

ALASKA LEGISLATURE COMMITTEE FILES 1901-1902 0072

2064 SSA SB 167 - SB 174 2064

1 flyers, or other campaign material for or against any candidate, [OR]  
2 ballot proposition or question.

3 \* Sec. 9. AS 15.13.040(e) is amended to read:

4 (e) The report required under (d) of this section shall contain  
5 the name, address, principal occupation and employer of the individual  
6 filing the report, and an itemized list of expenditures. The report  
7 shall be filed with the commission [BY THE CONTRIBUTOR] no later than  
8 10 days after the [CONTRIBUTION OR] expenditure is made. [A COPY OF  
9 THE REPORT SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR  
10 DEPUTY CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

11 \* Sec. 10. AS 15.13 is amended by adding a new section to read:

12 Sec. 15.13.042. LIMITED CAMPAIGN ACTIVITY. (a) A candidate who  
13 does not intend to accept contributions or make expenditures which  
14 exceed \$250 in total value may file a report, upon a form prescribed by  
15 the commission, informing the commission of his intent. The report may  
16 be filed only once and may be filed either before or at the time the  
17 candidate's first report is due under AS 15.13.110. The report shall  
18 be certified as correct by the candidate.

19 (b) A candidate who accepts a contribution or makes expenditures  
20 which total more than \$250 after filing a report under (a) of this  
21 section loses his exemption from the reporting requirements of this  
22 chapter and shall file reports due under AS 15.13.110. The first  
23 report is due three days after the acceptance of a contribution or the  
24 making of an expenditure of more than \$250 by the candidate. A candi-  
25 date who receives an unsolicited contribution and returns the contribu-  
26 tion to the contributor within 72 hours of its receipt does not lose  
27 the exemption provided in this section.

28 \* Sec. 11. AS 15.13.050 is repealed and reenacted to read:

29 Sec. 15.13.050. GROUPS. (a) Each group, before making an expen-

1 diture on behalf of, or in opposition to, a candidate, or a contribution  
2 to a candidate, shall register, on forms provided by the commission,  
3 with the commission. If the group intends to support or oppose only  
4 one candidate, or to contribute to or expend on behalf of, or in  
5 opposition to, one candidate 50 percent or more of its funds, the name  
6 of the candidate shall be a part of the name of the group. Promptly  
7 upon receiving the registration, the commission shall notify the  
8 candidate of the group's organization and intent.

9 (b) A group that makes expenditures or receives contributions  
10 with the express or implied authorization or consent or is under the  
11 direct or indirect control of a candidate is considered to be con-  
12 trolled by the candidate.

13 (c) A group whose major purpose is to further the nomination or  
14 election of a single candidate or which intends to expend 50 percent or  
15 more of its money on a single candidate is considered to be controlled  
16 by that candidate and its actions considered to have been done with the  
17 knowledge and consent of the candidate unless, within 10 days from the  
18 date the candidate learns from the commission of the existence of the  
19 group, he files with the commission, on a form provided by the commis-  
20 sion, an affidavit certifying that the group is operating without his  
21 control.

22 (d) A group that contributes 50 percent or more of its money to  
23 or on behalf of a single candidate is considered to support only that  
24 single candidate for purposes of AS 15.13.070, whether or not control  
25 of the group has been disclaimed by the candidate.

26 (e) A group organized for more than one year preceding an election  
27 which endorses candidates for more than one office or candidates of  
28 more than one political party is presumed not to be controlled by a  
29 single candidate.

1 \* Sec. 12. AS 15.13.070(a) is amended to read:

2 (a) A [NO] person or group, including but not limited to all  
3 political committees, businesses, corporations, and labor unions, may  
4 not contribute [TO OR EXPEND] more than \$1,000 a year on behalf of or  
5 in opposition to a candidate [THE COMPETING CANDIDATES] for [EACH]  
6 elective office. Political parties and their subdivisions are not  
7 subject to the limitation prescribed in this subsection, but they are  
8 subject to the reporting requirements prescribed by AS 15.13.040(b) and  
9 15.13.110. Nothing in this chapter prohibits

10 (1) a candidate from contributing more than \$1,000 of his  
11 own money to his own campaign; or

12 (2) individuals or groups, including but not limited to all  
13 political committees, businesses, corporations, and labor unions, from  
14 contributing to or expending on behalf of a ballot proposition or ques-  
15 tion more than \$1,000 a year; however, these contributions and expendi-  
16 tures shall be reported in accordance with AS 15.13.040 and 15.13.110.

17 \* Sec. 13. AS 15.13.070(b) is repealed and reenacted to read:

18 (b) A person may not make and a candidate or group may not accept  
19 a contribution over \$100 in cash unless a receipt for the total amount  
20 is issued by the candidate or group and received by the person making  
21 the contribution. *Now \$100 is limit*

22 \* Sec. 14. AS 15.13.070(d) is amended to read:

23 (d) A [NO] contribution may not be made, and an [NO] expenditure  
24 may not be made or incurred, directly or indirectly, anonymously, in a  
25 fictitious name, or by one person or group in the name of another, to  
26 influence the election of a candidate in an election. A contribution  
27 made by a person wishing to remain anonymous, and received by a candi-  
28 date, campaign treasurer or deputy campaign treasurer, may not be used  
29 or expended, but shall be returned to the donor, if his identity is

*APC: delegates leaves if open account do cash account over \$1,000 thru repeated donations*

1 known, and if his identity is not known [NO DONOR IS FOUND], the contri-  
2 bution shall be [ESCHEATS TO THE STATE IF NOT] donated by the candidate  
3 to the charity of his choice. A candidate may accept contributions of  
4 \$5 or less without recording the name of the contributor.

5 \* Sec. 15. AS 15.13.090 is amended to read:

6 Sec. 15.13.090. IDENTIFICATION OF COMMUNICATION. (a) All advertise-  
7 ments, billboards, handbills, paid-for television and radio announce-  
8 ments and other communications intended to promote [INFLUENCE] a  
9 election of a candidate which are paid for by the candidate or the candi-  
10 campaign committee of the candidate [OR OUTCOME OF A BALLOT PROPOSITION OR  
11 QUESTION] shall be clearly identified by the words "paid for by"  
12 followed by the name [AND ADDRESS] of the candidate or campaign commit-  
13 tee of the candidate [, GROUP OR INDIVIDUAL PAYING FOR THE ADVERTISING.

14 IN ADDITION, CANDIDATES AND GROUPS MUST IDENTIFY THE NAME OF THEIR  
15 CAMPAIGN CHAIRMAN].

16 \* Sec. 16. AS 15.13.090 is amended by adding new subsections to read:

17 (b) All advertisements, billboards, handbills, paid-for television  
18 and radio announcements, and other communications not paid for by a  
19 candidate or the campaign committee of a candidate that are intended to  
20 support or oppose a candidate, a ballot proposition, a referendum, or a  
21 recall shall be identified by the words "paid for by" followed by the  
22 name of the group, individual, or person, together with a mailing  
23 contact address or telephone number.

24 (c) The commission may by regulation exempt from this section  
25 communications which in its judgment do not afford space for the  
26 identification required by this section.

27 \* Sec. 17. AS 15.13.100 is amended to read:

28 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS, AND REGISTRATION BE-  
29 FORE FILING. Political campaign contributions may be made or received.

1 and expenditures [NO POLITICAL CAMPAIGN EXPENDITURE] may be made or  
2 incurred by a candidate [PERSON] in an election, or by a person or  
3 group with the candidate's [HIS] knowledge and on the candidate's [HIS]  
4 behalf, before the date upon which the candidate [HE OR SHE] files for  
5 nomination for the office which he [THE PERSON] seeks. The contribu-  
6 tions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR FOR  
7 OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED AGAINST  
8 THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE SUBSE-  
9 QUENTLY FILES, AND] shall be included in the first report required  
10 under AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

11 \* Sec. 18. AS 15.13.110(b) is amended to read:

12 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and  
13 which is made within 10 days [ONE WEEK] of the election shall be re-  
14 ported to the commission by date, amount, and contributor [OR RECIP-  
15 IENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the candidate  
16 or campaign treasurer or deputy treasurer.

17 \* Sec. 19. AS 15.13.110 is amended by adding new subsections to read:

18 (f) The report required by (a)(3) of this section is the final  
19 report if at the time the report is made

20 (1) there is no outstanding debt or obligation;

21 (2) the campaign fund has been closed;

22 (3) the campaign has been concluded; and

23 (4) in the case of a group, the group has dissolved.

24 (g) Reports shall be filed as required by (a)(4) of this section  
25 by

26 (1) a candidate who has an outstanding debt or obligation  
27 until the debt or obligation is satisfied;

28 (2) a group that has an outstanding debt or obligation until  
29 the debt or obligation is satisfied or until the group is dissolved.

1 (h) When a final report has been submitted under this section,  
2 the duties of the campaign treasurer cease and there is no obligation  
3 to file further reports.

4 \* Sec. 20. AS 15.13 is amended by adding a new section to read:

5 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a  
6 violation of this chapter has occurred may file a complaint with the  
7 commission. If the commission determines that there is substantial  
8 reason to believe that a violation of this chapter has occurred, it  
9 shall expeditiously investigate the subject matter of the complaint.  
10 The investigation may include but is not limited to an investigation of  
11 the reports and statements filed with the commission by the complainant,  
12 if he is a candidate.

13 (b) If the commission determines, after notice and opportunity  
14 for a hearing, that a person has violated a provision of this chapter  
15 or a regulation or order issued under this chapter, the commission  
16 shall promptly report its determination to the attorney general for  
17 appropriate action.

18 (c) The commission shall report its determination to the person  
19 who filed the complaint within 60 days of receiving the complaint,  
20 unless circumstances require additional time to make an adequate inve-  
21 tigation.

22 (d) The determination of the commission on a complaint may be  
23 appealed to the superior court.

24 \* Sec. 21. AS 15.13.120(a) is amended to read:

25 (a) A person who violates a provision of this subsection [CHAPTER]  
26 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE  
27 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE  
28 THAN \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the  
29 following acts or omissions:

*reasonably  
complete*

1 (1) refusing or failing to make a statement or report re-  
2 quired to be made under this chapter [, OR FAILING TO MAKE A STATEMENT  
3 OR REPORT AT THE TIME THE STATEMENT OR REPORT IS REQUIRED TO BE MADE  
4 UNDER THIS CHAPTER];

5 (2) knowingly making a campaign contribution [OR EXPENDITURE  
6 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

7 (3) knowingly making a false statement or report under this  
8 chapter;

9 (4) giving or furnishing money to another person or groups  
10 for the purpose of making a contribution or expenditure anonymously, in  
11 a fictitious name, or in the name of another, or contributing in viola-  
12 tion of AS 15.13.070(d);

13 (5) making a communication to support or defeat a candidate  
14 without identification of sponsorship under AS 15.13.090(b) *applies to group*, IN  
15 VIOLATION OF AS 15.13.090];

16 (6) knowingly accepting a contribution in violation of  
17 AS 15.13.070.

18 \* Sec. 22. AS 15.13.120(c) is amended to read:

19 (c) Promptly after the final date for filing statements and re-  
20 ports, the commission shall notify all persons who have become delin-  
21 quent in filing them [, INCLUDING CONTRIBUTORS WHO FAILED TO FILE A  
22 STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make available a  
23 list of these delinquents for public inspection. The commission shall  
24 also report to the attorney general the names of all candidates and  
25 groups in an election whose campaign treasurers have failed to file the  
26 reports required by this chapter.

27 \* Sec. 23. AS 15.13 is amended by adding a new section to read:

28 Sec. 15.13.121. EFFECT OF CERTAIN CONVICTIONS. (a) If a success-  
29 ful candidate for the state legislature or for a seat on a city council

1 or borough assembly or for borough or city mayor is convicted of a  
2 misdemeanor described in AS 15.13.170(a)(1), (3), or (6), the eligi-  
3 bility of the successful candidate to hold the office to which elected  
4 shall be determined as to

5 (1) a member of the legislature under art. II, sec. 12 of  
6 the state constitution;

7 (2) a borough assemblyman under AS 29.23.060(c);

8 (3) a borough mayor under AS 29.23.130(f);

9 (4) a city councilman under AS 29.23.210(b);

10 (5) a city mayor under AS 29.23.255.

11 (b) When a candidate or a nominee is charged with a misdemeanor  
12 described in (a) of this section, the case shall be promptly tried and  
13 the case shall be accorded a preferred status by the courts to ensure a  
14 speedy disposition of the matter.

15 \* Sec. 24. AS 15.13.130(1) is repealed and reenacted to read:

16 (1) "candidate" means an individual who seeks nomination for  
17 election to, or election to, the state legislature, the office of  
18 governor or lieutenant governor, or municipal office, or who seeks  
19 retention in judicial office or nomination or election as a constitu-  
20 tional convention delegate; an individual shall be considered to seek  
21 nomination or election if

22 (A) he has taken the action necessary under the law of  
23 this state to qualify himself for nomination or election to an  
24 office;

25 (B) he has received contributions or made expenditures  
26 before filing for office;

27 (C) he has given his consent, implicit or explicit, for  
28 a person or group to receive contributions or make expenditures to  
29 bring about his nomination or election to office;

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(D) he has campaigned as a write-in candidate for office; or

(E) he is the subject of a recall election;

\* Sec. 25. AS 15.13.130(2) is amended by adding a new subparagraph to read:

(D) a contribution that is returned to the contributor within 72 hours of its receipt by a candidate or group;

\* Sec. 26. AS 15.13.020(c), 15.13.040(f), 15.13.070(f) and (g), 15.13.110(d), and 15.13.120(b) are repealed.

\* Sec. 27. ~~λ~~ This Act takes effect July 1, 1981. *Sec 1 + 10*

*adheres Jan 1, '82 effect.*  
*S*

PATRICK RODEY  
ANCHORAGE

601 W. 5TH AVE. SUITE 820  
ANCHORAGE, ALASKA 99501

Alaska State Senate  
JUNEAU, ALASKA 99811

DURING SESSION

POUCH V  
JUNEAU, ALASKA 99811

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M E M O R A N D U M

DATE: March 19, 1981  
TO: Members, Senate Special Committee on Legislative Reform  
FROM: Senator Rodey, Chairman *PRR*  
RE: Legislative Reform

This is to formalize the arrangements agreed upon at our last committee meeting a week ago. At that time consensus was reached that the different areas of reform - and relevant bills and resolutions - should be divided up among the members of the special committee. The assignments are as follow:

Senator Kelly - length of session: SJR 6/HJR 12  
appropriations: SJR 20  
legislative employees' salaries

Senator Fischer - ethics/APOC/financial disclosure:  
SB 167/SB 175/HB 107/ HB 153/HB 154

Senator Ray - terms of legislators: SJR 9/ SJR 24  
conference committees: SCR 1/HCR 3  
bill content/germaneness

Senators Rodey & Bennett -  
uniform rules changes: SCR 8  
legislative procedures: HB 155  
legislative contracts: HB 156  
joint finance committee  
public notice of committee meetings  
establishment of interim committees  
other miscellaneous: HJR 7/HJP 8/HB 109/HB 168

The idea is for members to review the proposals, collect the back-up and make recommendations to the full committee. I expect the committee to have completed its task by the end of April. In addition to informal meetings which may be called between now and then, the committee will be holding public hearings in Fairbanks on Saturday, April 11, and in Anchorage on Saturday, April 18. The League of Women Voters will also be conducting a conference on legislative reform on Saturday, April 25.

