State, Highways, Depart. of v. Brown, Charles P.	2/27/78	Appeal
3913	Locke, Bernard E. v. Williwaw Lodge	2/7/78	Cross Appeal
3914 no	Anchorage, Municipality of, v. Cook, J. Wesley	2/24/78	Cr. Appeal
3915 ✓	Adams, Hannah v. State	3/6/78	Cr. Appeal
3916 no	<i>ct. at.</i> Self, Mark v. Alaska, State of <i>ct. appnt.</i>	3/6/78	S.A.
3917	Levar, William L. v. Elkins, Mary	3/3/78	Appeal

NO.	NAME	DATE FILED	TYPE
3918	Thetford, Terry et al v. Juneau et al	3/8/78	Civil Appeal
3919	Carlson, Julie et al v. State of Alaska et al	3/2/78	Appeal
3920	Dolchok, Andrew D. v. Alaska, State of	3/6/78	Appeal
3921 no	<sup>et. appnt.</sup> Harvey, Raymond Anthony v. Alaska, State of	3/6/78	Cr. Appeal
3922	Doisher, Bobby v. State of Alaska	3/14/78	Petition
3923	Bartoo, Russell R. v. Deltaga Boat Works Ltd and Thermo Electron Engine Corp.	3/8/78	Appeal
3924	Deltaga Boat Works Ltd v. Russell R. Bartoo	3/8/78	Cross-Appeal
3925	Thermo Electron Engine Corp. v. Russell Bartoo	3/8/78	Cross-Appeal
3926 ✓	Edinger, Donald v. State	3/15/78	Sent. Appeal
3927	DeMille, Tommy A. v. State	3/16/78	Petition
3928 ✓	Westdahl, Andrew v. State	3/30/78	<sup>Civil</sup> Appeal
3929	Doisher, Bobby v. State	3/14/78	Petition
3930	McIntosoh, Richard L., et al v. John C. Mason, et al		Petition
3931	Alaska, State of v. Myers, Michael, et al	3/20/78	Petition
3932	Myers, Michael et al v. Alaska, State of	3/24/78	Cr-Petition
3933	Norman, Isaac C. v. Nichiro Gyogyo Kaisha, Ltd. et al		Petition
3934	Lind, Lola A. v. Employment Security Div.	3/1/78	Appeal
3935	Winship Air Service, Inc., v. Morris	3/20/78	Cross-Appeal
3936 ✓	Watkins, Oleana v. Alaska, State of	3/22/78	Cr. Appeal
3937 no	Stumbaugh, Ronald v. Alaska, State of	3/22/78	Cr. Appeal
3938	Charmley, Frank J. v. Ak. Mun. Emp. Fed Cr. Union	3/22/78	Appeal
3939 no	<sup>et. appnt.</sup> Fields, Danny Rube v. Alaska, State of	3/21/78	Cr. Appeal
3940	B&G Meats, d/b/a/ Mr. Prime Beef v. State	3/13/78	Appeal
3941	Leighton, Karen L. v. Leighton, Ronald	3/16/78	Appeal
3942	Humbard, Covell B. et al v. Alyeska Pipeline Service Co., et al	3/13/78	Appeal
3943	International Union of Operating Engineers, Local 302 v. Jacques Veillon, et al	3/28/78	Petition
3944	Fawcett, Allan W. et al v. Ketchikan Pulp et al	3/20/78	Appeal
3945 ✓	Dayton, Andrew v. State	3/10/78	Cr. Appeal
3946 no	Handley, Joe E. v. State	3/10/78	Cr. Appeal
3947	Hakala, Ronald M. v. State, Comm. Fish. Entry	3/16/78	Appeal
3948	Green Construction Company et al v. Ak. Dept. of Labor et al	3/16/78	Appeal
3949	Wall, Robert, et al v. State	3/30/78	Original
3950	Troyer, Ivy Jewell et al v. Allstate et al	3/23/78	Appeal
3951	Conway, John v. Poirier, Brenda A.	3/23/78	Appeal

NO.	NAME	DATE FILED	TYPE
3952	Ivey, Richard C. v. State of Alaska	3/24/78	Petition
3953	ALYESKA Pipeline Service et al v. Aurora Air	3/12/78	Appeal
3954 ✓	Sielak, James v. State	4/5/78	Sent. Appea
3955	In the Matter of N.P.M. v. Neil Mackay		{ORIGINAL {Stay Applic
3956	Fry, William J. v. Bliss, Elizabeth Holmes	3/28/78	Appeal
3957 ✓	Marsden, Donald v. Alaska, State of	3/31/78	Sent. Appea
3958	In the Matter of N.P.M.		Original
3959	Miller, Joan R. v. Vjsella Maliszewski	3/29/78	Appeal
3960	Marine Advisers et al v. Adams, James S.	3/31/78	Appeal
3961 ✓	Thomas, Ellis v. State	4/3/78	Sent., Appea
3962 no	Winslow, Brian K. v. Alaska, State of	4/7/78	Sent. Appea
3963	Wilson, York v. City of Kotzebue		Petition
3964	Jennings, Millie v. Alaska, State of	3/31/78	Appeal
3965	Bonjour, Lindsey v. Randall G. Bonjour	4/7/78	Appeal
3966	Adams, James S. v. Marine Advisers, et al	4/10/78	Cross-Appeal
3967	Alaska, State of v. Andrew D. Dolchok	4/7/78	Cross-Appeal
3968	Alaska, State of v. Davidson, Hugh A.	4/ 7/78	Original
3969 ✓	Burke, Luther Jr. v. Alaska, State of	4/3/78	Cr. Appeal
3970	Coffel, Bill v. Steward, Patrick	4/4/78	Appeal
3971	18 King Crab Pots with Lines and Buoys bearing ADF & G No. 6448, et al v. Alaska, State of		Petition
3972 ✓	Brookins, Tommy L. v. State	4/14/78	Sent. Appeal
3973	F/V American Eagle, et al v. State	4/10/78	Appeal
3974	State v. F/V American Eagle, et al	4/10/78	Cross-Appeal
3975	Kenai Baptist Temple v. Kenai City Council	4/4/78	Appeal
3976	Alaska, State of, et al v. Salzwedel, Benjamin, et al	4/11/78	Appeal
3977	Fairbanks, City of v. AK Public Utilities Commission and Wire Communications	4/10/78	Appeal
3978	Sheldon Jackson College v. State	4/14/78	Appeal
3979	Webster, et al v. Bechtel, Inc.	6/19/78	<del>Appeal</del> <del>Petition</del>
3980	Farley, Raymond, et al v. N & T. Construction	4/26/78	Petition
3981	Komok, Alfred v. The Honorable L. Eugene Williams, et al	4/17/78	Original
3982	Tugatuk, David H. v. State of Ak.	4/17/78	Petition
3983	State of Ak. v. Honorable District Court Judges of the State of Ak.	4/17/78	Original
3984 no	Mills, David v. Alaska, State of	4/17/78	Sent. Appea
3985	Mackay, Neil S. v. Pfeil, Robert P. et al	4/14/78	Petition
3986 ✓	Oksoktaruk, Phillip v. Alaska, State of	4/12/78	Cr. Appeal

NO.	NAME	DATE FILED	TYPE
3987	Wick Construction co. v. Lull, John H., et al	4/13/78	Appeal
3988	Nichiro Pacific v. Norman, Isaac C.	4/17/78	Appeal
3989	Harpell, Eric Wade v. Estate of Willis R. Harpel		Petition
3990	Sebring, Lawrence v. Colver, Warren C. et al		Petition
3991	Jones, Stanley v. Patton, Jaunell		Petition
3992 <sup>no</sup>	Wightman, Steven v. Alaska, State of	4/20/78	Sent. Appeal
3993	Kodiak Island Borough v. Royal v. Large		Petition
3994	Nicholson, Elmer v. State of Ak.	4/28/78	Petition
3995	Hammond, Jay, et al v. Ramona Kelley, et al	4/24/78	Petition
3996	Gutterman, Michael v. The First National Bank of Anchorage	4/7/78	Appeal
3997 <sup>no</sup>	Grant, John v. Alaska, State of	4/26/78	Sent. Appeal
3998	Helms, Sandi M., et al v. Behlke, Jane	4/7/78	Appeal
3999	Marsden, Zane d/b/e Golden Nugget Jewelry v. Alaska, State of	4/13/78	Appeal
4000	Frontier Rock & Sand, Inc. v. Heritage Ventures, Inc., et al	4/20/78	Appeal
4001 <sup>no</sup>	Cossey, Charles v. State	4/20/78	Cr. Appeal
4002	Inupiat Univ. of the Arctic v. State	4/24/78	Appeal
4003 ✓	Keith, Robert L. v. State	4/24/78	Cr. Appeal
4004	Friedman, Martin v. District Court	5/3/78	Appeal
4005 <sup>(no)</sup>	In the Matter of E.D.R.	4/19/78	<del>Cr. Appeal</del> Juv. Appeal
4006 <sup>no</sup>	<sup>et appnt.</sup> Rice, Michael v. State of Alaska	4/25/78	Cr. Appeal
4007 ✓	Cisneros, Kay v. State of Alaska	4/26/78	Sent. Appeal
4008 ✓	Jones, James v. State of Alaska	4/26/78	Cr. Appeal
4009 <sup>no</sup>	Mossberg, Clifford Wayne v. Staet of Alaska	4/27/78	Cr. Appeal
4010	Anchorage, Municipality of v. Shackleton, Eugene	4/26/78	Appeal
4011 ✓	One, Rudy Paul v. Alaska, State of	4/27/78	Sent. Appeal
4012 ✓	Frank, Andrew v. Alaska, State of	4/27/78	<del>Cr. Appeal</del> Sent. Appeal
4013 ✓	Abraham, Fred v. Alaska, State of	4/27/78	Sent. Appeal
4014	Plumley, Norma, et al v. George E. Hale	4/28/78	Petition
4015	In the Matter of F.S.	5/15/78	Petition
4016 <sup>no</sup>	Anchorage v. Arthur Geber	4/27/78	Cr. Appeal
4017	Fiddler, Eula, et al v. Peter O'Hanson, et al	5/4/78	Petition
4018	Wien Air Alaska, Inc. v. Koozaata, Harry, et al	5/2/78	<del>Petition</del>
4019 <sup>no</sup>	Saganna, David v. Alaska, State of	5/4/78	Sent. Appeal
4020	Johnson, Clyde L. et al v. U.S. Fidelity & Guaranty Co.	5/4/78	Appeal
4021	North Staff Borough v. Millie Jennings et al	5/4/78	Appeal

NO.	NAME	DATE FILED	TYPE
4022	Hynning, Jack Van v. University of Alaska	5/5/78	Appeal
4023	Alaska, State of v. F/V American Eagle	5/5/78	Appeal
4024 <sup>report</sup> no	Reynolds, Phillip A. v. State	5/8/78	Sent. Appeal
4025 no	Black, Dennis C. v. State	5/8/78	Sent. Appeal
4026	Trott v. Alaska International Contractors		Petition
4027	Koozaata v. Wien Air Alaska, Inc.	5/8/78	Petition
4028	V. Lathrop v. Chester Lampert	5/17/78	Petition
4029	Valenzuela, Joseph v. State of Ak.	5/15/78	Petition
4030	Lull, John H. et al v. Wick Construction	4/27/78	Cross-Appeal
4031	Wainscott, Robert N., et al v. Charles J.		Petition
4032 ✓	Moore, Anthony v. State Ossenkop, et al	5/10/78	Sent. Appeal
4033 no	Lott, Abraham C. v. State	5/10/78	Sent. Appeal
4034	Edwards, Joseph C. v. State of Ak.	5/12/78	Petition
4035	Fickes, Lester J. et al v. Petrolane-Alaska Gas Service, Inc.	5/9/78	Appeal
4036 ✓	Grafton, Scott, v. Alaska, State of	5/9/78	Cr. Appeal
4037 ✓	Earley, David v. State of Alaska	5/10/78	Cr. Appeal
4038 ✓	Holton, Paul Edward v. State o Alaska	5/10/78	Cr. Appeal
4039	Alaska, State of v. Marsden, Zane	5/10/78	Cross-Appeal
4040	Juneau, City and Borough of v. Commercial Union Insurance Company	4/17/78	Appeal
4041	Commercial Union Ins. Co. v. Juneau	4/17/78	Cross-Appeal
4042	State of Alaska, Comm. Fisheries Entry Commis. v. Phillip M. Templeton	5/10/78	Appeal
4043	Ackers, Lenney D. v. State of Alaska	5/15/78	Appeal
4044	Ross, Wayne Anthony v. Neil S. Mackay, et al	5/19/78	Petition
4045	Giammalva, Joe et al v. Corroon & Black	5/16/78	Appeal
4046	Anchorage Municipality v. Jerry D. Buffington	5/19/78	Petition
4047	Sturm, Ruger v. Roy David	5/22/78	Petition
4048	Baxter, M. Dewey, et al v. Ketchum Air Serv.	1/30/78	Appeal
4049	Alaska, State of v. Nangle, Paul	5/22/78	Petition
4050	Thomas, Genevieve, <del>et al</del> v. Anchorage Telephone Utility	6/2/78	Petition
4051	Vokacek, James Mill v. Vicki Vokacek	1/26/78	Appeal
4052	Rueger, Reynold B. v. Roberta Lea Rueger	1/9/78	Appeal
4053	Wheat, Marion B. v. Robert W. Barclay, et al	3/31/78	Appeal
4054 ✓	Chappell, Margaret v. Alaska, State of	5/11/78	Sent. Appeal
4055	Argonaut Insurance Companies v. State	5/4/78	Appeal
4056 ✓	Free, James L. v. Alaska, State of	5/16/78	Cr. Appeal

