

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1973 HRLS HB 637 - HB 709 973

1 of imprisonment of not more than one year.

2 (c) The commissioner of revenue shall impose upon a fish processor,
3 primary fish buyer, or cooperative corporation organized under AS 10.15,
4 a civil fine equal to the value of fish purchased in violation of this
5 section by (1) the fish processor or primary fish buyer if the fish
6 processor or primary fish buyer is not a corporation; or (2) an agent,
7 director, officer, member, or employee^{in policy making position} of the fish processor, of the
8 primary fish buyer, or of the cooperative corporation. Value is based
9 on the average price paid to fishermen at the time of the violation.

10 (d) The commissioner of revenue may suspend or revoke a business
11 license issued under AS 43.70.020 or a license to engage in the business
12 of processing or buying raw fish if the licensee or an officer, director,
13 or employee in a policy-making position of the licensee has been con-
14 victed of three or more offenses under this section. Proceedings to
15 suspend or revoke a license are governed by the Administrative Procedure
16 Act (AS 44.62).

17 (e) An organization may not be criminally prosecuted under (a) of
18 this section.

19 *def. added* (f) As used in this section, "individual" means a natural person.
20 Sec. 16.10.267. POSSESSION OF PERMIT AND IDENTIFICATION BY SELLER.

21 (a) When a fisherman sells fish the fisherman shall possess

22 (1) an entry permit or interim-use permit issued or trans-
23 ferred to the fisherman under AS 16.43, or other document authorized by
24 regulation to be used in place of an entry permit or interim-use permit;
25 and

26 (2) an identification card that has been issued to the fisher-
27 man by a state or federal agency and that bears a photograph of the
28 fisherman.

29 (b) If requested by the purchaser of the fish or by a peace

1 officer, the fisherman shall present for inspection the identification
2 card, entry permit, interim-use permit, or other document required to be
3 in the fisherman's possession under (a) of this section.

4 (c) Examples of a suitable identification card required under
5 (a)(2) of this section are a motor vehicle operator's license issued
6 under AS 28.15.111 and an identification card issued under AS 18.65.310.

7 (d) An individual who violates or assists in the violation of this
8 section is, upon conviction, guilty of a misdemeanor and is punishable
9 by a fine of not more than \$5,000 for a first conviction, and a fine of
10 not more than \$10,000 for a second or third conviction. Upon a third
11 conviction, the person forfeits all interim-use and entry permits held
12 by him and loses eligibility for future issuance or transfer of interim-
13 use or entry permits for a period of three years. Upon a first or
14 second conviction under this section, the court may in its discretion
15 order a forfeiture of interim-use or entry permits held by the person,
16 as well as a loss of eligibility for future issuance or transfer of
17 interim-use or entry permits, or order a suspension of fishing rights
18 under interim-use or entry permits held or to be held by the person for
19 a period of not more than three years.

20 Sec. 16.10.268. NOTICE OF ^{criminal} LIABILITY (a) The commissioner of
21 labor shall print posters that contain notice of the requirements of
22 AS 16.10.265. The commissioner shall distribute the posters to fish
23 processors, primary fish buyers, and cooperative corporations organized
24 under AS 10.15 for the purpose of buying raw fish.

25 (b) A fish processor, primary fish buyer, or cooperative corpora-
26 tion organized under AS 10.15 for the purpose of buying raw fish shall
27 display in a prominent place on its business premises posters provided
28 by the commissioner of labor under (a) of this section.

29 * Sec. 2. AS 16.10.296 is amended to read:

1 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-
2 10.270 - 16.10.296], unless the context otherwise requires,

3 (1) "commissioner" means the commissioner of labor;

4 (2) "fish" means any species of aquatic finfish, inverte-
5 brates and amphibians, shellfish, or any other raw fishery resource, in
6 any stage of its life cycle, found in or introduced into the state, and
7 includes fish eggs;

8 (3) "fish processor" means a person engaging or attempting to
9 engage in a business for which a license is required under AS 43.75.-
10 010 - 43.75.090;

11 (4) "primary fish buyer" means a person, other than a co-
12 operative corporation organized under AS 10.15, engaging or attempting
13 to engage in the business of originally purchasing or buying any raw
14 fishery resource in intrastate, interstate, or foreign commerce.

15 * Sec. 3. AS 16.43.360(a) is amended to read:

16 (a) A person who violates or assists in the violation of a provi-
17 sion of this chapter or a regulation promulgated under this chapter is,
18 upon conviction, guilty of a misdemeanor and is punishable by a fine of
19 not more than \$5,000 for a first conviction, and a fine of not more than
20 \$10,000 for a second or third conviction. Upon a third conviction, the
21 person forfeits [~~loses~~ FORFEIT] all interim-use and entry permits held
22 by him and loses [~~loses~~] eligibility for future issuance or transfer of interim-
23 use or entry permits for a period of three years. Upon a first or
24 second conviction under this section, the court may in its discretion
25 order a forfeiture of interim-use or entry permits held by the person,
26 [HIM] as well as a loss of eligibility for future issuance or transfer
27 of interim-use or entry permits, or order a suspension of fishing rights
28 under interim-use or entry permits held or to be held by the person
29 [HIM] for a period of not more than three years. This subsection does

1 not apply to violations of AS 16.43.140(a).

2 * Sec. 4. AS 16.43.360 is amended by adding new subsections to read:

3 (g) A person who violates the provisions of AS 16.43.140(a) is

4 (1) upon a first conviction, guilty of a class B misdemeanor
5 and may be sentenced to a definite term of imprisonment of not more than
6 90 days, or forfeiture of the person's fishing vessel, or both, and
7 shall be sentenced to a fine of not less than \$5,000 nor more than
8 \$10,000 and loss of commercial fishing privileges for a period of one
9 year after the date of conviction;

10 (2) upon a second conviction, guilty of a class A misdemeanor
11 and may be sentenced to a definite term of imprisonment of not more than
12 one year, and shall be sentenced to a fine of not less than \$10,000 nor
13 more than \$20,000, forfeiture of the person's fishing vessel, and loss
14 of commercial fishing privileges for a period of two years after the
15 date of conviction;

16 (3) upon a third or subsequent conviction, guilty of a class
17 A misdemeanor and may be sentenced to a definite term of imprisonment of
18 not more than one year, and shall be sentenced to a fine of not less
19 than \$20,000 nor more than \$50,000, forfeiture of the person's fishing
20 vessel, and loss of commercial fishing privileges for a period of five
21 years after the date of conviction.

22 (h) A person convicted of violating the provisions of AS 16.43.-
23 140(a) forfeits the value of the fishery resources found on board the
24 person's vessel at the time of the violation.

25 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).

H B

640

COMMITTEE REPORT

2/9

HOUSE

Ruler

FURTHER:

(7)

1/22/82

Date: Feb 8, 82

Mr. Speaker:

The Committee on JUDICIARY has had HB 640

"An Act relating to games of chance and contests of skill; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 640 (Judiciary) same title new title
- and recommends delete word with fiscal note attached
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING DO PASS

[Signature]

ROD E. PELL Do Pass

[Signature]

MEMBERS HAVING OTHER RECOMMENDATIONS:

Buchholz No Rec

[Signature] No Rec

Demora Barnes No Rec

Demora Barnes
CHAIRMAN

COMMITTEE REPORT

HOUSE

1/22/82

(5)

FURTHER: JUDICIARY

1/11/82

Date: 1-19-82

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 640

"An Act relating to games of chance and contests of skill; 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 HB 640 (LAC) same title
 new title
- and recommends it do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

Bruce Rogers Rogers

Terry Gardiner Gardiner

Chris Randolph Randolph

Terry Martin

MEMBERS HAVING

OTHER RECOMMENDATIONS:

Bill Brown (No Rec)

Rep Terry Martin
CHAIRMAN

AMENDED TITLE & SPONSOR SUMMARY

17:39 2/10/82 PAGE 1 OF 2

AN ACT RELATING TO GAMES OF CHANCE AND CONTESTS OF SKILL;
AND PROVIDING FOR AN EFFECTIVE DATE

PRIME SPONSOR: RANDOLPH.

CO-SPONSORS: MOSS, O'CONNELL.

CURRENT STATUS: 1/22/82 IN (H) JUDICIARY

HB 640 HOUSE ACTION

17:39 2/10/82 PAGE 2 OF 2

DATE SEQ PAGE

LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/11/82	01	0009	FIRST READING -- COMMITTEE REPORTS
01/22/82	02	0113	L&C -- CS04, NR01 JUDICIARY RULES

*** ** ** *** ** *

Games of Chance and Skill

1. ok on 5-day Judiciary notification didn't make it into the weekly schedule, but it was posted on the board
2. votes
3. amendments:
4. attendance _____
5. fiscal note 0
6. who wants: Randolph, Mess, O'Connell
Governor has said will veto-want support amending any gambling laws
8. Carrier: Farrell J

NOT RECD. BY CLERK

Office

Official Business



Pouch V
State Capitol
Juneau, Alaska 99811

(907) 465-4766
(907) 465-4767
(907) 465-3718
(session only)

Members

POUCH 7
JUNEAU, ALASKA 99811

- Rep. Barnes, Chairman
- Rep. Anderson, Vice-Chairman
- Rep. Phillips
- Rep. O'Connell
- Rep. Freeman
- Rep. Meekins
- Rep. Buchholdt

House of Representatives

Committee on Judiciary MEMORANDUM

P.O. Box 3382
Anchorage, AK 99510
(907) 274-1432
(907) 274-1441
POUCH V
JUNEAU, ALASKA 99811

TO: CHIEF CLERK OF THE HOUSE

FROM: REPRESENTATIVE RAMONA BARNES,
CHAIRMAN, HOUSE JUDICIARY

DATE: JANUARY 21, 1982

TIME: 1:15 p.m.