If there are any questions, please contact me. Thank you.

SECTIONAL ANALYSIS OF CSSB 167(SA) *work draft*  
"An Act relating to the Alaska Public Offices Commission..."  
Prepared by the Alaska Public Offices Commission -- May 5, 1981

Section 1: Amends AS 15.13.010(a) to clarify that a municipality voting on exemption from AS 15.13 is voting to exempt candidates (rather than "elected municipal officers"), persons, and groups active in municipal election campaigns. Also eliminates the present applicability of AS 15.13 to municipal candidates for service area boards or any local board or local commission which is advisory only.

Section 2: Amends AS 15.13.020(b) so that the fifth member of the Commission is appointed by the Governor (not by the other four members) without regard to party affiliation; does not specify that the members are subject to Legislative confirmation.

Section 3: Amends AS 15.13.020(d) to delete references to the fifth member of the Commission for consistency with new method of appointment in Section 2; retains present 5 - year term of commission members. (SB 167 proposed three year terms which would have made it impossible to prevent the terms of 2 members of the same party from expiring in consecutive years. Three - year terms would also diminish the commission's collective knowledge in gubernatorial election years unless members succeed themselves.)

Section 4: Amends AS 15.13.020(h) to make the selection of Commission vacancies consistent with the new method of original appointment established in Section 2.

Section 5: Amends AS 15.13.030(10) to make explicit the Commission's authority to issue orders. The existing language of 15.13.120(d) shows that the authority to issue orders was intended when it refers to "violation of a provision of this chapter, or a regulation or order issued under it....."

Section 6: Amends AS 15.13.040(a), replacing the present requirement to itemize all expenditures with a provision that only expenditures exceeding \$100 need to be reported by date, amount, and check number -- this provision would parallel the previously-authorized deputy treasurers to certify reports; presently the ability to certify is limited to the candidate and treasurer. Makes explicit the requirement to report unpaid obligations as expenditures in keeping with the definition of expenditure in .130(3).

Section 7: Amends .040(b)(3) to clarify that "contributions" on a group report are received by the group - the present language refers to both contributions and expenditures as being "made" by the group. Provides language consistent with Section 6 alleviating the detailed listing of expenditures of \$100 or less.

Section 8: Amends .040(d) to clarify that the requirements of this subsection do not apply to groups reporting under 040(b) e.g., PAC's. Eliminates language requiring that individuals submit a statement of contributions once they contribute in excess of \$100. (The Commission presently ignores this inconsistency with .080 and enforces the requirement to report once a contribution exceeds \$250.) Clarifies that an independent expenditure against a candidate is required to be reported.

Section 9: Amends .040(e) for consistency with Section 8 and eliminates a requirement to furnish the campaign with a copy of the independent expenditure report required by .040(d).

Section 10: Adds a new section to AS 15.13 allowing candidates who do not intend to accept more than \$250 in contributions and who do not intend to expend more than \$250 to file one certified exemption report. Specifies that the candidate who so files and later exceeds the limitations must report within three days but that returning an unsolicited contribution within 72 hours of its receipt will prevent loss of the exemption. For two years the Commission has, by regulation, allowed those who planned zero campaign activity to file a "Campaign Exemption Reporting Form." The process has been of benefit to both the Commission and many municipal candidates; the Commission asks that it be part of the Statute and that it include those whose plans call for limited financial activity.

Section 11: Housekeeping which amends AS 15.13.050 by transferring language from .130(3) (defining a political group) into the section which presently provides information about group requirements.

Section 12: Amends 15.13.070(a) by removing reference to expenditure limitations which no longer exist and removes confusion over the intent of the phrase "competing candidates." Does not address two things which may deserve further attention: 1) specifying that political party subdivisions are exempt from the \$1,000 limitation only so long as they are not, in actuality, acting as a candidate's campaign committee; and 2) clarifying in (a)(2) that initiative, referendum or recall petition efforts are not subject to the \$1,000 limitation.

Section 13: Amends 070(b) so that the recipient of a cash contribution in excess of \$100 must issue a receipt rather than -- as is presently the case -- refuse it or be in violation. The Commission feels that cash contributions exceeding \$100 should be allowable as long as a receipt is issued because there are areas of the state where facilities for purchasing money orders, cashier's checks or bank drafts are limited. Deletes the phrase "or by cash payment" which presently forbids purchasing with cash an item intended as a non-monetary contribution if the cost exceeds \$100.

Section 14: Amends .070(d) to allow a candidate to accept contributions of \$5 or less without recording the name of the contributor. The amendment appears harmless, but it creates a large "loophole" should an individual choose to circumvent the law. If this language were enacted, there would be nothing illegal about making a contribution of \$5 daily in addition to donating the \$1,000 maximum allowed by law. If the intent is to relieve the burden of bookkeeping at fund-raisers, the Commission's administrative regulation, 6 AAC 29.326, exempts the recording by name of those at fund-raisers so long as there are 25 or more paying participants and no one pays more than \$50.

<sup>+16:</sup>  
Section 15A Amends 15.13.090 concerning identification of communications so that a candidate need include only his or her name or that of the candidate's campaign committee in the identification but an individual, person, or group would be required to provide a name as well as an address or phone number. The Commission feels that the intent of .090 would be well served by alleviating some of the detail presently required of candidates on the items they pay for themselves but continuing to require that those not known to the public need to provide fuller identification.

~~Section 16:~~ Amends 15.13.090 by adding a new subsection which says the Commission can exempt small items from the identification requirements. The Commission has already promulgated such a regulation, 6 AAC 29.370.

Section 17: Amends 15.13.100 so that candidates are allowed to expend money before filing formally for office. The present language prohibits such expenditures except for personal travel and surveys or polls and has often caused candidates to violate the law inadvertently. The new language also clarifies that contributions may be accepted before filing and mentions the need to report such contributions and any expenditures on the first report required under 15.13.110.

Section 18: Amends AS 15.13.110(b) to eliminate the requirement to file reports of major expenditures (in excess of \$250) during the week prior to the election. Extends the time period during which major contributions must be reported from 7 to 10 days, thereby eliminating the 3 day gap between the present 7 Day reporting period and the 24 Hour reporting period. Increases the amount of time from 24 to 48 hours within which the reports of major contributions must be filed. Allows deputy treasurers to file 48 Hour reports consistent with changes in section 6.

Section 19: Amends AS 15.13.110 by adding a new subsection which names the 10 Day post-election report as the final campaign disclosure report if the campaign has closed and all debts are paid. Clarifies that year-end reports must be filed until any outstanding debt or obligation is satisfied.

Section 20: Adds a new section to AS 15.13 which is substantially the same as the present language in AS 15.13.120(d) concerning the the right of a person to file a complaint and specifying the Commission's responsibility to investigate such complaints.

Section 21: Amends AS 15.13.120(a), the criminal penalty section of the statute, in an effort to clarify specific violations which should be viewed as class A misdemeanors. The current language makes any violation of AS 15.13 a criminal offense.

Section 22: Amends AS 15.13.120(c) to clarify that the Commission should report to the Attorney General the names of both candidates and groups when they have failed to file a report. Deletes language requiring referral of contributors in keeping with changes in Section 9.

Section 23: Adds a new section to AS 15.13 which specifies the procedures for determining the eligibility of a successful candidate to hold office, if convicted of a misdemeanor. In conjunction with the repeal of .120(b), would eliminate the existing provision which says that the election of a successful candidate who violates the law is null and void but fails to suggest what procedures are to be undertaken, by whom in enforcement.

Section 24: Repeals and reenacts AS 15.13.130(1), expanding the definition of candidate to include not only those who file or campaign as write-ins, but also those who receive contributions or make expenditures, or who consent to such activities on their behalf.

Section 25: Amends AS 15.13.120(2) to exclude from the definition of "contribution" a contribution that is returned to the contributor within 72 hours of its receipt by a candidate or group.

Section 26: Repealers include:

- AS 15.13.020(c), the selection of the 5th Commission member by the other four;
- 15.13.040(f), the Statement of Contributions by contributors giving over \$100;
- 15.13.070(f) and (g), language on spending limits, found to be unconstitutional;
- 15.13.110(d), the Supplier of Services report; and
- 15.13.120(b), concerning eligibility of convicted candidates to hold office.

Finally, SB 167 would have repealed the 30 Day Pre-election report also. One of the major objectives of disclosure is to give the public access to information in a timely fashion, and requiring only one large report just before the election would mean that the information would not, in fact, be available before the election. Cutting down the number of reports would not eliminate their complexity; approval of sections 6 and 7 would be of more aid to those reporting, without diminishing the value of the information to the public.

CSSB 167(SA) makes no provision to rectify the current inconsistency between AS 15.13.120(e) which provides a four year statute of limitations for Campaign Disclosure violations and AS 15.56.131 which allows only one year for initiating prosecution of any violation in the Election Code. From Senate floor discussion in 1980 when the Election Code revisions were passed, it is clear that 15.56.131 was not intended to affect 15.13.120(e).

Perhaps something like the following would accomplish the task:

Section . AS 15.56.131 is amended to read:

Sec. 15.56.131. TIME LIMITATION. A prosecution for an offense described in the Alaska Election Code (AS 15.05 - 15.10 and 15.15 - 15.60) may not be maintained unless it is begun within one year after the date of the election in connection with which the offense is alleged to have been committed.

15.13

# STATE OF ALASKA

## ALASKA PUBLIC OFFICES COMMISSION

JAY S. HAMMOND, GOVERNOR

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POUCH CO  
JUNEAU, ALASKA 99811

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130 SEWARD STREET  
PHONE: (907) 455-4864 OR 455-3471

February 5, 1981

The Honorable Senator Tim Kelly  
Pouch V  
Juneau, Alaska 99811

Dear Senator Kelly:

The Alaska Public Offices Commission would like to express its appreciation for the opportunity to present its views regarding revisions to Alaska's Disclosure Laws. As you are aware, each year since its creation in 1974, the Commission has offered suggestions to eliminate many of the burdensome requirements while also safeguarding the public mandate for disclosure.

During the 1980 session the Legislature passed FCCS HB 230 which was eventually vetoed by the Governor. The Commission felt that a major portion of this Bill contained amendments which would solve many of the present criticisms; however, it also contained several sections which would have severely hampered the Commission's ability to monitor the 1980 elections, as well as, damaged the public perception of the stature of the Commission in years to come. Therefore, the Commission supported Governor Hammond's veto of FCCS HB 230.

It is the understanding of the Commission, however, that FCCS HB 230 will be used as the basic guideline for legislative changes to be made this session. Therefore, the following discussion includes the Commission's views on those sections of FCCS HB 230 which were found to be objectionable, areas the Commission supports and has expanded upon, and several further suggestions that were not addressed in the original Bill.

This discussion paper, in most instances, does not include specific language for the suggested revisions, but rather explains the problem and offers recommendations.

Senator Tim Kelly  
Page 2  
February 5, 1981

Should you wish further discussion of the comments offered herein,  
our staff will be happy to accommodate you.

On Behalf of

ALASKA PUBLIC OFFICES COMMISSION

RICHARD F. LISTOWSKI  
Chairman

RFL:NAC/jk

cc: Senator Vic Fischer  
Senator Bettye Farenkamp  
Senator Pat Rody

AMENDMENTS TO AS 15.13  
CAMPAIGN DISCLOSURE LAW

Sec. 15.13.010 (Re: Applicability)

Presently all candidates who run in a municipal race, in a city with a population of more than 1,000, must register and file with the APCC. On several occasions the Commission has received requests from various clerks regarding the applicability of AS 15.13 to candidates for Service Area Boards or members of an elective board who serve in an advisory capacity. According to the clerks it is often difficult to get people to run for these positions, the candidates spend no money, and the positions are strictly of an advisory nature. A review of the reports on file with the APOC shows that ninety-nine percent of the time there are no expenditures and that when expenditures are made, they average approximately \$10.

Having such candidates file the periodic reports or the statement that will be discussed under Sec. 042 later in this paper, appears to be meaningless. Therefore, the Commission recommends that language which eliminates filing by candidates for Service Area Boards and advisory boards be included.

Sec. 15.13.020 (Re: Selection of Commission Members)

FCCS HB 230 proposed that the current five-year terms of Commission members be reduced to three years. And, that the present process of selection -- recommendation by the two major political parties -- be eliminated.

The Commission opposes elimination of party recommendation. The current process gives credence to the ideology of a bi-partisan commission and guarantees the public appropriate input into the selection of individuals who will monitor the campaign process.

The Commission agrees that the Governor should confirm the remaining fifth Commission member. However, it suggests that the Governor appoint such a member from a list of two names submitted by the four members selected under .020(b). This mechanism would protect the independent and neutral status of this fifth position as well as respect the executive and legislative roles in the appointment process.

Reduction of the term length creates major problems. First, the initial selection process becomes somewhat confusing. In order to avoid the term of two members of the same political party from expiring in consecutive years, initial appointment would be as follows: One Democrat and one Republican serve an initial one-year term; one Democrat and one Republican serve an initial three-year term; the fifth position serves an initial two-year term. This system avoids the problem of consecutive expiration; however, it also means that two new members are appointed each year. Since the major elections are held every other year, the Commission could often find itself with two members who have relatively little knowledge regarding the complex issues of the campaign process and resulting disclosure.

Therefore, the Commission suggests amending this section by 1)

retaining the current process of political party input; 2) appointment of all members by the governor -- rather than only four; 3) confirmation of all members by the legislature; and, 4) retaining five-year terms with the provision of serving no more than one full term.

Sec. 15.13.030 (Re: Limitation on Regulations)

The new subsections contained in FCCS HB 230 to .030, do not prohibit the Commission from promulgating regulations, but these sections do limit the effectiveness of such. The Commission is aware that it must be cautious, especially once the campaign process has begun, not to change guidelines which will ultimately leave candidates unaware of the requirements. However, given the time it takes to promulgate regulations, such an amendment severely hampers the Commission's ability to clarify certain areas of the law in times when it can be proven that a specific need exists.