NO.	NAME	DATE FILED	TYPE
4057	Alyeska Pipeline Service Co. v. Larry Alexander et al	5/16/78	Appeal
4058	Hon. Judge S. J. Buckalew et al v. James Holloway	5/18/78	Appeal
4059	Alaska Transportation Commission v. Keystone	5/18/78	Appeal
4060 <sup>stappnt.</sup>	Harris, Rock Martin v. Alaska, State of	5/18/78	Cr. Appeal
4061	Woline, William F. et al v. Alaska, State of et al	5/18/78	Appeal
4062	Anchorage, Mun. of v. Wallace, Thillman F. et al	5/18/78	Appeal
4063	Ford, Albert v. Charles Moses et al	5/18/78	Appeal
4064	Koonooka, Esther et al v. Wien Air Alaska, Inc.	5/19/78	Appeal
4065 ✓	Maleski, Mark Anthony v. Alaska, State of	5/8/78	Cr. Appeal
4066	Kotzebue, City of et al v. Jessup, Marie et al	5/19/78	Appeal
4067	Everette, Kelley Key v. Alyeska Pipeline Service et al	5/18/78	Appeal
4068	Alyeska Pipeline Service Co. et al v. Everette	5/18/78	Cross-Appeal
4069	Anchorage, A Munic. Corp. v. Harold Bostow	5/10/78	Appeal
4070	Bostow, Harold v. Anchorage	5/19/78	Cross-Appeal
4071	Horwitz, Mark, et al v. Goerge Eishop, et al		Petition
4072	Calantas, Rudy v. State of Ak.	5/26/78	Petition
4073	Dietz, David, et al v. Robin Padie, et al	5/30/78	Petition
4074	Campbell, Leon v. Sta. of Ak.		Petition
4075	Circle Seal Corp. v. Wien Air Ak.	5/30/78	Petition
4076	Teamsters Local 959 v. Robin Padie, et al	5/30/78	Petition
4077	Petrolane-Alaska Gas Service, Inc. v. Lester J. Fickes et al	5/24/78	Cross-Appeal
4078 <sup>stappnt.</sup>	Williams, Dennis Scott v. Alaska, State of	5/25/78	Cr. Appeal
4079	Wright, Sande v. Vickaryous	4/18/78	Appeal
4080	Vickaryous, James et al v. Wright, Sande	4/18/78	Cross-Appeal
4081	In re the Application of Mary Lee Hollen		Original
4082	<i>In re filed in Court of State</i>	5/2/78	PIR
4083 ✓	Martinez, Joseph v. State	5/30/78	Cr. Appeal
4084	Schmit, Robert v. William Stewart, et al	5/15/78	Appeal
4085	Air Logistics of Ak., Inc., et al v. Era Helicopters, Inc., et al	6/7/78	Petition
4086 ✓	Evans, Emmett v. Alaska, State of	6/07/78	Cr. Appeal
4087 <sup>no</sup>	Rosendahl, John v. State of Alaska	6/7/78	Sent. Appeal
4088 <sup>no</sup>	Starrish, Roberta v. State of Alaska	6/8/78	Sent. Appeal
4089	Morgan, Ernest v. Alaska, Stat of	6/7/78	Petition
4090	Wallace, Thillman F. et al v. Anchorage	6/8/78	Cross-Appeal
4091	Martin, William R. v. Kenneth J. Mears	6/7/78	Appeal

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4092 <sup>no</sup>	Graham, Marjorie v. Alaska, State of	6/5/78	Cr. Appeal
4093	McCracken Jack Jeffrey v. Charles G. Moses	6/7/78	Original
4094	Roderick, Barry v. Employment Security Div., Alaska Dept. of Labor	5/11/78	Appeal
4095	C Street Foodland, an Alaskan Corporation and Lewis R. Shell v. The Estate of John A. Renner	6/9/78	Appeal
4096	McCoy, Jeannette F., et al v. Toppers Oil	6/9/78	Petition
4097 <sup>no</sup>	Kelly, Thomas F. v. Alaska, State of	6/12/78	Sent.-Appeal
4098 <sup>no</sup>	<sup>support</sup> Nelson, Thomas v. Alaska, State of	6/12/78	Sent. Appeal
4099 <sup>no</sup>	<sup>support</sup> Walls, Thomas Dale v. Alaska, State of		Sent. Appeal
4100	Ivey, William, v. Gary Archer		Petition
4101	International Chevron Services v. Rainproof Roofing Co.		Petition
4102	Welton, Ernest v. Charles Moses, State	6/16/78	<del>Cr.</del> Appeal
4103	Ivey, Richard C. v. Avrum M. Gross, et al	6/19/78	Appeal
4104 <sup>✓</sup>	Johnson, Ronald Eugene v. Alaska, State of	6/19/78	Sent. Appeal
4105	Western Modular Corp. v. Wiley F. Beaux	5/30/78	Appeal
4106 <sup>✓</sup>	Stonefield, Allan v. Alaska, State of	6/20/78	Sent. Appeal
4107	Brinson, Thelma v. Joseph Jackson d/b/a A-B-C Real Estate	6/23/78	Appeal
4108	Racanelli, John v. State of Ak.		Petition
4109	Alaska, State of v. O'Neill Investigations, Inc.	6/23/78	Appeal
4110 <sup>no</sup>	Ahwinona, Sam Jr. v. Alaska, State of	6/26/78	Sent. Appeal
4111 <sup>no</sup>	Ferguson, David M. v. Alaska, State of	6/26/78	Sent. Appeal
4112	Alaska, State of; Revenue, Dept. of v. Cook Inlet Pipeline Company	6/28/78	Appeal
4113	Penn, Darrel v. Albert H. Ivey and Karen J. Ivey	6/16/78	Appeal
4114	Alaska, State of, Agriculture, Division of v. Raymond F. Pedrick, et al.	6/28/78	Appeal
4115	Fleckenstein, Larry and Helen Fleckenstein v. Tom Faccio	6/28/78	Appeal
4116	Clayton, George O. et al v. Alaska, State of	5/30/78	Appeal
4117 <sup>no</sup>	LeDuff, Melvin v. Alaska, State of	6/16/78	Cr. Appeal
4118	Palmer, City of v. Anderson, Dale A. et al	6/9/78	Appeal
4119	Castner, Clifford v. Toomgs, Bill, et al	6/19/78	Appeal
4120	Rentz, Patricia et al v. Sullivan, George et al	6/19/78	Appeal
4121	Alaska, State of v. AK Continental Development Corp., et al	6/21/78	Appeal
4122	Continental Development Corp., et al v. State	6/28/78	Cross Appeal
4123	Phillips, Gerald & James V. Kelly d/b/a The Leprechaun Bar v. City of Fairbanks	6/23/78	Appeal
4124 <sup>no</sup>	<sup>support</sup> Valentine, Albert v. State of Alaska	6/28/78	Cr. Appeal
4125 <sup>✓</sup>	Olanna, Agripina v. City & Boro. of Sitka	6/26/78	Cr. Appeal
4126 <sup>no</sup>	<sup>support</sup> Ivey, Richard v. State of Alaska	6/28/78	Cr. Appeal

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4127 <sup>no</sup>	Alaska, State of v. Walter Thomas Walls	6/29/78	Sent. Appeal
4128	Dunne, James, d/b/a Cache Market v. Raymond Piceno, d/b/a Alaskan Victory Bar	6/29/78	Appeal
4129	Howe, Billy Joe v. State of Ak.	6/30/78	Petition
4130 <sup>no</sup>	Ludlow, Jerry Jo, a/k/a Jerry Jo Stone v. State of Alaska	7/2/78	Sent. Appeal
4131 <sup>✓</sup>	Larry Larson v. State of Ak.		Cr. Appeal
4132 <sup>✓</sup>	Morris, Phillip v. State of Alaska		Sent. Appeal
4133	Drickersen, Hortensia C. v. Charles G. Drickersen, as guardian and next friend of Pandora M. Drickersen	7/5/78	Appeal
4134	Lantz, Alvin L. et al v. Alyeska Pipeline Serv.	7/3/78	Appeal
4135 <sup>no</sup>	Muntz, John G. v. Alaska, State of	7/3/78	Cr. Appeal
4136 <sup>✓</sup>	Thornton, Michael Wayne v. Alaska, State of	7/5/78	Cr. Appeal
4137	Simmons, Carol Gibson v. Trick, Wesley L.	7/5/78	Appeal
4138	Paccio, Tom v. Fleckenstein, Larry et al	7/5/78	Cross-Appeal
4139	Alaska, State of v. Bechtel Incorporated	7/5/78	Cross-Appeal
4140	Komok, Alfred v. State of Ak.	7/3/78	Petition
4141	Valley Construction, Inc., et al. v. Alfred Cunningham	6/19/78	Appeal
4142 <sup>✓</sup>	Rowsey, Rodney v. Alaska, State of	7/5/78	Cr. Appeal
4143 <sup>✓</sup>	Woodards, Roderick G. v. Alaska, State of	7/7/78	Cr. Appeal
4144 <sup>✓</sup>	McGahan, Kenneth v. Alaska, State of	7/7/78	Cr. Appeal
4145	Yunker, Alan L. v. Alaska Commercial Fisheries Entry Commission	7/10/78	Appeal
4146 <sup>✓</sup>	Thomas, Danny S. v. Alaska, State of	7/10/78	Cr. Appeal
4147 <sup>✓</sup>	Oksoktaruk, Phillip Noah v. Alaska, State of	7/10/78	Cr. Appeal
4148 <sup>✓</sup>	Chilton, Eric v. Alaska, State of	7/11/78	Cr. Appeal
4149	Valdez, City of v. J.V. (Pete) Williams, d/b/a Totem Inn	7/10/78	Appeal
4150 <sup>no</sup>	Spielman, Barney v. Alaska, State of	7/13/78	Cr. Appeal
4151	Alyeska Pipeline Service Co. v. Howard Vicini		Petition
4152 <sup>no</sup>	Schultz, Donald E. v. Alaska, State of	7/13/78	Cr. Appeal
4153	ATKINSON, JEANNETTE v. BARBARA HALL, Administratrix of Est. of Joycelyn B. Bordeau, Deceased	7/13/78	Appeal
4154	Gregor, Thelma, et al v. City of Fairbanks	7/13/78	Appeal
4155	Alaska Children's Services v. Francis S.L. Williamson	7/14/78	Appeal
4156 <sup>no</sup>	Badger, Edward v. Alaska, State of	7/14/78	Cr. Appeal
4157	Yale, Patricia v. Robert B. Flint, et al	7/17/78	Appeal
4158	Triplet, Charmaine v. Lucena Palmaras Triplet	7/20/78	Appeal
4159 <sup>no</sup>	Williams, Michael Eugene v. Alaska, State of	5/8/78	Cr. Appeal
4160 <sup>no</sup>	Winslow, Brian K. v. Alaska, State of	7/19/78	Sent. Appeal
4161 <sup>✓</sup>	Campbell, Alphonso v. Alaska, State of	7/17/78	Sent. Appeal

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4162	Heidel, Roy v. Fred Pankratz		P/R
4163	Industrial Power & Lighting Corp. v. Western Modular Corp.	7/17/78	Appeal
4164	Rogers Electric Company et al v. Richard Kouba	7/19/78	Appeal
4165	O'Neil Investigations, Inc., v. Alaska, State of	7/20/78	Cross-Appeal
4166	Wamser, James v. State of Ak.		P/R
4167	Emsley, Irven R. v. Home Insurance Company, a foreign corporation	7/19/78	Appeal
4168	Engel, Murray v. Edgar Paul Boyko, et al	7/24/78	Appeal
4169 <sup>no</sup>	<sup>at appt.</sup> Deal, Kenneth E. v. Alaska, State of	7/24/78	Cr. Appeal
4170	Fairbanks North Star Borough Board of Adjustment v. Wilcox Estates		Petition
4171	Ahmacgak, Maggie v. State of Ak.		Petition
4172 <sup>✓</sup>	Alaska, State of v. Ivey, Richard	7/25/78	Sent. Appeal
4173	Bering Sea Originals et al v. Carol F. Chase et al	7/27/78	Appeal
4174	Adasiak, Allan et al v. Lucy Charlie et al	7/28/78	Petition
4175			
4176	Western Modular Corp. v. Industrial Power & Lighting Corp.	7/28/78	Cross Appeal
4177	Waldock, Dennis v. State of Alaska et al	7/31/78	Original
4178	Hinkel, Ida Marie v. Anchorage		Petition
4179	Alaska Federal Savings and Loan et al v. State of Alaska, Dept. of Revenue	8/2/78	Appeal
4180 <sup>✓</sup>	Creer, Wallace v. Alaska, State of	8/2/78	Sent. Appeal
4181	Ustaszewski, Maureen L. v. Green, William, et al	8/3/78	Civil Appeal
4182	Ustaszewski, Eugene v. Moses, Charles, et al	8/3/78	Civil Appeal
4183 <sup>no</sup>	Smith, Edward W. v. Alaska, State of	4/13/78	Cr. Appeal
4184 <sup>no</sup>	Smith, Edward W. v. Alaska, State of	4/13/78	Cr. Appeal
4185	Mackey, Neil v. The Estate of Muriel Pfeil		Petition
4186	Standard Oil Co. of California v. Anchorage	8/7/78	Civil Appeal
4187 <sup>✓</sup>	Morgan, Ernest v. Alaska, State of	8/8/78	Sent. Appeal
4188	First National Banks of Anchorage v. May, Gary R. et al	8/8/78	Civil Appeal
4189	Veach, Norman J. v. Meyeres Real Estate, Inc.	8/10/78	Civil Appeal
4190 <sup>no</sup>	<sup>at appt.</sup> Sanders, Carl Allen v. Alaska, State of	8/11/78	Cr. Appeal
4191 <sup>no</sup>	<sup>at appt.</sup> Shine, Joseph T. v. Alaska, State of	8/11/78	Cr. Appeal
4192	Osness, Patricia v. Dimond Estates, Inc.	8/11/78	Civil Appeal
4193	Dimond Estates, Inc., v. Patricia Osness	8/11/78	Cross-Appeal
4194	Clary, Donald G. v. Stack Steel and Supply Co	8/11/78	Civil Appeal
4195 <sup>no</sup>	<sup>at appt.</sup> Lock, David A. v. Alaska, State of	8/14/78	Cr. Appeal
4196	Godbey, Williams Givens, et al v. Westours, Inc., et al	8/11/78	Petition