PLACE: Room 124, Capitol Building

RE: COMMITTEE SCHEDULE

RLB Fri - testimony
Mon - mark-up 347

Monday, January 25, 1982 - Testimony & Mark-up:

- HB632 - An Act providing for waiver of jurisdiction under AS 47.10 over a minor if there is probable cause for believing that the minor committed a violent crime and the minor is over 16 years of age or that the minor committed murder regardless of the minor's age.
- HB633 - An Act prohibiting personal recognizance release when the offense charged is a violent crime.
- HR12 - Limiting Session Length
- HB438 - Chemical Blood Tests, Driving while Intoxicated

Tuesday, January 26, 1982 - Mark-up:

- HR22 - Proposing amendments to the Constitution of the State of Alaska relating to the attorney general.
- HB578 - An Act relating to release after conviction of a criminal offense.

Wednesday, January 27, 1982 - Mark-up:

- HB578 - Above
- HB576 - ~~Videotaping of Courtroom testimony. (minors)~~

Thursday, January 28, 1982 - Mark-up:

- HB632 - Above
- HB633 - Above
- HB438 - Above

Friday, January 29, 1982 - Testimony:

- HB206 - An Act relating to the termination of rental agreements of mobile home park dwellers and tenants.
- HB47 - An Act establishing mandatory imprisonment and fines as penalties for violation of hunting laws prohibiting waste of moose and caribou.
- HB640 - Relating to games of chance & contests of skill.

Walker 3 testimony
Fry
Moerson

Official Business



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Rep. Buchholdt

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MEMORANDUM

TO: CHIEF CLERK OF THE HOUSE
FROM: REPRESENTATIVE RAMONA BARNES,
CHAIRMAN, HOUSE JUDICIARY
DATE: JANUARY 21, 1982
RE: COMMITTEE SCHEDULE

MONDAY	JANUARY 25, 1982	TESTIMONY - HB632, HB633
TUESDAY	JANUARY 26, 1982	MARK-UP - HJR22, HB578
WEDNESDAY	JANUARY 27, 1982	MARK-UP - HB578, HB566
THURSDAY	JANUARY 28, 1982	MARK-UP - HB632, HB633
FRIDAY	JANUARY 29, 1982	TESTIMONY - HB206, HB47

RB/DS/rv

*These were turned in
to the Clerk's office*



Members

POUCH V
JUNEAU, ALASKA 99811

- Rep. Barnes, Chairman
- Rep. Anderson, Vice-Chairman
- Rep. Phillips
- Rep. O'Connell
- Rep. Freeman
- Rep. McKinley
- Rep. Buckholdt

House of Representatives

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JUNEAU, ALASKA 99811

Committee on Judiciary MEMORANDUM

TO: CHIEF CLERK OF THE HOUSE

FROM: REPRESENTATIVE RAMONA BARNES,
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II. FISCAL DETAIL

Agency Affected Department of Revenue
 Program Category Affected Revenue Collection and Management
 BRU, Program, Or Subprogram(s) Affected Public 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) NONE

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars) NONE

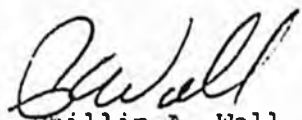
	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS NONE

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

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


See attached memo from E. Jones to R.D. Stevenson dated January 29, 1982.

IV. DATE 2/2/82 PREPARED BY  Phillip A. Wall
 AGENCY Department of Revenue
 Original: Legislative Finance PHONE 465-2301
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FILE NO:

TELEPHONE NO:

SUBJECT: CSHB 640 (Jud)


FROM: Ervin Jones
Office Audit Manager
Audit Division

Although my comments of January 18, 1982 appear to still be appropriate, it should be pointed out that to legalize pull-tabs, all that must be done is to change the statutory definition of raffles and lotteries to include pull-tabs. This legislation goes far beyond that goal, and leaves the door wide open for the introduction of all the many games available from purveyors of such items.

If the legislation is amended to provide only for the legalization of pull-tabs, no additional staff would be required. However, if any and all games of chance are to be allowed, we will need to amend our fiscal note to provide additional staffing, both in Public Services and in Enforcement.

LJ:jg

Alaska State Legislature

Official Business



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House of Representatives

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Committee on Judiciary
MEMORANDUM

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- HB640 - Relating to games of chance & contests of skill.

★

HOUSE JUDICIARY COMMITTEE

January 29, 1982

1:15 p.m.

PRESENT:

Chairman Barnes brought the meeting to order at 1:15.

HB206:

Representative Abood: 60 cases were lost last year because of one word. The word is reasonable. A tenant brings 2 junkers on to his property in a mobile home court, tears them apart and then leaves them sitting. The landlord tells him to move them, so he takes him to court and the landlord loses because of the word reasonable. The court decides what is reasonable. It's reasonable to have these cars there, etc. It will give the landlord the option to throw the person out instead of going to court.

(Log Time 1182)

Anderson: How come this only applies to mobile homes. I think it is wrong to single these people out. If this is such a big problem, then why don't the landlords write something into the agreement that will take care of this problem. They probably have a standard agreement.

Abood: It is not the law, and that is the problem. You can put anything in the agreement and no matter what it says, they can take it to court and have it thrown out because of the word reasonable.

Chairman Barnes: I believe the reason you are amending this is because this statute is up to expire and you are just amending this statute.

(Log Time 1220)

Ira Walker - Mayflower Turple Park, Mobile Homeowners Association, President.: I rent mobile home space and own a trailer court. The difference between mobile home parks and apartments is that the space is the only thing rented. People usually own the trailers whereas they rent apartments. Our contracts are made up by the laws of the court. I can only urge you to give this bill serious consideration. I will enable us to clean up our courts.

Anderson: If this should become law and a tenant has a junk pile, what would you do under these circumstances?

Walker: 1) I would contact the person personally.
2) Issue a letter with so many days to clean up.
3) Go to court, court will tell him to clean up.

The difference here is we don't go to court anymore because we already know what will happen. If this passed, I don't think there will be very many evictions because they know we will have the authority to evict so they will clean up.

Cook: The only thing it really does is take away from the District Judges the right to decide what is reasonable.

(Log Time 1315)

Anita Thompson - Turple Trailer Court

I have tried in a nice way and in a mean way to get people to clean up their junk. The last thing that happened: I asked someone to move the junk out of his yard. He had about 6 trucks torn apart in his yard. I gave him a time limit and when he didn't clean up I went over on the last day and he told me I couldn't take him to court because I wouldn't win anyways. When I said I would clean it up then, he pointed a 38 at me and told me not to touch his stuff. I can't evict him because as long as he pay at least \$5.00 a month on his rent its legal.

(Log Time 1358)

Paul Frye - Mayflower Trailer Court: Ira Walker already went through the chain of command so I just wanted to say that I am a witness and signed a complaint against these people in his court. If Section 3, reasonable wasn't in this bill, I wouldn't have to go through all this.

Buchholdt: I know there is an owners association. Do these get together and establish some sort of regulations?

Frye: It has been tried but it hasn't worked in my court.

Phillips: I would like to pass an amendment. Page 1, line 12, place a period after the word agreement.

Discussion on the amendment.

Anderson: If we should do this, the language after the period seems to include more than it seems. Is this excluding some wording that is needed?


Buchholdt: I would like to support Phillips amendment.

Anderson: I do support the amendment but I do think it will weaken the bill excluding the wording after the word agreement.

O'Connell: At first I agreed with Anderson, but now I think it is probably just a technicality.

Motion to move HB206 from committee. Bill passed around to sign.

(Tape Log 1450)

 HB640:

Rep. Randolph, Fairbanks

Randolph: An overview of this bill. An attempt to clarify the situation and allow these organizations to continue the use of these gambling games and limiting the price to \$1 or less.

Anderson: I don't know if I have the right bill in front of me, but it seems that this bill goes beyond pull tabs and legalizes all gambling and any games of chance. I don't know how this bill limits this.

Randolph: I don't think this bill does that at all.

(Tape Log 1520)

Commissioner Williams: These views are of the administration. We started getting complaints of charity gambling. Our regulations did not authorize pull tabs, etc.

Gave quotes from the Governor against gambling. Saying the Governor would not support legalizing or amending any gambling laws.

Chairman Barnes: Will you be offering to the committee an amended bill or will you be changing the language.

Commissioner: If the committee wouldn't mind, we could have new language by Monday.

Chairman Barnes: Just the language on the pull tabs.

Anderson: Questions on the -0- fiscal note. If you were to do a fiscal note on this bill right now, it would not be -0-. How would you describe it?

Commissioner: We believe we can conduct some sort of reasonable way of taking care of investigating problems but we wouldn't be able to search out problems.

Anderson: So your staff would be investigating tax portions only?

Commissioner: If there is some tax violation, etc. we would.

Chairman Barnes: Are there any other fiscal notes coming from any other organizations?

Commissioner: Not that I know of.

There is a real problem with Section 4 in this bill. We have a lot of people who have not had a chance to hold lotteries and others who are in violation. This is punishing those who can't do this.

(Tape Log 1670)

Phil Holdsworth, Alaska State Eiks Association.

I appeared at the original bill teleconference given all over the state people were in favor of this bill.

(Log Time 1711)

Red Swanson: I would like to see better language here to take the \$1 limit off because it could make a limit on the number of tickets you sell. Bingo is probably the top money maker. I don't feel that the pull tab is that much of an income but it does serve people who want to play that type of a game.

(Log Time 1754)

Randolph: Dozens of people have testified that without the pull tabs-Bingo combo, their revenue would go down greatly.

(Log Time 1764)

CSHB47:

Colonel Stickles, Division of Fish and Wildlife Protection.

I recommend that in the big game, the definition of walrus be deleted.

(Log Time 10)
Went over technicalities of the bill.

