

1171

HSA

HB 696

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HB 764

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117

GROUP 2 (cont'd)

HB 622

CREDIT FOR MUNICIPAL TAX PAYMENTS (Phillips, Anderson, Barnes,
(Beirne, Bettisworth, Branson, Brown, Buchholdt,
(Chatterton, Fuller, Haugen, Hayes, McKirron,
(Martin, Metcalfe, Montgomery, Moss, Munson,
(O'Connell, Parr and Rogers)

Taxpayer may take as a tax credit the municipal property taxes paid on his/her place of residence. Renters receive a credit equal to one per cent of rent payments made during the tax year for each mill of property tax levied by the municipality. Retroactive to 1/1/79. Estimated tax credits of \$57 to \$97 million annually; estimate of revenue loss from these credits not available.

CSSB 310 (R)

EXEMPTING INTEREST EARNED IN ALASKA (Kelly, 1980)

Provides for an exemption for interest earned in financial institutions chartered in Alaska or with a principal or home office in Alaska. Retroactive to 1/1/80. "Virtually impossible" to calculate the revenue loss from this legislation.

HB 655 (C)

RESIDENTIAL FUEL CONSERVATION CREDIT (Governor, 1980)

Increases the existing residential fuel conservation credit from 10% of conservation-related expenses to 20%. Maximum credit is raised from \$200 to \$500 for single taxpayers and \$250 each for those married and filing separate returns. Coverage is extended to improvements to residences completed on or before 1/1/80. The bill expands the definition of fuel conservation expenditures to include energy-saving devices. State revenue losses are estimated at \$935,000 for FY 80 and from \$1.1 to \$1.34 million in future years.

HB 99 (C)

COST-OF-LIVING CREDITS (Governor, 1979)

An earlier attempt at Permanent Fund Credits (see HB 607 in group 3). The credit is tied to the earnings of the permanent fund (1/2 the earnings divided by the number of 'creditable years'). The existing Freznan tax credit is repealed; at this time the indications are that it would result in a \$20 million tax increase.

GROUP 3

PAYABLE CREDITS - DIRECT DISTRIBUTION

HB 607

SB 359 ()

PERMANENT FUND DIVIDENDS (Governor, 1980)

These two identical bills would provide a payable tax credit of one "Permanent Fund Dividend" for each year of residency. For tax year 1979 each dividend would be worth \$50. In future years each dividend would be worth either \$50 or 1/2 of the earnings of the Permanent Fund divided by the number of dividends paid the year before, whichever is greater. An ISER study pegs the number of dividends at approximately 2,571,000 (person/residency/years to a maximum of 20), averaging 9.52 years per capita. The fiscal note shows payments beginning at \$215 million per year; according to Legislative Finance Division the Permanent Fund Dividends would not exceed \$50 until approximately 1986.

W.O. 9844

(Draft)

INDIVIDUAL PAYABLE TAX CREDIT (Miles, Freeman, Malone, 1980)

Extends the existing Freeman tax credit to \$400, \$500, and \$600 for the fourth, fifth, and six years, respectively, for tax returns filed by a taxpayer beginning in 1978. If the credit exceeds the net tax liability, up to \$200 of the credit is payable to the taxpayer. The bill automatically terminates if the state general fund balance goes below a six-month cash reserve. As the bill is in draft form, no fiscal note is available.

W.O. 7327 ()

(Draft)

INDIVIDUAL PAYABLE TAX CREDIT (Rogers, 1980)

Extends a one-time payable tax credit of \$1200 for each person filing a 1979 tax return before June 30, 1980. It is estimated that this would eliminate state income taxes for 95% of all taxpayers. As the bill is in draft form, no fiscal note is available.

GROUP 4

TAX COMPUTATION CHANGES

- HB 436 ²⁻³ ₂₋₄ MARRIED TAXPAYERS AUTHORIZED TO FILE AS INDIVIDUALS (Parr, Barnes, Buchholdt, Hurlbert, Martin, Munson, Zharoff, 1979)
Allows married taxpayers to compute and pay state income taxes in accordance with rates applicable to the returns of individuals. Retroactive to tax year 1979, it would remove the higher tax schedule for married taxpayers.
- HB 464 ²⁻⁴ INDEXING THE STATE INCOME TAX, (Anderson, Barnes, Cotten, Freeman, Halford, Haugen, Hayes, McLinnon, Martin, Munson, Osterback, Rogers, Schaeffer, Zharoff, Gardiner, 1979)
Provides the tax rate brackets, minimum deduction, personal exemption, and tax credits be indexed by the annual inflation factor in Alaska. Applicable to tax years beginning with 1979.
- SB 266 INDEXING THE STATE INCOME TAX (Kelly, Dankworth, Hackney, Stimson, Sumner, 1979)
Same as HB 464.
- SSSB 47 ²⁻⁴ REDUCING TAX ON INCOME OVER \$10,000 (Bradley, 1979)
Reduces tax rate on individuals with incomes over \$10,000 to equal percentage for those with \$8,000 to \$10,000 (\$20,000 for married filing jointly, \$12,000 for head of household). Maximum rate becomes 6 per cent. Tax credit for payments over 6 per cent allowed, refundable.
- HB 376 ²⁻⁴ EXEMPTING UNEMPLOYMENT BENEFITS FROM INCOME TAX (Brown, 1979)
Exempts unemployment compensation and extended unemployment compensation from income taxation, effective 1/1/80. Conforms with past practice changed by federal legislation in 1979 (effective in Alaska beginning 1980 unless this is approved).

Rep. Brian Rogers
February 8, 1980

GROUP 5

CONSTITUTIONAL TAX LIMITATIONS

- HJR 37 LIMITING TAX LEVIES BY STATE AND LOCAL GOVERNMENT (Metcalf^e, Barnes,
Beirne^e, Bettisworth, Haugen, Hayes, Hurlbert,
Moss^e / Randolph, 1979)
Limits taxes collected to the amount collected in FY 1978 plus population growth and cost-of-living index. The legislature or municipal assembly may provide for an exception if approved by voters. (Note: much of the language is much more 'statutory' than currently appears in Alaska State Constitution.)
- HJR 38 LIMITING STATE TAX POWER (Randolph^e, Beirne^e, Bettisworth,
Freeman, 1979)
Allows no new taxes or increase in tax levy after 1/1/79 except emergency one-year taxes and those taxes levied to pay or secure payment of general obligation bonds.

Tax preparer cites overpayments

B-2 The Anchorage Times, Thursday, February 28, 1980

by Karen Rasop
Times Writer

A local income tax man thinks the state owes as many as 40,000 Alaska taxpayers \$8.84 million in tax overpayments and interest and penalties.

Phillip Christiansen, a tax preparer for Planning Systems of Alaska, said Tuesday Alaskans overpaid their 1977 tax bills to the tune of \$6.96 million. He said the state owes another \$1.88 million in interest and penalty payments.

Christiansen said a majority of the 40,000 are Alaskans are wage earners who prepare their own returns.

The problem dates back to a ban on standard deductions from state taxes enacted between June 1977 and February 1978. The ban was due to a change in federal statutes.

The Department of Revenue advised taxpayers the law was being changed and that the state would automatically refund taxes on the standard deduction when the law was passed.

But Christiansen said 44 percent of the returns he examined that did not have the standard deduction were

never corrected by the state.

He would not say how many returns he examined, citing confidentiality rules for tax preparers. A tax attorney said he believes 100 to 150 returns were involved.

Revenue Department officials deny Christiansen's charge but have no figures on how many returns were automatically corrected.

Christiansen said the 40,000 figure is his projection, assuming 44 percent of the total number of incorrectly filed 1977 state tax returns were not corrected by the state.

About 200,000 returns were filed that year. Christiansen estimates that 90,000 returns were filed without being corrected for the standard deduction foul-up.

Although statistics are not available from the Department of Revenue, several officials said it is unlikely that many tax returns could have escaped their error detection unit. The department has no figures on how many were corrected but say they did review some returns last summer when a complaint was filed with the state ombudsman's office.

The apparent confusion began in

June 1977 when a new federal law removed the standard deduction from federal tax filings. The standard deduction, \$1,600 for a single taxpayer, was incorporated into the federal tax tables. The change did not affect the amount of taxes paid.

Under Alaska statute, when standard deductions were banned from federal returns, they were automatically banned from Alaska returns. However, state tax tables are not subject to federal changes and they remain in effect until the Legislature changes them.

Since the Legislature wasn't in session in June 1977, the state tables couldn't be changed. The taxable income of Alaskans increased by the amount of the standard deduction.

The Legislature did reinstate the standard deduction in February 1978 but by that time tax booklets had been delivered throughout the state. A notice in the front of the booklet informed taxpayers special legislation was being prepared to reinstate the standard deduction and that the Department of Revenue would automatically refund any overpayments as soon as it passed.

The amount of the overpayment would vary with the tax bracket and the filing status. In the \$20,000 adjusted salary tax bracket, it meant \$192 for a joint return. Christiansen said the average refund for his clients was \$165 plus interest and penalties.

Christiansen said in an interview Tuesday he doesn't believe the state automatically returned overpayments.

He also said the state is required to pay interest and penalties on all overpayments, but is not doing so. He said the state is not paying penalties and is paying interest on only some of the corrected returns he has been sending in for the past year.

Several Revenue Department officials said they had never heard of the penalty statute until Tuesday, but said they will challenge it.

They said interest due on overpayments begins accumulating 90 days after the original filing. It would automatically be paid when the overpayment is returned, according to Revenue officials.

The bureaucracy is always quick to assess P. & I., but slow to pay it. Right?

They conveniently ignored this; but ole A.G. Av Gross will find a loophole for them.

3/1/80 note to Clem Tillion & Hugh Malone: This bureaucratic boondoggle wouldn't have happened if you two boobs had got my suggestion adopted years ago to simplify reporting and computing the State income tax. Remember my idea to simply furnish the State with a copy of the first page of IRS 1040 (which summarizes everything), and pay a percentage of the federal tax thereon?

But, oh no! Your precious bureaucrats, who usually have the last word is. Bureau, said that would be inequitable to some taxpayers (but didn't say it would deprive them of a lot of useless papershuffling work)—so both of you meekly acquiesced. Now just who the hell are you representing down there anyway—the bureaucracy or the taxpayers who elected you?

Well, you have one last chance to redeem yourself with me. Quit kicking J.H.'s ass with his complicated formulas to "equitably distribute" our income taxes to all Alaskans (whether they work or not), and simply let us keep what we have already earned by suspending or cancelling both the tax and the cursed report form now. As you both know, that has nothing to do with distributing the free oil money. Of course, it will be painful for you to unemploy about 156 friendly bureaucrats and save about \$5 million of their expenses, but I assure you it will be a hell of a lot more painful for you next election.

And I don't give a damn if many Outsiders benefit from no income taxes, too. After all, it's they who are finding and producing the huge oil wealth in Alaska, not us bums. Even Prudhoe Bay was a gift to us from Uncle Sam: we didn't create it or buy it. And all Uncle gets in return from his ungrateful warus is a kick in the ass for more. Cheers. C.C. to others.