Sec. 15.13.042 (Re: Filing a Report of Limited or No Campaign Activity)

FCCS HB 230 included language which would allow candidates who did not intend to spend money or accept contributions to file a single report at the beginning of the campaign certifying zero monetary activity. The Commission suggests retaining this exemption provision but would include language allowing candidates to receive and spend up to \$250 before the periodic reports set out in Sec. 110 would be required.

Sec. 15.13.060 (Re: Certification of Reports)

Sec. 15.13.060 requires a candidate or group to appoint a campaign treasurer and states that the treasurer or the candidate is responsible for filing the necessary reports. This requirement has caused several problems, in that, there are often times when the candidate or a group treasurer is out of town on the due date. The group may have several deputy treasurers yet none has the authority to sign the report.

Therefore, the Commission suggests that appropriate language be included in Sec. .060 which allows a deputy treasurer to sign the reports in the absence of the candidate or group treasurer.

AS 15.13.070(b) (Re: Limit on Cash Contributions)

It has been brought to the attention of the Commission that the prohibition against cash contributions which are in excess of \$100 creates problems, especially for those in the bush areas. Often there are no facilities for purchasing money orders, cashier's checks or bank drafts.

Therefore, the Commission suggests that cash contributions in excess of \$100 be allowed; however, for any contribution in excess of this amount, the candidate or group is required to issue a written receipt. By issuing a receipt, the contribution gets into the system, the paper trail begins, and the possibility of the cash being inadvertently misplaced is minimized.

Sec. 15.13.070(d) (Re: Exemption from Recording Requirements)

An amendment offered in FCCS HB 230 to AS 15.13.070(d) allows candidates to accept contributions of \$5.00 or less without recording the name of the contributor. This amendment appears harmless enough; however, it does leave a very large "loophole," should an individual choose to circumvent the law. If this language were to be enacted, there would be nothing to prevent an individual from mailing a five dollar contribution on a daily basis to the same candidate in addition to donating the maximum amount allowed by the law. Such an amendment does not appear to be in line with the intent of the Act. If the impetus for inclusion of this exemption was to eliminate the recording of the names of contributors at events such as fund-raisers where the individuals in attendance are contributing small sums of money, please note that the Commission has adopted administrative regulation 6 AAC 29.326 which pertains to record-keeping requirements for fund raisers. This regulation eliminates the need to record the names of individuals donating to a fund-raiser so long as there are 25 or more persons in attendance and the cash amount received from any individual does not exceed \$50.00.

Sec. 15.13.090 (Re: Identification of Political Communications)

Sec. 15.13.090 has long been an area of criticism and concern. Presently all political advertisements must be identified with the words "paid for by" the name and address of the group and the name of the campaign chairman of the group. Many candidates and groups feel that if there is a billboard which states "Vote for John Smith," and the placard is paid for by John Smith's campaign committee, requiring a full trailer which gives the name, address and treasurer of the committee is unnecessary and tantamount to bureaucratic harassment.

However, the flip side of the coin is the advertisement which says "Vote Against John Smith" or "John Smith Opposes The Curb Your Dog Law," and the authors fail to appropriately identify who is sponsoring the communication.

This past election has given the citizens of Alaska an extensive education regarding "negative campaign" efforts. And, it remains essential that such advertising be properly identified so that the public has the appropriate information.

Therefore, the Commission would suggest .090 be separated into two categories. Category One would allow candidates or a candidate's campaign committee to identify all political communications in support of the candidate with the phrase "paid for by John Smith for House" or "paid for by the Committee to Elect John Smith."

Category Two would address all other groups or individuals paying for political advertisements. The identification on those advertisements must include the name of the group, as well as a contact address or phone number for the group.

FCCS HB 230 offered an amendment which 1) eliminated the 30-day pre-election report; 2) changed the 7-day pre-election report to a 10-day pre-election report; 3) eliminated reporting of expenditures during the 24 hour reporting period; and, 4) changed the 24 hour reporting period to a 48 hour reporting period. Although the Commission is in agreement with the latter two amendments, it strongly opposes elimination of the 30-day report and a change in the 7-day report.

This opposition is based on the following reasons: First, one of the major objectives of this or any disclosure law is to make information available to the public at a time when it will have the most impact. Eliminating the 30-day pre-election report and changing a 7-day pre-election report to a 10-day pre-election report means that major portion of the campaign activity information will be submitted just before the election. Given the vagaries of the mail system, it is quite possible that with the proposed changes, many reports will not reach the Commissions offices until a few days prior to the election. As campaign costs increase, so will the time it takes to audit the reports and distribute the information in a meaningful fashion.

Secondly, the 30-day pre-election report gives candidates and groups the opportunity to review the requirements and learn the proper method of reporting. This knowledge and experience helps to ensure that subsequent pre-election reports contain no major errors and that therefore, the public has access to accurate information.

The Commission is aware that many arguments have been raised in opposition to the number of reports required by AS 15.13. However, it is the opinion of the Commission that such criticisms are based on the complexity of the information required rather than the number of reports required.

The Commission has discussed this problem with its staff and feels that many of these problems are of an administrative rather than a legislative nature. The Commission has instructed staff to revise the reporting forms so that the following changes will be accommodated: elimination of itemization of expenditures which are less than \$100; revision of the reporting of accrued expenditures; and revision of the reporting of repayment of loans.

The only change the Commission would suggest to Sec. 110 would be to expand the 24 hour report (i.e., amendments to 48 hours) to include the 3 day period prior to the due date of the 7-day report. This 3 day period is presently uncovered by statute.

Sec. 15.13 120 (Re: Criminal Penalties)

FCCS HB 230 would no longer consider "making a communication to support or defeat a candidate without identification of sponsorship" a criminal offense. The Commission agrees that if a candidate fails to put the words "paid for by" on a flier or leaflet, it should not be considered a criminal matter, especially if the material distributed is supportive of a candidate. However, as shown by this past election there are individuals who will circulate material in opposition to candidates; this material is often fallacious, misleading and capable of

causing irrevocable injury to the candidate. When such communications are distributed without identification, the public has no basis for making a determination regarding the validity or intent of the sponsor, or of the candidate, bond proposition or ballot issue in question.

Therefore, the Commission suggests maintaining criminal sanctions for unidentified communications whether by an individual, group or candidate, if the purpose is to oppose a candidate, ballot issue or bond proposition.

FCCS HB 230 also reduces the Statute of Limitations for prosecution of a criminal act from four years to one year. The Commission strongly objects to such a revision primarily because the Commission is not an adjudicatory body. In many instances violations do not surface until several months after a report is filed. In off-election years only one report is required at the end of the calendar year. If there is substantial reason to believe a violation has occurred, the Commission's staff must make a preliminary investigation, forward its findings to the Commission, the Commission must hold a hearing -- or in some instances two (2) hearings, and only after this process has occurred may it forward a case to the Attorney General where the decision to dismiss or prosecute is made.

Hence, the Commission recommends the Statute of Limitations remain four years.

AMENDMENTS TO AS 24.45  
THE REGULATION OF LOBBYING LAW

AS 24.45.041(c) (Re: Required Photograph)

AS 24.45.041(c) makes reference to a photograph of the lobbyist which may be submitted. AS 24.45.041(e) indicates that the directory of lobbyists shall include such photographs if submitted. As few lobbyists have ever supplied a photograph, and as the directories are simply xerox copies of the registration statements -- making inclusion of any photo difficult -- the Commission suggests that all reference to lobbyist photographs be deleted.

AS 24.45.051 (Re: Reduction of Itemization)

Section 37 of FCCS HB 230 amends AS 24.45.051 to clearly state what lobbyists are required to report, although it does not expand what is currently required. The Commission recommends that this section be amended to the effect that the lobbyist need report only aggregate amounts received for the reporting period and the year, for both salary, fee or retainer and expense disbursements and reimbursements. Thus, the expense portion would not be itemized on the report, merely summarized; however, the expense total would reflect reimbursements or disbursements for the same items that now need be listed individually. This change is also suggested for employer reports required under AS 24.45.051. The Commission contends that such a change would foster simplification of the reporting requirements and thus encourage more timely compliance by those subject to the law. Further, the Commission does not feel that this proposed change would undermine the intent of the original legislation, as the most critical financial information would still be available to the public.

Sec. 24.45.081(a) (Re: Reporting Periods)

Section 24.45.081(a) as amended by FCCS HB 230 would provide for quarterly reporting periods for lobbyists whether or not the legislature were in session. The Commission recommends that the existing situation be maintained, that is: the lobbyist be required to report monthly for the period that the legislature is in session and quarterly thereafter. This suggestion is based on the fact that if lobbyists report only on a quarterly basis throughout the session, the legislative session will be well advanced (mid to late April) before any information concerning financial activity of lobbyists is available to the public. Such a situation is viewed by the Commission as counter to the intent of the Regulation of Lobbying Law.

A final recommendation by the Commission concerning changes to AS 24.45 relates to including in the law language for employers which is comparable to that which presently exists in Sec. 041 for lobbyists. Current language in .041 states that the Commission may not renew lobbying credentials until all previously required lobbyist reports have been filed. By not registering a lobbyist for any employer who did not file all previously required employer reports, the Commission would possess a reasonable yet effective tool with which to foster compliance with the Law.

AMENDMENTS TO AS 39.50  
THE CONFLICT OF INTEREST LAW

FCCS HB 230 contained only two sections amending AS 39.50. One of these amendments had been suggested by the Commission in prior years and continues to merit support; the other amendment is of dubious value. Beyond those two amendments, there are other areas of AS 39.50 which could be addressed and the Commission hopes will be addressed, particularly if it is the desire to develop an omnibus bill enacting a comprehensive review of the State's disclosure laws.

There is some "housekeeping" which will not be discussed here, except for general comments about the statute and the type of legislation it represents. Public expectation concerning the scope and jurisdiction of AS 39.50 is often disappointed because the title is a misnomer. AS 39.50 is a financial disclosure statute, not a "Conflict of Interest Law." Simply stated AS 39.50 does not define a Conflict of Interest, it doesn't prohibit Conflicts of Interest, and it doesn't provide any guidance to public officials specifying the actions necessary to remedy a Conflict of Interest. The title gives rise to expectations that are not met and which would be less likely if the title were accurate. As a financial disclosure law, AS 39.50 provides the public with access to information concerning the financial and business interests of key decision-makers on both the state and municipal level. The following discussion of amendments focuses on improvements to the existing financial disclosure law.

AS 39.50.020(a) (Re: Applicability)

In addition to concurring with the amendments proposed in FCCS HB 230 which would assure that all candidates will have Statements on file covering the same preceding year, there should be additional language requiring a termination Statement by those who leave a position which requires them to file. Presently, the public official who leaves government is not required to disclose financial and business interests for any part of the period he or she was in office since the previous Statement was filed. Thus, an official who resigns prior to the April 15th deadline for Statements covering the preceding calendar year can work a maximum of fifteen months for which financial disclosure is not required.

Two brief additions should be made to FCCS HB 230 concerning the fact that the requirement to file a municipal statement does not apply to the candidate for elective municipal office who has a current statement on file with the municipality in which he or she seeks office and that a state public official who files for state elective office is not required to file a statement at the time of becoming a candidate if he or she has a current statement on file with the Commission. The inclusion of such explicit language should be helpful in preventing the unfortunate situation of a candidate's declaration being invalidated due to simple confusion over the need to file a COI Statement.

Sec. 39.50.030(a) (Re: Contents of Statements)

Sec. 030(a) states that "...an asset or liability under \$500, household goods, and personal effects need not be identified." The Commission recommends that this threshold be raised to \$1,000 as current economic conditions make assets or liabilities under \$1,000 of minimal value for public disclosure purposes. Further, this higher threshold is consistent with the "source of income" threshold the Commission is addressing in a later section of this discussion paper.

Sec. 39.50.030(b) (Re: Contents of Statements)

Section 46 of FCCS HB 220 eliminated requirements that public officials include in their Statements information concerning a non-dependant child. On the surface, that might appear to be sensible; however, the complete phrase in the statute is "a non-dependent child who is living with him," and, if only the words "or non-dependent child of his" are removed, the phrase "who is living with him" then modifies spouse or dependant child. The Commission is of the opinion that the financial concerns of an official's spouse or dependant child should be reported notwithstanding permanent residency status. Thus the Commission recommends that the entire phrase "or non-dependent child of his who is living with him" be removed from Sec. 030(b) where it appears.

Sec. 39.50.030(b) (1) (Re: Reporting Income over \$100)

Currently, public officials or candidates must report the source of all income over \$100, including capital gains, whether or not taxable, received by him or his spouse or children during the preceding calendar year. The Commission contends that this low threshold makes the reporting very burdensome for some individuals subject to the law without actually providing critical financial information. Further, the Commission asserts that by increasing the threshold to \$1,000, truly significant sources of income would not be obfuscated by the inclusion of income sources of limited value.

Sec. 39.50.030(b) (6) (Re: Loans or Loan Guarantees)

This subsection presently requires the reporting of only personal loans to the official and family members as indicated. Given the emphasis on the need to report business interests (i.e., partnership, professional corporation, and corporation in which there is controlling interest) in other sections of this law dealing with sources of income, contracts, and leases, this subsection should be amended to include the requirement to report the same information about business loans, loan guarantees, and creditors.

Sec. 39.50.030(b) (7) (Re: Contracts)

Subsection (7) as presently written requires State and municipal officers to report contracts they hold with the state, but not contracts they hold with the municipality. One could hardly believe that this

situation was intended; it must have been a drafting oversight. A municipal official's contract relationship (if any) with the municipality he or she serves is critical to adequate disclosure. Such could also be the case in situations in which a state official makes state funding allocation decisions regarding municipalities with which he or she has a contract. Therefore, the Commission suggests that the definition of "instrumentality of the state" be amended to include municipalities.

Sec. 39.50.050(d) (Re: Publishing of Reports)

In six years of experience there has never been a request for a copy of all the contents of all Statements; "publishing" all 500 plus Conflict of Interest Statements would only be wasteful. If a section concerning accessibility of the Statements is desirable, it should reflect the current practice of making copies of particular Statements upon request for the regular copying charge.

New Section Needed (Re: Municipal Officers)

As 39.50 does not provide for penalties for failure to report by municipal officers as it does for state public officials in sections .070, .089, .110, .120 and .130. The only penalty provision which applies to municipal officials provides a civil penalty for late filing. Short of the potential dangers of a charge of "wilful violation" under section .050, it would appear that a municipal official who doesn't file at all is in less jeopardy than one who simply files late.

S

B

170

POSITION PAPER

SENATE BILL NO. 170

"An Act making special appropriations to the Department of Administration for capital expenses related to telecommunications; and providing for an effective date."

SB No. 170 provides \$5,123,000 to the Department of Administration for purchase of small earth stations; purchase of mini-transmitters to provide instructional television; purchase of mini-transmitters to extend the television demonstration project; incidental upgrading of existing earth stations, other facilities related to the mini-transmitters; and lease costs for a satellite television transponder.