Adjourned, (Log Time 112) Ran out of time.

H B

668

AMENDED TITLE:

AN ACT PROVIDING THE DIVISION OF FISH & WILDLIFE PROTECTION,
DEPT OF PUBLIC SAFETY, ACCESS TO
CONFIDENTIAL REPORTS & RECORDS OF THE DEPT OF FISH & GAME
RELATED TO COMMERCIAL FISHING; PROVIDE FOR EFF DATE

PRIME SPONSOR: SUTCLIFFE.

CO-SPONSORS: FANNING.

CURRENT STATUS: 2/22/82 IN (H) RULES

HB 668 HOUSE ACTION

DATE SEQ PAGE

LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/15/82	01	0059	FIRST READING -- COMMITTEE REPORTS
02/17/82	02	0542	RES -- DP04, DNP01
02/17/82	03	0542	F/NOTE EQUALS ZERO HSE SUPPL #16
02/22/82	04	0573	MOVED FROM JUD TO RLS BY UNAN CONSENT RULES RULES

*** ** ** ** **

Give FWP confidential records req HB 668
Sutcliffe

ok on notification

allows FWP to see fish tickets
determine if fishermen selling
fish without a limited entry
perm.

COMMITTEE REPORT
HOUSE

2/17

(7)

FURTHER: JUDICIARY

1/15/82

Date: February 16, 1982

Mr. Speaker:

The Committee on RESOURCES has had HB 668

"An Act providing the division of fish and wildlife protection, Department of Public Safety, access to confidential reports and records of the Department of Fish and Game related to commercial fishing; and providing for an effective date."

under consideration and reports it back as follows:

- 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

Eui Sutchiff

Ken Fleming

J Barnes

Ben Sunders

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tony Vaske do not pass

Eui Sutchiff
CHAIRMAN

COMMITTEE REPORT

HOUSE

To Rules
2/22/82

FURTHER:

(7)

2/17/82

Date: _____

Mr. Speaker: (Judiciary referral waived 2/22/82)

The Committee on JUDICIARY has had HB 668

"An Act providing the division of fish and wildlife protection, Department of Public Safety, access to confidential reports and records of the Department of Fish and Game related to commercial fishing; 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

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 668
Title Act providing FWP access to confidential reports/records of Dept. of F&G.
Requested by House Resources Date 2-5-82

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected NR MEC
BRU, Program, Or Subprogram(s) Affected Fish & Wildlife Protection
(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
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 Source)						
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

No Fiscal Impact

IV. DATE 2-5-82

PREPARED BY LTC Don Tetzlaff
AGENCY Department of Public Safety
PHONE 269-5534

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) Mike
33-001 (Rev. 12/81)

HP

675

COMMITTEE REPORT

1/29

HOUSE

Rules

(9)

FURTHER:

1/20/82

Date: 1/28/82

Mr. Speaker:

The Committee on FINANCE has had HB 675

"An Act relating to limitation of the number of state employees; and providing for an effective date."

under consideration and reports it back as follows:

- 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:

Carl D. Mattonny
Wagner Wagner
P. B. Pittsworth Pittsworth
~~_____~~
David Cuddy Cuddy
Jan Cotton Cotton
Jack Fuller Fuller
Chuckwork Chuckwork
Robert A. Adair Ch.

Robert A. Adair
CHAIRMAN

Alaska State Legislature



Speaker of the House of Representatives


Official Business

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3720

MEMORANDUM

March 25, 1982

TO: Representative Jack Fuller
RULES CHAIRMAN

FROM: Representative Joe Hayes 
SPEAKER OF THE HOUSE

SUBJECT: HB-675

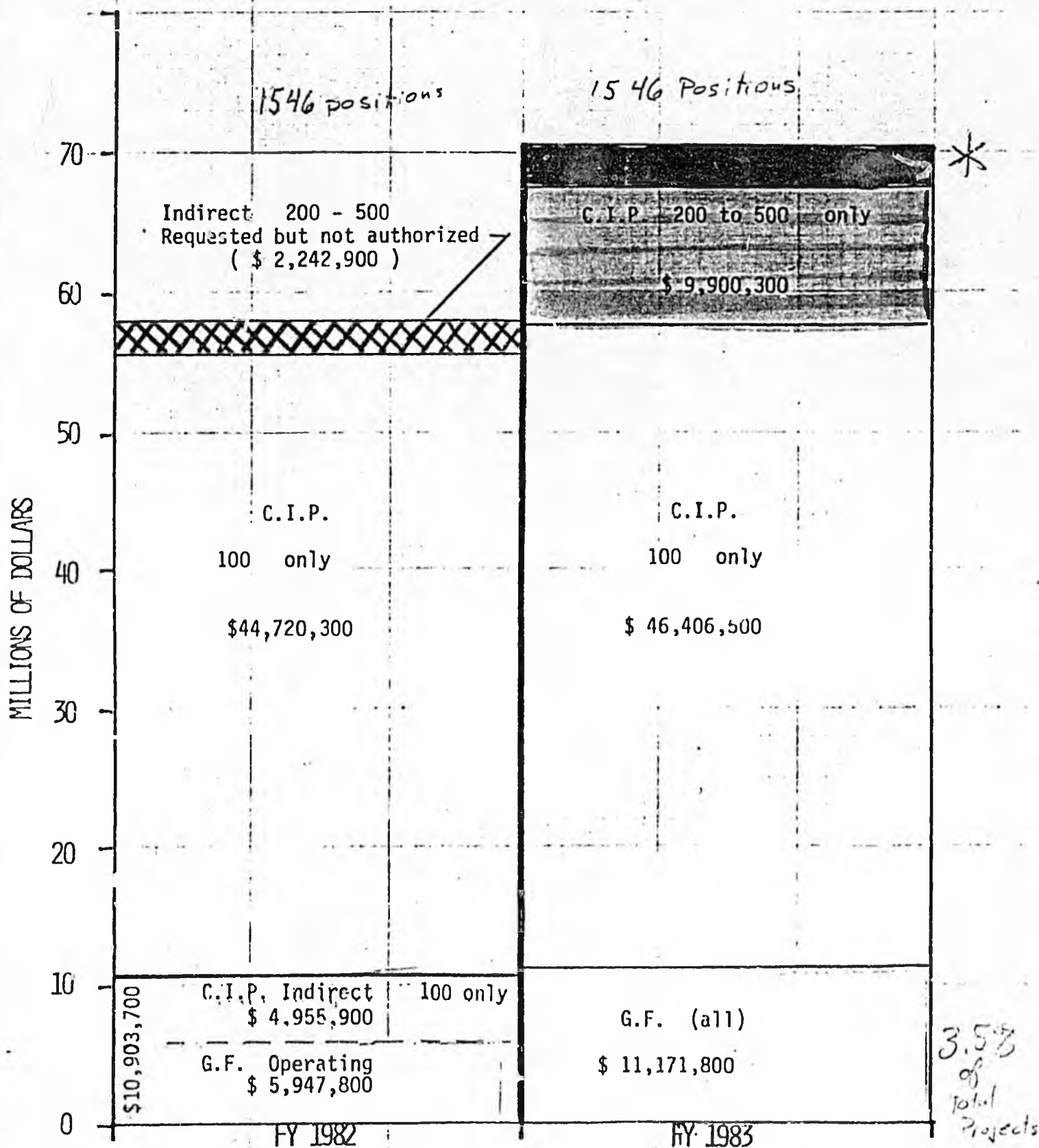
In January the Legislature voted to override the Governor's veto of intent language in the 1981 budget bill concerning transfer of employees from one project or program budget to another. That veto had only the negative effect of preventing transfers for the single budget year, and will have no effect on future budgets. At the same time, there are indications that the administration would exercise the same veto over similar language in this year's budget, and intends to employ such transfers again.

House Bill 675, authored by Cotten, et. al., would prohibit such practices by law. We should take a close look at the effects and purpose of that bill and consider scheduling it for the floor at an early time.

da

Attachments

DOT/PF
 DESIGN AND CONSTRUCTION
 COMPARISON
 FY 1982 BUDGET AND FY 1983 PROPOSED



*109 GF
 750 PFT CIP
 687 PIT CIP*

NOTICE

Section 7, chapter 82, SLA 1981 became law on January 16, 1982, following a vote of the legislature to override the governor's 1981 veto of the section.

The section (part of the 1981 - 1982 general appropriation bill) reads as follows:

* Sec. 7. The figures in parentheses indicating numbers of positions which follow certain program or subprogram names throughout sec. 28 of this Act shall be the total number of permanent full-time or part-time positions for which expenditures are authorized from appropriations made in this Act. The amounts budgeted for personal services within an appropriation are conditioned upon compliance with the requirement that the total number of permanent full-time or part-time positions shall not be increased during the fiscal year over the numbers shown in parentheses for program or subprogram units within the appropriation. Additional positions beyond those indicated in parentheses may be authorized through an appropriated fiscal note or revised program authorizing receipt and expenditure of additional federal or other program receipts approved in accordance with AS 37.07.080(h).

STATE OF ALASKA -- OPERATING BUDGET SUMMARY

14:01

3/22/82

***** DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES *****

SHORT FORM PAGE	BUDGET COMPONENT	FY82	ATH	CONT.	REQUEST	GOVERNOR	HOUSE	HOUSE - GOVERNOR COMPARISON
240	PROJECT DIRECT CHG POSITIONS							
242	CIP OVERHEAD POSITIONS & COSTS							
	*** PROGRAM TOTAL ***							
	*** CATEGORY TOTAL ***	241732.2	271615.8	287697.1	288764.1	227441.2	-61322.9	-21.1%
	***** TOTAL EXPENDITURES	241732.2	271615.8	287697.1	288764.1	227441.2	-61322.9	-21.1%
	***** FUNDING							
	FED. RECEIPT	300.0	300.0	300.0	300.0	300.0		
	GENERAL FUND	161254.6	182325.7	187108.7	187781.9	155382.8	-32399.1	-17.2%
	OTHER FUNDS	80177.6	8990.1	100288.4	100682.2	71258.4	-28923.8	-28.6%

Handwritten note:
 Fed State match
 CIP
 IA

methods, that appropriations have been made for the planned purpose and will not be exhausted before the end of the fiscal year;

(2) approve the operations plan if satisfied that it meets the requirements under (1) of this subsection; otherwise, the division shall require revision of the operations plan in whole or in part;

(3) Repealed by § 1 ch 26 SLA 1976.