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4197	Ellerbe Assoc. v. Bering Straits	8/14/78	Petition
4198	Great Northern AK Transportation, Ltd., et al v. Don Dahl as Rep. of Est. of John Thomas	8/14/78	Petition
4199 ✓	Hughley, Howard v. Alaska, State of	8/16/78	Cr. Appeal
4200 <sup>CA</sup> no	Hawley, Timothy v. Alaska, State of	8/16/78	Cr. Appeal
4201	Bradley v. Tanana Valley Fair		Petition
4202 <sup>CA</sup> no	Kerwin, James J. v. Alaska, State of	8/16/78	Cr. Appeal
4203 no	Alaska, State of v. Robert & Tom Van Brocklin	8/17/78	Cr. Appeal
4204	Thomas, Lowell Jr., et al v. Edgar Bailey, et al	8/24/78	Appeal
4205 no	Bright, Reginald et al v. Alaska, State of	8/24/78	Cr. Appeal
4206	Frontier Transportation Co., v. James E. Lee, et al.	8/24/78	Appeal
4207	Beavers, Grant, et al v. Munic. of Anchorage		<del>Stay</del> <sup>Appl</sup>
4208	Kerslake, Charlot v. Harold A. Kerslake	8/24/78	Appeal
4209	Brandman, et al v. State of Ak.	8/23/78	Petition
4210	Schmit, Robert M. v. Eugene Miller		Petition
4211	Kachemak, City of et al v. E.D. Springer	9/6/78	Petition
4212	Johnson, Julius v. State of Ak.		Petition
4213	Dowling Supply and Equipment v. Gardner, et al	8/24/78	Civil Appeal
4214 no	Viveros, George E. v. Alaska, State of	8/28/78	Cr. Appeal
4215	Swift, Justin v. Alaska, State of, et al	8/25/78	Appeal
4216	Wickwire, Thomas R. v. Transamerica Title Ins.	8/10/78	Civil Appeal
4217 <sup>CA</sup> no	Byrd, Tommy v. Alaska, State of	8/30/78	Cr. Appeal
4218	Tract C. 28-37, Philip Rahoi v. State, et al		Petition
4219 ✓	Nygren, Billie T. Ward v. Alaska, State of	8/31/78	Cr. Appeal
4220	Thomas, Lowell, Jr., et al v. Clifford E. Warren		Appeal
4221	C.Y. Inc. v. Alaska, State of	8/31/78	Appeal
4222	Earthmovers of Fairbanks, Inc., v. Pacific Insurance Company	9/1/78	Civil Appeal
4223	Valenzuela, Joseph W. v. State of Ak.	8/2/78	Petition
4224	White, Hugh B., et al v. State of Ak., et al	8/2/78	Petition
4225	Assoc. Pipeline Contractors, Inc., et al v. Jacqueline R. Finkel	8/31/78	Petition
4226 ✓	Putnam, Gerald P. v. Alaska, State of	9/7/78	Sent. Appeal
4227 ✓	Larson, Fred v. Alaska, State of	9/6/78	Sent. Appeal
4228 <sup>CA</sup> no	Smith, Allen J. v. Alaska, State of	9/7/78	Cr. Appeal
4229	Alaska, State of, Human Rights, Commission of v. Yellow Cab	8/28/78	Appeal
4230 no	Grant, John O. v. Alaska, State of	9/7/78	Cr. Appeal
4231 no	Owen, Bob l. v. Alaska, State of	9/7/78	<del>Cr. Appeal</del> Sentence

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4232 ✓	Davis, Joshuway v. Alaska, State of	9/8/78	Cr. Appeal
4233 no	Lear, Jeffrey v. Alaska, State of	9/8/78	Cr. Appeal
4234	Jenkins, Helen, et al. v. Jenkins, Moses et al	9/11/78	Civil Appeal
4235	Prokopis, Taso & Theresa v. Chris Prokopis	9/5/78	Civil Appeal
4236	Jones, Stanley v. Jenell Patton		
4237	State of Alaska, Jack L. Silas	9/14/78	Petition
4238	City of Fairbanks & Edward L. Martin v. Mark N. Wayson	9/14/78	Stay <i>ditto</i>
4239	Alaska, State of v. Firor, Betty Lou	9/13/78	Cr. Appeal
4240	Shatting, Jay v. Dillingham City School Dist.	9/8/78	Civil Appeal
4241	Jones, Stanley v. Jenell Patton		Petition
4242	Munro, Vivien v. Wilber† Burrow		Petition
4243	Alaska, State of v. Brenda Flora		Petition
4244	Miller, David v. State of Ak.		Appeal
4245 ✓	Black, Lance v. Alaska, State of	9/13/78	Cr. Appeal
4246 no	Wilson, Daniel v. Alaska, State of	9/13/78	Cr. Appeal
4247	West, Margaret June, et al v. Alaska, State of	9/14/78	Civil Appeal
4248	Hotel and Restaurant Union Local 878 v. The Alaska State Commission for Human Rights	9/15/78	Civil Appeal
4249	Curry, David v. George & Carol Tucker, et al	9/1/78	Civ. Appeal
4250	Trott, v. Alaska International Constructors		Petition
4251	Walter Hickel, et al v. Lowell Thomas, Jr.,	9/22/78	Original
4252	Fairbanks, City of , et al v. Wayson, Mark N.	9/19/78	Petition
4253	Board of Education, Fairbanks, v. Ruth Ewig et al	9/15/78	Civil Appeal
4254	Whitson, Carl et al v. Anchorage	9/15/78	Civil Appeal
4255	Sjong, John K. v. Alaska, State of	9/15/78	Civil Appeal
4256	Wilson, York v. Kotzebue, City of	9/15/78	Civil Appeal
4257	Brown, George Jr., et al v. State of Ak.		Petition
4258	Peter Dana v. State of Alaska		Petition
4259	Wilson, Paul, et al v. Mine Safety Appliances Co.		Petition
4260	Ak. Constructors, Inc. v. Copper Valley Elect. Assoc.		Petition
4261	Carr, Jessie L. v. Lowell Thomas, Jr.		<del>Petition</del>
4262	Kemp, Frederick Henry v. Transport International Pool	9/25/78	Petition
4263 no	Williams, Shelley v. Alaska, State of	8/11/78	Cr. Appeal
4264 ✓	Morris, Anthony R. v. Alaska, State of	9/22/78	Cr. Appeal
4265	Dalton, Edwin, et al. v. Interior Credit Bureau	9/22/78	Civil Appeal
4266	Anderson, Bun et al v. Lowell Thomas Jr.	9/25/78	Civ. Appeal

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4267	Anchorage, a munic. corp. v. Carl Whitson	9/25/78	Cross-Appeal
4268	State v. Raymond N. Laymance	9/27/78	Original
4269 no	Sopko, Douglas v. Alaska, State of	10/2/78	Cr. Appeal
4270	Copper Valley Electric Assoc. v. Ak. Constructors, Inc.		Cross-Petit
4271 no	Gonzales, Norberto P. v. Alaska, State of	6/23/78	Cr. Appeal
4272 ✓	Elstad, Dennis v. Alaska, State of	10/4/78	Sent., Appeal
4273 no	<i>et al.</i> Wall, Robert v. Alaska, State of		Cr. Appeal
4274	Hammond, Jay v. Hickel, Walter J., et al	9/27/78	<i>org.</i> Cross-Appeal
4275	Croft, Chancy v. Hickel, Walter J. et al	9/27/78	<i>Org.</i> Cross-Appeal
4276	Rhoads, M.A., et al v. The Reverend Roger Ford, et al	9/28/78	Civ. Appeal
4277	Alaska, State of, Human Rights, Commission of v. Yellow Cab	10/9/78	Civ. Appeal
4278	Dean Whitter & Co. v. Douglas Lantz	10/9/78	Petition
4279	Kelly, Harry v. State of Ak.		Petition
4280	Valenzuela v. State of Ak.	10/11/78	Petition
4281	Hammond, Jay v. Walter Hickel J.		Appeal
4282	Croft, Chancy v. Walter Hickel J.		Appeal
4283	Thomas, Lowell, Jr., et al v. Hickel, et al		Appeal
4284	Hickel, Walter v. Lowell Thomas, et al		Cross Appeal
4285	Merdes, Ed v. Lowell Thomas, Jr., et al		Cross-Appeal
4286	Nix, Barry, et al v. State of Alaska		Petition
4287	Alaska International Contractors, Inc., et al v. Patricia M. & Janice M. Trott, et al	10/9/78	Appeal
4288	Swenson Trucking & Excavating, Inc. v. Truck-weld Equipment Co.	10/2/78	Appeal
4289	Saker, Alexie v. State	10/2/78	Appeal
4290 no	<i>et al.</i> Pascoe II, James J. v. State	10/2/78	Cr. Appeal
4291	Kertula, Jalmer v. Walter Hicckel, et al		Appeal
4292	Hendrickson, Joseph J. v. Freericks, Charles et al	9/11/78	Civil Appeal
4293 ✓	Calder, Lance v. Alaska, State of	10/2/78	Cr. Appeal
4294	Mumby, Robert J. et al v. Lyon, George A., et al	10/2/78	Civil Appeal
4295 no	<i>et al.</i> Johnson, David v. Alaska, State of	9/15/78	Cr. Appeal
4296	Hilbers, Chin, et al v. Anchorage	10/4/78	Civil Appeal
4297	Frontier Flying Service, et al v. Hughes, Larry	10/5/78	Civil Appeal
4298	Jeffries, Johnston v. Glacier State Telephone	10/5/78	Civil Appeal
4299	Alaska Insruance Co. v. RCA Alaska Communications	10/9/78	Civil Appeal
4300	Atlantic Richfield Company v. Frontier Equip. Company	9/13/78	Appeal
4301	Frontier Equip. Co. v. Atlantic Richfield Co.	9/16/78	Cross-Appeal

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4302 ✓	Rodacker, Ronald Ray v. Moses, Charles	10/11/78	Cr. Appeal
4303	Bower Office Products v. State of AK	10/24/78	Petition
4304	Alaska Pacific Assurance Co., et al v. Thomas Turner	10/16/78	Civil Appeal
4305	Jones, Kenneth W. v. Ak. Workmens' Comp., et al	10/19/78	Civil Appeal
4306	Douglas, John H., et al v. Glacier State Tele. et al	10/23/78	Civil Appeal
4307	Ranger Insurance Company v. George O'Leary, et al	10/23/78	Civil Appeal
4308 ✓	Spencer, Maria V. v. Alaska, State of	10/25/78	Cr. Appeal
4309	Spencer, Robert v. American Bonding Company	10/25/78	Civil Appeal
4310	Horowitz, Bruce et al v. Alaska Bar Association	10/15/78	Civil Appeal
4311	Alaska Bar Association v. Horowitz, Bruce et al	10/26/78	Cross-Appeal
4312	Brodie Hotel & Restaurant Supply et al v. Charalampos Alefantinos, et al	10/26/78	Civil Appeal
4313	Yellow Cab v. State, Commission for Human Rights	10/16/78	Cross-Appeal
4314 no	Whittemore, Kermit D. v. State	10/17/78	Cr. Appeal
4315 ✓	Troyer, Marvin Lee v. State	10/23/78	Cr. Appeal
4316 ✓	Vincent, Calvin L. v. State	10/23/78	Cr. Appeal
4317 ✓	McGahan, Gerald B. v. State	10/23/78	Cr. Appeal
4318 no	et al. Miller, Randolph Frances v. State of Alaska	10/23/78	Cr. Appeal
4319	Victoria, Emery v. Ricardo Victoria		Petition
4320	Cox, Francis v. Superior Court	10/30/78	Original
4321	In the Matter of K.M.M. and B.M.M. "	10/13/78	Civil Appeal
4322	Coleman, Elijah v. State of AK	11/2/78	Original
4323	Alaska, State of v. Smith, Allen E.		Petition
4324	Thomas, Lowell, Jr. v. Tim Sanderson & Herbert Bartlett	11/4/78	Stay/Petition
4325 ✓	Thibedeau, Rick L. v. Alaska, State of	11/6/78	Sent. Appeal
4326	Messerli, Lloyd v. State of Ak.		Petition
4327	Kenai Air Service, Inc., et al v. Gary R. Eitel, et al		Petition
4328	Dale, Walter John v. State of Ak.		Petition
4329	Ristau, Melvin Charles v. Nicole R. Ristau	11/6/78	Civ. Appeal
4330	Stansel, Jerry v. Perini Arctic Construction	11/6/78	Civ. Appeal
4331 ✓	Owens, Ronald A. v. Alaska, State of	11/6/78	Cr. Appeal
4332	Classen, Thomas J. v. Alaska, State of, Highways, Dept. of	11/7/78	Civ. Appeal
4333	In the Matter of F.L.A.		Petition
4334	Karrer, Boyd A., et al v. Colson, Grady, et al	11/3/78	Civ. Appeal
4335	Alaska, State of v. Debenham Electric & Berkheimers, Inc.	11/3/78	Civ. Appeal
4336	Volkswagenwerk v. Klippan, et al	11/3/78	Civ. Appeal

NO.	NAME	DATE FILED	TYPE
4337	Sowash, Robert v. Billie Garrett, et al	11/3/78	Civ. Appeal
4338	Sanders, Cyrus v. Alaska, State of	11/9/78	Civ. Appeal
4339	Trott, Patricia M., et al v. Ak. Intern'l Const.	11/3/78	Cross-Appeal
4340 ✓	Hagberg, Donna v. Alaska, State of	11/8/78	Cr. Appeal
4341	Coppock, Patricia M., et al v. Ak. Plastic Inc.		Petition
4342	State of Alaska v. Daniel Cassell		Petition
4343	Daniel Cassell v. State of Ak.		Cross-Petition
4344	Walsh, James W., Jr. v. Harvey D. Lee		Petition
4345	Sea-Land Services, Inc. v. Phina Bowers		Petition
4346	J.D. Mullins, et al v. State		Original
4347 ✓	Husted, Myron John v. State of Alaska	11/13/78	Sent. Appeal
4348 no	Johnson, Elliott P. v. State of Alaska	11/9/78	Cr. Appeal
4349	Wilcox Associates v. Fairbanks North Star Bor. et al.	11/13/78	Civil Appeal
4350 no	Rice, Michael v. State of Alaska	11/13/78	Cr. Appeal
4351 ✓	Davidson, Hugh A. v. State of Alaska	11/15/78	Cr. Appeal
4352	Shine, Joseph T. v. Anchorage	11/15/78	Civil Appeal
4353	Huffsmith, Jack, et al v. Phina Bowers, et al		Cross-Petition
4354	Schmidt, Robert L. v. Doris M. Schmidt		Petition
4355	Griffith, Jessie v. Reginald K. Curtiss		Petition
4356	Murphy, Patrick E. v. Terry McFadden, et al		Petition
4357	Rentz, Patricia, et al v. George Sullivan, etal		Petition
4358 no	Widdis, Craig E. v. Alaska, State of	11/20/78	Sent. Appeal
4359	National Soil Services, et al v. Ray E. Hurst	11/3/78	Civil Appeal
4360	Alaska, State of v. Fredrick A. Shewey, Jr.		Petition
4361 ✓	Booker, Edward B. v. Alaska, State of	11/16/78	Cr. Appeal
4362 no	Mullins, Jimmy A. v. Alaska, State of	11/16/78	Cr. Appeal
4363 no	Brunn, Charles L. v. Alaska, State of	11/16/78	Cr. Appeal
4364 ✓	Howe, Billy Joe v. Alaska, State of	11/20/78	Cr. Appeal
4365	Kenai Elks Lodge #2425 v. Hotel & Rest. Union Local #878, et al	11/20/78	Civil Appeal
4366 no	Huega, Ronald Lee v. Alaska, State of et al.	11/20/78	Cr. Appeal
4367 ✓	Williams, David G. v. Alaska, State of	11/20/78	Cr. Appeal
4368	Klippan, GmbH, v. Volkswagenwerk, A.G., et al	11/20/78	Cross Appeal
4369 pro se	Doisher, Bobby v. Alaska, State of	10/31/78	Cr. Appeal
4370 ✓	Alaska, State of v. Billy Joe Howe	11/17/78	Cr. S.A.
4371	Williams, Leslie Jerry v. Munic. of Anchorage		Petition