The Department of Health and Social Services recognizes the need for this bill as it relates to the Instructional Television Network. The Department believes that instructional television is necessary to provide more educational opportunities to children and adults throughout Alaska. The Department anticipates using this system to provide training and educational programs on health and social service related issues.

Recommended by: David Bruce  
David Bruce, Deputy Director  
Division of Public Health

Date: April 28, 1981

Approved by: Helen D. Beime  
Helen Beime, Commissioner

Date: 4/29/81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SENATE BILL #170  
 Title "An Act making special appropriations..related to telecommunications."  
 Requested by Commissioner's Office Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
 Program Category Affected Health/Division of Public Health  
 BRU, Program, or Subprogram(s) Affected Emergency Medical 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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

IV. DATE April 27, 1981 PREPARED BY Mark Johnson  
 AGENCY Emergency Medical Services  
 PHONE 465-3027  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (Last Legislator Named) M&B Approval [Signature] Date 4/28/81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. S.B. 170  
Title An Act Making Special Appropriations to DOA for Telecommunications  
Requested by Senator Fischer Date 4/20/81

II. FISCAL DETAIL

Agency Affected Administration  
Program Category Affected General Government  
BRU, Program, or Subprogram(s) Affected Telecom Systems and 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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		168.9	185.8	204.4	224.8	247.3
200 TRAVEL		30.9	34.0	37.4	41.1	45.2
300 CONTRACTUAL		30.6	33.7	37.0	40.7	44.8
400 COMMODITIES		53.5	58.9	64.7	71.2	78.3
500 EQUIPMENT		64.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>348.7</b>	<b>312.4</b>	<b>343.5</b>	<b>377.8</b>	<b>415.6</b>

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		348.7	312.4	343.5	377.8	415.6
FEDERAL FUNDS						
OTHER (Spec v Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		4.0	4.0	4.0	4.0	4.0
PART TIME						
TEMPORARY						

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

A total of four positions will be required as a result of S.B. 170. Three Electronic Technicians are required to service and maintain the additional equipment (based on one technician for 75-100 additional pieces); and one Supply Officer to work in the area of ordering, paying for, and maintaining records on the equipment included in this bill. First year (FY 82) costs include one-time maintenance and office equipment purchases. Costs beyond FY 82 are calculated at a 10% inflation factor.

IV. DATE 4/23/81 PREPARED BY Judy Crondahl  
AGENCY Administration  
PHONE 465-2277

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named) Senator Ferguson  
Keith Specking

1	POSITION TITLE Supply Officer IV				RANGE/STEP 19A	BARG. UNIT. G	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		JUSTIFICATION: Passage of this bill will greatly increase the responsibility of the Supply function in the Department of Administration. This position is required to handle the initial purchase and payment of the equipment for which funds are to be appropriated, in addition to maintaining the day to day records for property control purposes. Specifically, it will prepare requisitions, recommend bid specifications, obtain bid proposals, let contracts, supervise inventory and maintain records pertaining to location, use and condition of equipment.				
	1	2	3							
4	PERSONAL SERVICES:									
	SALARY	2837/mo	34,044							
5	BENEFITS	15.79%	5,376							
6	FICA		2,004							
7	HEALTH INS.		1,800							
8	TOTAL PERSONAL SERVICES	01	43.2							
9	TRAVEL	02	1.5							
10	CONTRACTUAL	03	9.0							
11	COMMODITIES	04	1.0							
12	EQUIPMENT	05	1.8							
13	OTHER									
14	TOTAL COST		56.5							
	CODE	FUNDING SOURCE								
15		FED RCPTS. 1002								
16		GF MATCH. 1003								
17	100	GEN. FUND 1004		56.5						
18		I-A RCPTS. 1005								
19		PGM RCPTS 1028								
20		OTHER								
21	CONTINUATION									
22	ADDITION			FOR B&M USE ONLY						
AA KEY NUMBER		COLUMN NO.								

AGENCY Administration PROGRAM Centralized Admin. Services

BRU Administrative Services

COMPONENT Fiscal/Personnel

Page \_\_\_\_\_ of \_\_\_\_\_

REVISED DATE \_\_\_\_\_

**13 REQUEST FOR NEW POSITION.**

**82**

1	POSITION TITLE Electronic Technician (3 PFT positions)			RANGE/STEP WG II	BARG. UNIT. LTC	LOCATION Anchorage	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12 ea.	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG		
3	TYPE OF EXPENDITURE			AMOUNT		<b>JUSTIFICATION:</b> There will be a considerable amount of equipment added to the Division's responsibilities as a result of this bill. The Division estimates that 75 to 100 pieces of equipment can be serviced by one technician; therefore three positions will be required.  These positions will require an FCC first or second class license and will have to be familiar with equipment and technology used in the communications field and will require considerable travel. Equipment costs include 14.0 for a service monitor and 7.0 for an oscilloscope for each position in FY 82 only.  The cost for 3 positions is as follows: Personal Services            125.7 Travel                            29.4 Contractual                    21.6 Commodities                   52.5 Equipment                      63.0 Total                              292.2			
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY		31,871						
5	BENEFITS		6,119						
6	FICA		1,838						
7	HEALTH INS.		2,040						
8	TOTAL PERSONAL SERVICES		01	41.9					
9	TRAVEL		02	9.8					
10	CONTRACTUAL		03	7.2					
11	COMMODITIES		04	17.5					
12	EQUIPMENT		05	21.0					
13	OTHER								
14	TOTAL COST			97.4					
	CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17	100	GEN. FUND 1004		97.4					
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER		COLUMN NO.							

AGENCY Administration PROGRAM Telecommunications

BRU Support to State Agencies

COMPONENT Telecommunications Systems

**13** REQUEST FOR NEW  
POSITIONS

**FY 82**



# Alaska State Legislature

## Senate

Official Business

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Fischer, Chairman  
Senate State Affairs Committee

FROM: Senator Ferguson *JRF*

DATE: April 24, 1981

SUBJECT: Proposed CS for SB 170  
Telecommunications

I have attached a proposed Committee Substitute for SB 170 for your consideration.

My original bill was an attempt to provide funds for those telecommunications projects which were vetoed by the Governor last year. After further research, I discovered that many of the projects I was proposing funding for were duplicates of present services.

This proposed committee substitute has a slightly different intent, which I feel approaches the State's telecommunications needs in a logical forthright fashion. The intent of this bill is to provide instructional television (ITV) and to extend the television satellite demonstration project (TVDP) to every Alaskan community with at least 25 permanent residents, who want this service. The exception to this are those communities which presently receive commercial service. Under this bill, these communities would only be provided with ITV, in order to avoid State competition with private enterprise.

Following is a sectional analysis of the proposed CS:

### Section 1

(1) This subsection would provide television receive only (TVRO) earth station, plus two mini-transmitters at \$79,000 per community.

(2) This subsection would provide TVRO and one mini-transmitter at \$65,000 per community. No television demonstration project is requested because these communities are in the Grade B transmission areas of commercial stations.

(3) This subsection would provide TVDP and two mini-transmitters at \$26,500 per community. These communities already have an earth station.

(4) This subsection would provide one mini-transmitter to enable these communities to get TVDP. All these communities have, or are funded for, ITV. The total of 46 communities includes 26 Alascom owned earth station sites, \$14,000 each (does not include Alascom's \$572 monthly lease/maintenance fee), and 20 state owned earth station sites, at \$16,000 each (includes receiver).

(5) This subsection would provide one additional mini-transmitter to provide ITV at a cost of \$14,000 per community (does not include Alascom's \$572 monthly lease/maintenance fee). These communities have earth stations and currently receive TVDP programming.

(6) This appropriation would provide funds for distribution of ITV in the urban centers of Anchorage, Fairbanks and Juneau which presently receive no state funds for this purpose.

(7) This appropriation would provide funds for reimbursement to the North Slope Borough for expenses incurred for equipment and installation costs of mini-television in Atkasuk. Break-down is: 1 each M/R modified satellite receiver at \$2,286, 1 each broadcast antenna and necessary attachments at \$340, 8 hours install technician time at \$200, 8 hours rigger time at \$200, 2 each RT transportation for \$280.

(8) This appropriation would provide 6 receivers at \$6,000 each. This will take TVDP off the microwave circuit, leaving it open for KTOO programming. The receivers will be installed at TVRP each stations funded for ITV under last years SB 165.

(9) This appropriation would provide funds to relocate the Nome Mini-TV antenna from its present location at the Alascom building to a new location at the community college. Presently, the local residents experience extreme difficulty in receiving a distinguishable signal. The appropriation would provide service as it was originally intended to at least 90% of the local user population vs. the existing 10% - 15% direct service viewers.

(10) This appropriation would provide funds for telecommunications equipment in several Southeastern logging communities. These communities all have state supported schools and are stable communities with 20 to 30 year life spans. It would

be my intent in including these communities in this bill that these communities (most probably the logging company in charge of the operation) be responsible for moving the telecommunications equipment to their new location when they relocate.

(11) This appropriation would provide funds to replace 2 out-dated TV translators (which need continuous maintenance and frequently break down) in the Upper Susitna Valley. This appropriation would also provide ITV for Talkeetna and Trappers Creek and will serve a minimum of 200 people.

(12) This appropriation would provide funds for a TV transmitter antenna and building at Tolsona Hill, which would serve over 90 people. Break-down: building to house equipment (current one is a deteriorating shack with wind bombardment) for \$6,000, transmitter for \$8,000, tower for \$5,000, gravel pad for building and road upgrade for service maintenance access for \$5,000 and freight/wiring for \$1,000.

(13) This appropriation would provide funds for a WGN tie-in for King Mountain TV. This will serve over 30 year-round residents with a heavier population of 100 in the summer.

(14) This appropriation would provide funds for an uplink and radio station in Unalakleet, which would serve over 600 people. This would vastly improve communications for Unalakleet.

(15) This appropriation would provide funds to the University of Alaska in Anchorage, Fairbanks and Juneau, for a 2-way cable distribution system for ITV. The LEARN/Alaska Instructional Telecommunications Networks would be substantially strengthened for on and off-campus use.

(16) This appropriation would provide funds for a down-link from Dillingham to Sand Point. This would replace the request for a separate public radio station at Sand Point. Residents of Sand Point strongly support the concept of satellite radio.

(17) This appropriation would provide funds for critically needed emergency medical service communications equipment for KOTZ. Break-down: equipment for KOTZ for \$10,500, tape recorder cabinet for \$400, turntables (4) for \$800, audio console boards (2) for \$18,000, bearcab scanner for \$300, utility tower for \$1,000, cart machine for \$2,700, tape machines (5) for \$13,500, program timers (3) for \$830, technic decks (3) for \$2,100, recorder couples for \$600 and transmitter refit equipment for \$3,300.

Section 2. This section would provide purchase of additional commercial television programming services for urban areas, to prevent periodic rural television transmission blackouts.

Section 3. This section would provide a toll-free number to all legislators while the legislature is in session.

Section 4. This section would provide funds for the production of programming in all academic subject areas. This would be revolutionary in the improvement of the educational quality in Northwest Arctic School District. One of the obstacles to improving education in small village school has been limited teaching staff. A fully developed ITV program would immeasurably supplement the existing curriculum. In addition, this section would provide funds for production of programs on Inupiaq art, language and heritage. Preservation of the Inupiaq skills is at a critical time and the funds will enable the Northwest Arctic School District to document and perpetuate their skills and values through the Inupiaq Heritage Program.

Original sponsors: Ferguson, Sackett,  
Hohman and Mulcahy

<u>Funding Information</u>	
General Fund	\$14,637,280
Other Funds	-0-
	<u>\$14,637,280</u>

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 170 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations to the Depart-  
7 ment of Administration for telecommunications; and  
8 providing for an effective date."

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

10 \* Section 1. The sum of \$10,379,280 is appropriated from the general  
11 fund to the Department of Administration, division of telecommunications  
12 systems, to be allocated as follows:

13 (1) \$3,476,000 to purchase and install equipment to extend in-  
14 structional television and, if comparable commercial broadcast service is  
15 not available, to also extend the satellite television demonstration project  
16 to Anderson, Bettles, Big Lake Louise, Birch Creek, Brevig Mission, Chignik  
17 Bay, Chauthbaluk, Clarks Point, Ekuuk, Eek, Elfin Cove, English Bay,  
18 Ernestine, Gakona, Girdwood, Goodnews Bay, Gustavus, Hope, Hyder, Kasigluk,  
19 Kasilof, Klawock, Kokhanok, Kwethluk, Levelock, Naknek, Napaskiak, Newhalen,  
20 Pitkas Point, Lower Kalskag, Manokotak, Metlakatla, Meyers Chuck, Moose  
21 Pass, Port Moller, Portage Creek, Quinhagak, Scammon Bay, Sheldon Point,  
22 Tuluksak, Tuntutuliak, Wales, White Mountain, and Wiseman.

23 (2) \$845,000 to purchase and install equipment to extend in-  
24 structional television to Anchor Point, Big Lake, Eagle River, Homer,  
25 Houston, Kenny Lake, Ninilchik, Palmer, Seldovia, Sterling, Sutton, Wasilla,  
26 and Willow.

27 (3) \$742,000 to purchase and install equipment to extend instruc-  
28 tional television and, if comparable commercial broadcast service is not  
29 available, to also extend the satellite television demonstration project to

1 Adak, Alakanuk, Chefornak, Chignik Lagoon, Chignik Lake, Central, Circle,  
2 Crooked Creek, Ekwok, Galena, Hooper Bay, Igiugig, Ivanoff Bay, Kasaan,  
3 Kotlik, Kwigillingok, Manley Hot Springs, Minchumina, Newtok, Nightmute,  
4 Pedro Bay, Pilot Station, Point Baker, Port Alsworth, Russian Mission,  
5 Stevens Village, Sparrevohn, and Tununak.

6 (4) \$684,000 to purchase and install equipment to provide the  
7 satellite television demonstration project for Akhiok, Akutan, Aleknagik,  
8 Aniak, Arctic Village, Atka, Beaver, Buckland, Chevak, Cold Bay, Craig,  
9 Deering, Dot Lake, Eagle Village, Egegik, Elim, False Pass, Golovin, Iliamna,  
10 Karluk, King Salmon, Klukwan, Kobuk, Kongiganak, Koyuk, Marshall, Mentasta  
11 Lake, Nelson Lagoon, New Stuyahok, Nikolski, Nondalton, Northway, Ouzinkie,  
12 Pelican, Port Lions, Rampart, Red Devil, Shaktoolik, Shishmaref, Saint  
13 Mary's, Saint Michael, Skagway, Stebbins, Teller, Tok, and Tooksook Bay.