(d) No state agency may increase the salaries of its employees, employ additional employees, or expend money or incur obligations except in accordance with law and properly approved operations plans.

(e) Transfers or changes between objects of expenditures or between allocations may be made by the head of a state agency upon approval of the division. No transfers may be made between appropriations except as provided in an act making the transfers between appropriations.

(f) The division shall report quarterly to the governor and the legislature on the operations of each state agency, relating actual accomplishments to those planned and modifying, if necessary, the operations plan of any agency for the balance of the fiscal year.

(g) The governor may direct the withholding or reduction of appropriations to a state agency at any time during the fiscal year only if he determines that

(1) the planned expenditures can no longer be made due to factors outside the control of the state which make the expenditure factually impossible; or

(2) estimated receipts and surpluses will be insufficient to provide for appropriations.

(h) The increase of an appropriation item based on additional federal or other program receipts not specifically appropriated by the full legislature may be expended in accordance with the following procedure:

(1) the governor shall submit a revised program to the Legislative Budget and Audit Committee for review;

(2) 45 days shall elapse before commencement of expenditures under the revised program unless the Legislative Budget and Audit Committee earlier recommends that the state take part in the federally or otherwise funded activity;

(3) should the Legislative Budget and Audit Committee recommend within the 45-day period that the state not initiate the additional activity, the governor shall again review the revised program and if he determines to authorize the expenditure, he shall provide the Legislative Budget and Audit Committee with a statement of his reasons before commencement of expenditures under the revised program. (§ ch 188 SLA 1970; am §§ 1—3 ch 26 SLA 1976; am §§ 2, 3 ch 74 SLA 1977; am §§ 4, 5 ch 60 SLA 1979)

Effect of amendments. — The 1979 amendment substituted "an act making the transfers between appropriations" for "(h) of this section" at the end of the sentence of subsection (e) and rewrote subsection (h).

Opinions of attorney general. — Vesting authority in the legislative Budget and Audit Committee to approve transfers between appropriation items violates the separation of powers doctrine and is an improper delegation of a legislative function to an interim committee. July 22, 1976, Op. Att'y Gen. Section 13(3) of the 1976 budget bill,

which authorized the Budget and Audit Committee to supervise the governor's execution of the budget act, specifically over that portion of it which permitted him to transfer appropriation items, constituted an encroachment on executive power and offended the Alaska Constitution. July 22, 1976, Op. Att'y Gen.

Chapter 10. Public Funds.

Article 3. Investment and Deposit of State Funds.

Section

- 70. Investment of surplus funds
- 78. Prohibited deposits and investments in certain banks

Sec. 37.10.065. Investment of the Alaska Permanent Fund.

Editor's notes. — Section 11, ch 18, SLA 1980, repealed this section effective upon transfer of the Alaska permanent fund to the Alaska Permanent Fund Corporation as provided in sec. 9 of the Act. Section 9, ch. 18, SLA 1980 provides: **TRANSITION.** The commissioner of revenue shall transfer the Alaska permanent fund to the Alaska Permanent Fund Cor-

poration established by this Act after request for transfer is made by the board of trustees of the corporation. Notwithstanding AS 37.10.065(a), the commissioner of revenue may invest the money in the Alaska permanent fund in the investments described in AS 37.13.120(g) subject to the limitations of AS 37.13.120(h) and (i)."

Sec. 37.10.070. Investment of surplus funds. (a) When the commissioner of revenue determines that there is in the state treasury a surplus above an amount sufficient to meet current and projected cash expenditure needs, the surplus shall be invested at competitive national market rates unless otherwise provided by law in any of the following:

- (1) obligations of, or obligations insured or guaranteed by, the United States or agencies or instrumentalities of the United States;
- (2) obligations secured by reserves paid in by the United States or agencies or instrumentalities of the United States or obligations of corporations in which the United States is a shareholder or member;
- (3) certificates of deposit issued by United States domestic banks which are members of the Federal Deposit Insurance Corporation for which a generally recognized secondary market exists or which are secured fully at all times as to the payment of principal and interest in accordance with Alaska law;
- (4) corporate debt securities with a minimum rating of "BAA" or the equivalent by a nationally recognized rating organization and the preferred and common stocks of companies which have paid dividends continuously for the last three years;

Title 26
Military Affairs
and Veterans

Title 28
Motor Vehicles

Title 27
Mining

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF—STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

MEMORANDUM

TO: Senator Arliss Sturgulewski
Chairman
Senate Finance Transportation
Subcommittee

FROM: Jay Eagan
Director
Legislative Finance

DATE: March 17, 1981

SUBJECT: Position control through appropriations

This memorandum assumes two things:

- (1) There exists a desire to have some legislative control over the size and growth rate of the state operating budget, and
- (2) The size and growth rate of the operating budget are in large part related to the number of state employees.

During the early and mid 1970's, the legislature had some degree of control over the number of state employees assigned to various state operations. During the regular session the finance committees received, reviewed, and approved, where appropriate, agency requests for new positions. During the interim and throughout the budget year, the Legislative Budget & Audit Committee received, reviewed, and approved, where appropriate, revised programs establishing new positions. This process disintegrated in May of 1978 with the Superior Court decision in Kelley v. Hammond, in which the court held that the Budget & Audit Committee could not approve or veto the establishment of positions (see attached partial summary judgment). The decision opened the gates for the establishment of new positions during the budget year via revised programs requiring approval only of the Director of Budget and Management.

MEMORANDUM

March 17, 1981

Position control through appropriations

Page 2

The shortcomings of the currently-existing system are nowhere better illustrated than in RP 81-14x (attached). Through this RP, Central Region, Highways, established ten new positions for the current budget year, FY 1981, four days following adjournment of the Second Session of the Eleventh Legislature. According to the new rules of the game, legislative approval of these ten positions is now requested of this legislature in the FY 82 DOT operating budget.

At the request of the Senate Finance Committee, I sent a memo dated February 10, 1981, to all departments and agencies, requesting among other things the numbers, salaries, and positions requested in the FY 82 budget that had been established by revised program. I further requested an indication as to whether or not these positions were currently filled (memorandum attached). The responses to this request are still trickling in, but of particular interest is a memorandum from the Director of Budget and Management to all agencies, the first paragraph of which reads as follows:

The Governor's Office is concerned about the rapid growth of new positions in State Government. Many of these positions have been established by revised program. This fact reveals that many agencies have not done an adequate job of estimating their FY 81 staffing requirements. Ultimately this reflects on the quality of the Governor's budget.

(copy of memorandum attached).

Obviously, as long as the governor's budget office can authorize the establishment of new positions at will, there is no way the legislature can effectively control the number of state employees. In my view, the Executive Budget Act as currently written allows the legislature, if it wishes, to state as a condition of its appropriations that the amounts budgeted for personal services are for a specified number of positions and that that number may not be exceeded. In support of this AS 37.07.080(d) (attached) states:

MEMORANDUM

March 17, 1981

Position control through appropriations

Page 3

(d) No state agency may increase the salaries of its employees, employ additional employees, or expend money or incur obligations except in accordance with law and properly approved operations plan.

If adopted by the legislature, a policy of legislative position control would require the insertion of language conditioning those portions of appropriations budgeted for personal services with language similar to that shown in Sec. 3 from a State of Maine general appropriation act (copy attached). For all appropriations or allocations that include budgets for positions, we have for the past several years--for informational purposes only--included a parenthetical reference to the total number of permanent full time and part time positions approved. Under this proposal that parenthetical reference would shift from an "informational" item to a permanent position ceiling not to be exceeded except through an additional authorization for personal services contained in some other appropriation approved by the legislature.

Attachments

H

B

6

78

re membership in electric +
telephone cooperatives

HB 618
Martin

Notification OK

incorporator of a cooperative shall
be a member of that co-op
or of another co-op that is
a member of it

COMMITTEE REPORT

3/17

HOUSE

Rules

(5)

FURTHER:

1/22/82

Date:

3/16/92

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 678

"An Act relating to membership in electric and telephone cooperatives."

under consideration and reports it back as follows:

- 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:

Ray Atchaff Ch

[Signature]

[Signature]

[Signature] Brown

[Signature] Miller

Ray Atchaff
CHAIRMAN

House Rules

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 678

Title An Act relating to membership in electric and telephone cooperatives

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development

Program Category Affected Public Protection

BRU, Program, Or Subprogram(s) Affected Public Utilities Commission

(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
		0	0	0	0	0

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

Carolyn Guess

IV. DATE 3/30/82

PREPARED BY Carolyn Guess, Commissioner

AGENCY Public Utilities Commission

Original: Legislative Finance
cc: Budget and Management

PHONE 276-6222

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 678
 Title An Act relating to membership in electric and telephone cooperatives
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Public Utilities Commission
 (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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
		0	0	0	0	0

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

IV. DATE 3/30/82 PREPARED BY Carolyn Guess, Commissioner
 AGENCY Public Utilities Commission
 Original: Legislative Finance PHONE 276-6222
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Carolyn Guess

H

B

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8

3

AMENDED TITLE:

AN ACT CHANGING THE TERM OF OFFICE FOR MEMBERS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF ALASKA

PRIME SPONSOR: BEIRNE.