NO.	NAME	DATE FILED	TYPE
4372	Alaska, State of v. Anna Liese Tallman		Petition
4373	In the Matter of Duncan C. Webb		Original
4374	Brown, Charles E. v. Alaska, State of	11/24/78	Cross-Appeal
4375	In the Matter of Donald L. Craddick		Original
4376	Notaro, Nicholas v. State of Ak.		Petition
4377 <sup>ppd</sup>	Casey, Daniel v. Alaska, State of	11/27/78	Cr. Appeal
4378	Larva, Charles N. v. Ruth E. Larva		Appeal
4379	Alaska, State of v. Alyeska Pipeline		Petition
4380	Alaska, State of v. Judge Milton Souter	11/28/78	Original
4381 <sup>no NO</sup>	Wagner, Vern John v. Alaska, State of	11/30/78	Sen. Appeal
4382 <sup>DEC</sup>	Godfrey, Norma E., et al v. Hemenway et al	11/22/78	Civil Appeal
4383 ✓	Helmer, James W. v. Alaska, State of	11/22/78	Cr. Appeal
4384	Hill, John J. v. Ames, Joan Marie	11/22/78	Civil Appeal
4385	Alaska, State of v. Handy, James, et al	11/22/78	Civil Appeal
4386	Clary Insurance Agency, et al v. Doyle, James	11/22/78	Civil Appeal
4387	Hahn, Earl, et al v. Russ, Anthony, et al	11/24/78	Civil Appeal
4388	Rickard, James v. Rickard Jessica	11/29/78	Civil Appeal
4389 <sup>not at.</sup>	Moss, Prevace v. Alaska, State of	11/29/78	Cr. Appeal
4390	Arctic Constructors, et al v. Morch, Verda Rae	11/29/78	Civil Appeal
4391 <sup>no</sup>	Marsden, Donald v. Alaska, State of	11/29/78	Cr. Appeal
4392	In the Matter of Anthony M. Urie	11/30/78	Original
4393 ✓	Sisson, Robert J., II v. Alaska, State of	11/9/78	Cr. Appeal
4394	Renfroe, John v. Green, Robert C., et al	11/30/78	Civil Appeal
4395	Allen, Gregory E. v. State of Ak.	12/1/78	Petition
4396	Alaska, State of v. The Honorable Victor Carlson		Petition
4397	Alaska, State of v. Russell Sundberg		Petition
4398	Willis, T. v. Lowell Thomas, Jr.		<del>Appeal</del> Original
4399	Lamoureaux, Jerome, et al v. Total Ocean Trailer Express, Inc., et al		Petition
4400 <sup>no</sup>	Alaska, State of v. Sund, Richard	12/11/78	Sent. Ap.
4401 ✓	In the Matter of L.C. v. Alaska, State of	12/4/78	Cr. Appeal
4402 ✓	Tugatuk, David H. v. Alaska, State of	12/7/78	Cr. Appeal
4403	Call, David H. et al v. Allen, Billie Bob et al	12/11/78	Civil Appeal
4404	Mello, Mark J. v. Moses, Charles, et al	12/4/78	Civil Appeal
4405	Associated Green Constructions Co. et al v. Beesley, Earle J., et al	12/11/78	Civil Appeal

NO.	NAME	DATE FILED	TYPE
4406	Alesna, Julieann K. v. Legrue, Henry, et al	12/11/78	Civil Appeal
4407	Perini Arctic Construction v. Stansel, Jerry	12/8/78	Cross-Appeal
4408 <sup>no</sup>	Keel, Roger E. v. Alaska, State of	11/29/78	Cr. Appeal
4409	Elling Halvorson, Inc. v. Tri-Alaska Construction	12/7/78	Civil Appeal
4410	Adkins, Prather M. v. Nabors Alaska Drilling	12/7/78	Civil Appeal
4411 ✓	In the Matter of L.C. v. Alaska, State of	12/4/78	Cr. Appeal
4412	In Re K. M. L.	12/4/78	Civil Appeal
4413 <sup>no</sup>	<sup>et al.</sup> Nix, Timothy v. Alaska, State of	11/16/78	Cr. Appeal
4414 ✓	Perry, Allan v. Alaska, State of	11/16/78	Cr. Appeal
4415	Wood, Ronald, et al v. Alaska Industrial Development authority, et al	12/1/78	Civil Appeal
4416 <sup>no</sup>	Coleman, Elijah v. Alaska, State of	11/27/78	Cr. Appeal
4417	Green, Perry, v. Garrett, Billie, et al	12/12/78	Civ. Appeal
4418	Square "D" Co., et al v. James Jones		Petition
4419	Ross, Wayne Anthony v. Honorable Ralph Moody		Petition
4420	International Brotherhood of Teamsters, et al v. State of Ak., et al		Appeal
4421 ✓	Afcan, Timothy v. Alaska, State of	12/14/78	Cr. Appeal
4422	Purinton, Royce D., III v. Yukon-Koyukuk School Dist.		Petition
4423	Compass Enterprises, Inc., et al v. S.B. Mitford		Petition
4424	Alaska, State of v. Hon. G.J. Van Hoomissen		Original
4425 ✓	La Pierre, Carl R. v. Alaska, State of	12/15/78	Cr. Appeal
4426	Shewey, Frederick A., Jr. v. State of Ak.		Cross Petition
4427	Gillum, Janette v. The Memorial Hosp., et al		Petition
4428	Bechtel, Inc. v. Ak. International Air		Petition
4429	O'Neill Investigations Inc. v. Illinois Employers Insurance of Wausau	12/15/78	Civil Appeal
4430 <sup>no</sup>	Harvey D. Lee v. State of Alaska	12/14/78	Cr. Appeal
4431	Tri-Alaska Construction, Inc., et al v. Elling Halvorson, Inc., and Larry Fordham	12/20/78	Cross-Appeal
4432	Rublee, Dr. Charles, D.C. v. Dr. Donovan Hampton	12/20/78	Petition
4433	Western Marine Electronics Co., Inc, et al, Frank Gray vs.	12/15/78	Civil Appeal
4434	Priest, Ute, et al v. Edwin Lindig		Petition
4435 <sup>no</sup>	<sup>et al.</sup> Allen Mike Atchak v. State of Alaska	12/21/78	Cr. Appeal
4436 ✓	Gottardi, Rick C. v. Alaska, State of	12/22/78	Cr. Appeal
4437	Steve's Const. Co. v. Ralph Blanchard, et al		Petition
4438	Ella Lenore Campbell Gunderson, et al v. Leonard Campbell	12/20/78	Civil Appeal
4439	Becker Drills v. Clarence Moore, et al.	1/5/79	Petition
4440 ✓	David Avery v. State of Alaska	12/18/78	Cr. Appeal

NO.	NAME	DATE FILED	TYPE
4441	Phillips, John Lester v. Phillips, Mary May	12/5/78	Civil Appeal
4442	State of Alaska, Alaska Unorganized Borough School District, Arthur H. Hamilton v. George Wolansky	12/21/78	Civil Appeal
4443 ✓	Loesche, Donald Eugene v. State of Alaska		Cr. Appeal
4444 no	Dorman, John v. State of Alaska	12/26/78	Cr. Appeal
4445 ✓	S.B. v. State of Alaska	12/29/78	Cr. Appeal
4446	The Aleut Corp. v. Lillie McGarvey		Appeal
4447	Van Horn Lodge, Inc., et al v. Hugh White, et al	12/26/78	Civil Appeal
4448	Shirley Hemenway, et al v. Norma Godfrey, et al	12/21/78	cross-appeal (civil)
4449	Keen, Chuck vs. R & M Consultants	12/29/78	Civil Appeal
4450 ✓	DOWD,, ALBERT v. STATE OF ALASKA	12/29/78	Cr. Appeal
4451	Urethane Specialties v. City of Valdez & Bonser	1/2/79	Civil Appeal
4452	Bowen, Gus, v. State of Alaska, Div. of Corr.	1/2/79	Civil Appeal
4453 ✓	Newell, Terry vs. State of Alaska	1/4/79	Cr. Appeal
4454	Rusnak, Stephen M. v. Husky Oil & ALPAC	12/19/78	Original
4455	Mine Safety Appliances v. Paul Wilson		Petition
4456	Alaska, State of v. Michael Palit		Petition
4457	Greer Tank & Welding, Inc. v. Louella Boettger Administratrix of the Estate of S.C. Boettger	12/18/78	Civil Appeal
4458 ✓	Frank, Andrew v. State of Alaska	12/18/79	Cr. Appeal
4459	Alaska, State of v. Agoney, Thomas Jr.	1/5/79	Original
4460 no	Sumdum, Rick Shane v. State of Alaska	1/5/79	Cr. Appeal
4461	State of AK Worker's Compensation Board v. Patrick Delaney, et al	1/8/79	Civil Appeal
4462 no (stat.)	Charles Johnson, vs. State of Alaska	1/10/79	CR. Appeal
4463	Alaska, State of v. Robert Christiansen		Petition
4464	Ak. Commercial Fisheries Entry Comm. v. John E Apokedak		Civil Appeal
4465 no	HINKLE, IDA Vs. Anchorage	1/15/79	CR. Appeal
4466	In the Matter of the Applica. of Kathy Kolkhorst v. ABA		Original
4467	CARL MOSES, VS. LILLIE MCGARVEY	1/15/79	Civil Appeal
4468	Alaska, State of v. Bernita Purdy		Petition
4469	Tucker, Edward W., et al v. Tracy S. McCracken		Petition
4470 ✓	Peterson, Joseph v. State of Alaska	1/11/79	Sent. Appeal
4471	Nichiro Gyogyo Kaisha, et al v. Isaac C. Norman		Petition
4472	Frontier Sand & Gravel Co., et al v. Michael Ken Alvey, et al		Petition
4473 ✓	Larson, Fred v. State of Alaska	1/11/79	Cr. Appeal
4474 no	Crutchfield, Herschel vs. State of Alaska	1/18/79	Cr. Appeal
4475	Edward Hoch, et al vs. Charles Ellis, et al	1/15/79	Civil Appr

SB

110

LIBERTARIAN  
REPRESENTATIVE  
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1106 CUSHMAN ST.  
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Phone (907) 452-2208

Alaska State Legislature



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JUNEAU, ALASKA  
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House of Representatives

May 12, 1980

Rep. Charles Parr  
House Judiciary  
Capitol, Rm 124

Attached is information which I just  
received from the home office of State Farm  
Insurance. It may be helpful in your consideration  
of SB 110.

A handwritten signature in cursive script, likely belonging to the sender of the letter.

Copies members  
SB 110

May 8, 1980

Senator Don Bennett  
Senator Glenn Hackney  
Senator George Hohnan  
Senator Jalmar Kerttula  
Senator Bill Ray  
Senator Bill Sumner

Re: SB-110

Dear Senator:

Allow us to respectfully offer a brief comment on SB-110 as now amended because information provided by drivers' records is of vital interest to us in the proper handling of our business.

In Alaska, we have approximately 34,000 auto policies in force. In equitably pricing and placement of those policyholders, the information supplied from motor vehicle reports or drivers' records, is necessary.

If those records were not available, the driver with multiple traffic violations would be charged the same rate as the driver with no violations. This would be unfair to a great majority of the driving public, perhaps 90 percent that comply with traffic laws and rarely become involved in accidents. In short, the good risks would be subsidizing the poorer risks, because we would have no proper basis to evaluate driving habits.

Additionally, in the Alaska Insurance Plan, surcharges are added for points accumulated based on traffic violations. If information available from drivers' records were not available, that procedure could not continue and the better risks in the Plan would be subsidizing the poorer risks. Hopefully, this proposed legislation which would allow insurance carriers to purchase copies of drivers' records for their confidential use will succeed in the legislature and gain the signature of the governor.

May 8, 1980  
Page Two

We appreciate the opportunity to offer these comments in support of S.L.  
110 as amended.

Very truly yours,

John Gordon  
Associate Counsel

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SB 110  
TESTIMONY OF THE DIVISION OF INSURANCE  
BEFORE THE SENATE JUDICIARY COMMITTEE  
FEBRUARY 12, 1980

The Division of Insurance supports this legislation. AS 28.15.151 was added to the statutes with 19 Ch. 178 SLA 1978. That statute bars access to motor vehicle records by insurance companies. The effect of the statute is presently under a temporary restraining order issued by the court. The proposal before you would, again, permit insurers access to motor vehicle records.

Almost all automobile insurance rating plans used in Alaska and, indeed in most other states, use motor vehicle data in the rating plan as a means to distribute their auto insurance premium loads. The driver with moving violations is likely to be paying a higher premium for his insurance than is the driver with no moving violations, and we view that as appropriate. If the motor vehicle records are denied insurers, then all of the automobile rating structures on file with the Division of Insurance will have to be replaced with one that no longer considers that information. The effect of this will be to redistribute those surcharge premiums, currently being applied to drivers with violations, to all drivers, resulting in an increase of premium for the driver with no violations on record. Additionally, most carriers utilize motor vehicle record information in their selection of business, even aside from the rating of that selection. This selection has generally resulted in some wide variations in rates amongst insurers. With removal of this tool of selectivity, it is expected that the companies with lower rate structures will have increases in their rate structures as the experience on the new selection is felt. We do not believe that this result is desirable. We would urge that the committee act to continue availability of this data to insurers.

Failure to pass this or a similar bill will result in a vacation of the temporary restraining order already mentioned by the court. The impact of that on our program will be substantial since many new rating proposals will have to be reviewed for propriety, compliance with statute and waiting of new forms of discrimination for fairness. Further, the statistical studies and data available for previous years in Alaska will no longer be usable. This will leave Alaska automobile rate levels in doubt for at least three or four years to come. Passage of this particular legislation is very important.

STATEMENT OF MIKE THOMAS  
(REPRESENTING THE AMERICAN INSURANCE ASSOCIATION)  
CONCERNING SB 110

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On the last day of the Tenth Legislature, FCCS CSSB 471 was passed by both houses of the Legislature. That bill had gone to Free Conference as a 3-page bill dealing with motor vehicle fees, and came back as an 84-page bill made up of what had been SB 471, SB 321 (a revision of the Motor Vehicle Code) and SB 594 (extending an industrial incentive tax credit). SB 321 had been referred to Senate Judiciary and Finance Committees, and on the last day of the Session it was still in Senate Judiciary.

Within SB 321, and therefore in the version of SB 471 that passed, was a new AS 28.15.151, a copy of which is attached as Exhibit A. That section limits access to drivers' records maintained by DMV, to certain other agencies and to the driver himself. It expressly forbids insurance companies from requiring access to the records as a condition of selling insurance to the driver.