14 (5) \$238,000 to purchase and install equipment to provide in-  
15 structional television for Allakaket, Atkasuk, Cantwell, Chalkyitsik,  
16 Chitina, Cooper Landing, Kaltag, King Mountain, Kipnuk, Koliganek, Mekoryuk,  
17 Meshik, Perryville, Pilot Point, Point Lay, Port Graham, and Sleetmute.

18 (6) \$300,000 for local distribution of instructional television  
19 in Anchorage, Fairbanks, and Juneau.

20 (7) \$3,850 to reimburse the North Slope Borough for expenses  
21 incurred in purchasing and installing mini-television in Atkasuk.

22 (8) \$64,000 to purchase and install receivers and mini-TV trans-  
23 mitters to provide the television demonstration project via satellite for  
24 Angoon, Kake, Petersburg, and Wrangell. *4 or 6*

25 (9) \$20,000 to relocate the Nome television transmitter to the  
26 community college in order to increase the broadcast of usable reception.

27 (10) \$948,000 to purchase and install equipment to extend in-  
28 structional television and, if comparable commercial broadcast service is  
29 not available, to also extend the satellite television demonstration project

1 to the following logging communities: Coffman Cove, Corner Bay, Eight  
 2 Fathom Bight, Freshwater Bay, Labouchere Bay, Big Naukati, Naukati Bay, Port  
 3 Alice, Rowan Bay, Saint John Harbor, Thorne Bay, Tuxekan Bay, and Whale  
 4 Pass.

5 (11) \$30,000 to replace the existing inoperable television trans-  
 6 lator in the Upper Susitna Valley to improve service and provide instruc-  
 7 tional television for Talkeetna and Trappers Creek.

8 (12) \$25,000 for a television transmitter antenna and building at  
 9 Tolsona Hill.

10 (13) \$10,000 to provide King Mountain with a tie-in to WGN.

11 (14) \$462,00 for an uplink and radio station in Unalakleet.

12 (15) \$1,558,400 to the University of Alaska for

13 (A) the purchase and installation of a two-way cable distri-  
 14 bution system for instructional television on the campuses of Anchorage,  
 15 Fairbanks, and Juneau; and

16 (B) the purchase and installation of a monitor system for  
 17 instructional television in Juneau and Fairbanks.

18 (16) \$30,000 for a downlink for Dillingham to Sand Point.

19 (17) \$54,030 for emergency medical service communications equip-  
 20 ment for KOTZ.

21 (18) \$14,000 for the television demonstration project for Ketchikan  
 22 and Sitka.

23 + (19) \$325,000 for broadcast audio and video routing capability for  
 24 all committee rooms in the State Capitol.

25 + (20) \$550,000 for dual <sup>Microwave</sup> ~~transponder~~ transmission capability from  
 26 the State Capitol statewide.

27 \* Sec. 2. The sum of \$1,008,000 is appropriated from the general fund to  
 28 the Department of Administration, division of telecommunications systems,  
 29 for the purchase of additional commercial television programming services

1 for urban areas, in order to prevent periodic rural television transmission  
2 blackouts during the fiscal year ending June 30, 1982.

3 \* Sec. 3. The sum of \$2,500,000 is appropriated from the general fund to  
4 the Department of Administration, division of telecommunications systems,  
5 for a toll-free telephone number to all state agencies.

6 \* Sec. 4. The sum of \$750,000 is appropriated from the general fund to  
7 the Department of Administration, division of telecommunications systems,  
8 for instructional television programming for the Northwest Arctic Regional  
9 Educational Attendance Area.

10 \* Sec. 5. The appropriations made by secs. 1 and 3 of this Act are for  
11 capital projects and are subject to AS 37.25.020.

12 \* Sec. 6. The unexpended and unobligated portions of the appropriations  
13 made in secs. 2, 4 and 5 of this Act lapse into the general fund June 30,  
14 1982.

15 \* Sec. 7. This Act takes effect July 1, 1981.

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SB 170

Appropriations HOUSE BILL NO. 138, by Reps. Adams and Hurlbert. Appropriates  
(special) a total of \$5,123,000 from the general fund to the Department of  
Administration, Div. of Telecommunications Systems for various  
expenses related to telecommunications, as follows:

- purchase of small earth stations - \$1,340,000
- purchase of mini-transmitters to provide instructional television - \$1,187,500
- purchase of mini-transmitters to extend the television demonstration project - \$1,137,500
- incidental upgrading of existing earth stations & other facilities related to the mini-transmitters purchased - \$450,000
- lease costs for a satellite television transponder - \$1,008,000

States that the appropriations are for capital projects and are subject to AS 37.25.020 (they do not lapse). Provides Act effective July 1, 1981.

Introduced February 11 and referred to Labor & Commerce then to Finance.

WICHE  
Program  
(fields of  
study)

HOUSE BILL NO. 139, by the Rules Committee by request of the Governor. Amends AS 14.40.685 which relates to the provision, by the state, of adequate services and facilities in certain fields of study under the Western Interstate Commission on Higher Education exchange program. Deletes dental hygiene, and adds maritime technology. See Governor's letter below for further explanation. (HB 110, p. 181 amends the same section.) Provides Act effective immediately.

Introduced February 11 and referred to Health, Education and Social Services.

In his message transmitting the bill to the House for consideration, Governor Hammond stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill which would amend AS 14.40.685 to delete dental hygiene as a WICHE exchange field, and to add maritime technology as a WICHE exchange field for Alaska.

At their December 1980 meeting, the states who are members of the Western Interstate Commission on Higher Education (WICHE) removed dental hygiene as an exchange field. Therefore, this bill would remove the reference to dental hygiene from AS 14.40.685.

WICHE has added maritime technology to its Student Exchange Program, and the member states must decide whether to sponsor students in this field. The California Maritime Academy is the only institution in the 13 western states that will be offering this program. The Alaska Commission on Postsecondary Education and the Alaska WICHE commissioners endorse the addition of this field of study in the WICHE program.

Since graduates of the maritime technology program would be employed in the merchant marine and tanker industry, they would be able to put their knowledge to valuable use in the state. I urge the enactment of this legislation.

Longevity  
Bonus  
(increasing)

HOUSE BILL NO. 140, by Reps. Duncan, Adams, Buchholdt, Chuckwuk, Clocksin, Cotten, Fuller, Gardiner, Grussendorf, Halford, Hayes,

S

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1744

# ALASKA POWER AUTHORITY

## MEMORANDUM

TO: Senator Frank Ferguson  
Alaska State Legislature

FROM: Eric P. Yould  
Executive Director  
Alaska Power Authority

DATE: February 11, 1981

SUBJECT: Power Production Cost  
Assistance Program

As you requested, the following information illustrates the additional funding needed to insure that the Power Production Cost Assistance Program is fully funded through the present fiscal year. The approximately \$1.4 million with which the program commenced operations was one-half of the original appropriation, due to an executive veto. The details below include the \$796,345 remaining in the fund for the calculation to determine the additional \$1,050,000 necessary to avoid discontinuance or reduction of this program before the end of the fiscal year.

1. Probable Monthly Payments to Utilities Currently Participating	\$ 273,000
2. Possible Monthly Payments to Utilities Planning to Participate, Including Nome, North Slope Borough, Manley Hot Springs, and Village of Takotna	<u>75,000</u>
3. Subtotal <i>Wrangell</i>	\$ 348,000
4. Months Remaining	<u>5</u>
5. Funds Required	\$ 1,740,000
6. Less Funds Available *	( <u>796,345</u> )
7. Funds Presently Lacking	\$ 943,655
8. Contingency Funds 10% **	<u>94,365</u>
9. Additional Appropriation Necessary	\$ 1,038,020
	or approximately <u>\$1,050,000</u>

\* - Includes payments approved but not yet disbursed.

\*\* - Contingency for payments to utilities which might participate, but which have not yet started the application process.

*AVEC (10-50 million) - 100 130  
7-11 sep 81  
Kad  
copy  
Kad*

*11/20/81  
copy  
McBride  
11/20/81*

*Unallocated -  
funding request.*



Official Business

# Alaska State Legislature

## Senate

Pouch V  
State Capitol  
Juneau, Alaska 9981

TO: Vic Fischer  
Chairman, Senate State Affairs Comm.

FROM: Senator Frank R. Ferguson

DATE: February 16, 1981

SUBJECT: SB 174

Attached is the back-up for SB 174.

# ALASKA POWER AUTHORITY

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TO: Senator Frank Ferguson  
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Executive Director  
Alaska Power Authority

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3.	Subtotal	\$ 348,000
4.	Months Remaining	<u>5</u>
5.	Funds Required	\$ 1,740,000
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7.	Funds Presently Lacking	\$ 943,655
8.	Contingency Funds 10% **	<u>94,365</u>
9.	Additional Appropriation Necessary	<u>\$ 1,038,020</u>

or approximately \$1,050,000

\* - Includes payments approved but not yet disbursed.

\*\* - Contingency for payments to utilities which might participate, but which have not yet started the application process.

ENABLING ACT FOR AN  
ALASKA CONSTITUTIONAL CONVENTION

Prepared by:

GUY A. VAN DOREN,  
ADMINISTRATIVE ASSISTANT  
CONSTITUTIONAL CONVENTION COMMITTEE

1981

## INTRODUCTION

to

## ENABLING ACT

In preparation for a constitutional convention, one of the first things that the Legislature must do is pass legislation providing the basis for establishing the convention. Great care should be taken in writing this act for its purpose is to enable this convention to get under way, not to control the convention. No better word of warning on this score has come than that from the Judiciary Committee of the New York Convention of 1894:

"It is of the greatest importance that a body chosen by the people of this state to revise the organic law of this state should be as free from interference from the several departments of government as the legislative executive and judiciary are from interference by each other. Unless this were so, the will of the people might easily be nullified by the existing judiciary or legislature Should the latter attempt to enact a law prohibiting the constitutional convention from restricting

the existing power of the legislature the act would be at once be recognized as an unwanted invasion of the rights of the people." <sup>1</sup>

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<sup>1</sup> Quoted in Walter F. Dodd, "The Revision and Amendment of State Constitutions" (Baltimore, The John Hopkins Press, 1910), pp 79 - 80.

The purpose of an enabling act is to facilitate the selection of delegates and the operation of the convention, nothing more. The following items are suggested as matters which must be settled before the convention can get under way. Decision on the following subjects must be made:

- I. Selection of delegates:
  - A. Number
  - B. Qualifications
  - C. Basis of thier selection (district, at large, etc.)
  - D. Method of their nomination an/or election
  - E. Date of the election
  - F. Administration of the election
  - G. Method of filling vacancies
- II. Date and procedure of convening the delegates
- III. Site of the Convention
- IV. Provision for pre-convention planning and accumulation of materials
- V. Appropriation (Can be a separate bill)
  - A. Amount adequate to finance all convention needs, including official pre-convention activities
  - B. Post-convention activities
  - C. Accounting practices

VI. Compensation of delegates

- A. Basis of payment, per diem, monthly or flat amount for the whole convention
- B. Amount of expenses allowed, if any, and for what purposes
- C. Any special compensation for offices

The above has usually been sufficient. Three other matters, however, might be dealt with. These should be considered inherent powers of a convention, but, if there is any doubt or if there is the possibility that critics may seek to exploit the fact of their absence from the enabling act, then they should be included.

- VII. Authority to require any officer of the state to furnish information or to appear before the convention or any committee thereof (this includes the authority to seek opinions from the attorney general or other legal officer of the state;

- VIII. Authority to use the facilities of the state or any local government when such use is not disruptive of regular governmental activities. (This becomes particularly important if hearings by committees are conducted regionally);

- IX. A schedule for the convention's work
- A. Provisions for a recess during the life of the convention
  - B. Dates of the completion of the convention's work

C. Dates for submission of the convention's  
proposal to the people

X. Immunity clause

The enabling act need not go deeply into matters of organization, procedure and personnel and generally should avoid statements that may hamper the convention in carrying out its assigned functions. The convention should be free to determine how it will organize and manage itself.

In the areas of personnel and materials, the convention should have full control over its needs. The power to hire and fire personnel and within its own budgetary limits, their rate of compensation, as well as the power to purchase material and equipment and to contract for services falls in this category. The convention needs to be free to seek its personnel where it wants. It should not be required to borrow its staff from existing state agencies, nor use existing facilities. No compromise should be made which will in any sense make the convention beholden to anyone outside itself. If the convention chooses to borrow state personnel for its staff, or to use the legislative council or the attorney general for assistance and advice, it may do so. But to require the convention to use these sources is to give an external element a role in the convention. A role potentially detrimental to the objectivity which the convention seeks to achieve.

1. Delegate selection: The first Alaska Constitutional Convention in 1955-56 had 55 delegates (the number of delegates who drafted the United States Constitution in 1787).

Unless otherwise provided by law, Article XII Sec. 3 requires that a call for a constitutional convention shall conform as nearly as possible to the Act, calling the Alaska Constitutional Convention of 1955 including but not limited to. number of members, districts, election and certification of delegates.

In 1955, delegates were elected on a three level apportionment system, seven delegates were elected at large; thirty-three were elected at large within four judicial divisions; and fifteen came from newly delineated single delegate districts.

HB 117, introduced in 1971, provided for 65 delegates. Sixty delegates were to be apportioned among the election districts of both houses of the Legislature in accordance with reapportionment, pursuant to the 1970 U.S. Census. Five delegates were to be selected on a statewide basis.

In view of the 1980 Census, it can be assumed that delegate selection will be on the basis of the 1981 apportionment plan, and that any enabling legislation should contain a provision that delegates will be selected on the basis of the new apportionment plan. The use of the 60 delegates simplifies

the job of providing a basis for delegate elections. Having five delegates elected from the state at large will provide individuals of broader experience and familiarity with conditions throughout the state.

The enabling act should stipulate that the election of delegates be non-partisan and that any registered voter who has resided in the state and in the district from which he/she is running for the same period of time required of a candidate for the Legislature, is eligible.

The method of election should be a single special election with the person receiving the largest number of votes being elected as the delegate. The only problem with this is that if a district has a large number of delegates, one person may win by a small majority or by a very small percentage of the total vote. The only solution to this problem would be a run-off, but history has shown in other states that very few people vote in a run-off of this type and it can be expensive.

The date of the special election should be during an off-general-election year and should be held early enough in order that there will be sufficient time between the election of delegates and the convening of the convention for the delegates to familiarize themselves with the issues and what they are intending to accomplish. There also should be enough time to allow staff to prepare for the convention and complete the delegate materials.

The administration of the election should be carried out by the Division of Elections under the supervision of the Lt. Governor.

HB 117 required a nominating petition to be filed with the Lt. Governor consisting of not less than 50 legally qualified voters of an election district based on a house district, 100 legally qualified voters of an election district based on a senate district and 1,000 signatures for candidates seeking election on a statewide basis. The petition of a candidate seeking election for the state at large shall be subscribed by the signatures of at least 25 qualified voters from each of the senate election districts.