CO-SPONSORS: MARTIN.

CURRENT STATUS: 1/22/82 IN (H) HESS

HB 683 HOUSE ACTION

DATE SEQ PAGE

LEGISLATIVE ACTION

01/22/82	01	0118	FIRST READING -- COMMITTEE REPORTS HESS RULES
----------	----	------	---

*** ** ** ** *

re: terms of U. Board of Regents HB 683
by Beirne & Martin

ok on notification

Sec. 1 from 8 to 5 years
new in (if served 2 successive terms, can't serve a
third until one term has intervened)
regents serve staggered terms

Sec. 2 sets out how the terms will be staggered

carrier: Beirne
votes & attendance:

Beirne would like to have it pass. Says the Board of Regents is in favor of it. Minority is in favor, etc.

COMMITTEE REPORT

HOUSE

2/24
Ruler

(5)

FURTHER:

1/22/82

Date: 2/22/82

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 683

"An Act changing the term of office for members of the Board of Regents of the University of Alaska."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 683 (HESS) same title new title
- and recommends CS do pass
- 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:

A. Smith

Terry Martin

H. Malone

Archie B. ... Ch

Archie B. ...
CHAIRMAN

H

B

6

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4

HOUSE
~~SENATE~~ AMENDMENT

By Fuller

To: _____ SENATE BILL No. _____

To: _____ HOUSE BILL No. 684

PAGE: 2 LINE: 27

Add a new section 4, and renumber accordingly.

* Sec. 4. AS 39.25.120 is amended by adding a new section to read:

(20) the director, deputy director, personnel analysts II, labor relations analysts I, labor relations analysts II, senior negotiators, and research directors of the division of labor relations in the Department of Administration.

A M E N D M E N T

OFFERED IN THE HOUSE:

By: FULLER

To: _____ HOUSE BILL No. 684

SENATE BILL No. _____

PAGE: 2

LINE: 27

Add a new section 4, and renumber accordingly.

* Sec. 4. AS 39.25.120 is amended by adding a new section to read:

(20) the director, deputy director, personnel analysts II, labor relations analysts I, labor relations analysts II, senior negotiations, and research directors of the division of labor relations in the Department of Administration.

COMMITTEE REPORT
HOUSE

3/19
Rules

FURTHER:

11
(9)

1/22/82

Date: 3-18-82

Mr. Speaker:

The Committee on Finance has had HB 684

"An Act relating to the compensation of public officers and employees; and providing for an effective date."

under consideration and reports it back as follows:

- 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 ^{INDIVIDUAL} recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Albert H. Adams
Paul C. ...
John ...
Russell ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

No-unless amended - Montgomery
R. B. ... No Rec
... No Rec

Albert H. Adams
 CHAIRMAN

AMENDED TITLE:
AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS
AND EMPLOYEES; AND PROVIDING FOR AN EFFECTIVE DATE

PRIME SPONSOR: HOUSE RULES COMMITTEE.

CO-SPONSORS:

CURRENT STATUS: 1/22/82 IN (H) FINANCE

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/22/82	01	0118	FIRST READING -- COMMITTEE REPORTS
01/22/82	02	0118	GOV TRANSMITTAL LETTER FINANCE RULES

**** ** ** *** ** *

Currently, all collective bargaining agreements for the State of Alaska are negotiated by the Division of Labor Relations. As the employees in this Division are in the classified service, they are, in fact bargaining for themselves, which is a demonstrable conflict of interest.

As classified employees, the employees of the Division of Labor Relations are not politically sensitive - attuned to the Legislature's desires or actions. This is not only frustrating to the Legislators, but to the collective bargaining representatives. For example - APEA indicated an agreement to local hire - yet the Division of Labor Relations absolutely refused to take any action on this issue. Another instance comes to mind with the rural hiring problems for Fish and Game positions. APEA was willing to comply in order to solve the problem, but the Division of Labor Relations not only refused to take any action, but refused to discuss the matter.

As classified employees, the employees can only be removed for just cause. When a negotiator is bargaining for a contract that involves millions of State dollars that will increase the State budget - it does not seem reasonable to have negotiators at the table that are doing only an average job. The Administration should have the most astute negotiators in its own best interests.

The Blue Ribbon Commission recommended removing these employees from the classified service.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

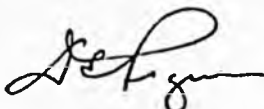
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

MEMORANDUM

March 23, 1982

SUBJECT: Amendments to HB 684

TO: Representative John G. Fuller
Attn: Linda Wild

FROM: Donna Spragg Pegues 
Co-Revisor of Statutes

Enclosed are two versions of the amendment you requested.

I think Version No. 2 (adding a new temporary law section) embodies the better approach. Version No. 1 adds to the effective date. I do not believe this sort of substantive law should be made part of an effective date. Also, as you know, the passage of the effective date section requires an affirmative two-thirds vote of each house of the legislature.

However, I have satisfied myself that the effect of the permanent law can be postponed as set out in these amendments.

I have not yet drafted an amendment reducing the appropriation in CSHB 685. I have not yet been able to get the correct figure to deduct.

Please call if you have any questions.

DSP:ljb

Enclosures

Introduced: 1/22/82
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 684

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the compensation of public officers
7 and employees; and providing for an effective date."

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

9 * Section 1. AS 39.27.01(a) is repealed and reenacted to read:

10 (a) The following monthly basic salary schedule is approved as the
11 pay plan for classified and partially exempt employees in the executive
12 branch of the state government who are not members of a collective
13 bargaining unit established under the authority of the Public Employment
14 Relations Act:

15	Range	Step	Step	Step	Step	Step	Step
16	No.	A	B	C	D	E	F
17	05	1,258	1,292	1,330	1,367	1,408	1,445
18	06	1,330	1,367	1,408	1,445	1,487	1,530
19	07	1,408	1,445	1,487	1,530	1,578	1,627
20	08	1,487	1,530	1,578	1,627	1,673	1,726
21	09	1,578	1,627	1,673	1,726	1,782	1,832
22	10	1,673	1,726	1,782	1,832	1,889	1,946
23	11	1,782	1,832	1,889	1,946	2,010	2,073
24	12	1,889	1,946	2,010	2,073	2,145	2,218
25	13	2,010	2,073	2,145	2,218	2,295	2,379
26	14	2,145	2,218	2,295	2,379	2,463	2,556
27	15	2,295	2,379	2,463	2,556	2,639	2,739
28	16	2,463	2,556	2,639	2,739	2,838	2,941
29	17	2,639	2,739	2,838	2,941	3,041	3,146

1	18	2,838	2,941	3,041	3,146	3,249	3,371
2	19	3,041	3,146	3,249	3,371	3,475	3,605
3	20	3,249	3,371	3,475	3,605	3,714	3,851
4	21	3,475	3,605	3,714	3,851	3,971	4,115
5	22	3,714	3,851	3,971	4,115	4,251	4,408
6	23	3,971	4,115	4,251	4,408	4,554	4,725
7	24	4,251	4,408	4,554	4,725	4,885	5,050
8	25	4,554	4,725	4,885	5,050	5,236	5,433
9	26	4,725	4,885	5,050	5,236	5,433	5,629
10	27	4,885	5,050	5,236	5,433	5,629	5,843
11	28	5,050	5,236	5,433	5,629	5,843	6,047
12	29	5,236	5,433	5,629	5,843	6,047	6,259
13	30	5,433	5,629	5,843	6,047	6,259	6,480

*instead of
retroactive
to March 15*

* Sec. 2. COMPENSATORY PAYMENT. A compensatory payment, equal to 15 percent of the officer's or employee's monthly wage for the pay period ending March 15, 1982, shall be paid to each officer or employee covered by AS 39.27.11(a) who is a state officer or employee on that date.

* Sec. 3. EMPLOYEES OF THE JUDICIAL AND LEGISLATIVE BRANCHES. (a) The permanent and temporary employees of the judicial branch and the permanent employees of the legislative branch are entitled to receive salary adjustments comparable to those received by the classified and partially exempt employees of the executive branch under as 39.27.011(a) as that subsection is reenacted in sec. 1 of this Act.

(b) The legislative and judicial employees described in (a) of this section are entitled to receive compensatory payments comparable to those received under sec. 2 of this Act.

* Sec. 4. RETROACTIVITY. Sections 1 and 3(a) of this Act are retroactive to March 16, 1982.

* Sec. 5. EFFECTIVE DATE. This Act takes effect immediately in accor-

*to make it
clear that they
are not
covered.*

1 dance with AS 01.10.070(c). However, the salary increases for the governor
2 and lieutenant governor, made by sec. 1 of this Act through the operation of
3 AS 39.20.010 and 39.20.030, respectively, take effect when the new governor
4 and lieutenant governor take office following the November 1982 general
5 election.

and legislators

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JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 684

January 22, 1982

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill relating to the salaries of public officers and employees. The figures in sec. 1 and the provisions in sec. 2 are based on the recently negotiated agreement with the Alaska Public Employees Association for the general government unit for 1982. The March 16, 1982 effective date coincides with the effective date for that unit's changes. Essentially, this is a cost-of-living adjustment, although the increase in the upper ranges is only 4.8 percent over last year's figures.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jay S. Hammond".

Jay S. Hammond
Governor

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

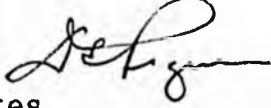
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 23, 1982

SUBJECT: Amendments to HB 684

TO: Representative John G. Fuller
Attn: Linda Wild

FROM: Donna Spragg Pegues 
Co-Revisor of Statutes

Enclosed are two versions of the amendment you requested.

I think Version No. 2 (adding a new temporary law section) embodies the better approach. Version No. 1 adds to the effective date. I do not believe this sort of substantive law should be made part of an effective date. Also, as you know, the passage of the effective date section requires an affirmative two-thirds vote of each house of the legislature.