Insurance companies, of course, rely heavily on the driver's record to determine whom to insure and what rates to charge. All their rating plans depend on access to those records. In fact, in other states, companies are criticized heavily for using factors other than driving records, such as age, sex or neighborhood, as underwriting criteria. If companies don't know who are good drivers and who are not, they will have to set rates assuming that some unknown number of applicants will be risks that are so bad they would not be written voluntarily, or would be written only with a substantial surcharge, as in the assigned risk pool. The rates that would result would of course be higher, and very unfair to those with good records. They could lead in turn to more uninsured motorists (now estimated at 25-40%), and less competition by insurers in Alaska.

The application of AS 28.15.151 has been enjoined by the Superior Court, pending reconsideration of that provision by the Legislature. In entering the injunction, the Court found that there were "serious and substantial" questions concerning the manner in which SB 471 was passed, and further found that an injunction was in the public interest. The Court had before it affidavits of Richard L. Block, then Director of Insurance, and Roger Crummett, then President of the Alaska Independent Insurance Agents and

Brokers, Inc., a trade association of most of the independent agents and brokers in the State. Pertinent excerpts from those affidavits are attached as Exhibits B and C. (Full copies of all pleadings are available).

Nobody wants or intends to go forward with the lawsuit, since it raises questions that would go to the validity of all of SB 471, and not just the section we are concerned with here.

What we ask is only that insurance companies - and perhaps others with legitimate need - be given access to the drivers' records. As set out more fully in the statements of Mr. Block and Mr. Grummett, we think that such access is essential if we are to try to keep insurance rates rationally related to the risk insured, and if we are to encourage competition in the Alaska insurance markets.

EXCERPT FROM AFFIDAVIT OF RICHARD L. BLOCK

The effect of Section 28.15.151 of Chapter 178, SLA 1978, and particularly subparagraphs (e) and (f) of that section, is to deny access by insurance companies to drivers' records maintained on drivers licensed in the State of Alaska, either directly or indirectly. That denial of access would have predictable and adverse effects upon large numbers of persons buying insurance in the State of Alaska, and upon the insurance industry itself.

Most rating plans for the sale of automobile insurance within the State of Alaska which are presently approved by my Division and in effect assume access to driving records as a basis for underwriting. The driving records are used both to screen for acceptable risks and to set rates. Companies set their own internal policies as to what risks they will voluntarily write, and drivers with records reflecting traffic violations or traffic accidents are often required to procure insurance from alternate insurance programs offered by the insurer or pay scheduled surcharges. Many companies also offer a range of rates depending on driving records, offering premium credits for the same coverage in the event the driver has a clean driving record.

There is in operation in the State of Alaska an "assigned risk plan" for private passenger automobiles and an "assigned risk pool" for commercial automobile risks, to insure that persons that want automobile insurance but do not meet underwriting criteria of the carriers are able to buy insurance. Risks are allocated to the companies who write automobile insurance in the State, and those companies are allowed to charge a substantially higher rate, recognizing the increased risk that persons who do not meet company underwriting standards present.

The effect of Section 151 would be to prohibit the use of driving records as a criteria for underwriting and thereby to invalidate the underlying assumptions in the rating plans presently approved. The indirect effect would be to force the companies to write insurance for an unknown number of persons who did not meet their underwriting criteria, persons who would normally be placed in the assigned risk pool. Some companies, especially those who now as a matter of company underwriting policy, write only better risks, would have to consider whether they could or would write on this completely different basis in the State of Alaska. All companies would be forced to file new rating plans taking into consideration the lack of access to driving records.

Predictably, companies would seek approval of rates which would be high enough to provide for the inclusion of risks which the companies have found by experience to be unprofitable at any rate lower than the assigned risk pool rates. Should the Division approve these rate filings, substantial numbers of insureds would be forced to pay substantially in excess of current rates and substantially in excess of what the experience of their hazard class dictates, thus making the rate unfairly discriminatory and violative of AS 21.36.080. If the Division disapproves, many insurers could be expected to withdraw from writing in this State further exacerbating the now tenuous automobile insurance market in this State.

The enforcement of Section 151 would have a definite tendency to make automobile insurance less competitive and more expensive within the State of Alaska, particularly for those persons who have average or better than average driving records.

EXCERPTS FROM AFFIDAVIT OF ROGER GRUMMETT

The principals of my company, and indeed all insurance agents actively engaged in the business in this State, are quite concerned about the impact of Section 28.15.151 of Chapter 178, SLA 1978. If it goes into effect on October 15, 1978, it will have a severe impact on all facets of automobile insurance in the State.

There will undoubtedly be a severe restriction in available market, since virtually all companies writing private passenger automobile insurance base their underwriting and rating on past driving experience and motor vehicle reports. Denial of access to those reports will result in a substantial loss of business to the companies presently in the market, and therefore will result in very restricted markets for the consumer. It is likely that the restricted market will mean overall higher rates for those consumers that are still able to obtain automobile insurance through standard companies. As a matter of fact, we have already received notice from one of our major underwriters, indicating that because of the passage of the statute, they will not accept any new private passenger automobile business. The restriction in market, which has already begun, will also undoubtedly have adverse impact on those drivers who have clean records, not only because of the restriction in markets and lessening of competition, but also because the carriers will have to charge higher rates to cover the unknown risks.

There will also be a substantial amount of lost revenue to the brokers and agents in the State of Alaska. Attempting to market any individual private passenger automobile risk will become very time consuming and expensive for the brokers. Further, many accounts that are not written in standard markets will undoubtedly wind up in the assigned risk pool, which charges a higher rate to the insured but develops a lower commission rate. It is also quite likely that a number of individuals will choose to do without insurance due to the higher rates, which is not only a poor result for the remainder of the driving public, but will result in additional lost revenue to agents and brokers.

Sec. 28.15.121. Restricted driver's license. (a) The department, in issuing a driver's license, may for good cause impose restrictions suitable to the licensee's driving ability with respect to mechanical control devices required on a motor vehicle which the licensee drives. The department may impose other restrictions applicable to the licensee that it determines to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) The department may issue a special restricted license or may issue out restrictions on the usual license form.

(c) The department may, upon receiving satisfactory evidence of a violation of the restrictions on a license restricted or issued under this section, suspend the restricted license for a period not to exceed 30 days.

(d) No person may drive a motor vehicle in violation of the restrictions imposed on a restricted license. (§ 19 ch 178 SLA 1978)

Sec. 28.15.131. License to be carried and exhibited on demand. Every licensee shall have his driver's license in his immediate possession at all times when driving a motor vehicle, and shall present for inspection his license upon the demand of a peace officer or other authorized representative of the department who identifies himself as such. However, a person charged with violating this section may not be convicted if he produces in court or in the office of the arresting or citing officer, a driver's license previously issued to him which was valid at the time of his arrest or citation. (§ 19 ch 178 SLA 1978)

A licensing statute cannot be used as a means for obtaining information or evidence not related to the licensing requirement. Schraff v. State, Sup. Ct. Op. No. 1223 (File No. 2-53), 544 P.2d 1 (1975), decided under former AS 28.15.131

Sec. 28.15.141. Duplicate driver's license. If a valid driver's license issued under this chapter is lost or destroyed, the person to whom the license was issued may, upon payment of the required fee, obtain a duplicate license. A person who recovers an original license for which a duplicate has been issued shall immediately surrender the duplicate to the department. (§ 19 ch 178 SLA 1978)

Sec. 28.15.151. Records to be kept by the department. (a) The department may maintain a file of

- (1) every driver's license application, license or permit and duplicate driver's license issued by it;
- (2) every license which has been suspended, revoked, canceled, limited, restricted, or denied, and the reasons for those actions; and
- (3) all accident reports required to be forwarded to the department under this title.

(b) The department may also maintain a file of all accident reports, abstracts of court records of convictions of vehicle, driver and traffic offenses, and other information which the department considers necessary to carry out the purposes of this chapter.

(c) The department shall, upon request, subject to the applicable provisions of AS 12.62 and (f) of this section and without charging a fee

Exhibit A

Mining

Title 28  
Motor Vehicles

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... abstract  
... listing  
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Article 2. Canc  
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28.15.161. Cancel  
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... on other points in l  
... Ct. Op. No. 574 (Fil

a municipal, state or federal administrative or judicial agency certified abstract of the driving record of a driver. The abstract include a listing of accidents in which the driver has been named by the department or a court of competent jurisdiction to be liable, convictions of vehicle, driver and traffic offenses, any action taken upon his license, and information relating to financial responsibility.

The department shall, upon request and payment of a fee named by the commissioner, furnish a driver with an abstract of driver's record as provided in (c) of this section.

An insurance carrier may not require a person to furnish an abstract of his driving record to the carrier as a condition for providing a person with motor vehicle insurance.

Except as provided otherwise in this section, information and records under this section are declared confidential and private. (§ 19 ch 178 SLA 1978)

Article 2. Cancellation, Suspension, Revocation or Limitation of Drivers' Licenses.

	Section
Cancellation of driver's license	191. Court reports to department
Driving privileges of a person suspended in another jurisdiction;	201. Limitation of driver's license
Reporting convictions, suspensions, and revocations	211. Periods of limitation, suspension or revocation; opportunity for hearing and surrender of license
Reporting suspensions, revocations, and limitations	

28.15.161. Cancellation of driver's license. (a) The department may cancel a driver's license upon determination that the licensee is not medically or otherwise entitled to the issuance or retention of the license, or has been adjudged incompetent to drive a vehicle; there is an error or defect in the license; the licensee failed to give the required or correct information in application; or the license was obtained fraudulently. The licensee may apply for a new license at any time after cancellation upon removal of the cause for the cancellation. (§ 19 ch 178 SLA 1975)

of act. — This act plainly shows the intent that all revocations and suspensions of operators' licenses be reported to the Department of Public Safety. See City of Anchorage, Sup. Ct. Op. No. 59, 358 P.2d 375 (1960), and other points in Roberts v. City of Anchorage, Sup. Ct. Op. No. 574 (File No. 992). 458 P.2d 340 (1969), Glasgow v. State, Sup. Ct. Op. No. 616 (File No. 1049), 469 P.2d 682 (1970), and Baker v. City of Fairbanks, Sup. Ct. Op. No. 618 (File No. 1141), 471 P.2d 386 (1970). These cases were decided under former AS 28.15.170. Am. Jur., ALR and C.J.S. references. — 5 Am. Jur., Automobiles, § 157 et seq.; 5A

Title 30  
Navigation, Harbors  
and Shipping

1-4-22  
Foster

Title 29  
Municipal Government

TESTIMONY OF THE DIVISION OF INSURANCE  
BEFORE THE SENATE JUDICIARY COMMITTEE  
FEBRUARY 12, 1980

The Division of Insurance supports this legislation. AS 28.15.151 was added to the statutes with 19 Ch. 178 SLA 1978. That statute bars access to motor vehicle records by insurance companies. The effect of the statute is presently under a temporary restraining order issued by the court. The proposal before you would, again, permit insurers access to motor vehicle records.

Almost all automobile insurance rating plans used in Alaska and, indeed in most other states, use motor vehicle data in the rating plan as a means to distribute their auto insurance premium needs. The driver with moving violations is likely to be paying a higher premium for his insurance than is the driver with no moving violations, and we view that as appropriate. If the motor vehicle records are denied insurers, then all of the automobile rating structures on file with the Division of Insurance will have to be replaced with one that no longer considers that information. The effect of this will be to redistribute those surcharge premiums, currently being applied to drivers with violations, to all drivers, resulting in an increase of premium for the driver with no violations on record. Additionally, most carriers utilize motor vehicle record information in their selection of business, even aside from the rating of that selection. This selection has generally resulted in some wide variations in rates amongst insurers. With removal of this tool of selectivity, it is expected that the companies with lower rate structures will have increases in their rate structures as the experience on the new selection is felt. We do not believe that this result is desirable. We would urge that the committee act to continue availability of this data to insurers.

Failure to pass this or a similar bill will result in a vacation of the temporary restraining order already mentioned by the court. The impact of that on our program will be substantial since many new rating proposals will have to be reviewed for propriety, compliance with statute and waiting of new forms of discrimination for fairness. Further, the statistical studies and data available for previous years in Alaska will no longer be usable. This will leave Alaska automobile rate levels in doubt for at least three or four years to come. Passage of this particular legislation is very important.

**Alaska State Legislature**

LIBERTARIAN  
REPRESENTATIVE  
RICHARD (DICK) L. RANDOLPH  
1106 CUSHMAN ST.  
FAIRBANKS, ALASKA 99701  
Phone (907) 452-2206



WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA  
99811  
Phone (907) 466-4955

**House of Representatives**

May 12, 1980

Rep. Charles Parr  
House Judiciary  
Capitol, Rm 124

Attached is information which I just  
received from the home office of State Farm  
Insurance. It may be helpful in your consideration  
of SB 110.

A handwritten signature in cursive script, likely belonging to the sender of the letter.

Copies members  
SRB 110

May 8, 1980

Senator Don Bennett  
Senator Glenn Hackney  
Senator George Hohman  
Senator Jalmar Kerttula  
Senator Bill Ray  
Senator Bill Sumner

Re: SB-110

Dear Senator:

Allow us to respectfully offer a brief comment on SB-110 as now amended because information provided by drivers' records is of vital interest to us in the proper handling of our business.

In Alaska, we have approximately 34,000 auto policies in force. In equitably pricing and placement of those policyholders, the information supplied from motor vehicle reports or drivers' records, is necessary.

If those records were not available, the driver with multiple traffic violations would be charged the same rate as the driver with no violations. This would be unfair to a great majority of the driving public, perhaps 90 percent that comply with traffic laws and rarely become involved in accidents. In short, the good risks would be subsidizing the poorer risks, because we would have no proper basis to evaluate driving habits.

Additionally, in the Alaska Insurance Plan, surcharges are added for points accumulated based on traffic violations. If information available from drivers' records were not available, that procedure could not continue and the better risks in the Plan would be subsidizing the poorer risks. Hopefully, this proposed legislation which would allow insurance carriers to purchase copies of drivers' records for their confidential use will succeed in the legislature and gain the signature of the governor.

May 8, 1980  
Page Two

We appreciate the opportunity to offer these comments in support of SB-110 as amended.

Very truly yours,

John Gordon  
Associate Counsel

j1

CSSB 110  
TESTIMONY OF THE DIVISION OF INSURANCE  
BEFORE THE HOUSE JUDICIARY COMMITTEE  
MAY 22, 1980

The Division of Insurance supports CSSB 110 and considers it a top priority legislative proposal. It would ammend a law adopted in 1978 (19 ch 178 SLA 1978) which bars access by an insurance company to the motor vehicle record of a person it insures both directly and indirectly. The 1978 law is not presently operable because of a court restraining order which in effect , continues access to motor vehicle records in the same manner that existed before the 1978 law.