2. Date and Procedure of Convening the Delegates: As with the election for delegates, there should be enough time before the convening of the convention to allow delegates to familiarize themselves with what is ahead and to have an orientation session. The date of convening should also be early enough for a 90 day session and so that the convention will not be meeting simultaneously with the legislature.

In most states, the Governor convenes the convention and then turns the convention over to the temporary presiding officer. In some states, the Lt. Governor or the Secretary of State opens the convention, but usually the Governor has done this.

Most experts in constitutional conventions have recommended that staff develop a temporary set of rules under which the convention can convene until permanent rules can be adopted by the delegates.

Provision for pre-convention planning and the accumulation of materials: SB 723 which passed both houses of the Legislature in 1980, but was vetoed by the Governor, included a provision for the establishment of a constitutional convention commission made up of persons appointed by the Governor, Legislature, and the Chief Justice of the Supreme Court.

In his veto message, the Governor cited the creation of this commission as one of the reasons he vetoed the bill, claiming that the make-up of the commission violated the separation of powers. He felt the Governor should appoint members to the commission.

Most of the states who called conventions in the seventies established commissions in the way set forth in SB 723. There was usually a cooperative effort to insure a successful convention.

The legislature in Alaska feels they have the right to appoint members to any constitutional convention based on the premise that since the constitutional convention is a law-making function

and since the Legislature, by law, may provide for the calling of a constitutional convention, including procedures, it should have a say in the appointment of a preparatory commission.

Since there is disagreement regarding the commission and the appointment of its members between the two branches of government, perhaps, in order to successfully pass enabling legislation, this matter should be left out and addressed at a later date with a solution which will satisfy both parties.

Appropriation: There is no absolute formula for the funding of constitutional conventions. Conventions in the seventies ranged from \$20,000 appropriated to the Rhode Island Convention to \$3.8 million appropriated for the Texas Convention. The amount should be adequate to finance all convention needs, including official pre and post-convention activities, including but not limited to staff and consultant salaries and benefits, delegate compensation, travel, material preparation, and expenses for the functioning of the convention itself. It has been recommended that delegates be compensated at the same rate as Legislators during the legislative session.

Convention Site: The Alaska Constitutional Convention of 1955-'56, following the example of the New Jersey Convention of 1947, which was convened on a college campus, held its convention on the campus of the University of Alaska at Fairbanks.

In 1971 the legislature assigned two research persons to conduct a constitutional convention site survey. After visiting the Fairbanks campus, Anchorage and Juneau, and evaluating the three sites as to location, facilities, timing and other criteria, it was recommended that the University of Alaska at Fairbanks again be the convention site.

A preparatory commission or the legislature itself, should look into all the pros and cons of each possible site including conducting a site survey similar to the one held in 1971 to determine which place would best function physically to carry out the objectives and ideals of the convention. The changing times, technological advances and public perception since the 1955-56 convention necessitates a very thorough study of the choice for a proper site.

# ALASKA POWER AUTHORITY

333 WEST 4th AVENUE - SUITE 31 - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641  
(907) 276-2715

February 25, 1981

Senator Vic Fisher  
Pouch V  
State Capitol  
Juneau, Alaska 99811

Dear Senator Fisher:

Additional information was requested on the status of the Power Production Assistance Program and supplemental funding which may be provided by SB 174. The historical experience of administering the program to date in fiscal 1981 has been used as the primary basis for these projections. A key variable in any cost projection associated with this program is the voluntary nature of utility participation in the program. With the initiation of operation of this program all eligible utilities did not immediately apply, nor have all eligible utilities applied as of this date. The gradual growth of the program is illustrated by the total of \$21,324 of payments issued in October 1980, versus the \$259,348 of payments issued in January 1981. The number of participating utilities continues to grow, from 1 in October 1980 to 12 utilities presently. Available information suggests the number of utilities participating will increase to 15 or 16 before the end of fiscal 1981. Shown below is an estimate of funding required for the remainder of Fiscal Year 1981, over and above that remaining in the original appropriation.

Probable Monthly Payments to Utilities currently participating	\$273,000
Possible Monthly Payments to Utilities planning to participate	75,000
Subtotal	<u>\$348,000</u>
Months remaining in FY 1981 (as of February 1)	5
Funds Required*	\$1,740,000
Funds Remaining** and Available	796,345
Funds Presently Lacking	<u>\$ 943,655</u>
Contingency 10%***	94,365
Additional Funding Required for FY 1981	<u>\$1,038,020</u>
or approximately	<u>\$1,050,000</u>

\*Note the lack of seasonality. It is my opinion that consumers may adjust to lower electrical rates by increasing their electrical consumption. Until this adjustment is complete, we are not likely to see definite seasonality and when we do, it will be at a higher base level. Seasonality has been taken into consideration in the FY 1982 forecast of program costs.

\*\*Payments approved but not yet disbursed have been subtracted from funds remaining.

\*\*\*Contingency for payments to utilities which might participate, but which have not yet started the application process.

Senator Vic Fisher

February 25, 1981

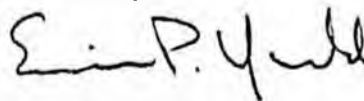
Page 2

If this program is continued in FY 1982, the cost will be significantly increased, as all utilities currently participating will continue to participate from the beginning of the FY 1982. It is likely to continue to grow, but the exact number of participating utilities cannot be determined due to the voluntary nature of participation in the program. To determine a forecast, I have estimated that the growth in utilities and eligible kwh's will continue at the same rate in FY 1982, as in 1981. The resulting participation of 22 utilities is well within the possible number of eligible utilities in the State. I have included an assumption of a 15% increase in power production cost, which is due to the high reliance on diesel generation in participating utilities. The resulting estimate for FY 1982 cost for the Power Production Cost Assistance Program is \$4,800,000. Seasonality of participants in the program has been difficult to assess, as some evidence exists that the resulting lower cost electricity is stimulating consumption and temporarily producing a greater than normal seasonal demand for electricity, but I have attempted to consider both seasonality and possible upward demand tendencies in the forecast.

Utilities currently participating in the Program include the Alaska Village Electric Cooperative, the Copper Valley Electric Association, the Cordova Electric Cooperative, Haines Light and Power Company, Kodiak Electric Association, Kotzebue Electric Association, Matanuska Electric Association (Unalakleet), the Tlingit Haida Electric Association, and McGrath Light and Power Company. Utilities planning to participate include Nome, North Slope Borough, Manley Hot Springs, the Village of Takotna, and other villages unknown at this time. The attached memo indicates disbursements through January 1, 1981.

If you desire any further information, please let me know.

Sincerely,



Eric P. Yould  
Executive Director

Attachment: As stated

cc: Senator Colletta  
Senator Bradley  
Senator Eliason  
Senator Stimson

Also consider \$ 2.54m  
supplem. to Sars. study

---

Eric Youdel - By April 1.

- do deal w/ high cost in rural areas  
- short-term, while long-range  
solution

\$ 2.08 m initial / capex is 1/2 by Gov's  
Veto - Gov. prop. legis changes

1.6 m req'd
7. available
<hr/>
2.9
Need 7.05

Next year \$ 4.2

Antic, 5 more counties on line

---

DAVE HUTCHINSON

By APR. 1

A. Power Auth - Susitna assessment

30m - 2 1/2 yrs prep work → mid '82

Leg did not fully fund.

# <sup>54</sup> ~~12.45~~ mi short for FY @ specific  
- need by April

Costs off sympathetic

Fuel cost issue

why not stage project

Requ.

Tachetts Creek

TAKATZ LAKE

#50K. loan <sup>appropriate</sup> for fiscal. survey  
- other funds not available

GA

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT

1 NAU-SB174

Rural Alaska Community Action Program  
Energy Department

Report to the Governor and the Alaska State Legislature  
Results of the \$1.5 Million Appropriation for  
Emergency Fuel Loans to Alaska Villages



JAY S. HAMMOND  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 25, 1980

Mr. Phil Smith  
Executive Director  
Rural Alaska Community  
Action Program, Inc.  
P.O. Box 3-3908  
Anchorage, Alaska 99501

Dear Mr. Smith:

Enclosed please find a copy of Senate Bill No. 125, which I signed January 25.

This is just one week after receiving your request to myself and to the Legislature. I believe it is a fine example of cooperation between the Executive and Legislative branches of State Government.

You are being charged to carry forward this program. I pledge the cooperation of the State of Alaska and feel assured you will do your utmost to meet the needs of the people of rural Alaska.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jay S. Hammond".

Jay S. Hammond  
Governor

Enclosure

Rural Alaska Community Action Program, Inc.  
P.O. Box 3-3908  
Anchorage, Alaska 99501  
907-279-2511

Cover Photograph by Rob Stapleton (Stapleton/Rural CAP Photos)

RurAL CAP Energy Department

Report to the Governor and the Alaska State Legislature  
Results of the \$1.5 Million Appropriation for  
Emergency Fuel Loans to Alaskan Villages

State Responsive Action 1980

The Governor's Office and the Alaska State Legislature, in an outstanding example of cooperation and commitment to the needs of rural Alaskans, passed HCSSB 125 in a record seven days. This bill, titled "An Act making a special appropriation for an emergency fuel supply assistance program for Alaska villages", appropriated \$1.5 million to address the emergency fuel supply problems in rural Alaska.

Of this amount, RurAL CAP has committed \$1.4 million to a revolving fuel loan account. By recirculating this money as villages repay loans, RurAL CAP has been able to loan more than \$2 million in less than a year. The following map and list of communities assisted gives some sense of the program's impact.

*\* Villages received emergency and up front loans*

Kipruk	Kipruk	Port Heiden
Kama*	Kama*	Platinum
Karluk	Karluk	Pilot Station
Pedro Bay	Pedro Bay	White Mountain
Thanna*	Thanna*	
Huslia	Huslia	
Hooper Bay*	Hooper Bay*	Upper Kalskag
Polovina	Polovina	
Gambel*	Gambel*	
Emmonak	Emmonak	
Elm	Elm	
Eck	Eck	
Eagle*	Eagle*	
Deering	Deering	
Chetornak	Chetornak	
Brevig Mission	Brevig Mission	
Beaver	Beaver	
Atka	Atka	
Anvik	Anvik	
Amber	Amber	
Akiak (grant only)	Akiak (grant only)	
Kivalina	Kivalina	
Kofiganak	Kofiganak	
Kongiganak*	Kongiganak*	
Kotik	Kotik	
Kwetchuk*	Kwetchuk*	
Kwigillingok	Kwigillingok	
Lower Kalskag	Lower Kalskag	
Marshall	Marshall	
Mekoryuk	Mekoryuk	
Minto	Minto	
McGrath	McGrath	
Newhalen	Newhalen	
Niphamoc*	Niphamoc*	
Nikolai	Nikolai	
Nikolski	Nikolski	
Noatak*	Noatak*	
Nondaton	Nondaton	
Nulato (grant only)	Nulato (grant only)	
Ouzimbic	Ouzimbic	
Quinhagak	Quinhagak	
Ruby	Ruby	
Russian Mission	Russian Mission	
St. Mary's	St. Mary's	
Savoonga*	Savoonga*	
Seamanor Bay	Seamanor Bay	
Selawik	Selawik	
Shaktolith	Shaktolith	
Sheldon's Point	Sheldon's Point	
Shishmaref*	Shishmaref*	
Shungnak*	Shungnak*	
Stebbins	Stebbins	
Takona	Takona	
Teller	Teller	
Togjak	Togjak	
Toksook Bay*	Toksook Bay*	
Tunuvak*	Tunuvak*	
Tununak	Tununak	
Tyonek	Tyonek	
Wales*	Wales*	
White Mountain	White Mountain	



## The Rural Fuel Supply Paradox

Securing a winter's fuel supply is much more difficult and expensive in rural Alaska than it is for urban residents -- especially for villages located in the Western, Northern, and Interior regions of the state. There is no road system connecting rural Alaska, and air charter for fuel deliveries is prohibitively expensive. Most villages which are accessible by barge may be reached only in the summer months (June through September). Thus, the entire village's winter fuel supply must be brought in during the few months that the rivers are navigable.

Orders for fuel supplies must be placed in early spring for several reasons. If villages were to wait any longer, most barge companies would have committed their space to more lucrative contracts for construction projects, canneries, and local school districts. Low water or early freeze-up may close rivers to barge navigation so early so that barge companies may not be able to complete their scheduled deliveries.

Unfortunately, Alaskan villages must pay cash at the time of their order, but village residents usually receive wage income (through fishing, cannery work, local construction projects or firefighting) only at the end of the summer.

Of course, air charter transportation of fuel is a possibility; such transportation often triples the delivered cost of fuel. Consider the cost that three villages presently face:

<u>Village</u>	<u>Price (\$ Per Gallon)</u> As of December, 1980: Heating Fuel Oil #1		
	Barge (Bulk)	Air (Bulk)	Air (Drum)
Mekoryuk	\$1.366	\$3.406	\$4.261
Kongiganak	\$1.316	\$2.271	\$2.771
Nightmute	\$1.426	\$2.776	\$3.371

The problem of adequate fuel supplies for rural communities became especially acute after the 1973 Arab Oil Embargo. Each petroleum price hike hits rural residents harder than urban residents. Anchorage, for example, has been insulated from major disruption by price increases because of old contracts for natural gas.

Village residents are actually hit twice by price increases, paying first for increases in the basic product price and then for transportation costs which are driven higher by rising fuel prices. Transportation costs may add approximately 35% to the price of the heating fuel brought to the village by barge.

Another major problem is fuel storage in the village. The

bulk fuel storage facilities in rural Alaska are generally inadequate, and although the Department of Community and Regional Affairs has recently established a program authorized by Senate Bill 438 to assist rural communities to upgrade bulk fuel storage facilities, funding is not yet adequate to meet the pressing need.

Thus villages, already struggling to produce funds to pay for economical barge delivery of fuel, are further hampered by storage that may be inadequate for an entire winter's heating fuel.

## RurAL CAP's Response to Rural Energy Problems

RurAL CAP is committed to assisting low-income rural Alaskans in their efforts to increase the degree of control that they exercise over their lives. High energy costs and the lack of a reliable supply are at the heart of many of rural Alaska's problems. RurAL CAP's energy department was organized in January, 1975 to help rural Alaskans deal with suddenly rising energy problems.

Rural energy problems must be addressed in at least three stages. The first and most immediate is the crisis in energy supplies, to which the emergency fuel loan program is addressed.

The second and equally crucial stage is energy conservation. The RurAL CAP weatherization program insulated and retrofitted over 900 homes statewide during 1980, producing a savings of 100,000 gallons of fuel this winter alone.