However, I have satisfied myself that the effect of the permanent law can be postponed as set out in these amendments.

I have not yet drafted an amendment reducing the appropriation in CSHB 685. I have not yet been able to get the correct figure to deduct.

Please call if you have any questions.

DSP:ljb

Enclosures

Pegues
Version 1

A M E N D M E N T

Offered in the HOUSE

By Fuller

TO: HB 684

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Page 3, line 5:

After the period add the following new sentence:

"The salary increases for members of the legislature made by sec. 1 of this Act through the operation of AS 24.15.020 take effect on the date the members of the Thirteenth Legislature take office following the November 1982 general election."

Pegues
Version 2

A M E N D M E N T

Offered in the HOUSE

By Fuller

TO: HB 684

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Page 2, line 28:

After line 28 add the following new section:

"* Sec. 5. The salary increases for members of the legislature made by sec. 1 of this Act through the operation of AS 24.15.020 take effect on the date the members of the Thirteenth Legislature take office following the November 1982 general election."

Renumber remaining section accordingly.

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COMMITTEE REPORT

HOUSE

3/19
Ruler

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(9)

FURTHER:

1/22/82

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 685

"An Act making supplemental appropriations to the Office of the Governor and to the Legislative Affairs Agency to pay additional costs of salaries and benefits for fiscal year 1982; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 685 (FINANCE) same title
 new title
 and recommends ^{as follows} individual recommendations
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Albert S. Adams
John C. ...
Jim ...
Russ ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

No unless amended - Montgomery
R. B. ...
Herbert ...

Albert S. Adams
 CHAIRMAN

JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 1982

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a supplemental appropriation bill to fund salary increases for state employees in the general government unit, the supervisors unit, state employees not covered by collective bargaining, and judicial officers, legislators, and public officers.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

Jay S. Hammond
Governor

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

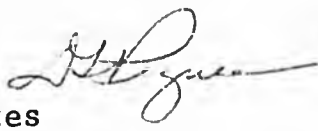
LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 23, 1982

SUBJECT: Amendments to CSHB 685 (Fin)

TO: Representative John G. Fuller
Attn: Linda Wild

FROM: Donna Spragg Pegues 
Co-Revisor of Statutes

Attached are the amendments removing the money for salary increases for legislators from the appropriation bill.
(CSHB 685 (Fin))

The entire amount (\$41,700) for legislators is deleted for fiscal year 1982 and one-half the amount (\$47,300) from the proposed appropriation for fiscal year 1983.

Please call if you have any questions.

DSP:ljb

Enclosures

Pegues /

A M E N D M E N T

Offered in the HOUSE

By Fuller

1 TO: CSHB 685(Fin)

2

3 Page 3, line 17:

4 Delete "\$447,400" and insert "\$405,700"

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6 Page 3, line 19:

7 Delete "for legislators and"

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9 Page 4, line 25:

10 Delete "\$1,151,700" and insert "\$1,104,400"

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Adjust totals and funding
source accordingly

AMENDED TITLE:

AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS TO THE OFFICE OF THE GOVERNOR & TO THE LEGISLATIVE AFFAIRS AGENCY TO PAY ADDITIONAL COSTS OF SALARIES AND BENEFITS FOR FISCAL YEAR 1982; AND PROVIDING FOR AN EFFECTIVE DATE

GENERAL DOLLARS: \$14,239,600 (SUPPL)

PRIME SPONSOR: HOUSE RULES COMMITTEE.

OTHER DOLLARS: \$2,985,100

CO-SPONSORS:

CURRENT STATUS: 1/22/82 IN (H) FINANCE

HB 685 HOUSE ACTION

DATE SEQ PAGE

LEGISLATIVE ACTION

01/22/82 01 0119
01/22/82 02 0119

FIRST READING -- COMMITTEE REPORTS
FOR TRANSMITTAL LETTER
FINANCE
RULES

**** ** ** *** ** *

H B

697

MAR 6 1981

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF FISH AND GAME
OFFICE OF THE COMMISSIONER

SUBPORT BUILDING
JUNEAU, ALASKA 99801

March 6, 1981

Senator Bill Ray, Chairman
Blue Ribbon Commission on the
State Personnel Act
Pouch AG/Mail Stop 0123
Juneau, Alaska 99811

Dear Senator Ray:

I appreciated being copied on your February 6, 1981, letter to Governor Hammond regarding permanent seasonal positions within the Department of Fish and Game, located in rural areas, and the difficulties experienced by local residents in filling these positions. I would like to take this opportunity to make a few comments on this subject.

The Legislature in 1979 found that the use of temporary employees had created certain inconsistencies and abuses in the hiring of nonpermanent personnel and that it jeopardized the integrity and efficiency of the merit system. In addition, the Legislature stated it intended to curb the widespread administrative practice of using nonpermanent state employment to evade departmental accountability and mask poor planning. Furthermore, the Legislature stated it intended that nonpermanent employees be used only to the extent that it is impractical to meet the need with permanent employees. To assure their wishes were followed Chapter 67 SLA 1979 became law in the form of AS 39.25.195-200.

This statutory change had a significant impact on the operations of the Department of Fish and Game. Prior to the passage of the act, Fish and Game had used temporary employees to meet its reoccurring field season needs. Many of these jobs were for periods of four to nine months. Now under provisions of the law, nonpermanent employment is limited to not more than 120 calendar days in a 12 month period. In addition, if the appointing authority can reasonably anticipate the need it must attempt to fill it through creation of permanent positions. As previously stated, many of Fish and Game's field positions could be anticipated to reoccur annually and were for periods in excess of 120 days each. This required the creation of numerous permanent seasonal positions, so that we could go forward to constructively implement the law.

March 6, 1981

In any event, the use of registers to fill all nonpermanent, permanent seasonal, or permanent full-time positions is now required except for emergency hire, and has created some difficulties for local residents in rural locations. Recognizing this problem more than a year ago in a memorandum to Commissioner Hudson, I attempted to minimize any adverse impacts the changes might have on the general public. Precisely those items pointed out in the second paragraph of your letter were what we wanted to avoid. Unfortunately, this was not entirely possible due to any combination of the following reasons:


1. Local residents were not aware of the register requirement in order to be employed.
2. There is a general lack of knowledge regarding when registers are open and closed for recruitment.
3. Applicants are ranked on registers and employment is to be from the top five available candidates.
4. The highly ranked applicant currently can not be eliminated from consideration for a position just because he/she lives in some location other than where the job is offered.

In almost all cases these items are outside the control of the Department of Fish and Game and in some cases are limited by personnel rules, labor contract agreement, or statute.

The Department is doing everything in its power to overcome the types of problems pointed out in your letter. Wherever possible, and within the rules, we are attempting to hire from communities with close proximity to the work locations. Even with the best of administrative efforts, however, some of the problems discussed here may continue due to administrative limitations. As an alternative, I suggest the Blue Ribon Commission investigate slight modification to AS 39.25.195(a), (b), (c) and (d) to allow the appointing authority of each department to establish nonpermanent positions and appoint applicants from any location on an applicable eligible list. If the Commission is interested in such an approach, members of my staff are available to work with them to resolve a mutual problem.

I look forward to hearing from you.

Sincerely,


Ronald O. Skoeg
Commissioner
(907) 465-4140

cc: Commissioner Hudson
Office of the Governor

BLUE RIBBON COMMISSION ON THE STATE PERSONNEL ACT
State Capitol, Juneau, Alaska
January 8, 1981

JAN 21 1981

MINUTES

Senator Bill Ray, Chairman, called the meeting to order at 10:05 a.m. The commission began consideration of the draft bill on nepotism. Senator Ray asked for objections to the commission sponsoring the bill. It was noted that APEA had registered its objections to the bill at a previous commission meeting. Bill Huston pointed out that nepotism laws will prevent a child pursuing the same choice of career with the state as his or her parent. Sandra Withers suggested that the disadvantage of that limitation should be weighed against the alternative, which is the appearance of favoritism given whenever a close family member is employed in an office headed by another family member. Frank Flavin added that he would prefer to see the statute focus on the basis of the hire rather than on the existence of a relationship. Many of the complaints which the Ombudsman receives are based on relationships which are as close as marriage without there being any formal legal tie, rather than on a relationship which the draft bill would address. Senator Ray called for objections to the commission pursuing this bill. Doryce Eggleston, Frank Flavin and Bob Mourant objected.

The commission next considered the draft bill amending the State Personnel Act and discussed the bill section by section.

In Section 4, page 2, line 2, the amendment to existing law was deleted, leaving the line reading "authorized by this chapter".

In Section 7, page 3, line 21, the word "and" was changed to "or", to make the phrase read "temporary or special inquiry".

The commission discussed the section concerning procedures for amending the Personnel Rules, Section 11, which begins on page 7, line 9, and decided to delete the material on page 8, lines 15-28 and to amend the preceding paragraph by adding eligible lists, hours of work, and merit increases to the topics which are included within "matters of public policy".

AS 39.25.150(17). In Section 12, page 11, line 7, procedures for resolving citizen grievances were added to the topics which the rules should address by adding the word "citizen" between the words "employee" and "and".

In discussion of AS 39.25.150(21), Representative Fuller raised a problem which has occurred in the conversion of Fish and Game temporary positions to permanent seasonal positions. He provided commission members with background material and explained that for positions in the bush which used to be classified as temporary positions, the change to permanent seasonal has meant that many fewer local residents are qualifying for the jobs. Permanent seasonal positions must be hired from the

registers, and many residents of the villages in question (Gambell, Savoonga, Diomede, and Shishmaref, for example) either are reluctant to apply at all, or else, because they do not have much formal education, do not score as well as college students when their applications are evaluated. As a result the Fish and Game Technicians I and III who are hired for monitoring marine mammal harvest and collecting biological specimens are more likely to be from Anchorage and Fairbanks than from the local area. This costs the state more because of transportation costs and the technicians spend a substantial period of time initially becoming familiar with the area, rather than being able to begin their substantive work immediately.

Mike McMullen pointed out that the requirement that employees be hired from the register cannot be waived for permanent seasonal positions, while it could be waived by the Division of Personnel if the positions were classified as nonpermanent. Frank Flavin added that block scoring would be appropriate, since to do the job well does not require technical knowledge. This kind of job classification would benefit from essentially a pass/fail application evaluation system.

Senator Ray suggested that the commission authorize him to send a letter to the Governor, perhaps with copies to the Department of Fish and Game and to the Division of Personnel explaining the situation and encouraging the hiring of local residents for these positions. The letter might also be directed to Jerry Reinwand, the Governor's special assistant who had addressed the commission on personnel matters at an earlier commission meeting. There was no objection.

The commission continued review of the bill. In Section 14, AS 39.25.160(i), the word "unlawfully", page 14, line 25, was deleted.

In discussion of Section 15, beginning on page 14, line 28, questions were raised about whether employees who were hired in positions in the classified service only to have those positions transferred into the partially exempt or exempt service have any recourse. Members also asked whether the more routine positions which are presently in the exempt service or the partially exempt service are being transferred into the classified service. Senator Ray suggested that the commission write to Jerry Reinwand asking for a response to the latter question.

Frank Flavin noted that the present draft of the State Personnel Act does not set out a penalty clause. The present statute provides that violation of the Rules is a misdemeanor, but that is not an effective deterrent, since it is rarely enforced. Senator Ray suggested that discussion of the penalty clause should be reserved for future meetings of the commission.

In Section 18, AS 39.25.192, Senator Ray suggested that a state employee's right to make contributions to political candidates and campaigns be listed, since many state employees believe that they are denied this right under the present State Personnel Act. There was no objection. This ended discussion on the State Personnel Act amendments.

Senator Ray brought up recent correspondence to the commission from Donald E. Buehler, Chief of Police in Kotzebue. Chief Buehler has submitted his name for consideration for appointment to the Blue Ribbon Commission. However, since the membership on the commission is full, the commission decided that Chief Buehler should be invited to the next meeting as an observer.

The commission reviewed the draft bill on membership of the Public Employees Retirement Board. The draft dated December 30, 1980 was approved without objection.

The draft bill limiting the adjustment of retirement benefits was under consideration.

The commission considered the draft bill limiting the adjustment of retirement benefits. Lois Jund pointed out that the present draft would not significantly help in the cases about which the commission had initially been concerned. In those cases, the amount of overpayments had exceeded 10 per cent of the amount to which the retired person was actually entitled. Discussion followed. The commission agreed to delete AS 14.25.173(b)(3) page 1, lines 17-18, and AS 39.35.520(b)(4), page 1, lines 28-29.

The commission also decided to eliminate the phrase "which reduces benefits or" from page 1, lines 10 and 20 so that for future payments, retired persons will only be entitled to the correct amount of their payments. A question was raised concerning whether the phrase "credited service with the state" includes territorial service as well as employment after statehood. The commission decided that in order to benefit from the limitation on adjusting retirement benefits, retired people will have to meet all the requirements listed, and therefore decided to add the word "and" between paragraphs (1) and (2) of Section 1, page 1, line 14, and between paragraphs (2) and (3) of Section 2, page 1, line 25.

Paul Arnoldt, Director of the Division of Retirement and Benefits addressed the commission on the retirement bills. He began with a presentation on the bill requiring that the Public Employees Retirement Board comply with the Administrative Procedures Act in adopting future regulations. He pointed out that the intent of the APA is to insure that there is an opportunity for public comment before regulations are promulgated, to provide the Department of Law with an opportunity for review, and to insure that the Governor has input into regulations which are adopted. He indicated that these goals are met by the present system for adoption of regulations. The process of adopting regulations through the APA is involved and if those goals are met now, then it does not seem appropriate to change the system.

Mr. Arnoldt also pointed out that there is a nationwide trend for holding retirement board members personally responsible for their actions which began with the 1974 ARISA Act. It is appropriate therefore

to provide the PERS board members with the tools which they will need to carry out their responsibilities. For example, last session, 10 retirement bills were combined and passed by the Legislature in the closing days of the session. These measures had to be implemented expeditiously. If the board had had to comply with the APA in adopting regulations to put the new laws into effect, then considerable time would have been lost. Lois Jund agreed that many agencies find the APA procedures cumbersome. Frank Flavin pointed out that the APA does provide for the adoption of emergency regulations for that situation.

Mr. Arnoldt continued with discussion of the bill affecting membership of the retirement board. He stated that the provisions of the bill were appropriate and he had no objection to the proposal.

On the adjustment of retirement benefits bill, Mr. Arnoldt stated that he agreed that any errors in retirement benefit payments should be found and corrected quickly, but that the two-year limit imposed by the bill was not really necessary. The appeals procedures presently in the law provide the retirement boards with an opportunity to act in consideration of the circumstances of the retired person and to provide an equitable solution to the error. Since the ARISA Act is imposing personal accountability on private sector retirement boards and since the federal government is expected to impose similar provisions on public sector retirement boards, the authority of the PERS board should not be decreased.

Senator Ray pointed out that while the retirement board has the authority to waive collection of overpayments, they can be quite slow to act. The retired person, who often has only the retirement income to live on, is put through considerable grief and uncertainty. Other procedures which do not put the retired person through that sort of experience should be developed to provide the retirement board with the information and control which it requires. Senator Ray was called away from the meeting and Don Fisher, Vice Chairman of the Commission, chaired the meeting.

Bill Huston suggested that in order to keep the retirement fund solvent, errors should be paid for out of the general fund rather than from the retirement contributions of members and employers. Frank Flavin pointed out that the ARISA provisions are aimed at penalizing board members for improper investments rather than for improper payment of benefits. Greg O'Claray replied that nonetheless, the board cannot sit as a fiduciary and condone improper payment of benefits. They would have to correct the payment and collect the improper back payment unless there were provisions to the contrary in the law. Mr. Arnoldt repeated that he felt that this bill would be taking a wrong turn in the direction of retirement legislation. The national trend is in the other direction. Frank Flavin pointed out that the bill does not take away any present powers, it just states that after two years, the board's power

to act is limited. Mr. Fisher thanked Mr. Arnoldt for coming to the commission meeting and expressing his views.

Mr. Fisher asked the commission to consider when to schedule the next meeting. Wednesday, February 11 at 1:30 p.m. was selected. He adjourned the meeting at 3:40 p.m.

MEMBERS IN ATTENDANCE

Senator Bill Ray, Chairman
Don Fisher, Vice Chairman
Mike McMullen
Frank Flavin
Representative Jack Fuller
Lois Jund
Roger Thayer
Greg O'Claray
Robert Mourant
Doryce Eggleston
Sandra Withers
Bill Huston

OTHERS IN ATTENDANCE

Paddy Moriarty
Paul Arnoldt
John Logan
Ann Wolden

* * * * *

Temporary
State Em-
ployees
(hiring of)

HOUSE BILL NO. 697, by Rep. Bylsma. Would allow the state to hire temporary employees if the hiring of permanent employees for a work assignment of 120 days or less would result in "additional costs or the hiring of inappropriate individuals." Adds new section to AS 39.25 entitled "Procedure for Certain Nonpermanent Employees" which allows above exception to current prohibition on the hiring of temporaries contained in AS 39.25.195. Directs the Commissioner of a department that hires temporaries under provisions of bill to adopt regulations "to ensure that employees are appointed in the most efficient manner possible so that the needs of the department regarding these work assignments of 120 days or less are met. The regulations shall require that each employee meet the minimum qualifications established by regulation for a particular work assignment." Effective immediately.

Introduced January 27 and referred to Labor & Commerce and State Affairs.

Temp. State
Employees
(hiring of)

HOUSE BILL NO. 697, (see page 107). Reported back to the House on February 11 by Labor & Commerce with a majority of the committee recommending it be replaced with SUBSTITUTE and that it do pass. Rep. Rogers had no recommendation. To State Affairs.

Major difference between SUBSTITUTE and original is the addition of a new subsection to read: "Nothing in this section authorizes a commissioner or a department to use a nonpermanent employee to perform a given work assignment for more than 120 calendar days in a 12-month period or to employ any individual as a nonpermanent employee for more than 120 calendar days in a 12-month period."

Temp. State
Employees
(hiring of)

HOUSE BILL NO. 697, (see page 107;228). Reported back to the House March 19 by State Affairs as follows: Reps. Abood, Fanning and Metcalfe (Chairman) had no recommendation. To Rules.

page 502

Temporary
State
Employees
(hiring of)

HOUSE BILL NO. 697, (see pages 107;228;502). On March 22, at the request of Rep. Fuller, the bill was taken from Rules and returned to Finance.

Temp. State
Employees
(hiring of)

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 697 (L&C), (see pp. 107;228;502;551). Reported back to the House on April 14 by Finance with the committee recommending it be replaced with the Labor & Commerce SUBSTITUTE and a majority recommending it do pass. Signing do pass: Adams (Chmn.), Haugen, Bettisworth, Hurlbert, Carney, Chuckwuk, Fuller and Montgomery. To Rules.

April 15 the bill was before the House. The Labor & Commerce CS was adopted and the bill failed to advance to third reading, 25-12-2-1 (lacked the necessary 30 votes). Nays: Brown, uchholdt, Clocksin, Cotten, Duncan, Freeman, Grussendorf, Malone, M.iler, Moss, Rogers, Zharoff. Excused: Smith, Vaska. Absent: Gardiner.

April 15 the bill was automatically before the House in third reading. Rep. Rogers moved that it be returned to second reading for specific amendment, Am. No. 1. It adds to new 39.25.199, p. 3: "(d) The governor shall annually provide the legislature with a list of the positions filled under this section." The motion failed, 19-14-4-3. The bill then passed, 29-4-4-3. Nays: Brown, Duncan, Malone, Miller. Excused: Freeman, Haugen, Randolph, Smith. Absent: Gardiner, Metcalfe, Zharoff. The effective date was adopted. Rep. Duncsn gave notice of reconsideration of his vote, but it was not taken up the next day.

Temporary
State Em-
plovees

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 697 (L&C), (see pages 107;228;502;551;718). Received in the Senate April 19 and referred to Labor and Commerce.

Local Hire
(temporary
state jobs)

SCS FOR CS FOR HOUSE BILL NO. 697 (L&C), (see pages 107; 228;502;551;718;731). Reported back to the Senate May 7 by Labor & Commerce with a majority recommending it be replaced with a Senate substitute and that it do pass. The report was signed by Senator Mulcahy, Chairman and concurred in by Senators Fahrenkamp, Ziegler and Anderson.

Adds a new section to the State Personnel Act providing a hiring department or agency shall grant a preference to local residents in the appointment of temporary employees. If there are no residents on the eligible list or if residents are unavailable, referrals of qualified applicants may be obtained from the Job Service Office of the Dept. of Labor and from those applicants a qualified person who is a local resident may be selected for the temporary position. Provides that appointment of local hire temporaries does not require prior written approval.

On May 8 the Senate adopted the L&C substitute and the bill passed, 15-0-5. Excused: Bennett, Fischer, Gilman, Rodey, Sturgulewski. The effective date clause was adopted.



REP. JOHN G. (JACK) FULLER

Home
P.O. Box 689
Nome, Alaska 99762
(907) 443-2568

Write in Juneau
Pouch V
Juneau, Alaska
99811

(907) 465-3729

Alaska House of Representatives

Chairman
Special Committee on Subsistence
Vice-Chairman
State Affairs Committee
Member Legislative Council
Member Resources Committee

DISTRICT 22

January 14, 1981

Brevig Mission
Euckland
Deering
Diomedes
Eliot
Gambell
Groovin
Kotlik
Koyuk
Nome
Savoonga
Selawik
Shaktolik
Shishmaref
Stebbins
St. Michael
Teller
Unalakleet
Wales
White Mountain

Bob Pegau
ADF&G
P. O. Box 862
Nome, Alaska 99762

Dear Bob:

I got this by the Blue Ribbon Commission. They are going to recommend a change to the Governor and the Department of Fish & Game. I'll keep you posted on what happens.

Sincerely,

Rep. John G. (Jack) Fuller

Enclosure

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

JAY S. HAMMOND, GOVERNOR

P.O. BOX 852 - NOME 99762

January 5, 1981

Representative Jack Fuller
Box 689
Nome, Alaska 99762

Dear Jack:

As you requested at your and Senator Ferguson's meeting with the Fish and Game staff, the following are some of the problems we are experiencing hiring local residents for Fish and Game technician jobs.

Since the conversion of our temporary help to permanent seasonal positions, we must now hire from a list of eligible applicants on a statewide register, rather than through local Employment Offices. The net result is that normally we must hire someone from outside of the area, as they will be on the top of the list of available applicants. As a result, we usually end up having to pay the individual travel from and back to Fairbanks or Anchorage and often have to provide a subsistence or per diem payment while on the job.

Some of the reasons this happens include:

- 1) Registers are usually open for recruitment for limited periods of the year.
- 2) The time an individual must apply to get on a register is often months away from the time the job will be available.
- 3) Most people indicate they will work anywhere in the State because they know most Technician jobs are of short duration during the summer, and it is an adventurous experience for them. They don't expect to take the same job more than once or twice.
- 4) College students are looking for these type jobs for the experience and money and they will almost always rate higher on the register than someone living say at Gambell, with limited education and work experience.

Some possible solutions include:

- 1) Some preference for hiring local residents.
- 2) More flexibility in getting applicants rated and on registers, by allowing local Employment Offices to examine and rate applicants at the time jobs are actually being filled.
- 3) When it can be demonstrated that hiring a local resident will save the State money, measurably contribute to the success of the program, or provide a more efficient employee, that latitude be granted the employing agency.

Maybe an example will illustrate the problem, If we intended to place observers in Gambell, Savoonga Diomede, and Shishmaref to monitor marine mammal harvest and collect biological specimens this summer, here is what we would have to do. The positions would be Fish and Game Technicians I and III's and the registers are only open during December. So, during December we would have to try and contact individuals in those villages telling them to fill out State of Alaska employment applications, and be sure and turn them in for a job that won't start til May. As you know it is most likely that only a limited number of individuals in each village will actually fill them out and send in the application form. Also, anyone who happens to not get the word for whatever reason, but who would be available to work in the summer, obviously will not be on the register.

In April we ask for registers for the positions and find that there are over 100 names on the register, almost all from somewhere other than the four villages that we intend to station the positions. Even if there are individuals from the four villages, they will probably be rated much lower than several of the college students on the register, many of whom will take jobs if they are offered. So instead of hiring someone from the village, we have to hire someone out of Anchorage or Fairbanks, pay their travel to the job site and assist in locating housing for them. For the first two weeks they must spend most of their time getting to know the local hunters.

I should make it clear that I don't have anything against college students working for the Department as seasonal technicians, as they have proven to be exceptional employees, and they need the experience, not to mention money, to round out their education. There are simply some situations where local residents could be a decided advantage to the overall program.

In the past I've recommended hiring individuals in various villages, as part time Department employees to perform a variety of tasks such as, sealing furs, issuing harvest tickets, conducting subsistence surveys, recording harvest by village residents, be a contact person that residents of a village could go to for an explanation of regulations, or to voice their concerns about the effects of various Fish and Game regulations. However, I've backed off pushing the idea the last two budget submissions, because it is essential, for such a program to work, that I be able to hire residents of the individual villages.

There are several advantages to the individuals hired as permanent seasonal as opposed to the old temporaries, but the net result is that Fish and Game is less likely to hire someone from the local area now than we used to two years ago.

Regards,

Bob

Robert E. Pegau
Regional Supervisor
Division of Game
Nome

HB

208

1. 5-day ok

2. votes _____

3. amendments: capitol move issue

4. attendance _____

5. fiscal note \$ 810,700

6. Governor's bill

7. carrier: Andersen

COMMITTEE REPORT

HOUSE

2/9 Rules

(11)

FURTHER:

1/29/82

Date: 2/9/82

Mr. Speaker:

The Committee on FINANCE has had HB 708

"An Act making a supplemental appropriation to the New Capital Site Planning Commission; 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

Robert H. Byrd
Robert Carney Carney
James C. East
David L. Cuddy Cuddy
John H. Chocknut Chocknut
Russ M. McKinnis McKinnis
Ed M. Montgomery Montgomery

MEMBERS HAVING

OTHER RECOMMENDATIONS:

Don Thurston No Rec
Cash Fuller No Rec
Robert P. Jones No Rec

Robert P. Jones
 CHAIRMAN

HB 708

HB 708, introduced by Rules at the Request of the Governor, appropriates \$810,700 to the New Capital Site Planning Commission. This funding is in addition to the \$1,070,000 the commission received last session in HB 297. Both appropriations have an FY 83 lapse date.

The additional monies will cover staff and related costs from July 1, 1982 through December 31, 1982. Increased travel funds are also requested because the commission's budget must cover the travel costs of its ex-officio members. In addition, 384.4 of the total will enable the commission to continue with contractual work that is currently underway.

HB

209

PRIME SPONSOR: BEIRNE.
CO-SPONSORS: MARTIN, HALFORD.
STATUS: 3/22/92 IN () FINANCE

HB 709 HOUSE ACTION 14:59 1/02/82 PAGE 2 OF 2
DATE SEQ PAGE LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/22/82	01	0570	FIRST READING -- COMMITTEE REPORTS
03/05/82	02	0691	HESS -- CS94
03/22/82	03	0893	NOT MOVED FROM FIN COMM BY DIV 08-25-07 FINANCE RULES

Student Loans

*SSHB 709
Beirne, Martin, Halford*

*modification ok.
fiscal note - 3,180.0
finance 8 do pass
2 no rec
HESS 4 do pass*

*decrease undergraduate from 6,000 - 5,000
5 - 4 years total
interest from 5 - 6%
resident for 2 years
etc.*

COMMITTEE REPORT

HOUSE

4/2
Rule

(11)

FURTHER:

3/5/82

Date: Mar 30, 1982

Mr. Speaker:

The Committee on FINANCE has had SSHB 709

"An Act relating to scholarship loans; 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)

[X] replace with CS for SSHB 709 (FIN) [X] same title [] new title

and recommends do pass

[X] AND attaches a "Letter of Intent" [X] New Fiscal Note Supp 35

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Robert Adams Ch.
10 B Hillworth
John B. Fuller
Montgomery

Jan etc Mree
David P. Day do pass original bill

Robert P. Adams
CHAIRMAN

COMMITTEE REPORT

HOUSE

3/5

FURTHER: FINANCE

(5)

2/22/82

Date:

3/4/82

Mr. Speaker:

HEALTH, EDUCATION &

The Committee on SOCIAL SERVICES

has had ~~SSHB~~ SSB 709

"An Act relating to scholarship loans; 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 SSHB 709 (HESS) [] same title [] new title

and recommends do pass

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING

DO PASS

Bette Gatz

Stilly Smith

Larry Martin

Robert B. _____ Ch

MEMBERS HAVING

OTHER RECOMMENDATIONS:

Robert B. _____
CHAIRMAN