The proposal before you would allow access to motor vehicle records of a driver by a person, including an insurance company, designated by that driver.

Almost all automobile insurance rating plans used in Alaska, and in most other states, use motor vehicle record data in the rating plan as a means to distribute their automobile insurance premium needs amongst policyholders. The driver with moving violations is likely to be paying a higher premium for his insurance than is the driver without moving violations, and we view that as appropriate. It is a reflection of his propensity to have loss.

If the motor vehicle record information is denied insurers, then all of the automobile rating structures on file with the Division of Insurance will have to be replaced with something that no longer considers that information, such as age, sex and marital status which though statistically supportable, is less socially acceptable. The effect of this will be to redistribute those surcharge premiums currently being applied to drivers with violations, to all drivers, resulting in an increase of premium for the driver with no violations on record. Those insurance companies that elect to write automobile insurance in this state will adjust to the new set of rules, but they are not the ones who would suffer the consequences of the 1978 law. The good driver will be the primary one to suffer since there would no longer be available to the insurance company a means to separate the two.

Failure to pass this bill will result in a vacation of the temporary restraining order already mentioned, by the court. The impact of such an action on our program will be substantial since many new rating proposals will have to be reviewed for propriety and compliance with statute. We will also have to consider new forms of discrimination for fairness. The statistical studies and data available for previous years in Alaska will no longer be usable leaving our rate levels in doubt for at least three or four years to come. Passage of this legislation is very important. We would urge your action on this bill to continue availability of motor vehicle record data to insurers.

SB

113

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. House CS for SB 113  
 Title An act relating to unlawful hunting activities  
 Requested by House Judiciary Committee Date 4/16/79

II. FISCAL DETAIL  
 Agency Affected Department of Fish and Game  
 Program Category Affected Natural Resources  
 Budget Request Unit(s) Affected Game Division

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

FUNDING (Thousands of Dollars) Note: Bill reduces revenue

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify) <u>Fish &amp; Game</u>		(325.0)	(325.0)	(325.0)	(325.0)	(325.0)
<u>Fund</u>						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)  
 See attached for detailed explanation. Requiring a guide for nonresidents for all big game species should cause an annual loss of approximately \$325,000 to Fish and Game Fund revenues.

No inflation added.

At current P-R funding levels, loss of \$325,000 will not impact Federal 3-1 dollars received. Future loss of matching funds might occur, however.



IV. DATE 4/18/79 PREPARED BY Russell H. Clark  
 AGENCY Fish and Game  
 PHONE 465-4120

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

The costs associated with this bill will be a loss of revenue to the Fish and Game Fund. The increased cost of hunting with a guide will reduce the license and tag sales to nonresident hunters.

In 1978 a total of \$1,290,990 accrued to the Fish and Game Fund from nonresident license and tag fees. Of the total, \$297,350 derived from license sales; \$386,350 from Brown/Grizzly and Sheep tags; \$607,290 from all other nonresident big game tags.

To calculate the potential annual shortfall, we assumed: 1) that 95% of the nonresident Brown/Grizzly and Sheep hunters used guides (5% hunted with resident kindred); 2) that guided hunters generated 60% of the "other license and tag fees;" 3) that 10% of formerly non-guided hunters would hunt in Alaska regardless of the 2 or 3 fold cost increase engendered by the guide requirement. (Marc Jensen, Chairman of the Guide Board, accepts these as reasonable percentages.)

	<u>1978</u>
Hunting license sales to nonresidents	\$ 297,350
Brown/Grizzly and Sheep tag sales (guide required)	386,350
Remainder of tags (guide optional)	<u>607,290</u>
Total Income	\$ 1,290,990

	<u>Estimated Proportion of Revenue</u>	
	<u>Guided</u>	<u>Non-Guided</u>
Brown/Grizzly and Sheep tags	\$ 397,983	\$ 19,318
Other tags and licenses	<u>542,784</u>	<u>361,856</u>
	\$ 890,499	\$ 400,491

	<u>Projected Loss in Future</u>
Non-guided other tags and licenses 10% who will hunt with guides or kindred	\$ 361,856
	<u>36,186</u>
Net Annual Loss	\$ 325,670

The 325,670 enters a fund which is matched by Federal P-R monies on a \$3 Federal to \$1 State basis. Without the \$325,670, the current Federal apportionment can still be met. Should license revenues decline further or Federal funding greatly increase, the annual State revenue loss may be multiplied by four, to equal or exceed \$1,300,000 on a worse case basis.

Q

SB 113

notary

Karen

2504

Section 2 AS 16.05.407 (a) is amended to read:

(a) It is unlawful for a nonresident to hunt, pursue or take an animal for which a nonresident big game tag is required under AS 16.05.340 (a) (16) in this state, unless personally accompanied by a person who is licensed as a master guide, ~~assistant~~ registered guide, assistant guide or class A guide by the department or who is personally accompanied by a resident Alaskan over 19 years of age who is the spouse of or is related by blood within and including the second degree of kindred. A person who applies for a nonresident big game tag shall first furnish to the state, an affidavit showing that he will be accompanied in his hunt by a person who is qualified under the terms of this section. A person who falsifies the required affidavit is guilty of perjury.

SB

114

# COMMITTEE REPORT

## HOUSE

FURTHER: FINANCE

April 5, 1979

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on JUDICIARY has had CSSB 114 (Rules) am

"An Act relating to competitive bidding under the Fiscal Procedures Act; eff. date."

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

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for CSSB 114  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]*

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**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

*[Handwritten signatures and notes]*

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*[Handwritten signature]*

\_\_\_\_\_

CHAIRMAN



Official Business

# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

April 26, 1979

Honorable Terry Gardiner  
Speaker of the House  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. Speaker:

It is the intent of the House Judiciary Committee that the Department of Administration, in implementing the set-aside provision (Section 4, AS 37.05.230(10)) of CS SB 11' provide by regulation:

1. that no categories of supplies, services, equipment are unavailable for Alaska bidders;
2. that all bids on a specific contract may be rejected if acceptance would not be in the best interests of the state.

Sincerely,

Charles H. Parr  
Chairman, House Judiciary Committee

PROPOSED JUDICIARY COMMITTEE SUBSTITUTE 4-25-79

Original sponsor: Bradley

Offered: 4/3/79

*Judiciary Committee Substitute*

IN THE SENATE

BY THE RULES COMMITTEE

CS FOR SENATE BILL NO. 114 (Rules) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to competitive bidding under the Fiscal Procedures Act; and the identification of Alaska manufactured goods; and providing for an effective date."

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

\* Section 1. AS 37.05.230(1) is amended to read:

(1) a contract for construction and repairs, or a purchase of and contract for supplies including Alaska produced fisheries and agricultural products, materials, equipment, and contractual services must be based on competitive bids; an award shall be made to the lowest responsible bidder after advertising for bids, except that

(A) (repealed)

(B) [A BID SHALL BE AWARDED TO AN ALASKA BIDDER IF HIS BID IS NOT MORE THAN FIVE PER CENT HIGHER THAN THE LOWEST NONRESIDENT BIDDER'S; AND]

(C) competitive bids need not be required

(i) for contractual services where no competition exists;

(ii) [FOR SALES INVOLVING FAIR TRADE ITEMS;]

(iii) in a declared emergency when [, IN THE JUDGMENT OF THE PURCHASING AGENT,] food, clothing, or medical supplies, or materials for use in laboratory and experimental studies may be purchased otherwise to the best advantage of the state;

(iv) where rates are fixed by law or ordinance;

(v) for items traded in on like items; or

(vi) for professional services;

\* Sec. 2. AS 37.05.230(2) is amended to read:

(2) if the amount of the contractual services, purchase, or sale is estimated to exceed \$2,500 sealed bids shall be solicited, when practicable, by publication in a newspaper calculated to reach prospective bidders and by posting notices in public places within the area where the work is to be performed or material furnished and in addition the department may also designate a trade journal for publication; the department shall also solicit bids by sending notices by mail to all [ACTIVE PROSPECTIVE] bidders on the certified Alaska bidders list; [KNOWN TO IT AND] all bids shall be sealed when received, and shall be opened in public at the hour stated in the notice; the department may negotiate directly if it finds that it is in the best interest of the state;

\* Sec. 3. AS 37.05.230(5) is amended by adding new subparagraphs to read:

(D) has executed an affidavit, under penalty of perjury that no delinquent taxes are owing, and has sent a copy of the affidavit to the Department of Revenue;

(E) is a resident of the state, or, if the bidder is a partnership, corporation, or other association, the majority of the persons employed in the bidder's Alaska office are residents of the state; *and who maintain<sup>on</sup> inventories in the state;*

\* Sec. 4. AS 37.05.230 is amended by adding new paragraphs to read:

(9) the Department of Administration shall compile and update annually a "certified Alaska bidders list" containing the names of bidders certified to be Alaska bidders who maintain inventories in the state; *the commissioner shall select* ~~\_\_\_\_\_~~

(10) not less than 40 per cent of the total appropriation available for contracts for, or purchases of supplies, materials, services or equipment <sup>to</sup> ~~shall~~ be set aside for award to the lowest responsible Alaska bidder <sup>who</sup> ~~who~~ maintain<sup>ing</sup> no offices outside the state and who had for the previous year gross business receipts not in

excess of \$1,000,000.

2 \* Sec. 5. AS 37.05.320 is amended by adding a new paragraph to read:

3 (5) "declared emergency" means a situation declared by the  
4 governor to be an immediate threat to the public peace, safety, health,  
5 or the general welfare.

6 \* Sec. 6. AS 45 is amended by adding a new chapter to read:

7 CHAPTER 67. IDENTIFICATION OF ALASKA MANUFACTURED GOODS.

8 Sec. 45.67.010. DESIGN OF IDENTIFICATION SEAL. After holding a  
9 public hearing to obtain manufactures' advice on the design of a seal to  
10 identify goods manufactured in the state, the commissioner shall design  
11 the seal. The seal shall bear an appropriate logo and the words  
12 "Manufactured in Alaska".

13 Sec. 45.67.020. PERMIT TO USE IDENTIFICATION SEALS. A person who  
14 produces goods manufactured in the state may apply <sup>prescribed in AS 45.67.00</sup> to the commissioner  
15 for a permit to use the identification seals or permit numbers to  
16 be attached to those good. Identification seals or permit numbers  
17 may be printed on labels of goods. The commissioner shall investi-  
18 gate the applicant to determine his eligibility for the permit. A  
19 permit shall be issued free of charge to a qualified applicant.  
20 The commissioner shall prescribe the form of the application and  
21 permit, the period for which the permit is valid, and the procedure  
22 for renewal of the permit.

23 Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches  
24 an identification seal to an article, knowing that the article is not a  
25 good manufactured in the state, is guilty of a misdemeanor, and upon  
26 conviction is punishable by a fine of not more than \$1,000, or by impri-  
27 sonment for not more than one year, or by both.

28 (b) A person who knowingly sells or offers for sale an article  
29 with an identification seal attached, knowing that the article is not a  
30 good manufactured in the state, is guilty of a misdemeanor, and upon  
conviction is punishable by a fine of not more than \$1,000, or by impri-

1 sonment for not more than one year, or by both.

2 (c) A person who counterfeits an identification seal is guilty of  
3 a misdemeanor, and upon conviction is punishable by a fine of not more  
4 than \$1,000, or by imprisonment for not more than one year, or by both.

5 (d) A person who knowingly sells, or otherwise provides, identifi-  
6 cation seals to another without a permit issued under AS 45.67.020 is  
7 guilty of a misdemeanor, and upon conviction is punishable by a fine of  
8 not more than \$1,000, or by imprisonment for not more than one year, or  
9 by both.

10 (e) For the purposes of this section each article sold or identi-  
11 fication seal counterfeited, sold, or otherwise provided constitutes a  
12 separate offense.

13 Sec. 45.67.040. DEFINITIONS. In this chapter

14 (1) "commissioner" means the commissioner of commerce and  
15 economic development;

16 (2) "goods manufactured in the state" means a new, finished  
17 product for marketing to the public, which results from the transforma-  
18 tion in the state of raw or partially finished materials into some  
19 kind of article of trade; it does not include a finished product  
20 which results from the assembly of previously finished components  
21 parts, unless all the parts are goods manufactured in the state, or  
22 unless the finished product is assembled in its final form only in  
23 the state;

24 (3) "identification seal" means the identification seal  
designed under AS 45.67.010.

25 \* Sec. 7. AS 45.67.030 is amended to read:

26 Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches  
27 an identification seal to an article, knowing that the article is not a  
28 good manufactured in the state, is guilty of a class B misdemeanor [,  
29 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR

BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

(b) A person who knowingly sells or offers for sale an article with an identification seal attached, knowing that the article is not a good manufactured in the state, is guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

(c) A person who counterfeits an identification seal is guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

(d) A person who knowingly sells, or otherwise provides, identification seals to another without a permit issued under AS 45.67.020 is guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

(e) For the purposes of this section each article sold or identification seal counterfeited, sold, or otherwise provided constitutes a separate offense.

\* Sec. 8. Section 7 of this Act takes effect January 1, 1980.

cut out reference to (1)(B)  
because it is repealed in sec. 1  
of this bill - it is referred to in  
AS 37.05.230 (5)

Sec. 37.05.220. Purchasing agent. The Department of Administration is the purchasing agent for the state. The department shall

- (1) purchase, rent, or otherwise provide for the furnishing of supplies, materials, equipment, or contractual services for all state agencies;
- (2) have power to authorize an agency to purchase directly certain specified supplies, materials, equipment, or contractual services under conditions and procedures prescribed in § 230 of this chapter;
- (3) prescribe the manner in which supplies, materials, and equipment shall be purchased, delivered, stored, and distributed;
- (4) prescribe the time, manner, authentication, and form of making requisitions for supplies, materials, equipment, and contractual services;
- (5) fix standards of quality and quantity and develop standard specifications after consultation with the several state agencies, and approve or determine final specifications;
- (6) have power to transfer to or between agencies or to sell or trade in supplies, materials, and equipment of agencies which are surplus, obsolete, or unused; and the department shall make proper adjustments in the accounts of the agencies concerned;
- (7) prescribe the manner of inspecting deliveries of supplies, materials, and equipment and of making tests of samples submitted with bids and samples of deliveries to determine compliance with specifications;
- (8) prescribe standard forms for bids and contracts for construction, purchases of supplies, and other purposes, which bids and contracts may contain provisions which the department considers necessary; but all contracts for construction shall require the filing of an acceptable performance bond and a penalty provision for failure to perform the contract according to its terms;
- (9) provide for other matters which may be necessary to carry out the provisions of this chapter and the rules and regulations adopted under it. (§ 1 art IV ch 82 SLA 1955; am §§ 6, 7 ch 186 SLA 1957; am § 1 ch 55 SLA 1960)

Am. Jur. and C.J.S. references. — 42  
Am. Jur., Public Funds, § 1 et seq.  
81 C.J.S. States §§ 168 to 176.

Sec. 37.05.230. Competitive bids. In the manner provided in this chapter and rules and regulations established under it

(1) a contract for construction and repairs, or a purchase of and contract for supplies, materials, equipment, and contractual services must be based on competitive bids; an award shall be made to the lowest responsible bidder after advertising for bids, except that

(A) (repealed)

(B) [A BID SHALL BE AWARDED TO AN ALASKA BIDDER IF HIS BID IS NOT MORE THAN FIVE PER CENT HIGHER THAN THE LOWEST NONRESIDENT BIDDER'S; AND]

(C) competitive bids need not be required

(i) for contractual services where no competition exists;

(ii) [FOR SALES INVOLVING FAIR TRADE ITEMS;]

(iii) in a declared emergency when [, IN THE JUDGMENT OF THE PURCHASING AGENT,] food, clothing, or medical supplies, or materials for use in laboratory and experimental studies may be purchased otherwise to the best advantage of the state;

(iv) where rates are fixed by law or ordinance;

(v) for items traded in on like items; or

(vi) for professional services;

IF NO COMPETITION IN ALASKA WIFE CAN JUST NEGOTIATE W/ "OUTSIDE" VENDORS?

IT IS UNDERSTOOD THIS COULD BE DONE W/O LEGISLATION IN A DECLARED EMERGENCY MIGHT AS WELL DROP WHOLE CUE-SECTION

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2 (2) if the amount of the contractual services, purchase, or  
3 sale is estimated to exceed \$2,500 sealed bids shall be solicited, when  
4 practicable, by publication in a newspaper calculated to reach pro-  
5 spective bidders and by posting notices in public places within the area  
6 where the work is to be performed or material furnished and in addition  
7 the department may also designate a trade journal for publication; the  
8 department shall also solicit bids by sending notices by mail to all  
9 [ACTIVE PROSPECTIVE] bidders on the certified Alaska bidders list;  
10 [KNOWN TO IT AND] all bids shall be sealed when received, and shall be  
11 opened in public at the hour stated in the notice; the department may  
12 negotiate directly if it finds that it is in the best interest of the  
13 state;

(3) a contractual service, purchase or sale where the known requirements are estimated to be less than \$2,500 may be made either upon competitive bids in accordance with (2) of this section or in the open market, in the discretion of the department; but, so far as practicable, shall be based on at least three competitive bids and recorded as provided in § 240 of this chapter; small purchases of less than \$300 in the discretion of the department may be made on the open market, and may be by cash payment from petty cash accounts set aside for that purpose; the department shall determine the amount of the petty cash accounts needed by each state agency, and inspect the petty cash accounts at least once each year to determine that the total plus amounts of receipts for unreplenished disbursements is equal to the fixed sum of cash set aside; shortages in petty cash accounts are a personal liability of the responsible head of the agency to whom the account is set aside; the department shall make all necessary rules and regulations governing use and replenishment of petty cash funds;

(4) the provisions of this section relative to competitive bids do not apply to contracts for the operation of transportation systems for students to and from the schools within the state, as are authorized under AS 14.10.070; and these contracts may be awarded by bid or negotiation and, at the discretion of the Board of Education, may be awarded for periods of three years or less;

(5) an "Alaska bidder," for the purpose of bid awards under (1) (B) of this section, is a person who

- (A) holds a current Alaska business license,
- (B) submits a bid for goods or services under the name as appearing on his current Alaska business license,
- (C) has maintained a place of business within the state for a period of six months immediately preceding the date of his bid.

"A CERTIFIED?"

REPEALED BY CASE 114

REVENUE CANNOT GIVE, MAYBE BY AFFIDAVIT

- (D) has no delinquent state taxes;
- (E) is a resident of the state, or, if the bidder is a partnership, corporation, or other association, the majority of the persons employed in the bidder's Alaska office are residents of the

STATE.

(6) the competitive bid requirements of this section do not apply to air taxi services used by state employees when no formal contract is executed; the department affected shall pay the air taxi operator the tariff rates as published by him with the Air Transportation Commission for the type of aircraft required; the tariffs need not be uniform throughout the state and may reflect the diverse conditions of various areas of the state; the air taxi service used in each case shall be selected by the state employee who is to fly in the aircraft, or if more than one state employee is flying in the aircraft by the employee in charge; in all cases the air taxi operator shall have complied with AS 02.05.010 — 02.05.260 and other prequalifying regulations established by the department.

(7) the provisions of this section relative to an "Alaska bidder" do not apply to contracts estimated to exceed \$5,000, of either the Department of Transportation and Public Facilities, which are authorized under AS 35.15, or the Department of Highways, which are authorized under AS 19.10.

(F) MAINTAINS AN INVENTORY IN STATE (MAYBE EVEN "SPECIFIC" OR UNDER DEFINITION OF INVENTORY)?

(8) the provisions of this section relative to competitive bids do not apply to the purchase of products or services manufactured or provided by a sheltered workshop. (§ 3 art IV ch 82 SLA 1955; am §§ 8 — 10, 23 ch 186 SLA 1957; am § 1 ch 77 SLA 1959; am § 1 ch 158 SLA 1962; am § 1 ch 82 SLA 1964; am §§ 1, 2 ch 92 SLA 1967; am § 1 ch 61 SLA 1970; am § 1 ch 92 SLA 1975; am §§ 1, 2 ch 194 SLA 1975)

AS DELINEATED UNDER PAR 11.5. THIS IS SE

BETTER UNDER IF THIS SECTION

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\* Sec. 4. AS 37.05.230 is amended by adding new paragraphs to read:

(9) the Department of Administration shall compile and update annually a "certified Alaska bidders list" containing the names of bidders certified to be Alaska bidders who maintain inventories in the state;

(10) each proposed contract for or purchase of supplies, materials, or equipment shall provide for an award of not less than 40 per cent of the total value of the purchase to the lowest responsible Alaska bidder who maintains no offices outside the state and who had for the previous year gross business receipts not in excess of \$1,000,000.

CLARIFICATION. 40% SET ASIDE NOT "SPIT"

Sec. 37.05.231. Estimation of flying hours required. The state, when soliciting bids for air charter service, shall make available in writing to prospective bidders upon request an estimate of the flying hours required by each individual agency of the state which will take advantage of these services. (§ 1 ch. 17 SLA 1967)

Sec. 37.05.240. Award of contracts and purchases. A contract or purchase made by or under the supervision of the department for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids. Bids may be rejected, and a bid shall be rejected if it contains a material alteration or erasure which is not initialed by the signer of the bid. The department may reject the bid of a bidder who is in arrears on taxes due the state or who failed to perform on a previous contract with the state. Where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance. Before the awarding of a contract for a building or the making of repairs upon a building, the department shall see that the bids conform with plans and specifications approved by the Department of Transportation and Public Facilities. All bids with the names of the bidders and the amounts of the bids, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the department for three years, unless reproduced by microfilming and these files or records are open to public inspection at all reasonable times. An aggrieved bidder may within five days after an award of contract appeal to the department for hearing, with notice to interested parties, for redetermination and final award in accordance with law. (§ 4 art IV ch 82 SLA 1955; am § 1 ch 64 SLA 1976)

REVENUE CANNOT GIVE. MAYBE AN AFFIDAVIT FOR COPIES BY FILING.

Sec. 37.05.250. Delegation of duties. The department may delegate the duties imposed by this chapter upon an employee of the state normally stationed in a town or location distant from the state capital. Agents so designated shall perform the duties as the department

requires and in accordance with rules and regulations established by the department. (§ 5 art. IV ch 82 SLA 1955)

Sec. 37.05.260. Preference for Alaska products. This chapter does not modify, amend, or alter AS 36.15.010 and 36.15.020 regarding preference for Alaska forest products, or AS 36.20.010 regarding preference to producers or dealers in Alaska except as provided in § 230(1) of this chapter. (§ 6 art IV ch 82 SLA 1955)

Sec. 37.05.270. Purchases through General Services Administration. This chapter does not prevent the department from purchasing through the General Services Administration as provided by law. (§ 7 art IV ch 82 SLA 1955; added by § 11 ch 186 SLA 1957)

Sec. 37.05.280. Leases. The department shall lease necessary space, and contract for the lease of space for the use of the state or an agency of the state, wherever it is necessary and feasible, subject to compliance with the requirements of §§ 220 — 280 of this chapter. No lease or contract for a lease may provide for a period of occupancy greater than 40 years. An agency of the state requiring office, warehouse or other space shall lease the space through the department. No contract or lease executed after January 1, 1966, which provides for a payment or payments by the state in excess of \$12,000 annually is valid unless the use of the space to be provided for by such contract or lease has been expressly approved by the legislature by concurrent resolution. (§ 8 art IV ch 82 SLA 1955; added by § 1 ch 81 SLA 1959; am § 1 ch 94 SLA 1961; am § 16 ch 99 SLA 1965)

Sec. 37.05.320. Definitions. In this chapter

(1) "fiscal year," "budget year," "accounting year," or similar term means a year beginning on July 1 of one calendar year and ending on June 30 of the following calendar year;

(2) "state agency," "agency," "department," or similar term means a department, officer, institution, board, commission, bureau, division, or other administrative unit forming the state government, and includes the Alaska Pioneers' Home and the University of Alaska;

(3) "handicapped individual" means an individual under a physical or mental disability which constitutes a substantial handicap to employment;

(4) "sheltered workshop" means a place where manufacture or handiwork is carried on, and which is operated for the primary purpose of providing remunerative employment to handicapped individuals. (§ 3 art 1 ch 82 SLA 1955; am § 1 ch 186 SLA 1957; am § 2 ch 92 SLA 1975; am § 6 ch 4C SLA 1977)

2 | (5) "declared emergency" means a situation declared by the  
3 | governor to be an immediate threat to the public peace, safety, health,  
4 | or the general welfare.

Charlie —

this language came from CSHB 155

so - it's clear there are differences

(taken from CSHB 155 - sec. 3)

(this was a concern of Dick Bradley's)

~~scribble~~

"(9) the provisions of this section

do not apply to purchases and

contracts involving federal money

received by the state if

the application of a bidding

preference would violate

federal law or program

guidelines."

37.05.230  
amend - new  
SEC to read

NO

py. 2  
line 24 } The com. shall select  
shall-to  
bidders  
maintain [s]

Original sponsor: Bradley



Offered: 4/3/79

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 114 (Rules) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to competitive bidding under the Fis-  
7 cal Procedures Act; and providing for an effective  
8 date."

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

10 \* Section 1. AS 37.05.230(1) is amended to read:

11 (1) a contract for construction and repairs, or a purchase of  
12 and contract for supplies including Alaska produced fisheries and  
13 agricultural products, materials, equipment, and contractual services  
14 must be based on competitive bids; an award shall be made to the lowest  
15 responsible bidder after advertising for bids, except that

16 (A) (repealed)

17 (B) [A BID SHALL BE AWARDED TO AN ALASKA BIDDER IF HIS  
18 BID IS NOT MORE THAN FIVE PER CENT HIGHER THAN THE LOWEST NONRESI-  
19 DENT BIDDER'S; AND]

20 (C) competitive bids need not be required

21 (i) for contractual service where no competition  
22 exists;

23 (ii) [FOR SALES INVOLVING FAIR TRADE ITEMS;]

24 (iii) in a declared emergency when [, IN THE JUDGMENT  
25 OF THE PURCHASING AGENT,] food, clothing, or medical supplies,  
26 or materials for use in laboratory and experimental studies  
27 may be purchased otherwise to the best advantage of the state;

28 (iv) where rates are fixed by law or ordinance;

29 (v) for items traded in on like items; or

(vi) for professional services;

\* Sec. 2. AS 37.05.230(2) is amended to read:

(2) if the amount of the contractual services, purchase, or sale is estimated to exceed \$2,500 sealed bids shall be solicited, when practicable, by publication in a newspaper calculated to reach prospective bidders and by posting notices in public places within the area where the work is to be performed or material furnished and in addition the department may also designate a trade journal for publication; the department shall also solicit bids by sending notices by mail to all [ACTIVE PROSPECTIVE] bidders on the certified Alaska bidders list; [KNOWN TO IT AND] all bids shall be sealed when received, and shall be opened in public at the hour stated in the notice; the department may negotiate directly if it finds that it is in the best interest of the state;

\* Sec. 3. AS 37.05.230(5) is amended by adding new subparagraphs to read:

(D) has no delinquent state taxes;

? (E) is a resident of the state, or, if the bidder is a partnership, corporation, or other association, the majority of the persons employed in the bidder's Alaska office are residents of the state;

\* Sec. 4. AS 37.05.230 is amended by adding new paragraphs to read:

(9) the Department of Administration shall compile and update annually a "certified Alaska bidders list" containing the names of bidders certified to be Alaska bidders who maintain inventories in the state;

(10) each proposed contract for or purchase of supplies, materials, <sup>services</sup> or equipment shall provide for an award of not less than 40 per cent of the total value of the purchase to the lowest responsible Alaska bidder who maintains no offices outside the state and who had for

*Fred Brown*

~~2,000,000~~

1 the previous year gross business receipts not in excess of \$1,000,000.

2 \* Sec. 5. AS 37.05.320 is amended by adding a new paragraph to read:

3 (5) "declared emergency" means a situation declared by the  
4 governor to be an immediate threat to the public peace, safety, health,  
5 or the general welfare.

6 \* Sec. 6. AS 45 is amended by adding a new chapter to read:

7 CHAPTER 67. IDENTIFICATION OF ALASKA MANUFACTURED GOODS.

8 Sec. 45.67.010. DESIGN OF IDENTIFICATION SEAL. After holding a  
9 public hearing to obtain manufactures' advice on the design of a seal to  
10 identify goods manufactured in the state, the commissioner shall design  
11 the seal. The seal shall bear an appropriate logo and the words  
12 "Manufactured in Alaska".

13 Sec. 45.67.020. PERMIT TO USE IDENTIFICATION SEALS. A person who  
14 produces goods manufactured in the state may apply to the commissioner  
15 for a permit to <sup>use (adopted)</sup> ~~purchase~~ identification seals <sup>or permit number</sup> to be attached to those  
16 goods. ~~The~~ <sup>as per article</sup> commissioner shall investigate the applicant to determine  
17 his eligibility for the permit. <sup>45.67.010</sup> A permit shall be issued free of charge  
18 to a qualified applicant. ~~The~~ <sup>to</sup> commissioner shall prescribe the form of  
19 the application and permit, the period for which the permit is valid,  
20 and the procedure for renewal of the permit.

21 Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches  
22 an identification seal to an article, knowing that the article is not a  
23 good manufactured in the state, is guilty of a misdemeanor, and upon  
24 conviction is punishable by a fine of not more than \$1,000, or by impri-  
25 sonment for not more than one year, or by both.

26 (b) A person who knowingly sells or offers for sale an article  
27 with an identification seal attached, knowing that the article is not a  
28 good manufactured in the state, is guilty of a misdemeanor, and upon  
29 conviction is punishable by a fine of not more than \$1,000, or by impri-

1 sonment for not more than one year, or by both.

2 (c) A person who counterfeits an identification seal is guilty of  
3 a misdemeanor, and upon conviction is punishable by a fine of not more  
4 than \$1,000, or by imprisonment for not more than one year, or by both.

5 (d) A person who knowingly sells, or otherwise provides, identifi-  
6 cation seals to another without a permit issued under AS 45.67.020 is  
7 guilty of a misdemeanor, and upon conviction is punishable by a fine of  
8 not more than \$1,000, or by imprisonment for not more than one year, or  
9 by both.

10 (e) For the purposes of this section each article sold or identi-  
11 fication seal counterfeited, sold, or otherwise provided constitutes a  
12 separate offense.

13 Sec. 45.67.040. DEFINITIONS. In this chapter

14 (1) "commissioner" means the commissioner of commerce and  
15 economic development;

16 (2) "goods manufactured in the state" means a new, finished  
17 product for marketing to the public, which results from the transforma-  
18 tion in the state of raw materials <sup>or partially finished into some kind of article of trade</sup> it does not include a finished  
19 product which results from the assembly of previously finished com-  
20 ponent parts, unless all the parts are goods manufactured in the state,  
21 or unless the finished product is assembled in its final form only in  
22 the state;

23 (3) "identification seal" means the identification seal  
24 designed under AS 45.67.010.

25 \* Sec. 7. AS 45.67.030 is amended to read:

26 Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches  
27 an identification seal to an article, knowing that the article is not a  
28 good manufactured in the state, is guilty of a class B misdemeanor [,  
29 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR

1 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

2 (b) A person who knowingly sells or offers for sale an article  
3 with an identification seal attached, knowing that the article is not a  
4 good manufactured in the state, is guilty of a class B misdemeanor [,  
5 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR  
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8 a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF  
9 NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR  
10 BY BOTH].

11 (d) A person who knowingly sells, or otherwise provides, identifi-  
12 cation seals to another without a permit issued under AS 45.67.020 is  
13 guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY  
14 A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE  
15 YEAR, OR BY BOTH].

16 (e) For the purposes of this section each article sold or identi-  
17 fication seal counterfeited, sold, or otherwise provided constitutes a  
18 separate offense.

19 \* Sec. 8. Section 7 of this Act takes effect January 1, 1980.  
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28  
29

Original sponsor: Bradley

Offered: 4/3/79

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 114 (Rules) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to competitive bidding under the Fis  
7 cal Procedures Act; and the identification of Alaska  
8 manufactured goods; and providing for an effective  
9 date."

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

10 \* Section 1. AS 37.05.230(1) is amended to read:

11 (1) a contract for construction and repairs, or a purchase  
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13 agricultural products, materials, equipment, and contractual services  
14 must be based on competitive bids; an award shall be made to the lowes  
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16 (A) (repealed)

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21 (i) for contractual services where no competition  
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24 (iii) in a declared emergency when [, IN THE JUDGMENT  
25 OF THE PURCHASING AGENT,] food, clothing, or medical supplies,  
26 or materials for use in laboratory and experimental studies  
27 may be purchased otherwise to the best advantage of the state;

28 (iv) where rates are fixed by law or ordinance;

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\* Sec. 2. AS 37.05.230(2) is amended to read:

(2) if the amount of the contractual services, purchase, or sale is estimated to exceed \$2,500 sealed bids shall be solicited, when practicable, by publication in a newspaper calculated to reach prospective bidders and by posting notices in public places within the area where the work is to be performed or material furnished and in addition the department may also designate a trade journal for publication; the department shall also solicit bids by sending notices by mail to all [ACTIVE PROSPECTIVE] bidders on the certified Alaska bidders list; [KNOWN TO IT AND] all bids shall be sealed when received, and shall be opened in public at the hour stated in the notice; the department may negotiate directly if it finds that it is in the best interest of the state;

\* Sec. 3. AS 37.05.230(5) is amended by adding new subparagraphs to read:

(D) has executed an affidavit, under penalty of perjury that no delinquent taxes are owing, and has sent a copy of the affidavit to the Department of Revenue;

(E) is a resident of the state, or, if the bidder is a partnership, corporation, or other association, the majority of the persons employed in the bidder's Alaska office are residents of the state;

\* Sec. 4. AS 37.05.230 is amended by adding new paragraphs to read:

(9) the Department of Administration shall compile and update annually a "certified Alaska bidders list" containing the names of bidders certified to be Alaska bidders who maintain inventories in the state;

(10) not less than 40 per cent of the total appropriation available for contracts for, or purchases of supplies, materials, services or equipment shall be set aside for award to the lowest responsible Alaska bidder who maintains no offices outside the state and who had for the previous year gross business receipts not in

excess of \$1,000,000.

\* Sec. 5. AS 37.05.320 is amended by adding a new paragraph to read:

(5) "declared emergency" means a situation declared by the governor to be an immediate threat to the public peace, safety, health, or the general welfare.

\* Sec. 6. AS 45 is amended by adding a new chapter to read:

CHAPTER 67. IDENTIFICATION OF ALASKA MANUFACTURED GOODS.

Sec. 45.67.010. DESIGN OF IDENTIFICATION SEAL. After holding a public hearing to obtain manufactures' advice on the design of a seal to identify goods manufactured in the state, the commissioner shall design the seal. The seal shall bear an appropriate logo and the words "Manufactured in Alaska".

Sec. 45.67.020. PERMIT TO USE IDENTIFICATION SEALS. A person who produces goods manufactured in the state may apply to the commissioner for a permit to use the identification seals or permit numbers to be attached to those good. Identification seals or permit numbers may be printed on labels of goods. The commissioner shall investigate the applicant to determine his eligibility for the permit. A permit shall be issued free of charge to a qualified applicant. The commissioner shall prescribe the form of the application and permit, the period for which the permit is valid, and the procedure for renewal of the permit.

Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches an identification seal to an article, knowing that the article is not a good manufactured in the state, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

(b) A person who knowingly sells or offers for sale an article with an identification seal attached, knowing that the article is not a good manufactured in the state, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

sonment for not more than one year, or by both.

(c) A person who counterfeits an identification seal is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

(d) A person who knowingly sells, or otherwise provides, identification seals to another without a permit issued under AS 45.67.020 is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

(e) For the purposes of this section each article sold or identification seal counterfeited, sold, or otherwise provided constitutes a separate offense.

Sec. 45.67.040. DEFINITIONS. In this chapter

(1) "commissioner" means the commissioner of commerce and economic development;

(2) "goods manufactured in the state" means a new, finished product for marketing to the public, which results from the transformation in the state of raw or partially finished materials into some kind of article of trade; it does not include a finished product which results from the assembly of previously finished components parts, unless all the parts are goods manufactured in the state, or unless the finished product is assembled in its final form only in the state;

(3) "identification seal" means the identification seal designed under AS 45.67.010.

\* Sec. 7. AS 45.67.030 is amended to read:

Sec. 45.67.030. PENALTIES. (a) A person who knowingly attaches an identification seal to an article, knowing that the article is not a good manufactured in the state, is guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR

BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

2 (b) A person who knowingly sells or offers for sale an article  
3 with an identification seal attached, knowing that the article is not a  
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9 NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR  
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11 (d) A person who knowingly sells, or otherwise provides, identifi-  
12 cation seals to another without a permit issued under AS 45.67.020 is  
13 guilty of a class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY  
14 A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE  
15 YEAR, OR BY BOTH].

16 (e) For the purposes of this section each article sold or identi-  
17 fication seal counterfeited, sold, or otherwise provided constitutes a  
18 separate offense.

19 \* Sec. 8. Section 7 of this Act takes effect January 1, 1980.  
20  
21  
22  
23  
24  
25

Rocky

charlie wants to amend pg. 2 (10)

PROPOSED AMENDMENTS FOR SB 114 - HOUSE JUDICIARY, APRIL 24, 1979

✓ 1.

page 1, line 7, after the word "Act;" insert "and the identification of Alaska manufactured goods;"

✓ 2.

page 2, line 16, after the word "has" delete all material and insert "executed an affidavit, under penalty of perjury that no delinquent taxes are owing, and has sent a copy of the affidavit to the Department of Revenue."

✓ 3.

page 2, line 27, after the word "materials," insert "services" consultants? Janitorial?

failed

4.

page 3, after line 1, insert "(11) subcontracting will be prohibited with businesses outside of Alaska."

✓ 5.

page 3, line 15, after the word "seals" insert "or permit number"

✓ 6.

page 3, line 16, after the word "goods." insert "Identification seals or permit numbers may be printed on labels of goods."

failed

7.

page 3, line 16 & 17, delete "The commissioner shall investigate the applicant to determine his eligibility for the permit." ~~ready~~

✓ 8.

page 4, line 18, after the word "raw" insert "or partially finished materials into some kind of article of trade." Capitalize "it" on line 18.

O'Connell  
pg. 3

line 15 - delete "purchase"  
insert "use"





Official Business

# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### PROPOSED AMENDMENTS FOR SB 114 - HOUSE JUDICIARY

1. page 1, line 7, after the word "Act;" insert  
"and the identification of Alaska manufactured goods;"
2. page 2, line 16, after the word "taxes;" insert  
"bidders seeking Alaska Bidder Status shall state  
in an affidavit, under the penalties of perjury,  
that no delinquent taxes are owing, and copies of  
the affidavit shall be sent to the Alaska Depart-  
ments of Revenue and Labor."
3. page 2, line 27, after the word "materials," insert  
"services," *(not too workable)*
4. page 3, line 2, insert at the beginning,  
" (11) subcontracting will be prohibited with  
businesses outside of Alaska.  
move Sec. 5 down a line *(after line 1)*"
5. page 3, line 15, after the word "seals" insert  
"or permit number" *(detects purpose)*
6. page 3, line 16, after the word "goods." insert  
"Identification seals or permit numbers may be  
printed on labels of goods." *(not necessary)*
7. page 3, line 16 & 17, delete, "The commissioner shall  
investigate the applicant to determine his eligibility  
for the permit." *this is needed - make it explicit!*
8. page 4, line 16 thru 22, delete and insert  
"Alaska manufacturer" means a person engaged in a  
business activity in the state by which he, through  
labor, art, or skill, transforms raw or partially  
finished materials into some kind of article of trade."

*"good man in state"*



Official Business

# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### PROPOSED AMENDMENTS FOR SB 114 - HOUSE JUDICIARY

1. page 1, line 7, after the word "Act;" insert  
"and the identification of Alaska manufactured goods;"
2. page 2, line 16, after the word <sup>"has" delete all material and</sup> ~~"taxes,"~~ insert  
~~"bidders seeking Alaska Bidder Status shall state~~ <sup>specify</sup>  
~~in an affidavit, under the penalties of perjury,~~  
that no delinquent taxes are owing, and copies of  
the affidavit ~~shall be sent to the Alaska Department~~  
of Revenue and ~~labor.~~"
3. page 2, line 27, after the word "materials," insert  
"services,"
4. page 3, <sup>after line 1,</sup> ~~line 2,~~ insert at the beginning,  
" (11) subcontracting will be prohibited with  
businesses outside of Alaska.  
move Sec. 5 down a line
5. page 3, line 15, after the word "seals" insert  
"or permit number"
6. page 3, line 16, after the word "goods." insert  
"Identification seals or permit numbers may be  
printed on labels of goods."
7. page 3, line 16 & 17, delete, "The commissioner shall  
investigate the applicant to determine his eligibility  
for the permit."
8. page 4, line 16 thru 22, <sup>line 19 after "state" delete all material through line 22</sup> delete and insert  
"Alaska manufacturer" means a person engaged in a  
business activity in the state by which he, through  
labor, art, or skill, transforms raw or partially  
finished materials into some kind of article of trade."

4-24-29

Danburith

"Alaska manufacturer" means a person engaged in a business activity in the state by which he, through labor, art, or skill, transforms raw or partially finished materials into some kind of article of trade.

# MEMORANDUM

TO:  Senator H.E. Dankworth  
Alaska State Legislature

Thru: R.H. Eakins *RHE*  
Director  
Division of Economic Enterprise

FROM: Ronald S. Walt *RSW*  
Development Specialist  
Division of Economic Enterprise  
Department of Commerce & Economic  
Development

DATE: February 21, 1979

FILE NO:

TELEPHONE NO:

SUBJECT:

Manufacturers' Seal

The following wording is designed as an addition to your Senate Bill on Alaska business preference, per your suggestion. The reasoning behind requiring a "permit" is to provide the authorized manufacturers a means of identification which may be used to purchase seals directly from the printer as needed.

I have attempted to construct the wording so as to be restrictive, yet not exclude the paint, peat and airplane manufacturers, among others, already in the State.

## "Identification Seal for Alaska Manufacturers"

A manufacturer who, in his own plant, located within the geographic boundaries of the State of Alaska, transforms raw materials into a new finished product for marketing to the general public, may apply for a permit to identify his product with an official seal authorized by the State certifying that product as "Manufactured in Alaska."

Alaska companies whose finished product is the result of the assembly of previously finished components are not eligible to utilize the "Manufactured in Alaska" seal. Assembly plants whose finished product is patented and is assembled to its final form only in the State of Alaska may be eligible to bear the "Manufactured in Alaska" seal.

Design of the Seal. The seal shall be of an appropriate design, as determined by the Commissioner with the advice of the manufacturers, bearing the wording "Manufactured in Alaska."

Permits to Use the Identification Seal. The Commissioner may examine or investigate the applicant to determine eligibility for a permit. The Commissioner shall prescribe the form of the seal, the application, the permit, the period for which the permit is valid and the procedure for renewal of the permit.

## Penalties

- (a) A person who knowingly or willfully issues the document for, or affixes or attaches the identification seal provided for in Sections \_\_\_\_\_ of this chapter to an article knowing that it is not an authentic article of Alaskan manufacture is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.

- (b) A person who knowingly or willfully sells or offers for sale an article with the seal affixed or attached knowing that the article is not an authentic article of Alaska manufacture, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.
- (c) A person who willfully alters, changes, or counterfeits an identification seal or document is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.

Definitions. In Sections of this chapter, unless the context otherwise requires:

- (1) "Commissioner" means the Commissioner of the Department of Commerce and Economic Development;

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cc: Ron Fullerton

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"Alaska manufacturer" means a person engaged in a business activity in the state by which he, through labor, art, or skill, transforms raw or partially finished materials into some kind of article of trade.