The third phase is advocacy for long-range energy planning and policy coordination responsive to the needs of rural Alaskans. Some of RurAL CAP's most significant efforts in this area include the annual energy profile, which documents the actual delivered cost of energy in over 300 communities statewide. RurAL CAP provides funds and technical

assistance to the Alaska Regional Energy Association (AREA), which represents the energy-related concerns of fourteen non-profit Regional Associations. The Rural Energy Department is also involved in research and implementation of alternative energy strategies for energy self-sufficiency.

### The Loan Process.

To obtain an emergency or up-front loan for Rural CAP, each village must provide the following information:

1. The reason for the shortage or loan requirement
2. Estimated date when the community is expected to run out of fuel in an emergency
3. The availability of bulk storage
4. The length and condition of the airstrip if fuel must be flown in.

The exact amount of fuel has to be determined through a house-by-house survey of the community.

Once the information is compiled, the village schedules a council meeting with the Fuel Loan Administrator or staff member. Such council meetings are often attended by interested village residents whose concerns focus on transportation problems, the lack of bulk storage facilities and exorbitant capital costs in setting up such bulk storage, the rising cost of fuel, and their increasing inability to pay for the product.

The Rural CAP staff member explains the fuel loan program to the council at the meeting, including their responsib-

ility for repayment. The approximate amount of funds required to purchase the fuel supply is determined and entered on the loan papers. Council members vote on whether they wish to enter into a loan agreement with RurAL CAP. If the vote is affirmative, the Council will pass the Borrowing Resolution. The repayment schedule is calculated over the period remaining until the next regular barge shipment is due to arrive, and may not exceed one year on up-front loans. The promissory note is then executed by the designated council officers.

RurAL CAP makes arrangements for the purchase and transportation of the fuel. Because the cost of flying fuel to a village under an emergency loan is considerably higher than bringing it in by barge, RurAL CAP has been able to make grants to the community for the difference between the regular barge costs and air transportation costs. However, the availability of such grant funds is limited, and once current CSA grant funds are expended, there is no possibility of continuing this assistance.

## Summary

To date, the RurAL CAP Fuel Loan Program has fully responded to village fuel loan emergencies, and it has proven to be the only effective way to deal with the increasingly serious fuel supply problems in rural Alaska. During 1980, RurAL CAP made 82 loans totalling more than \$2 million to 64 communities which had experienced or anticipated fuel shortages. This volume of loans was possible from a \$1.4 million fund because the program recirculated payments as they came in.

Administrative costs of the program have been minimal: to date, less than \$60,000 of the state funds have been expended for this purpose. However, the loan fund is almost fully committed at this time, and RurAL CAP's ability to make additional loans depends on repayment of loans presently outstanding.

DATE 12/31/80

## VILLAGE FUEL LOANS

VILLAGE/CORP.	TOTAL COMMITMENT	GRANT AMOUNT	LOAN AMOUNT	TOTAL LOAN PAYMENTS	LOAN BALANCE	DATE LOANED	TERM OF LOAN	LOAN NUMBER
AKIAK CITY COUNCIL	5,000.00	5,000.00	.00	.00	.00	0/00/00	0 MONTHS	FL148
AMBLER TRADITIONAL COUNCI	8,520.00	3,032.00	5,488.00	5,488.00	.00	4/08/80	4 MONTHS	FL125
ANIAK TRADITIONAL COUNCIL	20,088.00	9,680.00	10,408.00	10,408.00	.00	3/18/80	2 MONTHS	FL118
ANIAK CITY COUNCIL	49,988.20	.00	49,988.20	.00	49,988.20	9/17/80	10 MONTHS	FL178
INGALIK, INC. - ANVIK	5,004.00	2,404.00	2,600.00	2,600.00	.00	4/11/80	4 MONTHS	FL126
ATKA I.R.A. COUNCIL	44,834.40	.00	44,834.40	7,472.40	37,362.00	10/28/80	12 MONTHS	FL180
BEAVER INNUIT CO-OP	6,225.97	.00	6,225.97	2,490.97	3,735.00	9/05/80	10 MONTHS	FL173
BREVIK MISSION COOP ASSN	23,763.38	.00	23,763.38	3,963.38	19,800.00	8/11/80	12 MONTHS	FL163
CHEFORNAK CITY COUNCIL	26,109.00	12,815.00	13,294.00	13,294.00	.00	3/10/80	5 MONTHS	FL112
DEERING IRA COUNCIL	46,728.00	.00	46,728.00	11,682.00	35,046.00	7/14/80	12 MONTHS	FL146
EAGLE VILLAGE COUNCIL	2,440.00	1,110.00	1,330.00	1,330.00	.00	2/09/80	5 MONTHS	FL109
EAGLE VILLAGE	4,696.00	.00	4,696.00	.00	4,696.00	9/15/80	12 MONTHS	FL176
IGFIJOUAO CO, INC. - EEK	6,600.00	1,840.00	4,760.00	4,760.00	.00	3/23/80	5 MONTHS	FL122
ELIM IRA COUNCIL-C/O ANIC	50,357.57	357.57	50,000.00	16,672.00	33,328.00	5/26/80	12 MONTHS	FL138
EMMONAK CITY COUNCIL	46,251.11	.00	46,251.11	19,713.34	26,537.77	6/11/80	12 MONTHS	FL143
GAMBELL IRA COUNCIL	11,560.00	4,286.30	7,273.70	7,273.70	.00	4/25/80	5 MONTHS	FL132
GAMBELL I.R.A. COUNCIL	50,000.00	.00	50,000.00	16,664.00	33,336.00	8/11/80	12 MONTHS	FL157
OLSON & SONS - GOLOVIN	37,795.21	.00	37,795.21	16,000.00	21,795.21	8/12/80	10 MONTHS	FL156
SEALION CORP.- HOOPER RAY	12,049.10	5,640.66	6,408.44	6,408.44	.00	3/04/80	5 MONTHS	FL115
SEALION CORP. - HOOPER BA	50,003.00	.00	50,000.00	8,330.00	41,670.00	9/23/80	12 MONTHS	FL181
HUSLIA CITY COUNCIL	42,720.00	.00	42,720.00	14,240.00	28,480.00	8/06/80	12 MONTHS	FL153
ILIAMNA VILLAGE COUNCIL	55,520.40	18,262.00	37,258.40	37,258.40	.00	2/28/80	6 MONTHS	FL110
ILIAMNA VILLAGE COUNCIL	48,780.00	.00	48,780.00	16,664.00	32,116.00	8/18/80	12 MONTHS	FL155
KARLUK TRIBAL COUNCIL	30,000.00	.00	30,000.00	3,060.87	26,939.13	11/06/80	12 MONTHS	FL185
KIANA IRA COUNCIL	48,120.00	15,346.00	32,774.00	32,774.00	.00	3/13/80	5 MONTHS	FL116

FUEL LOAN PROGRAM  
DATE 12/31/80

VILLAGE FUEL LOANS

VILLAGE/CORP.	TOTAL COMMITMENT	GRANT AMOUNT	LOAN AMOUNT	TOTAL LOAN PAYMENTS	LOAN BALANCE	DATE LOANED	TERM OF LOAN	LOAN NUMBER
KIANA CITY COUNCIL	50,000.00	.00	50,000.00	16,664.00	33,336.00	7/15/80	12 MONTHS	FL147
KIPNUK VILLAGE COUNCIL	53,978.24	25,090.91	28,887.33	28,887.33	.00	2/04/80	7 MONTHS	FL102
KIVALINA I.R.A. COUNCIL	50,000.00	.00	50,000.00	.00	50,000.00	10/14/80	0 MONTHS	FL183
KOLIGANEK VILLAGE COUNCIL	26,218.05	14,458.75	11,759.30	11,759.30	.00	4/17/80	5 MONTHS	FL128
KONGIGANAK TRAD. COUNCIL	29,269.80	13,593.00	15,676.80	15,676.80	.00	2/04/80	7 MONTHS	FL101
KONGIGANAK TRAD. COUNCIL	10,954.02	4,874.10	6,079.92	.00	6,079.92	12/23/80	5 MONTHS	FL160
KOTLIK CITY COUNCIL	8,586.50	.00	8,586.50	6,000.00	2,586.50	6/12/80	12 MONTHS	FL144
KWETHLUK IRA COUNCIL	14,030.46	1,140.00	12,890.46	12,890.46	.00	3/04/80	5 MONTHS	FL114
KWETHLUK I.R.A. COUNCIL	47,366.51	.00	47,366.51	.00	47,366.51	9/30/80	10 MONTHS	FL182
KWIGILLINGOK IRA COUNCIL	62,475.76	29,264.40	33,211.36	29,976.26	3,235.10	2/05/80	5 MONTHS	FL103
LOWER KALSKAG CITY COUNCIL	7,584.50	3,570.00	4,014.50	4,014.50	.00	4/27/80	3 MONTHS	FL130
MARSHALL CITY COUNCIL	9,737.00	.00	9,737.00	4,433.00	5,304.00	6/11/80	12 MONTHS	FL142
MC GRATH CITY COUNCIL	18,652.07	5,563.08	13,088.99	13,120.80	31.81	3/31/80	3 MONTHS	FL123
NIMA CORP. - MEKORYUK	12,428.00	7,380.00	5,048.00	5,048.00	.00	5/14/80	2 MONTHS	FL136
NIMA CORPORATION	17,575.00	10,425.00	7,150.00	.00	7,150.00	1/01/81	5 MONTHS	FL187
SETH-DE-YA-AH CORP. MINT	50,000.00	.00	50,000.00	16,656.00	33,344.00	7/23/80	12 MONTHS	FL149
NEWHALEN CITY COUNCIL	29,270.30	9,238.20	20,032.10	5,294.60	14,737.50	2/28/80	6 MONTHS	FL108
NIGHTMUTE CC/NGTA-OMKUMUT	28,611.00	14,795.00	13,816.00	13,816.00	.00	2/19/80	5 MONTHS	FL106
NIGHTMUTE CITY COUNCIL	11,842.20	.00	11,842.20	.00	11,842.20	10/13/80	6 MONTHS	FL186
NIKOLAI CITY COUNCIL	11,296.65	4,366.65	6,930.00	6,930.00	.00	4/01/80	2 MONTHS	FL124
NIKOLSKI I.R.A. COUNCIL	29,456.82	.00	29,456.82	9,824.82	19,632.00	8/11/80	12 MONTHS	FL152
NUATAK IRA COUNCIL	12,510.00	3,984.00	8,526.00	8,526.00	.00	3/08/80	5 MONTHS	FL119
NUATAK I.R.A. COUNCIL	50,000.00	.00	50,000.00	.00	50,000.00	10/17/80	0 MONTHS	FL184
NONDALTON VILLAGE COUNCIL	39,664.00	11,020.00	28,644.00	11,580.00	17,064.00	2/13/80	6 MONTHS	FL105
• GANA-A'YOD LTD. - NULATU	5,268.00	5,268.00	.00	.00	.00	0/00/00	0 MONTHS	FL113

## VILLAGE FUEL LOANS

VILLAGE/CORP.	TOTAL COMMITMENT	GRANT AMOUNT	LOAN AMOUNT	TOTAL LOAN PAYMENTS	LOAN BALANCE	DATE LOANED	TERM OF LOAN	LOAN NUMBER
OUZINKIE CITY COUNCIL	42,971.73	.00	42,971.73	10,743.00	32,228.73	8/20/80	12 MONTHS	FL175
PEDRO BAY VILLAGE COUNCIL	19,017.60	.00	19,017.60	3,417.60	15,600.00	9/02/80	12 MONTHS	FL166
PILOT STATION, INC.	4,342.00	2,190.00	2,152.00	2,152.00	.00	4/23/80	1 MONTHS	FL131
PLATINUM TRAD. COUNCIL	21,668.00	9,400.00	12,268.00	12,268.00	.00	4/17/80	5 MONTHS	FL127
PORT HEIDEN CITY COUNCIL	50,000.00	.00	50,000.00	20,838.00	29,162.00	5/22/80	12 MONTHS	FL137
QUINHAGAK IRA COUNCIL	43,690.61	21,248.48	22,442.13	6,691.36	15,760.77	2/20/80	6 MONTHS	FL107
RUBY CITY COUNCIL	31,060.09	.00	31,060.09	6,633.19	24,426.90	6/18/80	12 MONTHS	FL145
RUSSIAN MISSION VILL COUN	8,468.00	3,380.00	5,088.00	5,088.00	.00	3/19/80	3 MONTHS	FL120
RUSSIAN MISSION	32,047.20	.00	32,047.20	.00	32,047.20	8/29/80	10 MONTHS	FL174
ST. MARY'S NATIVE CORP.	49,999.06	.00	49,999.06	8,340.00	41,659.06	4/15/80	12 MONTHS	FL129
SAVCONGA IRA COUNCIL	23,120.00	11,624.00	11,496.00	11,496.00	.00	4/25/80	6 MONTHS	FL133
SAVOONGA I.R.A. COUNCIL	49,999.40	.00	49,999.40	16,564.00	33,335.40	8/11/80	12 MONTHS	FL158
SCAMMON BAY CITY COUNCIL	11,074.00	.00	11,074.00	3,000.00	8,074.00	8/07/80	12 MONTHS	FL154
SELAWIK IRA COUNCIL	22,096.00	11,520.00	10,576.00	10,576.00	.00	5/06/80	3 MONTHS	FL135
SHAKTOOLIK NATIVE CORP.	14,796.00	.00	14,796.00	3,699.00	11,097.00	8/11/80	12 MONTHS	FL161
SWAN LAKE CORPORATION	42,784.30	.00	42,784.00	8,330.00	34,454.00	7/30/80	12 MONTHS	FL151
SHISHMAREF CITY COUNCIL	5,535.80	634.60	4,901.20	4,901.20	.00	5/27/80	3 MONTHS	FL139
SHISHMAREF CITY COUNCIL	25,000.00	.00	25,000.00	.00	25,000.00	5/27/80	12 MONTHS	FL140
SHISHMAREF IRA - C/O ANIC	25,000.00	.00	25,000.00	4,170.00	20,830.00	5/27/80	12 MONTHS	FL141
SHUNGNAK IRA COUNCIL	24,276.00	10,430.00	13,846.00	13,846.00	.00	3/08/80	5 MONTHS	FL117
SHUNGNAK I.R.A. COUNCIL	50,000.00	.00	50,000.00	16,664.00	33,336.00	8/11/80	12 MONTHS	FL159
STEBBINS NATIVE CORP.	24,996.00	.00	24,996.00	8,332.00	16,664.00	8/11/80	12 MONTHS	FL162
TAKOTNA VILLAGE ASSOC.	18,810.00	7,380.00	11,430.00	4,762.50	6,667.50	8/07/80	12 MONTHS	FL164
TELLER CITY COUNCIL	1,500.00	.00	1,500.00	500.00	1,000.00	8/27/80	12 MONTHS	FL167
TELLER NATIVE CORPORATION	24,250.00	.00	24,250.00	8,100.00	16,150.00	8/08/80	12 MONTHS	FL168