Charles Fackler

21-21

5 □

1200-1400
20

1200
2500
□

+50
2,000

2.3
□

360
500

400
□

2.3
400
1.9

Ditman Research

□

years of residence / present population as of Nov '79

1-12 months 4%

1-3 years 10% 14%

4-7 years 19% 86%

8-15 years 29%

16+ years 37%

∴ @ \$115.00

4% = 16,000 × 115 = 1,840,000

10% = 40,000 × 345 = 13,800,000

86% = 344,000 × 575 = 197,800,000

\$ 213,440,000.00

@ \$112.00

112 = 1,742,000

336 = 13,440,000

560 = 142,640,000

207,872,000

@ \$110.00

110 = 1,760,000

330 = 13,200,000

550 = 189,200,000

204,160,000

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

February 20, 1980

MR MIKE MILLER

POUCH V

JUNEAU

AK 99811

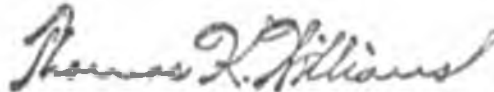
I am enclosing a copy of a monthly report prepared by the Alaska Department of Revenue, concerning tax collections and interest income.

The statement entitled "Cumulative Summary of Revenue Collected July 1, 1979 through January 31, 1980" discloses gross receipts, refunds, net receipts, estimated total year collections and percent of estimate realized. It covers receipts of all taxes and licenses administered by the Department of Revenue and interest income accounted for on a cash basis. It does not cover all items of state revenue.

The net collections of taxes and license fees, exclusive of interest income collected by the Department of Revenue for January, 1980, was \$52,785,470.55. This is an increase of 53.58 percent as compared to the \$34,369,830.56 collected in January, 1979.

For the first seven months of the current fiscal year, total collections of net taxes and license fees, exclusive of interest income, amounted to \$569,479,694.55 compared to \$221,331,786.91 collected during the first seven months of the previous year, an increase of 157.30 percent.

Sincerely,



Thomas K. Williams
Commissioner

Enclosure

**CUMULATIVE SUMMARY OF REVENUE
COLLECTED 7/1/79 THRU 1/31/80
7/12 OF 58.332**

CODE NO.	TYPE OF TAX	GROSS RECEIPTS		REFUNDS	NET RECEIPTS		ESTIMATE		NET RECEIPTS % OF ESTIMATE
001	Property	1,900,459.57	3	626,801.47	5	1,273,658.10	5	175,000,000.00	0.71
01b	Alcohol	4,796,746.17	9	0	9	4,796,746.17	9	7,700,000.00	62.01
017	Cigarette Tax - GF	980,871.51	5	5,015.84	5	975,855.67	5	1,700,000.00	57.40
018	Cigarette Tax - SF	1,634,785.04	9	0	9	1,634,785.04	9	2,800,000.00	58.39
020	Electric & Telephone	7,939.00	9	0	9	7,939.00	9	2,000,000.00	0.40
021	Highway Fuel	15,634,032.70	9	278,560.90	9	15,355,471.80	9	18,400,000.00	81.76
022	Aviation Fuel	2,607,953.60	9	0	9	2,607,953.60	9	3,600,000.00	72.44
023	Marine Fuel	2,343,899.59	9	0	9	2,343,899.59	9	3,100,000.00	75.61
03b	Individual Income	101,859,390.16	6	6,078,170.82	6	95,781,219.34	6	122,000,000.00	78.51
037	Fiduciary Income	34,316.92	6	652.46	6	33,664.46	6	100,000.00	33.66
038	Corporation Income	11,388,995.33	10	10,091,394.37	10	1,297,600.96	10	15,000,000.00	8.52
039	Oil & Gas Corp Income	262,799,936.47	9	945,282.00	9	261,854,654.47	9	602,000,000.00	43.50
04b	Business License	1,352,982.21	9	293,283.28	9	1,059,698.93	9	4,000,000.00	26.49
032	Estate	142,985.39	9	5,338.68	9	137,646.71	9	200,000.00	68.82
037	School	763,727.90	9	0	9	763,727.90	9	2,500,000.00	30.55
061	Mines & Mining	117,294.00	9	306.10	9	116,987.90	9	100,000.00	116.79
062	Paw Fish	5,065.35	9	9,071.13	9	(3,405.78)	9	8,600,000.00	0
063	Cold Storage	198,098.17	1	1,222.13	1	196,875.96	1	8,700,000.00	2.24
064	Freight Ship	176,541.61	9	28,190.07	9	148,351.54	9	3,600,000.00	4.12
065	Oil Production	192,687,728.05	9	5,414.96	9	192,682,313.09	9	420,590,000.00	45.81
06b	Oil & Gas Conservation	163,881.89	9	0	9	163,881.89	9	600,000.00	27.31
067	Gas Flaring	1,290.12	9	0	9	1,290.12	9	10,000.00	12.90
068	Gas Production	6,100,737.45	9	0	9	6,100,737.45	9	11,700,000.00	52.14
09b	Prepaid Tax (102)	(243,468.33)	9	5,143.00	9	(248,611.33)	9	0	0
106	Liquor Lic. Applications	50,030.00	9	0	9	50,030.00	9	80,000.00	62.54
107	Pub Liquor License	0	9	0	9	0	9	500.00	0
108	Brewery	0	9	0	9	0	9	100.00	0
109	Distiller	0	9	0	9	0	9	0	0
110	Beverage Dispensary	113,600.00	9	3,800.00	9	109,800.00	9	180,000.00	61.04
111	Club License	16,650.00	9	0	9	16,650.00	9	2,400.00	71.13
112	Common Carrier	8,000.00	9	0	9	8,000.00	9	15,900.00	50.31
113	Restaurant	28,850.00	9	0	9	28,850.00	9	43,000.00	67.09
114	Roadhouse	1,800.00	9	0	9	1,800.00	9	6,400.00	28.11
115	Retail	192,700.00	9	4,100.00	9	188,600.00	9	270,400.00	69.76
116	Retail - Stick Sale	0	9	0	9	0	9	0	0
117	Wholesale General	7,500.00	9	500.00	9	7,000.00	9	79,000.00	8.86
118	Wholesale Bulk Beverage	430.00	9	0	9	430.00	9	14,100.00	3.05
119	Misc. License	10,758.50	9	0	9	10,758.50	9	18,000.00	59.77
125	Amusement & Gaming	39,324.82	9	192.00	9	39,132.82	9	45,000.00	86.94
12b	Lottery Permits	15,013.60	9	0	9	15,013.60	9	20,000.00	75.07
602	Misc. Revenue	8,680.60	9	275.00	9	8,405.60	9	0	0
602	Redistributed Revenue	0	9	0	9	0	9	0	0
TOTAL		1,588,128,208.58	127	143,094.09	127	1,545,134,114.50	127	31,713,113,000.00	48.74
12b	Vessels & Craft	0	9	0	9	0	9	0	0
137-844	Comm. Fish Resident	81,584.85	9	0	9	81,584.85	9	151,000.00	54.03
138-845	Comm. Fish Nonresident	136,223.43	9	0	9	136,223.43	9	17,000.00	82.78
140	Comm Fish Cut Fee	1,080.00	9	0	9	1,080.00	9	0	0
140-218	Sport Fish & Hunt	3,217,691.77	9	0	9	3,217,691.77	9	4,183,000.00	76.93
TOTAL-1074		3,226,360.05	9	0	9	3,226,360.05	9	6,733,000.00	48.02
TOTAL		1,591,854,188.66	127	143,094.09	127	1,548,761,094.55	127	31,719,736,000.00	48.81
INTEREST									
575	Interest on Loans	1,218,218.73	9	0	9	1,218,218.73	9	2,618,000.00	46.54
576	Interest on Investments	42,512,953.42	9	0	9	42,512,953.42	9	64,160,000.00	66.29
577	Interest on Deposits	16,203.89	9	0	9	16,203.89	9	3,212,000.00	50
TOTAL INTEREST		1,276,935.04	9	0	9	1,276,935.04	9	10,000,000.00	12.76
TOTAL REVENUE		1,543,632,181.88	127	143,094.09	127	1,545,134,114.50	127	31,730,736,000.00	48.25



Alaska State Legislature House of Representatives

OFFICE OF THE SPEAKER

P R E S S R E L E A S E

Feb 25, 1980

POUCH V
JUNEAU, ALASKA 99811
OFFICIAL BUSINESS

House speaker Terry Gardiner, D-Ketchikan, took to task the Anchorage Republican members of the House who have recently run advertisements in Anchorage newspapers urging repeal of state income tax.

Speaker Gardiner called the ads "cheap political tricks that are an attempt to deceive the Alaskan public about the real nature of the Republican plan."

"What the House Republicans really intend to do is to repeal the Oil Franchise Tax and Oil Property Taxes along with the income tax, thereby giving the oil companies six dollars for every dollar they give to Alaskans."

The impact of the proposed Republican bill, HB 571, sponsored by every Republican in the House, would hand over \$800 million to the oil companies while only giving Alaskans \$120 million in personal income tax relief according to Gardiner. This amount is nearly equal to the annual state budget.

Gardiner called the Republican plan to repeal oil taxes "untimely and an unjustified giveaway program." After 20 years Alaska has reached a fair and stable oil tax policy. We should not rock the boat now with a destabilizing oil tax repeal. The success of the Beaufort Sea lease sales bringing

in a half billion in cash proves the viability of our present laws and removes arguments for change.

Gardiner stated that it is clear from the huge profits of U.S. oil companies (9.7 billion in 1979) that oil companies would only suffer further surpluses if Alaska repealed oil taxes. Oil company profits increased by 64% in 1979 alone - with some Alaskan producers such as Sohio increasing 163% to \$1.2 billion.

Gardiner also said that he can understand the Anchorage Republicans' efforts to get on the income tax bandwagon. "Everybody knows that Rep. Oral Freeman, D-Ketchikan, was promoting the income tax relief issue while the Republicans were busy opposing the Permanent Fund." It was the Democratically controlled House which promoted and ultimately passed the Freeman income tax credit bill, and also repealed the gross business tax, not the Republicans.

The House Democrats intend to deal with the income tax issue, Gardiner stated. The State Affairs and Finance committees have worked late into the night for the past two weeks reviewing more than 20 different proposals for tax relief and distribution programs. "This is not an issue which should be rammed through the Legislature without public hearings and good solid thinking," Gardiner said.

Gardiner stated he was confident the income tax issue will be dealt with conclusively during the next few weeks. He added that he expects the ultimate bill to distribute more than \$120 million which is now collected under existing income tax laws.

TELEGRAM

ALASKA TELEGRAM
PHONE: 884-442
JUNEAU, AK 99802

80 APR 12 AM 5 31

72534 JL ANCHORAGE ALASKA 197 04-11 402P AST

PMS REP MIKE MILLER

JUN 1418

THE HONORABLE REP MILLER

A COMPLEX TAX BILL, THAT INVITES CONSTITUTIONAL CHALLENGES, WILL
CONTRIBUTE TO THE RUIN OF MANY ALASKANS STRUGGLING FOR ECONOMIC
SURVIVAL.

THEREFORE, SIMPLE, OBTAINABLE TAX REPEAL LEGISLATION SHOULD BE
ENACTED IMMEDIATELY.

IT IS NOT UNCONSTITUTIONAL TO REPEAL STATE INCOME TAXES, BOTH
PERSONAL AND BUSINESS. IT IS NOT UNCONSTITUTIONAL TO REPEAL
THESE TAXES PAID IN 1979.

THE \$142 MILLION REFUND FROM 1979 SHOULD BE RETURNED TO THE
TAXPAYER WITHIN THE NEXT 60 TO 90 DAYS AS A VITAL INFUSION
TO A LAGGING ECONOMY AND TO ALLEVIATE PERSONAL HARDSHIPS.
STOPPING THE WITHHOLDING OF STATE TAXES WILL INSTANTLY ADD
ADDITIONAL DOLLARS TO THE PAYCHECK OF THE WAGE EARNER.

THE FULL COMMONWEALTH BIRTH REPORT ON OTHER VITAL ISSUES
SURROUNDING RESOURCE INCOME TO THE STATE WILL BE IN YOUR
HANDS SOON.

BUT WE URGE YOU NOW TO PRESS FOR SIMPLE, CLEAR LEGISLATION
TO REPEAL STATE INCOME TAXES. NO OTHER ACT BY THE 1980
LEGISLATURE WILL HAVE THE IMPORTANCE FOR TODAY'S PEOPLE IN
ALASKA.

BOB BOYD
BOB BOYDVILLE
BOB BOYD, SR.
BOB BOYD
DAVID CRATFIELD
HARRY DONAHUE
HELEN FLANNERY

BOB BOYD
BOB BOYD
BOB BOYD
BOB BOYD
JOHN BLAKAR
KENNETH BURNAY

BOB BOYD
BOB BOYD
BOB BOYD
BOB BOYD
WILLIAM TOMLIN
PAUL WILCOX

HB

729

A M E N D M E N T

Offered in the HOUSE

By Miller

TO: HOUSE BILL NO. 729

Page 1, lines 23 - 29, delete all material and insert the following in its place:

"(c) The council may use the money in the fund

(1) to commission or purchase a work of art which is to be made a permanent part of, or placed on loan in, a public facility operated by the department which made the deposit to the fund under (b) of this section; and

(2) to meet expenses for commissioned works of art for a public facility operated by the department which made the deposit to the fund under (b) of this section if the cost of the work of art exceeds the amount reserved under AS 35.27.020(c)."

Jan 9th

Dear Mike -

As I went to the PO right after talking with you and found this letter from Chris to you. Representative Sally Smith also has been contacted about this matter. I

called our office in Anchorage & found Chris has been called to New York on urgent family business. So her trip to Geneva may be delayed for a few days.

If you don't know her I believe you will enjoy meeting her the very beauty on her son's friend and she does a wonderful job!

If I can be of any help at any time please call.

Sincerely,

Polly Lee



Alaska State Council on the Arts

619 Warehouse Avenue, Suite 220 • Anchorage, Alaska 99501 • (907)277-1558

January 3, 1980

Representative Mike Miller
Box 1494
Juneau, Alaska 99802

Dear Representative Miller:

A number of people have suggested that I contact you regarding a possible amendment to the existing one percent for art law in Alaska, AS 35.27.010-030.

While the existing law provides that one percent of capital construction costs for public buildings and facilities shall be reserved for the purchase or commissioning of works of art, no mention is made of facilities where art work is not feasible or possible. The State Council on the Arts has become aware of the increasing number of projects which the Department of Transportation and Public Facilities feel should be exempted from the 1% for art requirement. While it is sometimes quite obvious that art work is not appropriate at a remote fish and game location, for example, it is often not quite as obvious where the one percent for art is finally spent. In light of this situation, the Council on the Arts is suggesting a possible amendment to the original legislation.

The Council has considered the possibilities of the establishment of a "pool" created with those percent for art funds generated from projects which have been granted variances from the statute. This pool could then be used to commission works in existing state buildings and facilities or on state lands subject to public view. In this way, those dollars originally earmarked for art work and for artists would not be diverted into asphalt and chain link fence.

I have enclosed copies of the existing 1% legislation, the Council's proposed amendment, and the procedures for the administration of the program for your review. I am planning to be in Juneau the week of January 14th and will try to set up a time to discuss the possibilities of the Council's ideas.

Sincerely,

Christine D'Arcy
Christine D'Arcy
Visual Arts Director

cc: ASCA Visual Arts Committee



File

*This same letter was sent to each council member. List is attached.

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU



December 5, 1979

Mr. Carl Heinmiller
P.O. Box 271
Haines, Alaska 99827

Dear Mr. Heinmiller:

As you are aware, I am proposing to transfer, next fiscal year, many of the programs and agencies currently under the Office of the Governor to several of the line departments. Under this proposal, the State Council on the Arts and the Alaska Historical Commission, will be placed in the Department of Education. I realize this may be of concern to you and, therefore, I felt the occasion of this week's council meeting would be an appropriate opportunity to convey more information regarding the transfer.

You may recall that a "Management and Efficiency Review" of State government was conducted at my request, by a group of top-level Alaska business executives. Over 75% of the recommendations the review team made have been implemented or responded to. One of the key recommendations was to reduce the excessively large span of responsibility of my office, by transferring a number of the commissions, council and agencies reporting to the Office of the Governor to departments with related responsibilities. A number of programs and agencies have been transferred since this recommendation was first made; ten more, including the Arts Council, are proposed for relocation July 1, 1980. My goal is to limit to the maximum extent permissible, the activities of the Governor's Office to policy development rather than program operations.

File

December 5, 1979

Let me stress that this transfer in no way reflects a lack of interest in the arts or faith in the council, its staff, or you as a council member.

Transfer of the council to the Department of Education will only mean that the administrative support now provided by my office, will be provided by that agency.

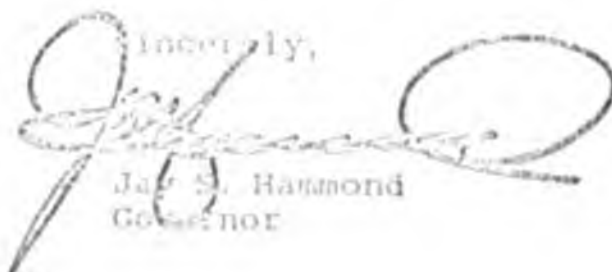
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Further, my staff will monitor and assist in the transition process that will result in classification of existing staff positions, transfer of accounting records, etc. In my view, the Executive Director should remain in the partially exempt service.

I understand Commissioner Lind will be meeting with you this week to discuss the transfer and any specific questions you may have. I am confident he will be responsive to your concerns.

Thank you for your continued service on the council, your understanding of the reasons for this decision, and for your dedication to Alaska arts programs.

Kind regards,

Sincerely,

Jay S. Hammond
Governor

cc: Commissioner Lind

bcc: Don Argetsinger

GOVERNOR
*This same letter was sent to each council member. List is attached.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU



December 5, 1979

Mr. Carl Heinmiller
P.O. Box 271
Haines, Alaska 99827

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Sincerely,

Jay S. Hammond
Governor

cc: Commissioner Lind

bcc: Don Aruetsinger

Delete lost

2

frames

PERCENTAGE FOR PUBLIC ART PROGRAM PROCEDURES

Revised draft issued 9/1/77

Revised draft issued 4/1/78

PERCENTAGE FOR PUBLIC ART PROGRAM PROCEDURES

I. Purpose of Alaska Statute 35.27.010-030, amended.

The legislation declares, "The state recognizes its responsibility to foster culture and the arts and the necessity for the viable development of its artists and craftsmen. The legislature declares it to be a state policy that a portion of appropriations for capital expenditures be set aside for the acquisition of works of art to be used for state buildings and other public facilities."

The Department of Transportation and Public Facilities (DOTPF) and the Alaska State Council on the Arts (ASCA) have defined the following goals related to the purpose of the Act:

GOAL: To nurture our living culture by recognizing and providing for the aesthetic needs and the artistic growth of the people of Alaska.

SUBGOALS:

1. To Provide access to works of art in public spaces;
2. To offer a variety of visual experiences in varied styles, methods and media.
3. To further humanize our man-made surroundings with the artistic statements of living artists.
4. To provide a supportive working environment and the opportunity for personal creative accomplishment;
5. To contribute to the development and recognition of a professional artistic community; and
6. To accomplish broad cultural goals by introducing new visual ideas to the general public.

II. Definitions

A. "Works of Art": For the purpose of this Act, all forms of original creations of visual art objects, including but not limited to:

1. Sculpture; in the round, bas relief, high relief, mobile, fountain, kinetic, electronic, etc., in wood, clay, stone, metal, plastic, fiber, ivory, concrete, etc.
2. Painting; in oil, tempera, acrylic, water soluble medium, etc on wood, paper, canvas, skin, prepared surface, etc.
3. Graphics;
 - a. Prints in silk-screen, lithography, etching, embossing, and other techniques on paper, etc.
 - b. Drawing in pencil, ink, charcoal, pastel, etc. on paper skin, bone, etc.

4. Murals, mosaics, super-graphics, frescos; in paint, tile, glass, stone, etc., on a prepared surface.
 5. Photographs; on light sensitive paper, light sensitive emulsions, etc.
 6. Ceramics; in porcelain, clay, etc., in functional and non-functional application.
 7. Fiber; in wool, cotton, leather, grass, etc., in functional and non-functional application.
 8. Metalcrafts; in copper, silver, gold, etc., singularly or in combination with other metals or materials.
 9. Mixed Media; any combination of materials or forms.
- B. "Artist": A practitioner in the visual arts, generally recognized by critics and his or her peers as a professional who is committed to producing high quality work on a regular basis. Indicators of professionalism include but are not limited to proportion of income received from art sales, or art related activities, frequent or consistent exhibitions, purchase of works by museums and other public institutions. The project architect or a member of the project architect's firm will generally not be considered as an eligible artist for consideration unless they are specifically solicited by the art advisory committee.
- C. "User Agency": The state agency or state-funded institution for which funds have been set aside for artworks from the construction appropriation for any new facility or renovation project within its jurisdiction.
- D. "Agency Representative": A person within the user agency, or another person designated by and from that agency who represents the agency and has decision authority during the selection process.
- E. "Site": The physical space occupied by the work of art.
- F. "Construction Cost": The cost expended for the actual construction of the facility, exclusive of the costs of the land acquisition, site investigation design services, administrative costs, equipment purchase and any other costs not specifically incurred within the construction contract or contracts awarded for the construction of the facility.
- G. "Public Facilities": Including, but not limited to, schools, office buildings, court buildings, the vessels of the state ferry system, and other facilities designed for substantial public use.

III. Location

The work of art must either be an integral part of the facility, attached to the facility or detached within or outside the facility. The artwork must be within reasonable proximity of the facility. Portable artworks may be exhibited outside the facility in other public facilities as long as the artworks have a permanent place to reside in the facility that is being constructed.

IV. Inclusions and Exclusions

- A. Inclusions: The portion of the capital appropriations reserved for works of art may be expended for the purchase of existing works of art or commissioned pieces and the design consultant services of artists. The following are included:
1. The cost of the work of art: Generally if the artist is commissioned to produce a new work, the following are taken into account in the contract:
 - a. Artists's fee for professional design and execution of a work of art and for consultation and on-site preparation for art works.
 - b. Labor of assistants, and materials required for production of the work.
 - c. Studio and operating costs of the artists, including rent, depreciation, utilities, communications, insurance, and other direct and indirect costs.
 - d. Travel of the artist for the site visitation(s) and research.
 - e. Transportation of the work to the site.
 - f. Installation of the completed work.
 - g. Taxes where applicable.
 2. Waterworks and electrical and mechanical devices or equipment which are integral parts of the work of art.
 3. Frames, mats, or pedestals necessary for the proper presentation of the works of art.
 4. Exhibitions and educational aspects.
 5. Site modification necessary for the installation of the work of art.
- B. Exclusions: The portion of the capital appropriation reserved for works of art may not be expended for the following:
1. Reproductions by mechanical or other means of original works of art. Included, however, may be limited editions, controlled by the artist, of original prints, cast sculpture, photographs, etc.
 2. Decorative, ornamental, or functional elements which are designed by the building architect or consultants other than artists under these procedures engaged by the architect (see V., paragraph 3.)
 3. Those elements generally considered to be components of a landscape architectural design: plant material, pools, paths, benches, receptacles, fixtures, planters, etc. (Exceptions to this are noted under General Policies).

4. "Art Objects" which are mass produced of standard design such as a playground sculpture or fountains.
5. Directional, or other functional elements, such as super-graphics signing, color coding, maps, etc., except where a recognized graphic artist is employed under these procedures.
6. Those items which are required to fulfill the basic purpose of the agency. Examples would be works of art in the collection of a state museum, or works of art fulfilling an interpretive or educational role in a state park, the state library, or a college or university art museum or gallery.
7. Preparation of the adjacent areas necessary for access to the work of art.
8. Recurring operational costs of electrical, water, or mechanical service for activation of the work.
9. In connection with the works of art, after they are installed; lighting, registration, dedication, unveiling, insurance, security, publicity or publications, and maintenance (preservation, conservation, restoration, repair).

V. Scope and Nature of Expenditures

The act applies to all state facilities and all grants of state funds to municipal and other agencies for capital construction projects.

The one per cent of construction cost is a required minimum with the exception of public schools funded after September 1, 1977 for which the required minimum is one-half of one per cent of the construction cost.

In cases where the project architect is working closely with the artist(s) from the inception of a project, the DOTPF may negotiate a separate contract with the project architect for the artist(s)' design services. Such a contract for artist consultation will not be construed to define the artist as a member of the architectural firm.

VI. Selection Principles

A. Criteria for selected works:

1. Quality: Of highest priority is the inherent quality of the work itself.
2. Media: All visual art forms may be considered.
3. Style and Nature: The art should be appropriate in scale, material, form, and content for both its immediate environment and for the general environment in which it is placed.

4. Elements of Design: The art advisory committee and the artist will take into account the fact that, as differentiated from works in a museum context, art in public places may serve to establish focal points; terminate areas, modify, enhance, or define specific places; or establish identity.
5. Permanence: Due consideration will be given to structural and surface soundness and to permanence in terms of relative proof against theft, vandalism, weathering, or excessive maintenance or repair costs.
6. Method of acquisition: Either existing works or those commissioned specifically for the site may be acquired.
7. Diversity: The participating agencies will strive, in the overall program, to attain reasonable diversity in style, scale, media, and materials represented.

B. Eligibility of Artists:

1. Alaska artists: Preference will be given to artists currently residing in the State of Alaska at the time of review by the art advisory committee for the project.
2. Artists from Other Areas: Certain artists from other areas may, because of their unique talents or style, be the logical choice of an art advisory committee.

VII. Selection Procedures

- A. Public Schools: The superintendent of a school district in which a public school is to be constructed will be responsible for establishing selection procedures for artist and art work selection with the approval of the local school board. The Alaska State Council on the Arts may be consulted concerning procedures, review of artist portfolios, contracting procedures, and purchase of art from the Public Art Collection.
- B. Facilities Except Public Schools:
 1. Notification: Upon receipt of allocated construction funds the DOTPF shall notify the ASCA of the amount of the projected construction contract, the function and location of the proposed facility, the amount of the 1% public art allocation, and the name and address of the project architect when that person and firm has been selected.
 2. Methods of Acquisition: The ASCA will advise the agency representative of the owner agency which of the acquisition methods is the most feasible, depending upon the amount of public art monies available and the function and location of the proposed facility. Three recommended categories are identified:

- a. Category I - Amounts under \$5,000.
 - 1) Portable Art: Selection of existing works by arts advisory committees either by public viewing or through slide presentation.
 - 2) Artists-in-Residence: An educational participatory residency by an artist selected by the art advisory committee resulting in a permanent work of art for the facility.
 - b. Category II - Amounts over \$5,000 but less than \$20,000.
 - 1) Includes Portable Art and Artists-in-Residence and,
 - 2) Design Integrated Commissions: Works of art especially commissioned for the specific sites which will in some way be integrated into the overall facility or specific site, or which will reflect some special function or aspect of the owner agency.
 - c. Category III - Amounts over \$20,000.
 - 1) Includes Portable Art and Artists-in-Residence, Design Integrated Commissions, and,
 - 2) Architecture Integrated Commissions: Major works of art which are integrated into the facility design, or works which will require special design consideration for their installation or display.
3. Art Advisory Committee: A special committee will be chosen according to the category of acquisition. The Committee shall be responsible for the necessary recommendations and/or the selections of art for the proposed facility.
- a. Appointments:
 - 1) Facility Users and Community representatives will be appointed by the agency representative. Composition should include individuals knowledgeable in the arts and be representative of the regular users of the facility. To insure maximum involvement of the community and users, a wide variety of view points should be included.
 - 2) Public Art Panel members are artists appointed to the panel by the Chairman of the ASCA. A regional representative of the panel will be delegated by the ASCA Chairman to each of the art advisory committees where their presence is indicated.
 - 3) ASCA Visual Arts Committee members are appointed by the ASCA Chairman from among the members of the ASCA and delegated to each appropriate committee by the ASCA Chairman.

NOTE: The project architect, a member of the project architect's firm, an ASCA member or Public Art Panel member that is participating on an art advisory committee may not be considered for a commission or have their work considered for purchase.

b. Composition:

- 1) Category I: Agency Representative (Chairman)
Project Architect
Facility Users/Community Representatives
- 2) Category II: Agency Representative (Chairman)
DOTPF Regional Design Manager
Project Architect
Facility Users/Community Representatives
Regional member of the Public Art Panel
- 3) Category III: Agency Representative (Chairman)
DOTPF Regional Design Manager
Project Architect
Facility Users/Community Representatives
Regional Member of the Public Art Panel
Member of the ASCA Visual Arts Committee

4. Methods of Commission

- a. Direct Commission. The art advisory committee will review the portfolios of artists that have been filed with the ASCA. If there are artists in whom they express interest that are not represented by the portfolios, they may request that the artist be contacted to determine if he/she would like to file a portfolio and be considered. The committee will select three artists of their choice for each work of art to be commissioned and place them in priority. Upon approval from the ASCA the artists will be contacted by the user agency in order to determine if they are willing and able to undertake the commission.

When a contract has been negotiated by DOTPF, it will include a 5% design fee as the first payment. The artist will prepare a written presentation accompanied by sketches, plans, and/or a model of the proposed work of art. The committee will review the plan and recommend acceptance, rejection or modifications. If and when approval is given by the art advisory committee the artist will proceed into the production phase of the project. If agreement is not reached the contract will be terminated and the next artist on the priority list will be contracted for a similar procedure.

- b. Limited Competition. Based on portfolio review the art advisory committee will invite a limited number of artists to present a detailed written proposal accompanied by sketches, plan and/or model for the selected site(s). A design fee equal to 5% of the total commission value will be paid to each artist that is invited to enter. The artists may be invited to personally present their proposal to the committee. In such a case the artists' transportation and per diem costs will be provided by the owner agency.

When a decision is reached a contract will be negotiated with the selected artist(s) per 5. below. Should none of the designs be selected the committee will start the selection process over (See Reconsideration).

The design fees paid to the artists will be drawn from the percentage for public art funds available to the project.

- c. Other forms of competitions: Special projects may suggest other selection methods.
5. Contract Authority: For all methods the contracting authority shall be DOTPF with approval of contract and payments by the ASCA. Technical assistance in contract preparation may be obtained from the ASCA upon request.

VIII. Reconsideration process

When reconsideration of the selection of artist or works for purchase is requested by an agency's art advisory committee approval of reconsideration must be obtained from the ASCA.

The art advisory committee must discuss the project with the selected artist(s). If no agreement can be reached the agency must notify the ASCA and the following methods may be implemented:

- A. A joint meeting with the artist, agency, and Visual Arts Committee of the ASCA to work out a solution.
- B. Request the artist to resubmit alternative examples or designs for the project.
- C. Place the project into another round of selections.
- D. Employ another procedure for selection.

All costs of reconsideration will be born by the owner agency requesting the reconsideration.

IX. Variance

There may be some capital construction projects funded by the State of Alaska for which inclusion of works of art may be inappropriate due to lack of substantial public use. The owner agency of the proposed facility may request in writing permission for exemption, in whole or in part, from the requirements of the Percentage for Public Art Act from the ASCA. The ASCA will review the request in relation to the potential aesthetic benefits to the principal users of the building and the community-at-large and recommend to DOTPF to accept, reject, or modify the percentage of construction costs that will be allocated.

X. Documentation and Evaluation

- A. For the documentation of the Percentage for Public Art Program the artist will furnish the ASCA and the DOTPF the following photographs of the completed work as installed:
 1. Two 35 mm color slides of good quality to each agency;
 2. Two 8" x 10" black and white glossy photographs to each agency; and
 3. A full written description of each piece.
- B. Identification: Plaques or labels identifying the work will be provided by the ASCA and will be permanent, unobtrusive and well designed. Included will be the name of the artist, title of the work (if any), medium and year completed.
- C. Registration: The ASCA will maintain accession records similar to those of art museums for all public art acquisitions, including those of public schools. Owner agencies including public schools will register all portable works as public agency property under the normal procedures.
- D. Evaluations: The ASCA shall annually make a public written report to the DOTPF on the projects of the previous year and shall conduct periodic evaluations of the program.

PERCENTAGE FOR PUBLIC ART RESPONSIBILITIES AND GENERAL POLICIES

Responsibilities

- A. The Department of Transportation and Public Facilities shall:
 1. Upon receipt of allocated construction funds for a specific project(s), notify the ASCA of the projected amount of the construction contract, the facility(s) location(s) and function(s), agency representative(s), and amount of Percentage for Public Art allocation.

2. Contract with the selected artist(s) for works of art and make contract payments upon approval of the ASCA.
 3. Maintain such records as are required for the execution of contracts.
 4. Accept, reject, or modify the ASCA recommendations for variance from the Act.
- B. The Alaska State Council on the Arts shall:
1. Notify the user agency of the amount of Percentage for Public Art allocation and request the appointment of an agency representative, and facility user/community representatives.
 2. Appoint Public Art Panel members or Visual Arts Committee members to the Art Advisory Committees as required.
 3. Approve final selections of Art Advisory Committees and forward the names of recommended artists to DOTPF.
 4. Assist in contract negotiations with artists.
 5. Review requests for variances and forward recommendation to DOTPF.
 6. Maintain accession records of all art acquisitions.
 7. Provide identification labels for all art acquisitions.
 8. Conduct a yearly review of the overall program.
- C. The Advisory Committee shall:
1. Meet to consider the location(s), method(s) of acquisition, and artist(s) based upon the amount of Percentage for Public Art allocation.
 2. Forward recommendations to ASCA.
 3. Review proposals prepared by artists and forward recommendation to the DOTPF.
- D. The User Agency shall:
1. Appoint an agency representative and form a local art advisory committee in consultation with the ASCA.

2. Be responsible for maintenance, repair and security of the work(s)
 3. Handle public information aspects of the project with assistance from the ASCA.
- E. The Project Architect shall:
1. Recommend to the art advisory committee specific sites for works of art and the scale and type of work most appropriate.
 2. If requested, work closely with the artist, provide engineering and technical assistance to the artist and supervise the delivery and installation of the work under contract with the contracting agency.
 3. Assure that all service requirements for the work of art are met in the design documents.
- F. The Artist shall:
1. Submit proposals as outlined by contract.
 2. Be commissioned by the contracting agency to execute and complete the work in a timely and professional manner, or transfer title of an existing work of art to the agency for incorporation in its new or renovated facility.
 3. Preferably deal personally with all other parties in all phases of the negotiations. However, the artist may, at his/her option, designate dealers or agents to represent him/her in certain aspects of the project.
 4. Maintain a close working relationship with the architect.

General Policies

- A. **Integration of Art and Architecture:** So that artists and architects can gain from each others' design insights and, thereby produce a more integrated solution, all parties involved should strive for engagement of the artist or artists as soon as possible after the employment of the architect.
- B. **Design Services by Artists:** Architects are encouraged to contract with artists for custom design of lighting fixtures and systems, gates, railings, fences, doors, door knobs, drawer pulls, furniture, hand-crafted musical instruments, planters, benches, windows, signs maps and other equipment, accessories, and architectural elements. The consultation of an artist(s) is also encouraged during the design of display areas for portable works of art. The cost of artist design services may be borne by the Percentage for Public Art Program monies. The selection of artists would fall under these procedures.

- C. Freedom of expression: All parties shall encourage the artists to reach creative solutions to the design problems they have been employed to solve. The artist, on their part, must be sensitive to the unique qualities of public art and the guidelines and parameters which, of necessity, have been agreed upon.
- D. Exhibitions and Educational Aspects: To serve various publics more fully, the contracting agencies should consider undertaking the following, funded with monies other than those made available under the Percentage for Public Art Act:
1. Exhibitions of sketches and maquettes from limited or open competitions.
 2. Involvement of students and art instructors in workshops with artists creating works, especially those for educational institutions.
 3. Employment of an artist to design, jointly, with elementary and secondary school students, a work for a school with the design motifs springing from the school's history and heritage, the cultural traditions of ethnic minorities, or simply the rich imagination of the students. A present or former Artist-in-Residence could be a candidate for such a project.
 4. Tours of a site involving many works, conducted by trained docents.
 5. Use of state educational and other facilities by the artist in development of concepts and creation of the work, so that state employees and students can witness and assist in the creative act. Such facilities might include studio space, foundries, machine welding and woodworking shops, printing and photographic facilities, etc.
- E. Professional Assistance. Where suitable, the private sector may be consulted. Gallery owners and dealers provide valuable assistance in gaining access to quality art works throughout the State. The ASCA recommends that dealers' fees on new commissioned works should not exceed 10% of the artist's fee after manufacture or cost of the work is subtracted.
- All public agencies shall deal directly with the artist unless otherwise requested by the artist.
- F. Supplemental Funds: The National Endowment for the Arts provides matching funds for works of art in public places on a grants application basis. In some cases the agency may generate funds locally to supplement their art allocation. The ASCA encourages the utilization of these resources in matching state funds.
- G. Publications: As collections grow, owner agencies are encouraged to publish informative folders and booklets on their works of art. The ASCA will offer editorial and professional assistance if requested.

- H. Dedication: If a dedication or "unveiling" of the work is desired, arrangements and costs incurred will be the responsibility of the owner agency, though technical assistance can be requested of the ASCA.
- I. Administrative Costs: The DOTPF and ASCA will cover all costs of administering the program from funds other than the Percentage for Public Art Allocation.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

POUCH 2
JUNEAU, ALASKA 99811
(TELEX 45-328)

March 13, 1980

000H-

RE: House Bill 729
Art in Public Facilities

The Honorable Mike Miller
House State Affairs Committee
Alaska State Legislature Pouch V
Juneau, Alaska 99811

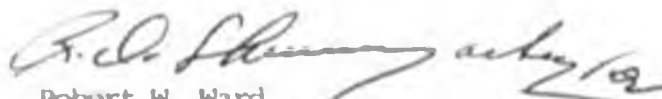
Dear Representative Miller:

The Department of Transportation & Public Facilities generally concurs with the intent of HB 729 but with one exception. Money not used for art at a particular project should go to the Art Council, but then it should be accumulated under an account belonging to the department/division which contributed it. If, for instance, a remote fish hatchery were not an ideal candidate for artwork because it is inaccessible, and if the Department of Fish & Game requests and obtains a waiver to delete the artwork, then the money should be available for use on one of that agency's other projects, like Fort Richardson or Clear AFS hatcheries which will receive heavy public attention. This way, the department requesting the waiver will not feel like they are losing the money or control of it; they are only putting it to better and more visible use.

If this is not done, the client may have no incentive to request a waiver on artwork in secluded places, since that agency would only lose the money anyway.

Your favorable consideration of this suggestion would be appreciated.

Sincerely,



Robert W. Ward
Commissioner

cc: Keith Spocking
Legislative Assistant
Governors Office



March 18, 1980

Commissioner Bob Ward
Department of Transportation and
Public Facilities
Pouch Z
Juneau, Alaska 99811

Dear Bob:

Just a short note to thank you for your letter of March 14 and for your suggested amendment to HB 729. The bill with the amendment you suggested passed the House this morning. Thanks for your suggestion.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Miller".

Mike Miller

REP. MIKE MILLER
ALASKA STATE LEGISLATURE

DURING SESSIONS: POUCH V, JUNEAU, ALASKA 99811
BETWEEN SESSIONS: BOX 1494, JUNEAU, ALASKA 99802
HOME PHONE: 19071 596-3067
LEGISLATIVE PHONE: 19071 465 4964 OR 465 4965

CHAIRMAN HOUSE STATE AFFAIRS COMMITTEE
MEMBER RULES COMMITTEE
MEMBER LABOR & MANAGEMENT COMMITTEE
MEMBER ALASKA LEGISLATIVE COUNCIL

HB

746

(7)

COMMITTEE REPORT

HOUSE

2/14/80

FURTHER:

Date: 2-2-80

Mr. Speaker:

The Committee on STATE AFFAIRS has had SB 746

"An Act relating to overtime compensation under a flexible work hour plan."

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

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Handwritten signatures:

CHAIRMAN

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100

DEPARTMENT Alaska State Legislature

ATTENTION Representative Miller

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:

FROM:
MAIL STATION NUMBER 0208

DEPARTMENT Admin/Admin Services

BY Judy Crondahl DATE 3/10

02-002 (REV. 10/73)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 746
 Title An Act relating to overtime compensation under a flexible work hour plan
 Requested by Representative Miller Date 3/7/80

II. FISCAL DETAIL

Agency Affected All
 Program Category Affected All
 BRU, Program, or Subprogram(s) Affected _____

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

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

HB 746 will have no fiscal impact.

IV. DATE 3/7/80 PREPARED BY Judy Crondahl
 AGENCY Administration
 PHONE 465-2777
 Original Legislative Finance
 cc. Budget and Management
 Prime Sponsor (First Legislator Named) Representative Cotten

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for HB 746
 Title "An Act relating to Overtime Compensation under a Flexible Hour *"
 Requested by Representative Mike Miller Date April 3, 1980

* work plan "

II. FISCAL DETAIL

Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hours - Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		53.0				
200 TRAVEL		18.7				
300 CONTRACTUAL		21.2				
400 COMMODITIES		1.3				
500 EQUIPMENT		5.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		99.2				

FUNDING (Thousands of Dollars)

GENERAL FUND		99.2				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		2				
PART TIME						
TEMPORARY						

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

Funding is for 1) Wage and Hour Investigator I
 2) Clerk Typist II

Mike Miller

IV. DATE April 3, 1980 PREPARED BY House State Affairs Committee
 AGENCY _____
 PHONE 465-4964

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

I. REQUEST
 Bill/Resolution No. CS for HB 746
 Title "An Act relating to Overtime Compensation under a flexible"
 Requested by House State Affairs Committee Date 3-28-80
* work hour plan."

II. FISCAL DETAIL
 Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour - Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	156.1	156.1	156.1	156.1	156.1
200 TRAVEL		26.1	27.9	29.9	32.0	34.2
300 CONTRACTUAL		29.5	31.6	33.8	36.1	38.7
400 COMMODITIES		1.2	1.3	1.4	1.5	1.6
500 EQUIPMENT		10.6	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	223.5	216.9	221.2	225.7	230.6

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	223.5	216.9	221.2	225.7	230.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS:

FULL TIME	-0-	5	8	5	5	5
PART TIME						
TEMPORARY						

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

- Salaries entered at the current rate.
- Non Personal Services assumes an inflation rate of 7% annually.
- Assumes effective date of 7/1/80.

IV. DATE March 28, 1980 PREPARED BY James M. Souby III
 AGENCY Department of Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

CHAIRMAN'S REPORT

April 3, 1980

Mr. Speaker:

The original fiscal note on CSHB 746 was \$223,500 and envisioned a minimum of five employees. Apparently it was the thinking of the Department of Labor that inspectors would have to be on site to monitor each election. The committee felt this staffing was considerably more than necessary, that instead the department should promulgate election regulations and then conduct on-site inspections on a random basis, or in the case of suspected non-compliance or in response to specific requests by one party or the other. We feel that one inspector and one clerical person should be sufficient for this purpose. It is the feeling of the committee that should this staffing level be insufficient, the department can return to the legislature with a request for supplemental funding.



Representative Mike Miller
Chairman
House State Affairs

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER _____
DEPARTMENT House State Affairs
ATTENTION Room 104 - Capital

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:

FROM:
MAIL STATION NUMBER 0700
DEPARTMENT labor
BY _____ DATE _____

02-002 (REV. 10/73)

Bill No. CS House Bill 746

Date March 28, 1980

Title "An Act relating to overtime compensation under a flexible work hour plan".

Contact: Judy DuBois JD
465-2700
Dale Cheek AC
465-4870

The most recent Committee Substitute for House Bill 746 would create a serious workload impact on the Wage and Hour Division of the Department of Labor.

From inquiries the Department has had concerning a flexible work hour plan, it would appear that at least three major industries in the State, banking, seafood processing and air carriers, with a sizeable number of employees would want to take advantage of a plan such as this.

In the banking industry there are approximately 124 separate branch banks in the State of Alaska with over 1,400 employees. In addition, there are 33 credit union offices throughout the State and 20 offices of savings and loan companies.

The major airline companies are primarily covered by collective bargaining agreements; however, we have had interest shown to the Department by that segment of the air carriers who are not covered by collective bargaining agreements which cause us to believe that a considerable number of employees in that industry would also elect to be covered by this law.

The Department is aware that the seafood processing industry would be another area that could elect to work under such a plan. At peak times of that industries' season there are several thousand people employed who for the most part are not covered by collective bargaining agreements at this time.

Before the Department of Labor could issue a certificate approving the plan, it would be necessary to review the election process to ascertain whether or not a majority of the employees affected had indeed agreed to the plan. After certification of an employer-employee agreement, there is additional concern for the re-certification process should there be turn over in the original employees.

As we review this bill, it is apparent that it would be necessary to promulgate regulations to implement the act.

The Department has reason to believe because of our experience in the labor relations area that it could be required to certify elections involving several thousand employees located throughout the State. In our opinion, it would require at least four Wage and Hour Investigators with one clerical support position.

The Department recognizes the restrictive language in A.S. 23.10.060 with reference to payment of overtime and the need as well as the demand from many industries, employers and employees for a flexible work week. Other than repeal of the eight hour overtime requirement, which may not be politically acceptable, the Department has been unable to develop a recommended amendment that would not be both costly and difficult to administer.

POSITION PAPER/Department of Labor

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill Resolution No. CS for HB 746
 Title "An Act relating to Overtime Compensation under a flexible*"
 Requested by House State Affairs Committee Date 3-28-80
 * work hour plan."

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

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	156.1	156.1	156.1	156.1	156.1
200 TRAVEL		26.1	27.9	29.9	32.0	34.2
300 CONTRACTUAL		29.5	31.6	33.8	36.1	38.7
400 COMMODITIES		1.2	1.3	1.4	1.5	1.6
500 EQUIPMENT		10.6	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	223.5	216.9	221.2	225.7	230.6

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	223.5	216.9	221.2	225.7	230.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	5	5	5	5	5
PART TIME						
TEMPORARY						

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

- Salaries entered at the current rate.
- Non Personal Services assumes an inflation rate of 7% annually.
- Assumes effective date of 7/1/80.

IV. DATE March 28, 1980 PREPARED BY James M. Souby III
 AGENCY Department of Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc. Budget and Management
 Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16	BARG. UNIT GGU	LOCATION Anchorage	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES		
	SALARY	2,132	25,584
5	BENEFITS	15.42	3,945
6	FICA	6.65	1,701
7	HEALTH INS	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		32,754
9	TRAVEL		7,500
10	CONTRACTUAL		6,750
11	COMMODITIES		250
12	EQUIPMENT		1,921
13	OTHER		
14	TOTAL COST		49,175

JUSTIFICATION:

The investigators in the Anchorage Regional Office will be responsible for the area encompassing the 2nd and 3rd judicial districts principally the Mat-Su Valley, Anchorage, Prince William Sound, Bethel, Kodiak, and Aleutian Chain. These investigators will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) Travel to remote arease from Anchorage to Kodiak, Kenai, and the Aleutian Chain for investigations and elections. Average one trip a month for an average cost of \$650 per trip or \$7500.

(10) Postage and mailing \$ 500.00
 Local and long distance calls 800.00
 Rent 10 sq. ft. @ \$1.09 x 12 mo. 1,308.00
 Legal fees and hearings officers 4,142.00
 Total Contractual \$ 6,650.00

(11) Supplies needed for new position and to operate for the year \$ 250.00

	CODE	FUNDING SOURCE	
15		FED RCPTS	
16		GF MATCH	
17	T004	GEN FUND	49,175
18		I-A RCPTS	
19		PGM RCPTS	
20		OTHER	

21 CONTINUATION
 22 ADDITION

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

(Continued on page 1b)

AGENCY Department of Labor PROGRAM AREA Public Protection

BRU Wage & Hour

COMPONENT Wage & Hour Administration

13 REQUEST FOR NEW POSITION

FY 81

Page 1a of 5

REVISED DATE

Form 13
Request for New Position
Page 1b of 5

(12) Equipment:

Desk	\$ 387.70
Chair	179.41
Credenza	309.80
Bookcase	90.04
Dictating machine	713.59
Calculator	<u>240.32</u>
Total equipment	\$ 1,920.86

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG.		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES SALARY	2,132	25,584
5	BENEFITS	15.42%	3,945
6	FICA	6.65%	1,701
7	HEALTH INS	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		32,754
9	TRAVEL		7,500
10	CONTRACTUAL		6,750
11	COMMODITIES		250
12	EQUIPMENT		1,921
13	OTHER		
14	TOTAL COST		49,175

JUSTIFICATION:

The investigators in the Anchorage Regional Office will be responsible for the area encompassing the 2nd and 3rd judicial districts principally the Mat-Su Valley, Anchorage Prince William Sound, Bethel, Kodiak and Aleutian Chain. These investigators will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) Travel to remote areas from Anchorage to Kodiak, Kenai and the Aleutian chain for investigations and elections. Average one trip a month for an average cost of \$650 per trip or \$7500.

(10) Postage and mailing \$ 500.00
 Local and long distance calls 800.00
 Rent 10 sq. ft. @ \$1.09 x 12 mo. 1,308.00
 Legal fees and hearing officers 4,142.00
\$ 6,650.00

(11) Supplies needed for new position and to operate for the year \$ 250.00

	CODE	FUNDING SOURCE	
15		FED RCPTS	
16		GF MATCH	
17	1004	GEN FUND	49,175
18		I-A RCPTS	
19		PGM RCPTS	
20		OTHER	
21	CONTINUATION		
22	ADDITION		

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

(Continued)

AGENCY Department of Labor PROGRAM AREA Public Protection

Wage & Hour

BRU _____

Wage & Hour Administration

COMPONENT _____

13 REQUEST FOR NEW POSITION.

FY 81

Page 2a of 5

REVISED DATE _____

Form 13
Request for New Position
Page 2b of 5

(12) Set up new position, office equipment
needed:

Desk	\$ 387.70
Chair	179.41
Credenza	309.80
Bookcase	90.04
Dictating machine	713.59
Calculator	240.32
Total equipment	<u>\$ 1,920.86</u>

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Juneau	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES								
	SALARY			2,132	25,584				
5	BENEFITS			15.42%	3,945				
6	FICA			6.65%	1,701				
7	HEALTH INS.			127 x 12	1,524				
8	TOTAL PERSONAL SERVICES			32,754					
9	TRAVEL			3,600					
10	CONTRACTUAL			6,000					
11	COMMODITIES			250					
12	EQUIPMENT			2,125					
13	OTHER								
14	TOTAL COST			44,729					
15	CODF	FUNDING SOURCE							
16		FED RCPTS							
17	1004	GEN FUND		44,729					
18		I-A RCPTS							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

JUSTIFICATION:

The Juneau investigator position will be responsible for the Southeastern Alaska area south of Takutat. This investigator will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) Travel: The Juneau investigator will be responsible for the Southeast Alaska area.

2 x Ketchikan @ 130 = 260 + 3 days @ 55	\$ 425
2 x Sitka @ 91 = 182 + 3 days @ 62	368
2 x Yakutat @ 108 = 216 + 3 days @ 55	381
2 x Peter,berg @ 108 = 216 x 3 days @ 55	381
	<u>1,555</u>

Charter to areas not serviced by scheduled flights	2,045
Total Travel	<u>\$3,600</u>

(10) Rent	\$1,890
Postage	500
Telephone	800
Professional fees	2,810
Total Contractual	<u>\$6,000</u>

(Continued on page 3b)

AGENCY Department of Labor PROGRAM AREA Public Protection

BRU Wage & Hour

COMPONENT Wage & Hour Administration

13 REQUEST FOR NEW POSITION.

FY 81

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REVISED DATE

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Request for New Position
Page 3b of 5

(12)	
Desk	\$ 468.91
Chair	214.52
Credenza	375.21
Bookcase	112.49
Dictating machine	713.59
Calculator	<u>240.32</u>
Total Equipment	\$2,125.04

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Fairbanks	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 P. GE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY	2,465	29,580						
5	BENEFITS	15.42%	4,561						
6	FICA	6.65%	1,967						
7	HEALTH INS	127 x 12	1,524						
8	TOTAL PERSONAL SERVICES		37,632						
9	TRAVEL		7,500						
10	CONTRACTUAL		6,000						
11	COMMODITIES		250						
12	EQUIPMENT		2,125						
13	OTHER								
14	TOTAL COST		53,507						
	CODE	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH							
17	1004	GEN. FUND		53,507					
18		I-A RCPTS							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								

JUSTIFICATION:

The Fairbanks Regional Investigator will be responsible for an area north of the 63rd parallel. This investigator will conduct investigations of petitions for certifications from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) 2 x Barrow @ 216 = 432 + 3 days @ 100 \$1,164
 2 x Nome @ 248 = 496 + 3 days @ 84 1,244
 2 x Kotzebue @ 248 = 496 + 3 days @ 96 1,280
 2 x Prudhoe @ 220 = 440 + days @ 67 1,081
\$4,769

Charter to areas not serviced by scheduled flights. \$2,700
 Total Travel \$7,469

(10) Rent \$ 1,100.00
 Telephone 800.00
 Mailing 500.00
 Professional Fees 3,600.00
\$ 6,000.00

(Continued on page 4b)

AGENCY Department of Labor PROGRAM AREA Public Protection
 Wage & Hour
 BRU Wage & Hour Administration
 COMPONENT

13 REQUEST FOR NEW POSITION

Page 4a of 5

REVISED DATE

FY 81

Form 13
Request for New Position
Page 4b of 5

(12) Equipment:		
Desk	\$	468.91
Chair		214.52
Credenza		375.21
Bookcase		112.49
Dictating Machine		713.59
Calculator		240.32
		<u>\$ 2,125.04</u>

1	POSITION TITLE Clerk Typist II			RANGE/STEP 8	BARG. UNIT. GGU	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			JUSTIFICATION:					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY	1277	15,324						
5	BENEFITS	.1542	2,363						
6	FICA	.0665	1,019						
7	HEALTH INS	127 x 12	1,524						
8	TOTAL PERSONAL SERVICES		20,230						
9	TRAVEL		-0-						
10	CONTRACTUAL		4,008						
11	COMMODITIES		250						
12	EQUIPMENT		2,463						
13	OTHER								
14	TOTAL COST		26,951						
	CODE	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH							
17	1004	GEN FUND		26,951					
18		I-A RCPTS							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
41	KEY NUMBER			COLUMN NO.					

Clerical support for investigators in Anchorage Regional office.

(10) Rent \$1,308.00
 Word Processing Equipment 2,700.00
\$4,008.00

(12) Desk \$ 459.80
 Chair 114.55
 Typewriter 902.48
 Transcribing Machine 713.59
 File Cabinet, 5 drawer 272.44
\$2,462.86

AGENCY Department of Labor

PROGRAM AREA Public Protection

BRU Wage and Hour Division

FY 81

13 REQUEST FOR NEW POSITION.

COMPONENT Wage and Hour Administration

Page 5 of 5

REVISED DATE

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C

JUNEAU, ALASKA 99811

465-2200

April 15, 1980

Honorable John Sackett, Chairman
Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

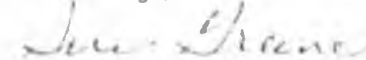
Dear Senator Sackett:

Re: HB 746

I would like to bring your attention to a problem which has occurred in the consideration of fiscal notes for House Bill 746.

The Department of Administration prepared a fiscal note (attached) showing no fiscal impact. This fiscal note pertains to the impact on the State in its role as employer. The Department of Labor prepared a fiscal note (attached) showing fiscal impact of \$99.2 General Funds. This fiscal note pertains to the impact on the Department of Labor in its role of Wage and Hour enforcement. Apparently, because the Department of Administration fiscal note indicated it applied to all agencies, the Department of Labor fiscal note was not considered in the House Finance Committee. This was not our intent and we urge the approval of the Department of Labor fiscal note to enforce the intent of this bill should it become law.

Sincerely,



Sue C. Greene
Deputy Commissioner for
Personnel Management

SSG/mjc

cc: Senator Bob Mulcahy, Chairman
Senate State Affairs
Representative Mike Miller ✓
Chairman, House State Affairs
Representative Russ Meekins, Chairman
House Finance Committee
Representative Samuel R. Cotten
Keith Specking, Legislative Assistant
Judy DuBols, Legislative Liaison
Department of Labor

Attachments

Jill
3-10-80
MP

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 746
 Title An Act relating to overtime compensation under a flexible work hour plan.
 Requested by Representative Miller Date 3/7/80

II. FISCAL DETAIL

Agency Affected All
 Program Category Affected All
 Fund, Program, or Subprograms Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

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)

HB 746 will have no fiscal impact.

IV. DATE 3/7/80 PREPARED BY Judy Grendahl
 AGENCY Administration
 PHONE 365-2977
 Original - Legislative Finance
 cc. Budget and Management
 Prime Sponsor (if not Legislator Named) Representative Gatten

CSHB
746

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS 100-00000
 Title TO ESTABLISH THE STATE DEPARTMENT OF HEALTH SERVICES
 Requested by SEN. JAMES M. MOHR Date 1/11/80

* work plan *

II. FISCAL DETAIL
 Agency Affected STATE DEPARTMENT OF HEALTH SERVICES
 Program/Category Affected STATE DEPARTMENT OF HEALTH SERVICES
 BRU Program or Component Affected STATE DEPARTMENT OF HEALTH SERVICES
 (Note: If more than one budget object is affected, list the last item amount and funding for each component in the analysis below.)

EXERCISES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 - PERSONAL SERVICES		23.0				
20 - TRAVEL		15.7				
30 - CONSULTANT		21.2				
40 - COMMODITIES		1.3				
50 - EQUIPMENT		5.0				
60 - CAPITAL EXPENDITURES						
70 - GRA. IN. CAPITAL						
TOTAL		66.2				

EARNING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 - PERSONAL SERVICES		17.3				
20 - TRAVEL						
30 - CONSULTANT						
40 - COMMODITIES						
50 - EQUIPMENT						
60 - CAPITAL EXPENDITURES						
70 - GRA. IN. CAPITAL						

INVENTORY

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 - PERSONAL SERVICES						
20 - TRAVEL						
30 - CONSULTANT						
40 - COMMODITIES						
50 - EQUIPMENT						
60 - CAPITAL EXPENDITURES						
70 - GRA. IN. CAPITAL						

III. ANALYSIS (Thousands of Dollars)

Estimated Total Cost of Bill from Inception to 1985
21,100,000

IN DATE APRIL 7, 1980 PREPARED BY James M. Mohr
 QUALITY CONTROL BY James M. Mohr FILE NO. 40-1741

HB

757

(7)

COMMITTEE REPORT

2/14/80

HOUSE

FURTHER: FINANCE

Date: 2-31-80

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 757

"An Act making a special appropriation to the Department of Natural Resources, division of parks; and providing for an effective date."

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

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ 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

John G. ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

FOREST SERVICE
Seward Office
Box 275

REPLY TO: 7750 Forest Highways

November 6, 1979

SUBJECT: Resurrection River Road; Interagency Meeting



10: Files

On October 5th a meeting was held in Seward to discuss the future development and maintenance of Resurrection River Road. Those in attendance were:

Clay Beal, Forest Supervisor - USDA Forest Service
Dwane Klassen, Forest Engineer - USDA Forest Service
Kerry Martin, Resource Management Assistant - USDA Forest Service
Doug Warnock, Deputy Director Alaska Area - National Park Service
Paul Hartel, Ranger in Charge - Kenai Fjords National Monument
Howard Wagner, Planner - National Park Service
Johnny Johnson, Seward City Manager
Darrel Schafermeyer, Seward Assistant City Manager
John Horn, Alaska DOT - Maint & Ops, Anchorage
Ed Hollier, Alaska DOT - Maint & Ops, Soldotna
Bill Frazier, Alaska DOT - Maint & Ops, Seward
Margaret Branson, State Legislator
Herman Leirer - Interested citizen
Betty Elge - Seward Chamber of Commerce

The road was originally built about 1970 with State, Borough, and City money and equipment for about a \$400,000 investment. A \$200,000 concrete bridge was constructed in 1978 by the State over an unnamed creek.

Each agency's current involvement is as follows:

USDA Forest Service - the last 3.3 miles of the road is on National Forest land and is under special use permit to the City of Seward and the Kenai Peninsula Borough. The Forest Service is in the process of developing a recreation trail from the present road terminus to the Upper Russian Lakes area. The Forest Service presently has no maintenance responsibilities other than management of the special use permit.

(2)

City of Seward, in conjunction with the Kenai Peninsula Borough, holds the permit and was responsible for the construction of the road and its present maintenance. The City supports the concept of the road as a gateway to the Harding Icefield to encourage tourism in the local area. However, they have a higher priority project (access to the proposed Fourth of July Shipyard site) and cannot afford any financing or personnel for the Resurrection River Road at this time. The road is entirely outside the City's corporate limits. The city originally intended to complete the road, a bridge over Resurrection River and visitor facilities at the glacier prior to d-2 stopping their involvement. The bridge and other facilities were never completed. There is access across the river in the early spring when the water is low.

The State of Alaska, Department of Transportation, has the road on its current maintenance schedule but due to lack of funding, only that portion of the road actually on State land has been maintained to any degree. It is also their last priority for maintenance. This year, they have built the first mile or so of the road bed up, cleaned ditches and built some diversion dikes to control flooding, as the river is now higher than the road in some locations.

National Park Service has no specific plans for the Exit Glacier area at this time but does recognize its potential and will continue to include it as their planning progresses and funds become available. They are legally bound, except through special legislation, from spending money outside the Monument's boundary. If the road were not already in existence, they probably would not look at constructing a new road. Since it is in place they would be encouraged if visitors could use it to get to Exit Glacier.

It was agreed upon by all parties that the road is desirable because of its recreation potential; however, it is recognized that some problems exist in bringing it up to minimum standards and maintaining it. These are:

1. Levees and dikes will probably be needed since the river is now higher than the road in some locations.
2. It is in a flood plane which may raise some questions as to the use of Federal Monies and about the cost/benefit analysis of a road that essentially goes no where.
3. An "off the cuff" estimate of \$300,000 per mile for construction and \$400,000 for the bridge was made.
4. The necessity of a lot of rock rip rap in diverting the river and the road availability of that rock.

(3)

5. Would an EIS be needed? Probably not since it would be reconstruction of an existing road.

6. Preliminary engineering surveys indicate that the road should be relocated to save it from the river. This would probably be financially and environmentally unfeasible, thus leaving the road to be repaired where it is.

7. To get any funding, the Forest Service has to budget at least 2 years ahead, the State DOT must have the road on the 6 year plan or the State Legislature could pass a special appropriation.

To accomplish the goals of reconstructing the Resurrection River Road, it was agreed that a cooperative agreement would be drawn up by the Forest Service and would include specific actions to be taken by the individual agencies involved (NPS, City, State, and USFS).

Specifically, the following actions were agreed upon:

USDA Forest Service will a) put the road reconstruction project into the FY 82 or 83 budget; b) write the coop agreement for other agencies to review and sign; c) will do the centerline survey on the road if FY 80 funds are available.

State Dept. of Transportation will do minimum maintenance to prevent total loss of the road. When the road is reconstructed they would be able to maintain it if they have to. If funds available they may be able to assist in the survey.

City of Seward Will write to Alaska DOT stating their position in support of the road but due to higher commitments they would be unable to participate in an active way. They will pursue any opportunities to acquire money to repair the road. They will continue to maintain the permit in their name.

National Park Service will continue to develop plans for facilities at Exit Glacier and for the bridge over Resurrection River. Until special legislation occurs that will allow them to expend funds outside the Monument boundary, they can only show their active support for the road's existence.

Margaret Branson, State Legislature, will look into what money might be available through special legislation

Kerry T. Martin
KERRY T. MARTIN
Resource Management Assistant

HB

764

TELEGRAM

ALASCOM INC.
PHONE: 586-6442
JUNEAU, AK 99801

02129 TDA VALDEZ AK 129 04-03 048P AST

PMS REP MIKE MILLER
387
JUNEAU AK

THANK YOU FOR GRANTING MYSELF AND THE AASC TIME TO TESTIFY ON
THE ALASKA STUDENT LEADERSHIP ASSOCIATION BILL. I WOULD LIKE TO
GIVE A WRITTEN COPY OF THE GENERAL FEELING WE HAVE IN REGARD TO
THIS ACTION. IT IS OUR FEELING THAT THE BILL WOULD BEST SUIT THE
5 VOCATIONAL PROGRAMS IT INCLUDES AND THAT IT WOULD BENEFIT THE
BILL AND THE AASC IF WE WERE REMOVED FROM THE ACTION. OUR
POSITION WOULD ENCOURAGE THE REMOVAL OF OUR ORGANIZATION AND
MOST FAVORABLY THE FUNDING OF THE AASC SEPARATELY UNDER SPONSOR-
SHIP OF THE AASA. I REGRET THAT OUR REPRESENTATIVES IN ANCHORAGE
AND FAIRBANKS WERE UNABLE TO TESTIFY HOWEVER THEY ARE SENDING YOU
WRITING OPTIONS POSTE HASTE. VERY MUCH APPRECIATE YOUR HELP AND
CONCERN. SINCERELY

MIKE COLLINS PRESIDENT AASC

PO BOX 144 VALDEZ AK 99806

80 APR 3 3 18 PM '80

April 1, 1980

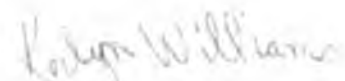
Mr. Mike Miller
Pouch V
Juneau, AK 99811

Dear Mr. Miller:

It is my understanding that House Bill 764 and House Bill 765 are presently in the House State Affairs Committee. I am very interested in seeing that this bill passes this session. I would appreciate any support you can give this bill.

If you have any questions and desire any back up information about this bill, please let me know and I will be happy to furnish the same.

Sincerely,


Mrs. Korlyn Williams
OEA State Advisor
P.O. Box 1580
Wasilla, AK 99687



ALASKA STATE VOCATIONAL ASSN.

WHEREAS, the Alaska State Vocational Association actively promotes vocational programs in the State of Alaska, and

WHEREAS, the Alaska State Vocational Association recognizes the need for the promotion, organization, and operation of a student leadership program, and

WHEREAS, the Alaska State Vocational Association recognizes the Alaska School Activities Association as the current manager of other student activities currently existing in the State, and

WHEREAS, the Alaska State Vocational Association recognizes the need for funding to implement a Student Leadership Program,

NOW THEREFORE BE IT RESOLVED, that the Alaska State Vocational Association go on record as unanimously supporting the funding of an Alaska Student Leadership Program with appropriation of funds by the State of Alaska to the Department of Education to coordinate with the Alaska School Activities Association to promote, organize, and operate an Alaska Student Leadership Program. Such appropriation to include safeguards to insure that these funds are spent on the Student Leadership Program and activities.

Copies to Lt. Gov. Terry Miller

August Anderson, President, State Board of Education
Commissioner Marshall L. Lind, Department of Education
Glenn Erickson, Director of Vocational Education

March 8, 1980

MEMORANDUM

JAN 24 1980

TO: Terry Whitbeck
Alaska Vocational Education
Planning Council

DATE: January 24, 1980

FILE NO

TELEPHONE NO

FROM: *KR*
Karen Ryals, Supervisor
Adult Vocational Education

SUBJECT: Proposed Legislation: Student
Leadership Association

*FHA-
FFA
Vandal
Judson*

Please review the enclosed materials regarding the development of a Student Leadership Association. Student leadership training is an investment in the youth of Alaska. Each of the organizations mentioned in the proposed legislation has as one of its primary purposes, student leadership development. Each of the organizations has expressed concerns about the inability to function effectively as a state association in the development of these skills. Each organization has requested Department of Education support in terms of staff and funds to support communication, coordination and student travel. Currently each state advisor is a volunteer or appointee and acts as state advisor in addition to a full-time assignment. This legislation would provide an executive secretary to assist each state advisor in conference planning, bookkeeping, communications, officer training, organization, management and development of a yearly program of work.

Of vital concern is the composition of the governing body. We would like to have your organization's input, support, and assistance in the creation of this association for students. Please respond with your ideas.

If you would like further information or clarification, please feel free to contact me. Your support is of great value to the future of student leadership organizations.

*Capitol Bldg.
Rm 126*

*For info - This is
what I have to date.
If it is not what you
need, please let me
know. I will try to
provide more information.
Thank you.*

1-24-80

ADMINISTRATION OF PUBLIC SCHOOLS

Chapter 07

Section 14:07 075 Student Leadership Association

- a. There is created within the Department of Education the Student Leadership Association.
- b. The purpose of the association is to provide for leadership skills training for students who are members of the Alaska Association of School Governments, Distributive Education Clubs of America, Future Farmers of America, Future Homemakers of America, Office Education Association and Vocational Industrial Clubs of America.
- c. Activities carried out under this section include but are not necessarily limited to:
 - 1. Leadership skills training to be provided by the association.
 - 2. Fulfillment of officer duties within the program of work of the state association of each respective organization.
 - 3. Representation of their organization and the State of Alaska as delegates at the National Leadership Conferences.
 - 4. Statewide administrative services required to support these student leadership organizations.
- d. Any student member enrolled in grades 9-12 is eligible to participate in this association.
- e. The governing body of the association shall be the Board of Control with one member from each organization contained within (b) of this section, and one member from the Department of Education on the Board of Control. The members shall be appointed by each organization contained within (b) of this section. The term of appointment shall be two years, except that one half of the members appointed to the first board shall be appointed for one year terms under regulations promulgated by the Board.
- f. The Board of Control in consultation with the Department of Education shall appoint an executive secretary, prescribe his duties and fix his compensation. He shall serve at the pleasure of the Board of Control.
- g. The Department of Education shall approve the association's constitution and bylaws.

Section 14:07 076 Alaska Student Leadership Fund

- a. The Alaska Student Leadership Fund shall be established within the Department of Education.
- b. The Commissioner of Education shall review and approve the program of work and budget request of the Alaska Student Leadership Fund.
- c. The Legislature, school districts, and membership organizations may appropriate money to the Fund.

STUDENT LEADERSHIP ASSOCIATION

Student Leadership Organizational Funds

Instructional materials for developing skills in parliamentary procedure, organizational management, legislative process and instructional projects.	\$ 5,000
Testing supplies for competitive events held at state conference, particularly Office Education Association, Distributive Education Clubs of America, Future Farmers of America, and Vocational Industrial Clubs of America.	\$ 5,000
Awards for achievement in leadership activities, competitive events and unique merit.	\$ 5,000
Leadership skills training in group dynamics, decision making, parliamentary procedure, goal setting, time management, communication, and motivation. Includes consultant fees for leadership training.	\$ 13,000
Telephone, paper, postage, ect., for student officers to conduct the business of their organization.	\$ 16,000
Teacher in-service in developing local advisor's leadership skills.	\$ 16,000
Substitute fees for state organization advisors.	\$ 5,000
Student Leadership Grant Funds to enable student officers to participate in statewide leadership activities (maximum limit per organization \$25,000)	\$150,000
Sub Total	<u>\$220,000</u>

Administrative Services

Director to implement and manage the student leadership foundation. See Appendix I	\$ 40,000
Secretarial staff (one-half time).	\$ 15,000
Travel for Director and advisors to implement.	\$ 15,000
Communications supplies, printing, postage, telephone, etc.	\$ 10,000
Office supplies and equipment.	\$ 5,000
Sub Total	<u>\$ 85,000</u>
Grand Total	<u><u>\$300,000</u></u>

STUDENT LEADERSHIP ASSOCIATION

The Executive Secretary for the Student Leadership Association shall perform the following functions:

Coordinate the statewide activities of each student leadership organization.

Provide for leadership training of each elected state officer of each organization.

Manage membership activities newsletters and communication for each organization.

Organize and conduct each state conference in conjunction with the state advisor and officers.

Act as facilitator for the executive board of each organization.

Administer the grant funds provided in the student leadership association.

Act as a public relations officer for each organization.

It is the recommendation of the state sponsors that this person have had a minimum of five years teaching experience including student organization experience and preferably public relations experience.

STUDENT LEADERSHIP ASSOCIATION

Appropriation by Object Code

100	Salaries	\$ 55,000
200	Travel	15,000
300	Contractual	5,000
400	Commodities	7,500
500	Equipment	2,500
700	Grants	220,000
Grand Total		<u>\$300,000</u>

BOARD OF CONTROL OPTIONS - PLEASE RETURN YOUR SELECTION BY FEBRUARY 8, 1980

- e1 The governing body of the association shall be the Board of Control with one member from each organization contained within (b) of this section, and one member from the Department of Education by the Commissioner on the Board of Control. The members shall be appointed by each organization contained within (b) of this section. The term of appointment shall be two years, except that one half of the members appointed to the first board shall be appointed for one year terms under regulations promulgated by the Board.

Rationale - Each organization appoints it's representative. The expenditures due to travel could be reduced. A student or teacher could serve as the representative. The regulations would outline the appointment procedure. A seven member board would probably function more simply than a 13 member board.

- e2 The governing body of the association shall be the Board of Control consisting of one teacher advisor member elected by the local advisors of each organization contained within (b) of this section, one elected member appointed from the Department of Education and one student member elected by each organization contained within (b) of this section. The term of office shall be two years except that one half of the members elected to the first board shall be elected for one year terms under regulations promulgated by the Board.

Rationale - Each organization would have two representatives, an elected teacher-advisor, and a elected student. The number of members could make this cumbersome to manage. The regulations would outline the procedures for elections. Any local advisor or student could be elected at the state conference.

- e3 The governing body of the association shall be the Board of Control consisting of six state advisors representing each of the organization contained within (b) of this section and one member appointed by the Commissioner of Education representing the Department of Education, and six student advisory members appointed by the organizations contained within (b) of this section. The term of appointment shall be two years, except that one half of the members appointed to the first board shall be appointed for one year terms under regulations promulgated by the Board.

Rationale - The six State Advisors would serve on the Board of Control and six student members elected at the state conference. The size of the board may make this cumbersome to operate, but it provides for input by the State Advisors and input from elected students. The regulations would outline the procedures for elections. Any local advisor or student could be elected at the state conference.

- e4 Other; your choice

December 28, 1979

TO: Alaska Vocational Education
Planning Council

FROM: State Advisors of DECA, FFA, FHA,
OEA, and VICA

SUBJECT: Vocational Student Organizations

Vocational student organizations have been growing in Alaska during the 1970s. Their common goal is the development of leadership and citizenship in the youth of Alaska. In 1973, four high school teachers met in Juneau with the State Department of Education and asked for financial support. Part of the request at that time was for full-time paid State Advisors for each of the various organizations, monies for student travel, and funding for state conferences. The four classroom teachers mentioned above were serving as full-time unpaid State Advisors of OEA, DECA, VICA, and FHA. Since that time, FFA, the fifth student organization, has been chartered in Alaska. Alaska is one of the few states that does not provide full-time paid State Advisors in conjunction with other vocational education regulations and funding.

The five vocational youth organizations are an integral part of the high school vocational curriculum in schools statewide. Participation of all students is encouraged in vocational student activities which are conducted as an integral part of instruction.

Each of the five organizations has an annual meeting where the stress is placed on development of skills in leadership and the students have the opportunity to compete in occupational skill contests. Winners of the State contests are then eligible to compete at the national level.

Students and Advisors alike should have the opportunity to attend workshops which relate to their organization. These workshops should provide training for the Advisors on integrating student organizations and activities into the curriculum.

It has always been the feeling of those instructors involved with youth organizations at the vocational level, that the State Department needs to be more supportive of vocational youth organizations through finances and program planning.

As previously stated, vocational student organizations are growing in Alaska. This is because State Advisors, instructors, and students are convinced of the importance of youth organizations. We feel we will continue to grow slowly unless we have the support of the State Department of Education. The youth of Alaska are the future of Alaska. We feel they should be the prime concern of all areas of government.

THEREFORE, we have prepared the following resolutions and budgets which represent our needs.

ADMINISTRATION OF PUBLIC SCHOOLS

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