## VILLAGE FUEL LOANS

VILLAGE/CORP.	TOTAL COMMITMENT	GRANT AMOUNT	LOAN AMOUNT	TOTAL LOAN PAYMENTS	LOAN BALANCE	DATE LOANED	TERM OF LOAN	LOAN NUMBER
TELLER COMMERICAL COMPANY	24,250.07	.00	24,250.07	.00	24,250.07	8/08/80	12 MONTHS	FL169
TOGIAK NATIVES, LTD.	58,115.53	10,809.75	47,305.78	33,357.36	13,948.42	4/23/80	12 MONTHS	FL134
TOKSOOK BAY CITY COUNCIL	21,966.85	11,921.25	10,045.60	10,045.60	.00	3/20/80	4 MONTHS	FL121
TOKSOCK BAY CITY COUNCIL	8,406.74	.00	8,406.74	2,106.74	6,300.00	9/10/80	12 MONTHS	FL177
TUNTUTULIAK LAND LTD.	19,564.35	6,636.00	12,928.35	12,928.35	.00	3/04/80	4 MONTHS	FL111
TUNTUTULIAK LAND LTD.	46,652.35	.00	46,652.35	15,548.35	31,104.00	8/03/80	12 MONTHS	FL172
TUNUNRMIUT RINIT CORP.	38,862.92	.00	38,862.92	6,751.42	32,111.50	7/31/80	12 MONTHS	FL150
NATIVE VILLAGE OF TYONEK	22,408.86	.00	22,408.86	8,964.00	13,444.86	8/21/80	10 MONTHS	FL165
UPPER KALSKAG CITY COUNCI	5,067.24	393.90	4,673.34	.00	4,673.34	10/01/80	5 MONTHS	FL179
WALES IRA COUNCIL	30,997.50	16,427.20	14,570.40	14,570.40	.00	1/04/80	5 MONTHS	FL104
WALES I.R.A. COUNCIL	40,670.00	.00	40,670.00	10,160.00	30,510.00	9/05/80	12 MONTHS	FL170
WHITE MOUNTAIN IRA COUNCI	50,000.00	.00	50,000.00	12,497.00	37,503.00	9/05/80	12 MONTHS	FL171

2,453,389.22\*

367,799.80\*

2,085,589.42\*

797,776.44\*

1,287,812.98\*

TOTAL LOAN FUND \$1,400,000.00

AVAILABLE LOAN AND GRANT FUND \$ 255,612.70\*\*

## VILLAGE FUEL REQUIREMENTS

VILLAGE OR CORPORATION	HEATING OIL	GASOLINE	OTHER FUELS	FUEL COST	TRANSPORTATION COST	TOTAL COST	LCAN NUMBER
AKIAK CITY COUNCIL	.0	.0	.0	.00	.00	.00	FL148
AMBLER TRADITIONAL COUNCIL	.0	4,000.0	.0	4,208.00	4,312.00	8,520.00	FL125
ANIAK TRADITIONAL COUNCIL	.0	8,000.0	.0	9,408.00	10,680.00	20,088.00	FL118
ANIAK CITY COUNCIL	40,707.0	.0	.0	43,597.20	6,391.00	49,988.20	FL178
INGALIK, INC. - ANVIK	.0	2,000.0	.0	2,088.00	2,916.00	5,004.00	FL126
ATKA I.R.A. COUNCIL	30,000.0	5,500.0	120.0	35,534.40	9,300.00	44,834.40	FL180
BEAVER INNUIT CO-OP	.0	2,200.0	530.0	5,216.95	1,009.02	6,225.97	FL173
BREVIK MISSION COOP ASSN	19,100.0	.0	109.0	17,651.38	6,112.00	23,763.38	FL163
CHEFORNAK CITY COUNCIL	3,000.0	8,000.0	.0	10,704.00	15,405.00	26,109.00	FL112
DEERING IRA COUNCIL	36,000.0	.0	.0	31,212.00	15,516.00	46,728.00	FL146
EAGLE VILLAGE COUNCIL	.0	1,000.0	.0	1,250.00	1,190.00	2,440.00	FL109
EAGLE VILLAGE	4,000.0	.0	.0	4,376.00	320.00	4,696.00	FL176
IGFIJCUAQ CO, INC. - EEK	3,000.0	1,000.0	.0	3,860.00	2,740.00	6,600.00	FL122
ELIM IRA COUNCIL-C/O ANICA	20,000.0	23,855.0	690.0	45,634.24	4,723.33	50,357.57	FL138
EMMONAK CITY COUNCIL	33,829.0	.0	.0	38,971.11	7,280.00	46,251.11	FL143
GAMBELL IRA COUNCIL	.0	4,000.0	4,907.0	5,233.00	6,327.00	11,560.00	FL132
GAMBELL I.R.A. COUNCIL	53,533.0	.0	.0	50,000.00	.00	50,000.00	FL157
OLSON & SONS - GOLOVIN	23,549.0	10,000.0	.0	40,000.00	.00	40,000.00	FL156
SEALION CORP.- HOOPER BAY	.0	4,000.0	495.0	5,263.80	6,785.30	12,049.10	FL115
SEALION CORP. - HOOPER BAY	53,533.0	.0	.0	50,000.00	.00	50,000.00	FL181
HUSLIA CITY COUNCIL	5,000.0	20,000.0	.0	29,275.00	13,445.00	42,720.00	FL153
ILIAMNA VILLAGE COUNCIL	27,700.0	6,500.0	.0	30,418.40	25,102.00	55,520.40	FL110
ILIAMNA VILLAGE COUNCIL	31,500.0	6,000.0	.0	39,780.00	9,000.00	48,780.00	FL155
KARLUK TRIBAL COUNCIL	13,615.0	1,212.0	204.0	17,723.52	4,513.95	22,237.47	FL185
KIANA IRA COUNCIL	18,000.0	8,000.0	.0	26,794.00	21,326.00	48,120.00	FL116

DATE 12/31/80

## VILLAGE FUEL REQUIREMENTS

VILLAGE OR CORPORATION	HEATING OIL	GASOLINE	OTHER FUELS	FUFL COST	TRANSPORTATION COST	TOTAL COST	LOAN NUMBER
KIANA CITY COUNCIL	35,674.0	.0	.0	40,471.19	9,528.81	50,000.00	FL147
KIPNUK VILLAGE COUNCIL	21,973.0	3,500.0	.0	24,302.19	29,676.05	53,978.24	FL102
KIVALINA I.R.A. COUNCIL	.0	.0	.0	.00	.00	.00	FL183
KOLIGANEK VILLAGE COUNCIL	3,525.0	5,101.0	.0	8,634.13	17,583.92	26,218.05	FL128
KONGIGANAK TRAD. COUNCIL	13,800.0	.0	.0	13,192.80	16,077.00	29,269.80	FL101
KONGIGANAK TRAD. COUNCIL	4,620.0	.0	.0	5,202.12	5,751.90	10,954.02	FL160
KOTLIK CITY COUNCIL	6,500.0	.0	.0	7,156.50	1,430.00	8,586.50	FL144
KWETHLUK IRA COUNCIL	7,195.0	4,800.0	.0	11,630.46	2,400.00	14,030.46	FL114
KWETHLUK I.R.A. COUNCIL	18,382.0	18,022.0	675.0	42,156.20	5,210.31	47,366.51	FL192
KWIGILLINGOK IRA COUNCIL	17,560.0	12,000.0	.0	28,038.36	34,437.40	62,475.76	FL103
LOWER KALSKAG CITY COUNCIL	.0	3,500.0	.0	3,612.00	3,972.50	7,584.50	FL130
MARSHALL CITY COUNCIL	7,000.0	.0	.0	7,707.00	2,030.00	9,737.00	FL142
MC GRATH CITY COUNCIL	11,522.0	.0	.0	11,019.03	7,637.04	18,652.07	FL123
NIMA CORP. - MEKORYUK	.0	4,000.0	.0	4,288.00	8,140.00	12,428.00	FL136
NIMA CORPORATION	.0	.0	.0	.00	.00	.00	FL187
SETH-DE-YA-AH CORP. MINTO	8,000.0	18,000.0	1,850.0	32,179.00	2,687.60	34,866.60	FL149
NEWHALEN CITY COUNCIL	11,300.0	6,000.0	.0	15,707.10	13,563.20	29,270.30	FL108
NIGHTMUTE CC/NGIA-OMKUMUTE	11,000.0	.0	.0	10,511.00	18,095.00	28,611.00	FL106
NIGHTMUTE CITY COUNCIL	.0	.0	.0	.00	.00	.00	FL186
NIKOLAI CITY COUNCIL	5,000.0	.0	.0	5,092.50	6,204.15	11,296.65	FL124
NIKOLSKI I.R.A. COUNCIL	22,000.0	1,100.0	116.0	22,636.82	6,820.00	29,456.82	FL152
NOATAK IRA COUNCIL	6,000.0	.0	.0	6,126.00	6,384.00	12,510.00	FL119
NOATAK I.R.A. COUNCIL	.0	.0	.0	.00	.00	.00	FL184
NONDALTON VILLAGE COUNCIL	15,200.0	4,800.0	.0	19,044.00	20,620.00	39,664.00	FL105
GANA-A'YOD LTD. - NULAYO	7,815.0	.0	.0	.00	5,268.00	5,268.00	FL113

## VILLAGE FUEL REQUIREMENTS

VILLAGE OR CORPORATION	HEATING OIL	GASOLINE	OTHER FUELS	FUEL COST	TRANSPORTATION COST	TOTAL COST	LOAN NUMBER
OUZINKIE CITY COUNCIL	30,010.0	.0	.0	29,471.73	13,500.00	42,971.73	FL175
PEORO BAY VILLAGE COUNCIL	7,583.0	3,150.0	5,126.0	15,019.94	3,997.66	19,017.60	FL166
PILOT STATION, INC.	2,000.0	.0	.0	3,942.00	400.00	4,342.00	FL131
PLATINUM TRAD. COUNCIL	2,000.0	8,000.0	.0	10,168.00	11,500.00	21,668.00	FL127
PORT HEIDEN CITY COUNCIL	.0	.0	41,000.0	50,000.00	.00	50,000.00	FL137
QUINHAGAK IRA COUNCIL	5,180.0	14,225.0	.0	19,143.28	24,547.33	43,690.61	FL107
RUBY CITY COUNCIL	24,986.0	.0	.0	24,311.38	6,748.71	31,060.09	FL145
RUSSIAN MISSION VILL COUNC	.0	4,000.0	.0	3,968.00	4,500.00	8,468.00	FL120
RUSSIAN MISSION	20,000.0	.0	.0	22,740.00	9,307.20	32,047.20	FL174
ST. MARY'S NATIVE CORP.	36,737.0	.0	.0	40,232.16	9,766.90	49,999.06	FL129
SAVOONGA IRA COUNCIL	.0	8,000.0	.0	8,336.00	14,784.00	23,120.00	FL133
SAVOONGA I.R.A. COUNCIL	.0	35,000.0	3,145.0	43,637.40	6,362.00	49,999.40	FL158
SCAMMON BAY CITY COUNCIL	7,000.0	.0	.0	8,036.00	3,038.00	11,074.00	FL154
SELAWIK IRA COUNCIL	.0	8,000.0	.0	8,756.00	13,340.00	22,096.00	FL135
SHAKTOOLIK NATIVE CORP.	4,500.0	.0	500.0	5,356.00	9,449.00	14,796.00	FL161
SWAN LAKE CORPORATION	10,000.0	15,000.0	6,380.0	35,777.80	7,006.20	42,784.00	FL151
SHISHMAREF CITY COUNCIL	.0	.0	6,000.0	3,415.00	2,120.80	5,535.80	FL139
SHISHMAREF CITY COUNCIL	19,260.0	.0	.0	18,066.26	6,933.74	25,000.00	FL140
SHISHMAREF IRA - C/O ANICA	27,533.0	.0	.0	25,000.00	.00	25,000.00	FL141
SHUNGNAC IRA COUNCIL	4,000.0	6,000.0	.0	10,396.00	13,880.00	24,276.00	FL117
SHUNGNAC I.R.A. COUNCIL	21,784.0	20,774.0	172.0	47,426.20	2,573.80	50,000.00	FL159
STEBBINS NATIVE CORP.	2,000.0	19,000.0	.0	23,476.00	1,520.00	24,996.00	FL162
TAOTNA VILLAGE ASSOC.	9,000.0	.0	.0	8,460.00	10,350.00	18,810.00	FL164
TELLER CITY COUNCIL	1,319.0	.0	.0	1,500.00	.00	1,500.00	FL167
TELLER NATIVE CORPORATION	21,124.0	.0	.0	24,250.00	.00	24,250.00	FL168

## VILLAGE FUEL REQUIREMENTS

VILLAGE OR CORPORATION	HEATING OIL	GASOLINE	OTHER FUELS	FUEL COST	TRANSPORTATION COST	TOTAL COST	LOAN NUMBER
TELLER COMMERCIAL COMPANY	21,710.0	.0	.0	24,250.07	.00	24,250.07	FL169
TOGIAK NATIVES, LTD.	8,790.0	28,150.0	.0	36,531.28	21,584.25	58,115.53	FL134
TOKSOOK BAY CITY COUNCIL	.0	8,250.0	.0	8,395.60	13,571.25	21,966.85	FL121
TOKSOOK BAY CITY COUNCIL	.0	.0	5,000.0	.270.00	4,136.74	8,406.74	FL177
YUNTUTULIAK LAND LTD.	11,850.0	.0	.0	11,328.60	8,235.75	19,564.35	FL111
TUNTUTULIAK LAND LTD.	24,022.0	14,019.0	.0	41,060.33	5,592.02	46,652.35	FL172
TUNUNRMIUT RINIT CORP.	22,082.0	7,205.0	.0	31,540.90	7,322.02	38,862.92	FL150
NATIVE VILLAGE OF TYONEK	8,000.0	7,660.0	2,200.0	17,892.22	4,516.64	22,408.86	FL165
UPPER KALSKAG CITY COUNCIL	2,200.0	.0	450.0	4,099.20	969.04	5,067.24	FL179
WALES IRA COUNCIL	10,400.0	.0	.0	10,618.40	20,379.20	30,997.60	FL104
WALES I.R.A. COUNCIL	22,000.0	7,000.0	275.0	29,270.70	11,400.00	40,670.00	FL170
WHITE MOUNTAIN IRA COUNCIL	23,000.0	12,500.0	480.0	37,012.60	12,987.40	50,000.00	FL171

1,614,060.75\*

684,220.13\*

2,298,280.88\*

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT.