

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86/2

2264 HHESS HB 418 - HB 470 2264

MAY 04 1983

April 29, 1983

Barbara Lacher, State Representative
Pouch V
Juneau, 99811

Dear Representative Lacher:

I would first like to commend you for the outstanding legislative job you have done to date for the Matanuska-Susitna Valley residents. Your tenacious ability to work hard and represent all of your constituents fairly is a tribute to your office and your personal abilities.

Enclosed you will find a House Bill recently passed in North Dakota to admit handicapped persons accompanied by a service dog to public places. I am not familiar with the Alaska State law regarding this subject but assume it speaks only to guide dogs for the blind. Could you please research the existing legislation and inform me as to the possibilities of amending the law to include service dogs for the handicapped. I plan to be in Juneau May 20, 1983, and would like to meet with you to discuss this matter in depth.

As the Coordinator for Project ACTIVE, a developmental and adapted physical education program in the Mat-Su Schools, I am pleased to state that our District is in compliance with PL-94 142 with regard to physical education for the handicapped child. It disturbs me greatly to know that this is not true in other school districts in our State. Hence, handicapped children, Statewide, are being short changed and indeed their school districts may be in violation of the Federal Law, PL - 94 142. I plan to meet with William Mulnix, Director of the Office for Exceptional Children, in the Department of Education in Juneau. I would appreciate your assistance in scheduling a meeting with Mr. Mulnix on May 20, 1983.

Representing the Alaska Association of Health, Physical Education, Recreation and Dance (AAHPERD), I plan to meet with Darby Anderson, Office of School Improvement, Dept. of Ed., to determine the role AAHPERD can take to insure quality health and physical education programs through the Effective Schooling Plan.

I plan to write the aforementioned persons to set up meeting times on May 20. However, your accessibility to local phone calls in Juneau will be of great service to me in verification of these meetings.

Plan

Thank you for your time and efforts in the above matters. I will be awaiting your confirmation of our possible meeting.

Respectfully yours,

Barbara Cadden
Barbara Cadden

Forty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1469

Introduced by

Representative Eagles

1 A BILL for an Act to amend and reenact section 25-13-02 of the North
2 Dakota Century Code, relating to the admittance to public places of
3 blind and physically handicapped persons who are accompanied by a
4 guide or service dog.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
6 STATE OF NORTH DAKOTA:

7 SECTION 1. AMENDMENT. Section 25-13-02 of the North Dakota
8 Century Code is hereby amended and reenacted to read as follows:

9 25-13-02. Blind person or physically handicapped persons
10 accompanied by guide or service dog to be admitted to public places. Every
11 totally or partially blind person shall have ^{the right to be} ~~the right to be~~
12 accompanied by a guide dog ^{handicapped} ~~and every physically disabled person~~ *← Amend*
13 shall have the right to be accompanied by a service dog, especially
14 trained for the purpose those purposes, in places of public
15 accommodations, common carriers, and all places in which the public
16 is generally invited, without being required to pay an extra charge
17 for the guide or service dog; provided that ~~he~~ such persons shall be
18 liable for any damage done ~~to the premises or facilities~~ by such dog
19 the dogs.

Sec. 18.05.061. Penalty for violation. A person who violates a provision of this chapter or a regulation adopted under this chapter is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not more than \$500, or by imprisonment for not more than one year. Each day that a person continues a violation is a separate offense. (§ 40-1-6(c) ACLA 1949)

Revisor's notes. — The words "rule or" were deleted preceding "regulation" and the word "adopted" was substituted for "promulgated" following "regulation" by the revisor of statutes pursuant to AS 01.05.031.

Sec. 18.05.070. Definitions generally. In this chapter

(1) "department" means the Department of Health and Social Services;

(2) "commissioner" means the commissioner of health and social services. (§ 40-1-1 ACLA 1949; am § 2 ch 149 SLA 1968; am § 6 ch 104 SLA 1971)

Revisor's notes. — The text of a former subsection (b), defining "impairment" as used in AS 18.05.044 and 18.05.016, was relocated to those sections by the revisor of statutes under authority of AS 01.05.031. Legislative history reports. — For report on ch. 149 SLA 168 (CS111) 358 am 8), see 1968 House Journal, p. 475.

Chapter 06. Rights of Blind and Otherwise Physically Disabled Persons.

- Section
- 10. State policy
- 20. Rights
- 30. Rights as pedestrians

- Section
- 40. Penalty for denying rights
- 60. Definitions

Collateral references. — 18 Am. Jur. 2d, Civil Rights, § 1-4.
14 FLJN, Civil Rights Supplement, § 1-14.
Exclusion of person for reason other than color or race from place of public entertainment or amusement. 1 ALR2d 1165.
Businesses or establishments falling within state civil rights statute provisions prohibiting discrimination. 47 ALR2d 120.

Municipal corporation's power to enact civil rights ordinance. 93 ALR2d 1024.
Recovery of damages as remedy for wrongful discrimination under state or local civil rights provisions. 85 ALR2d 361.
Construction and effect of state legislation forbidding job discrimination on account of physical handicap. 90 ALR2d 393.

Sec. 18.06.010. State policy. It is the policy of this state to encourage and enable the blind, the visually handicapped, and the otherwise physically disabled to participate fully in the social and economic life of the state and to engage in remunerative employment. (§ 2 ch 10 SLA 1972)

Sec. 18.06.020. Rights. (a) The blind, the visually handicapped, and the otherwise physically disabled have the same right as the able-bodied to the full and free pedestrian use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

(b) The blind, the visually handicapped, and the otherwise physically disabled are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

(c) Totally or partially blind persons have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in (b) of this section without being required to pay an extra charge for the guide dog; however, the person with the guide dog is liable for any damage done to the premises or facilities by the dog. (§ 2 ch 10 SLA 1972)

Sec. 18.06.030. Rights as pedestrians. The driver of a motor vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color, with or without a red tip, or using a guide dog shall take all necessary precautions to avoid injury to the pedestrian, and a driver who fails to take all necessary precautions and causes injury to the pedestrian is liable in damages for the injury caused. A totally blind or partially blind pedestrian not carrying a cane as described in this section or using a guide dog in any of the places, accommodations or conveyances set out under AS 18.06.020 has all of the rights and privileges conferred by law upon other persons, and the failure of a totally or partially blind pedestrian to carry a cane as described in this section or to use a guide dog is not by itself evidence of contributory negligence. (§ 2 ch 10 SLA 1972)

Sec. 18.06.040. Penalty for denying rights. A person who denies or interferes with admittance to or enjoyment of the public facilities set out in AS 18.06.020 or otherwise interferes with the rights of a totally or partially blind or otherwise disabled person is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than 60 days, or by both. (§ 2 ch 10 SLA 1972)

H B

420

Alaska State Legislature



POUCH V
JUNEAU, ALASKA 99811

REPRESENTATIVE
ROBERT H. "BOB" BETTISWORTH

P.O. BOX 80288
COLLEGE, ALASKA 99708

December 23, 1983

Rep. Mae Tischer, Chairman
House Health, Education & Social Services Committee
500 "L" Street, Suite 310-G
Anchorage, AK 99501

Dear Representative Tischer:

In response to your letter of December 14th regarding the legislation I introduced last year, which is presently in your committee, I would like to have HB 420 passed out of committee, and after giving it some consideration, I plan to withdraw HB 90. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "R. Bettisworth".

Rep. Robert Bettisworth

RHB/mjw

H B

4 23

COMMITTEE REPORT

HOUSE

FINANCE

FURTHER:

(7)

Date:

5/24/83

5/19/83

Mr. Speaker: HEALTH, EDUCATION AND
SOCIAL SERVICES

HE 423

The Committee on _____ has had _____

"An Act making an appropriation to the Department of Education for school construction debt retirement; and providing for an effective date."

under consideration and reports it back as follows:

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

**MEMBERS SIGNING
DO PASS**

[Signature]

[Signature] Do Pass

[Signature] Do Pass

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

CHAIRMAN

[Signature]

Chapter 18. State Aid to Local Governments.

Article

- 1. Aid for Miscellaneous Municipal Purposes (Repealed)
- 2. Aid for School Construction (§§ 43.18.100 — 43.18.135)
- 5. Cultural Facilities (§ 43.18.500)

Article 1. Aid for Miscellaneous Municipal Purposes.

Section

10—45. [Repealed]

Secs. 43.18.010 — 43.18.045.

Repealed by § 11 ch 155 SLA 1980.

Cross references. — For programs of municipal assistance, see AS 29.88.010 — 29.88.045, 29.89.010 — 29.89.100, 29.90.010 — 29.90.030 and 29.95.010 — 29.95.030.

Editor's notes. — The repealed article derived from § 10, ch. 95, SLA 1969; §§ 1 — 5, ch. 194, SLA 1970; § 3, ch. 84, SLA 1971; §§ 1, 2, ch. 127, SLA 1971; § 43, ch.

71, SLA 1972; §§ 3, 4, ch. 200, SLA 1972; § 6, ch. 32, SLA 1973; §§ 1, 2, ch. 87, SLA 1973; §§ 1, 2, ch. 43, SLA 1974; § 1, ch. 95, SLA 1974; §§ 44, 45, ch. 127, SLA 1974; § 1, ch. 45, SLA 1975; § 1, ch. 100, SLA 1975; §§ 1, 2, ch. 208, SLA 1976; §§ 1, 2, ch. 265, SLA 1976; §§ 4, 5, ch. 120, SLA 1977; § 24, ch. 168, SLA 1978; § 3, ch. 173, SLA 1978.

Article 2. Aid for School Construction.

Section

- 100. State aid for retirement of school construction debt
- 105. Public school facilities construction advance account
- 110. Eligibility

Section

- 115. State aid
- 120. Application for aid
- 125. Conditions of state aid
- 130. Construction and implementation
- 135. Definitions

Sec. 43.18.100. State aid for retirement of school construction debt. (a) During each fiscal year, the state shall allocate to a municipality that is a school district, the following sums:

(1) payments made by the municipality during the fiscal year two years earlier for the retirement of principal and interest on outstanding bonds, notes or other indebtedness incurred before July 1, 1977 to pay costs of school construction;

(2) 90 percent of

(A) payments made by the municipality during the fiscal year two years earlier for the retirement of principal and interest on outstanding bonds, notes or other indebtedness incurred after June 30, 1977 and before July 1, 1978 to pay costs of school construction;

(B) cash payments made after June 30, 1976 and before July 1, 1978 by the municipality during the fiscal year two years earlier to pay costs of school construction;

(3) 90 percent of

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(A) payments made by the municipality during the fiscal year two years earlier for the retirement of principal and interest on outstanding bonds, notes or other indebtedness incurred after June 30, 1978 and before January 1, 1982 to pay costs of school construction projects approved under AS 14.07.020(11);

(B) cash payments made after June 30, 1978 and before July 1, 1982 by the municipality during the fiscal year two years earlier to pay costs of school construction projects approved under AS 14.07.020(11);

(4) subject to (h) and (i) of this section 90 percent of

(A) payments made by the municipality during the current fiscal year for the retirement of principal and interest on outstanding bonds, notes or other indebtedness incurred after December 31, 1981 to pay costs of school construction, additions to schools, and major rehabilitation projects that exceed \$25,000 and are approved under AS 14.07.020(11); and

(B) cash payments made after June 30, 1982 by the municipality during the fiscal year two years earlier to pay costs of school construction, additions to schools, and major rehabilitation projects that exceed \$25,000 and are approved under AS 14.07.020(11).

(b) The commissioner shall administer the program of reimbursement authorized under this section and shall provide by regulation for the filing of applications for reimbursement, the form of proof of costs for which application for reimbursement is made, and other regulations necessary to administer the program. The commissioner shall exclude from the total school construction cost of the local district all state and federal funds included in these costs except funds provided under this section and AS 43.50.140. In approving applications for reimbursement, the commissioner shall

(1) offset against the amount of reimbursement authorized the amount of any funds distributed to the borough or city in the second preceding fiscal year from the school fund provided for in AS 43.50.140;

(2) Repealed by § 10 ch 92 SLA 1982.

(c) The school construction account is established. Funds to carry out the provisions of this section may be appropriated annually by the legislature to the account. If amounts in the account are insufficient for the purpose of providing the share to which a borough or city is entitled under this section, those funds that are available shall be distributed pro rata among the eligible local governments.

(d) Money in the school construction account which, at the end of the fiscal year for which the money is appropriated, exceeds the amount required for the allocations authorized in this section reverts to the general fund.

(e) The commissioner shall annually provide a report to the legislature on allocations of state aid made under this section, including but not limited to, the amount of state aid paid on a per capita and per student basis and the resultant effect on the rate of levy of taxes by the municipality for educational purposes.

to pay the cost of school construction" from the end of paragraph (1), substituted "80 per cent" for "50 per cent" at the beginning of paragraph (2), substituted "June 30, 1976 and before June 30, 1978" for "July 1, 1977" in subparagraphs (A) and (B) of paragraph (2), and added paragraph (3). The amendment also repealed subsection (f), which read "The provisions of (a)(2) of this section apply only to payments made before July 1, 1971. The provisions of (a)(3) of this section apply to payments made after June 30, 1971."

The second 1978 amendment, in paragraph (2) of subsection (g), substituted "the sum total of all costs of financing and carrying out the project" for "but is not limited to the costs of acquisition of sites, legal, engineering, fiscal, architectural and other fees of specialists or consultants, costs of labor, materials, equipment and supplies, costs of authorization, issuance and sale of bonds, notes, or other evidences of debt" at the end of the first sentence and added the second sentence.

The 1982 amendment, effective July 1, 1982, substituted "a municipality that" for "an organized borough or a city which" in the introductory language of subsection (a), substituted "the municipality" for "the borough or city" in paragraphs (1), (2)(A) and (B), and (3)(A) and (B), substituted "90 percent" for "80 percent" in the introductory language of paragraphs (2) and (3), inserted "and before January 1, 1982" in paragraph (3)(A) and (B), and added paragraph (4). The amendment also repealed paragraph (2) of subsection (b), which read "required the borough or city to provide, with its application, a certified copy of the notice to taxpayers required by AS 43.18.030," and added subsections (h) and (i).

Editor's notes. — AS 43.18.030, referred to in paragraph (2) of subsection (b), was repealed by § 11, ch. 155, SLA 1980. For programs of municipal assistance, see AS 29.88.010 — 29.95.030.

Sec. 43.18.105. Public school facilities construction advance account. The public school facilities construction advance account is established. The account consists of appropriations for distribution under AS 43.18.105 — 43.18.135 to boroughs and cities which are school districts to assist in paying the costs of public school facilities projects approved under AS 14.07.020(10) for which construction is commenced after June 30, 1978 and for which no bonding, notes, or other indebtedness was incurred before July 1, 1978. (§ 13 ch 147 SLA 1978)

Sec. 43.18.110. Eligibility. Eligibility of a proposed construction project for funding assistance under AS 43.18.105 — 43.18.135 shall be determined by the department based on standards and criteria established by regulation. The standards and criteria to be considered in determining eligibility include the following:

- (1) emergency requirements;
- (2) number of unhoused students;
- (3) new elementary or secondary programs;
- (4) existing community and school facilities and their condition; and
- (5) economic and social stability of the community. (§ 13 ch 147 SLA 1978)

Sec. 43.18.115. State aid. (a) The amount of state aid payable in advance under AS 43.18.105 — 43.18.135 is the amount by which the cost of construction of the approved school construction project would cause the debt-to-valuation ratio of the municipality to exceed 12 per cent.

House Hess Comm
Davis/Gale/Tischer/Fritz

HB 423 -

Ralph Bennett - approx 31 mil. shortfall. ^{because}
of the current statute - current approx 60 mil in
Budget - HB 105 not be legally safe - re/ to 90% of
current entitlement

Some
Munis have authorized but increased ~~the~~ debt.
Davis - Approp will just take care of this year.
future years?

Bennett - Same as intent of HB 251 - HB 420 allows
to 50% - indebtedness - payback.

Tischer - Better propose to do ~~changes~~ of unorganized school
districts! Philosophy to treat everyone equally. RATA's
Recent fuel funding - ϵ imbalanced funding situation.
If there's a change in statutes - consider rural
areas - want Oregon to establish a top base.

Chitwood - At ML - Supports ϵ Oregon passage.
RATA's do get 100% - ϵ fuel is a direct approp
so the Legis always has control over what ϵ , when
it is spent. Munis present the bill "after the fact!"

Suggest - CS HB 251 - which pledges to fund exist
entitlement but reduces entitlement to 50%? also
increasing the amount of approval authority.

Chitwood - 1 suggestion - perhaps match grants to ~~the~~ sale of bonds

Bill Zybach - Asst to Mayor Bill Allan - Fuku NSB -
Critical to Fuku Borough / 30 mil - part of
fixed cost. Complete 3 schools w/new hi school next
year. HB 105 = 65% of entitlement. More important
than cap projects or supplemental passed earlier.
Supports cap for future years per AML & monitor
on future debt.

- Herman here -

Tischer - Fuku - new schools? School enrollment - ^{passed 4} years

Zybach - 3 Elem & 1 jr-sr high school - Project 600 new stud.
next year

Steve Hole - Fiscal Note -

Tischer - Jump from 1977-78 from 9 mil to 30 mil ^{increase}
Hole - '78 ~~to~~ went from 50% to 80% - also substantial
shift in Arch from town to urban areas - FY82 -
Chp 82 - 90% Reimbursement.

Molly Hooker - Cap expenditure Cost State: Related.

\$150 million - serial on comb. elem/sec. schools -

Hooker only deals w/ secondary programs.

Tischer - Where was HB 423 w/ Ind Rec.
No obj.

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB - 423
 Title: school construction debt retirement
 Sponsor: Bettsworth
 Requestor: House HESS

II. FISCAL DETAIL

Agency Affected: Education
 Program Category Affected: Elem. & Secondary
 BRU, Program of Subprogram(s) Affected: Debt Retirement

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC		30,916.7				
TOTAL OPERATING		30,916.7				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		30,916.7				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not provided by sponsor.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Steve Hole Phone: 465-2865
 Division: Management, Law & Finance Date: May 23, 1983
 Approved by Commissioner: H. Old Reynolds, Jr. Date: May 23, 1983
 Department: Education

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83

History of Appropriations for AS 43.18.100

<u>Fiscal Year</u>	<u>Total Eligibility</u>	<u>Actual Payment</u>	<u>Percent of Eligibility</u>
FY-70	2,445,197	1,800,000	74.00%
FY-71	2,448,347	1,800,000	73.52%
FY-72	2,376,209	2,376,209	100.00%
FY-73	3,575,355	3,450,000	96.49%
FY-74	7,074,380	5,752,000	81.31%
FY-75	7,650,530	7,423,300	97.03%
FY-76	9,242,310	8,810,500	95.33%
FY-77	10,107,336	9,051,600	89.55%
FY-78	11,408,304	11,408,304	100.00%
FY-79	27,868,182	22,273,300	79.92%
FY-80	30,823,133	24,081,000	78.13%
FY-81	38,380,134	38,380,134	100.00%
FY-82	38,262,156	38,262,156	100.00%
FY-83 (as of 5-16-83)	62,769,390	49,669,700	79.13

	AUDITED FY-82 ELIGIBILITY	ELIGIBILITY ON DEBT ISSUED AFTER 12/31/81	TOTAL FY-84 ELIGIBILITY	@ 65.95%	DIFFERENCE
Anchorage	\$10,532,909	\$8,207,495	\$18,740,404	\$12,359,296	
Bristol Bay Borough	369,613		369,613	243,759	
Cordova	99,681		99,681	65,739	
Fairbanks No. Star Bor.	4,970,192	6,054,075	11,024,267	7,270,504	
Galena	45,998		45,998	30,336	
Haines Borough	93,688		93,688	61,787	
City & Borough Juneau	1,377,557	5,872,993	7,250,550	4,781,737	
Kenai Peninsula Bor.	6,087,170	8,907,716	15,198,197	10,023,210	
Ketchikan Gateway Bor.	980,388		980,388	646,565	
Kodiak Isl. Borough	1,683,285	1,512,900	3,196,185	2,107,884	
Mat-Su Borough	5,191,266	5,007,420*	10,198,686	6,726,033	
Nenana	9,956		9,956	6,566	
North Slope Borough	14,203,693	3,952,619	18,156,312	11,974,087	
Petersburg	481,373	495,000*	976,373	643,917	
City & Borough Sitka	1,019,581		1,019,581	672,413	
Skagway	21,530		21,530	14,199	
Unalaska	144,183		144,183	95,088	
Valdez	3,117,975		3,117,975	2,056,305	
Wrangell	111,516		111,516	73,545	
Yakutat	49,423		49,423	32,594	
TOTALS	\$50,590,977	\$40,010,218 <i>Chpt 92 - SLA 82 - 90% - estimated - this cost at 13 mill estimated by Dec 15</i>	\$90,804,506	\$59,885,564**	\$30,918,942***

*Estimates of payments on authorized but as yet unsold issues.

**Difference between this number and budget amount of 59,887.8 due to rounding.

***Difference between this number and bill amount due to rounding.

5/23/83

Alaska MUNICIPAL League

TELEPHONES
(907) 586-1325
586-6526

204 N. FRANKLIN ST.
JUNEAU, ALASKA 99801

May 24, 1983

To: House HESS Committee
From: Ginny Chitwood *Ginny*
Re: HB 423 - - School Debt Appropriation

Alaska Municipal League urges your approval of HB 423, appropriating \$30,916,706 to the Department of Education for school construction debt retirement. This amount represents the difference between the \$59,887,800 currently proposed in the FY 84 operating budget and the \$90,804,506 that the Department estimates as the total entitlement.

Several years ago, the Legislature developed this program to reduce the inequities between the REAA's, where the state pays 100% of school construction costs and the municipal school districts, where the local taxpayers were footing the bill. The original program provided for a 50% reimbursement on a two-year time delay, and later the percentage was increased to 80%. Over the years, changes have been made, including giving the Department of Education plan approval authority and raising the percentage of reimbursement to 100% for payments on debt issued before July 1, 1977.

Last session, two other changes were made to the program. In order to partially alleviate the cash flow problems in rapidly growing areas that were caused by the two-year time delay in reimbursements, the program was modified to phase in a current year reimbursement of payments on debt issued after December 31, 1981. The other changes made last year raised the percentage of reimbursement from 80% to 90% for payments on debt issued after July 1, 1977.

School boards, councils, and assemblies relied on the word of the legislature and took school projects to the voters for approval. The voters were told that the state would reimburse 90% of the payments. As an example, in the Anchorage school bond election, a letter signed by 21 Anchorage legislators was circulated to that effect.

Now, after the fact, there is talk of changing the ground rules. We realize that the program has ballooned beyond anyone's expectations and that there needs to be a change to ensure administrative and legislative control in the future, but believe that the existing obligations should be funded.

Enclosed is a list showing estimated FY 84 entitlements, projected shortfall without HB 423, and the mill levy equivalent of that shortfall. Also attached is a brief summary of this program of reimbursements for school construction debt retirement.

SCHOOL DEBT RETIREMENT

Impact of \$59,887,800 Appropriation for FY 84

	Total FY 84 Entitlement	Projected Shortfall 66% Proration	<u>Mill Levy Equivalent of Shortfall</u>
Anchorage	\$18,740,404	\$6,371,737	0.612 mills
Bristol Bay Bor.	369,613	125,668	1.562 mills
Cordova	99,681	33,892	0.678 mills
Fbks N. Star Bor.	11,024,267	3,748,251	1.595 mills
Galena	45,998	15,639	2.51 mills
Haines Borough	93,688	31,854	0.51 mills
C. & B. Juneau	7,250,550	2,465,187	2.49 mills
Kenai Pen. Bor.	14,994,886	5,098,261	2.039 mills
Ketchikan Gate. B.	980,388	333,332	0.581 mills
Kodiak I. Bor.	3,196,285	1,086,737	2.898 mills
Mat-Su Borough	10,198,686	3,467,553	2.987 mills
Nenana	9,956	3,385	0.444 mills
North Slope Bor.	18,156,312	6,173,146	0.622 mills
Petersburg	976,373	331,967	3.32 mills
C. & B. Sitka	1,019,581	346,658	0.889 mills
Skagway	21,530	7,320	0.159 mills
Unalaska	144,183	49,022	0.545 mills
Valdez	3,179,975	1,081,192	0.561 mills
Wrangell	111,516	37,915	0.595 mills
Yakutat	49,423	16,804	1.323 mills

(On a \$100,000 house, a one mill levy would result in \$100 in taxes.)

estimates prepared 5/2/83

estimates revised 5/24/83

FY 84 Entitlement

	Entitlement on Debt Issued before 12/31/81	Entitlement on Debt Issued after 12/31/81 (estimates)	Total FY 84 Entitlement
Anchorage	\$10,532,909	\$ 8,207,495	\$18,740,404
Bristol Bay Bor.	369,613		369,613
Cardova	99,681		99,681
Fbks N. Star Bor.	4,970,192	6,054,075	11,024,267
Galena	45,998		45,998
Haines Borough	93,688		93,688
C. & B. Juneau	1,377,557	5,872,993	7,250,550
Kenai Pen. Bor.	6,087,170	3,000,000 8,907,716	14,994,886
Ketchikan Gate. B.	980,385		980,388
Kodiak I. Bor.	1,683,285	1,512,900	3,196,285
Mat-Su Borough	5,191,266	5,007,420	10,198,686
Nenana	9,956		9,956
North Slope Bor.	14,203,693	3,952,619	18,156,312
Petersburg	481,373	495,000	976,373
C. & B. Sitka	1,019,581		1,019,581
Skagway	21,530		21,530
Unalaska	144,183		144,183
Valdez	3,117,975		3,117,975
Wrangell	111,516		111,516
Yakutat	49,423		49,423
	-----	-----	-----
totals	\$50,590,977	\$40,010,218	\$90,601,195

Breakdown of Entitlement on post 12/31/81 Debt

	90% of Payment on Debt Issued After 12/31/81	Estimated 90% of Payment on Debt To Be Issued In May & June	Estimated Entitlement For FY 84 on Debt Issued After 12/31/81
Anchorage	\$ 8,207,495		\$ 8,207,495
Fbks N. Star Bor.	3,894,075	\$ 2,160,000	6,054,075
C. & B. Juneau	2,717,528	3,155,465	5,872,993
Kenai Pen. Bor.	8,907,716		8,907,716
Kodiak I. Bor.		1,512,900	1,512,900
Mat-Su Borough	2,077,920	2,929,500	5,007,420
North Slope Bor.	3,952,619		3,952,619
Petersburg		495,000	495,000
<hr/>			
totals	\$29,757,353	\$10,252,865	\$40,010,218

* * * * *

Estimated Entitlement on Debt Issued after 12/31/81	\$40,010,218
Entitlement on Debt Issued before 12/31/81 (2 year lag)	50,590,977
Total FY 84 Entitlement for School Debt Retirement	\$90,601,195

STATE AID FOR RETIREMENT OF SCHOOL CONSTRUCTION DEBT (AS 43.18.100)

More than 10 years ago, the Legislature established this program of reimbursing municipalities for a portion of their school construction debt. The program started as a 50% reimbursement with a two year lag in payments, and over the years was changed to provide for a larger percentage of reimbursement (100% for payments on debt issued before 7/1/77 and 80% for the rest) and some oversight by the Department of Education. Last session, other changes were made to the program: the percentage of reimbursement was raised from 80% to 90% for payments on debt issued after 7/1/77 and current year reimbursements were authorized for payments on debt issued after 12/31/81, in order to phase out the two year lag.

In summary, the current program provides:

1. 100% of payments made two years earlier on school debt issued before July 1, 1977. (Payments made by the municipality in FY 82 are reimbursed by the State in FY 84.)
2. 90% of payments made two years earlier on school debt issued between July 1, 1977 and December 31, 1981. (Payments made by the municipality in FY 82 are partially reimbursed by the State in FY 84.)
3. 90% of cash payments made two years earlier for school construction costs. (Payments made by the municipality in FY 82 are partially reimbursed by the State in FY 84.)
4. 90% of payments made in the current year on school debt issued after December 31, 1981. (Payments to be made by the municipality in FY 84 are partially reimbursed in FY 84.)
5. Each municipality's entitlement is determined by adding the four categories listed above and then subtracting the amount of tobacco tax the district received two years earlier. (The amount of tobacco tax received in FY 82 is deducted from the FY 84 payment.)

The other factors of the program relate to the oversight and approval authority granted to the Department of Education and limits to the types of facilities that are eligible for reimbursement.

Prepared by the Alaska Municipal League
May 2, 1983

Alaska State Legislature

REP. MAE TISCHER
CO-CHAIRMAN

REP. MILO FRITZ
CO-CHAIRMAN

POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3777

MEMBERS:
REP. MIKE MILLER
VICE CHAIRMAN
REP. BETTE CATO
REP. MIKE DAVIS
REP. PETER GOLL
REP. NILO KOPONEN

House of Representatives HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

M E M O R A N D U M

TO: House HESS Committee Date: May 23, 1981

FROM: Linda Otey, Committee Aide

RE: Summary/ H3 423 "An Act making an appropriation to the Department of Education for school construction debt retirement; and providing for an effective date."

- Section 1. Appropriates \$30.9 million from the general fund to D.O.E. the school construction account of 43.18.100(c) for school construction debt retirement.
- Section 2. Balance of account lapses on June 30, 1984.
- Section 3. Effective date of July 1, 1983 (for FY 84 Budget)

folder content

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Bill
Statutes
Fiscal Note from DOE
Eligibility per dist./30.9million

right

Summary
Bettisworth Memo
Impact of Approp per district -FY 84
Entitlements per district
Entitlements pre 12/81 debt
History/ Ak. Municipal League

Alaska State Legislature



POUCH V
JUNEAU, ALASKA 99811

REPRESENTATIVE

ROBERT H. "BOB" BETTISWORTH

P.O. BOX 80288
COLLEGE, ALASKA 99708

May 23, 1983

M E M O R A N D U M

To: Representatives Fritz and Tischer, Co-Chairs, and members of the House HESS Committee

From: Representative Bob Bettisworth *PHB*

Subject: HB423, "An Act making an appropriation to the Department of Education for school construction debt retirement; and providing for an effective date."

As you are no doubt aware, there is a growing concensus among legislators that a reduction in state aid for retirement of school construction debt under AS 43.18.100 is warranted. HB423 seeks to alleviate potential negative impact of any immediate and substantial reduction that might result during this legislative session.

The attached data for each school district outlines the most current projections of composite eligibility bearing in mind the uncertainty of such data. There are certain school districts that plan to authorize new issues or have authorized but unissued debt on the books that may affect the accuracy of the numbers.

I feel that the current statutory language contained in AS 43.18.100 where the words "shall allocate to a municipality that is a school district" appear is very clear and until and unless the legislature affects a statute change, we are legally bound to the composite formula now on the books. I have also introduced HB420 that would change the formula from 90% to 50%. Several legislators have indicated that such a change is necessary before funding the 1983 shortfall is addressed.

Again, I wish to reiterate that this bill seeks to bring the various school districts up to the level of construction debt compensation required by current law and until the statute is changed no less reimbursement is acceptable.

RHB/rob

Attachments:

SCHOOL DEBT RETIREMENT

Impact of \$59,887,800 Appropriation for FY 84

	Total FY 84 Entitlement	Projected Shortfall 63% Proration	Mill Levy Equivalent of Shortfall
Anchorage	\$18,740,404	\$6,933,949	0.666 mills
Bristol Bay Bor.	369,613	136,757	1.563 mills
Cordova	99,681	36,882	0.738 mills
Fbks N. Star Bor.	11,024,267	4,078,979	2.39 mills
Galena	45,998	17,019	2.73 mills
Haines Borough	93,688	34,665	0.55 mills
C. & B. Juneau	7,250,550	2,682,704	2.709 mills
Kenai Pen. Bor.	14,994,886	5,548,108	2,219 mills
Ketchikan Gate. B.	980,388	362,744	0.632 mills
Kodiak I. Bor.	3,196,185	1,182,588	2.7 mills
Mat-Su Borough	10,198,686	3,773,514	3.25 mills
Nenana	9,956	3,684	0.461 mills
North Slope Bor.	18,156,312	6,717,835	0.812 mills
Petersburg	976,373	361,258	3.612 mills
C. & B. Sitka	1,019,581	377,245	0.967 mills
Skagway	21,530	7,966	0.177 mills
Unalaska	144,183	53,348	0.726 mills
Valdez	3,179,975.	1,176,591	0.719 mills
Wrangell	111,516	41,261	0.648 mills
Yakutat	49,423	18,286	1.439 mills

(Or a \$100,000 house, a one mill levy would result in \$100 in taxes.)

estimates prepared 5/2/83
estimates revised 5/13/83

FY 84 Entitlement

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	<hr/>	<hr/>	<hr/>
totals	\$50,590,877	\$40,010,218	\$90,601,095

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The other factors of the program relate to the oversight and approval authority granted to the Department of Education and limits to the types of facilities that are eligible for reimbursement.

Prepared by the Alaska Municipal League
May 2, 1983

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COMMITTEE REPORT

HOUSE

((7))

FURTHER: FINANCE

1/3/84

Date: January 25, 1984

Mr. Speaker:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 459

"An Act making a special appropriation to the Department of Health and Social Services to construct a prison in Whittier; and providing for an effective date."

under consideration and reports it back as follows:

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

MEMBERS SIGNING
DO PASS

Rich Deht

MEMBERS HAVING
OTHER RECOMMENDATIONS:

M.W. Miller No Not Pass

Miller No Not Pass

CHAIRMAN

STATE OF ALASKA

CHAIRMAN,
HOUSE LABOR AND
COMMERCE



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3892

P.O. BOX 1542
ANCHORAGE, ALASKA 99510
(907) 333-2616

REPRESENTATIVE WALT FURNACE

To: Representative Mae Tischer, Chairman
House Health and Social Services Committee

RE: HB 463, Whittier Prison

Date: January 24, 1983

In addition to this memo, attached please find select documents for your file.

As you know, at the present time there is a statewide search underway for a reasonable site for a state prison at an reasonable price. HB 463 proposes the establishment of a state prison in Whittier for a price tag of \$25 million. (Attached please find several estimates for remodeling and conversion of the current structure into a turnkey operation which will clearly show that the Buckner Building can be renovated and converted for the cost indicated -- despite the estimate of the State of Alaska, Department of Transportation and Public Facilities.)

Further, allow me state that Whittier should be favorably considered because it is close enough to Anchorage to encourage guards and other prison personnel to reside in Anchorage yet far enough to be considered isolated. And, the establishment of a prison in Whittier will encourage other critical development in the Whittier area such as a port facility as well as additional usage of the Alaska Railroad.

Thank you for your consideration of HB 463.

BUILDERS & CONTRACTORS SERVICE

2124 Hillcrest Place
Anchorage, Alaska 99503
(907) 276-4618

Contractor Claims
Construction Management
Appraisal Estimates

Quantity Surveys
Estimates
Bid Preparation

March 9, 1983

Olympic Inc.
171 Muldoon Road
Anchorage, Alaska

ATTENTION: Mr. Pete Zamarello

REFERENCE: Buckner Building - Whittier, AK

SUBJECT: Preliminary Project Review - Cost Estimate

Gentlemen:

At your request, per the commission given us, we have made a complete review, on a preliminary basis, of the above reference structure.

Our commission, as we understand it, is to provide you with cost figures in two parts, as follow:

1. Remodeling and conversion of the existing building, to be used as a correctional facility.
2. A remodeling of the existing facility, including new ventilation and heating systems and electrical systems. In addition, new elevators, new roofing, new flooring, new ceiling systems and a number of new partitions. Additionally,, per your instructions, we have included costs for restoration of the building exterior, as well as, additions for a six lane bowling alley and bakery, a sixteen bed hospital and a new dining area/kitchen facility.

Our review anticipates that any and all work which would be done would meet existing state and local codes.

The figures we have arrived at, are based upon the preliminary sketches, pictures and numerous meetings with your company.

Due to the fact that we did not have definitive, exact drawings from which to work, our price must be considered preliminary and in this regard, we are providing you a cost range for each item. Our estimates are as follows:

1. For remodel and conversion to a correctional facility, our cost estimate range is \$23,725,000 to \$25,100,000.
2. For remodeling and additions as noted above, our cost estimate range is \$18,650,000 to \$19,800,000.

If we can be of further assistance or should you wish a more exact cost estimate after development of drawings, we would be pleased to provide them for you.

Attached is our billing, which we forward with this report, for payment.

Thank you for using our services.

Very truly yours,

BUILDERS AND CONTRACTORS SERVICE



Terry Gorsuch

TG: jw

Enc.

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
Deputy Commissioner - Standard and Statewide Programs

Pouch Z
Juneau, Alaska 99811
(907)465-3900

March 21, 1983.

The Honorable Walt Furnace
Representative
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Furnace:

A request from Steve Levi, of your office, was received asking the Department of Transportation and Public Facilities (DOT/PF) information about converting the Buchner Building in Whittier to a corrections facility.

The following information is provided:

Background

The Buchner Building is a multi-story reinforced concrete structure which was built by the military in the early 1950's as a composite facility for up to approximately 2500 enlisted men. There are few individual rooms in the facility and mostly large dormitory areas as well as a large area that was used as a dining hall.

The facilities have been left abandoned since 1965--open to both weather and extreme vandalism.

The concrete structure is intact; however, all the finishes and systems would have to be replaced and complete security added to make it suitable for a prison facility. Most partitioning is wood-frame and not adequate for prison security, nor building code standards.

Prior to a final decision on remodeling the existing facility, consideration should be given to demolition and a complete new building

Assumptions/Basis of Estimate

- Conversion would be for a long-term, maximum security prison to house approximately 300 prisoners.
- Estimate is based on available information. No funds have been provided for a detailed on-site survey by DOT/PF.

- Operational costs are excluded.
- Land costs are excluded.
- No earthquake damage has been sustained.
- 273,660 square feet is the gross square footage.
- 1983 construction dollars.
- All mechanical, communication, security, electrical, and fire/life safety systems and elevators would have to be added or replaced. (Note: In many cases extensive demolition would be required where original systems were imbedded in the reinforced concrete structure).
- All finishes, windows, walls, and roof would need replacement and/or repair.
- Corridors meet current code requirements.
- Interior partitions must be Type II (Fireproof) construction.
- The building would be upgraded to meet both the current code and barrier free requirements as well as those of the American Correctional Association.

Estimated Costs

Square Footage	273,660
Cost/square foot for Rehabilitation	\$228
Estimated cost to reconstruct for correctional facility use (1)	\$62,394,480

- (1) Department of Health and Social Services functional facility needs versus physical/transportation/location constraints as well as socio-economic factors have not been addressed at this time. More detailed analysis will require a comprehensive study.

Sincerely


Fred J. Seeger
Deputy Commissioner

cc: John C. Bates
Wayne Weeks
Emil Notti
Office of the Governor

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
Deputy Commissioner - Standard and Statewide Programs

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Anchorage, Alaska 99503
(907) 276-4618

Contractor Claims
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March 9, 1983

Olympic Inc.
171 Muldoon Road
Anchorage, Alaska

ATTENTION: Mr. Pete Zamarello

REFERENCE: Buckner Building - Whittier, AK

SUBJECT: Preliminary Project Review - Cost Estimate

Gentlemen:

At your request, per the commission given us, we have made a complete review, on a preliminary basis, of the above reference structure.

Our commission, as we understand it, is to provide you with cost figures in two parts, as follow:

1. Remodeling and conversion of the existing building, to be used as a correctional facility.
2. A remodeling of the existing facility, including new ventilation and heating systems and electrical systems. In addition, new elevators, new roofing, new flooring, new ceiling systems and a number of new partitions. Additionally,, per your instructions, we have included costs for restoration of the building exterior, as well as, additions for a six lane bowling alley and bakery, a sixteen bed hospital and a new dining area/kitchen facility.

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Very truly yours,

BUILDERS AND CONTRACTORS SERVICE



Terry Gorsuch

TG: jw

Enc.

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Terry Gorsuch

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Enc.

H B

4 6 6

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: January 30, 1984

REQUEST
Bill/Resolution No.: HB 456
Title: Act relating to...fiscal
procedures of the U of A
Sponsor: Rep. Martin
Requestor: House HESS committee
Date of Request: January 27, 1984

FISCAL DETAIL
Agency Affected: University of Alaska
Program Category Affected: Education
BRU, Program or Subprogram(s) Affected:
All University programs

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not applicable

ANALYSIS: Attach a separate page for analysis

Prepared By: Frank Sparco Phone: 474-7593
Division: Statewide Budget Office, U of Alaska Date: January 30, 1984

Approved by: ~~Commissioner~~ Exec. Vice President Sherman Carter Date: January 30, 1984
Agency: University of Alaska

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Alaska State Legislature

REPRESENTATIVE
TERRY MARTIN

DISTRICT 8
CHAIRMAN—LABOR AND COMMERCE COMMITTEE
PHONE 465-3873



3960 REKA DRIVE—D6
ANCHORAGE, AK 99504
PHONE 333-6990

DURING LEGISLATURE
POUCH V
STATE CAPITOL
JUNEAU, AK 99811
PHONE 465-3784

MEMORANDUM

To: House HESS Committee

From: Representative Terry Martin *MM*

Date: January 24, 1984

Subject: HB 466

"An Act relating to appropriations to and fiscal procedures of the University of Alaska; and providing for an effective date."

This bill will enable the University to legally invest state general funds and federal funds, and to place income derived from these investments directly into the working capital reserve fund without a specific appropriation by the legislature. Although the University has been making such investments, there is no clear legal authority for it to do so.

This legislation has been recommended by the Commission on Postsecondary Education, and is strongly endorsed by the University. It will enable the University to receive and expend funds, such as tuition receipts, without waiting weeks for legislative approval. Some good examples of the problems this causes are set out on page 2 of the attached letter from Dr. Jay Barton to Don Abel, President of the Board of Regents, and in Dr. Carter's letter to Representative Goll.

Your positive action on this bill will greatly relieve the operational problems experienced by the University administration. I urge you to pass HB 466.

Alaska State Legislature

House of Representatives

Al Adams

Chairman

Committee on Finance

WHILE IN SESSION

Pouch V

State Capitol

Juneau, Alaska 99811

(907) 465-3706

OUT OF SESSION

P.O. Box 333

Kotzebue, Alaska 99752

(907) 442-3320

1024 W. 6th

Anchorage, Alaska 99501

(907) 274-0615



Official Business

M E M O R A N D U M

TO: Terry Martin
Chairman
University of Alaska Budget Subcommittee
House Finance Committee

FROM: Elmer A. Lindstrom
Professional Aide
House Finance Committee

DATE: November 4, 1983

SUBJ: University of Alaska bill drafts 13-1543 and 13-1587

Enclosed are the two bill drafts you requested. The following is a sectional analysis of each bill.

" An Act relating to appropriations to and fiscal procedures of the University of Alaska; and providing for an effective date."

Section 1. This section allows the University of Alaska to invest general funds and federal funds in addition to other funds.

Section 2. This section allows the University to place income derived from the investments allowed under AS 14.40.250 (see section 1 above) into the Working Capital Reserve Fund without an appropriation to the fund by the legislature. This conforms with the current practice of the University although in the opinion of legislative counsel it does raise the question of a dedicated fund (see attached memo from Keith Levy, Legislative Counsel).

Section 3. This section allows the University to make transfers between objects of expenditures, e.g., personal services, travel, etc., and transfers between allocations without the approval of the Office of Management & Budget. This is similar to the legislative intent contained in the FY 84 General Appropriations Act.

Section 4. This section allows the University to receive and expend additional federal or program receipts during the course of a fiscal year without the approval of the Office of Management & Budget and the Legislative Budget & Audit Committee. This is similar to the legislative intent contained in the FY 84 General Appropriations Act.

Section 5. This section allows the University to carry forward all non-general funds and those general funds designated by the legislature for "organized research" from one fiscal year to another.

"An Act making special appropriations to the University of Alaska working capital reserve fund and to the University of Alaska to pay obligations from past fiscal years; and providing for an effective date."

Section 1. At the present time AS 14.40.296 states that the Working Capital Reserve Fund consists of money appropriated by the legislature. To date the legislature has appropriated \$5,000,000 to the fund. The fund balance, however, is \$7,564,522. The difference consists of investment income deposited in the fund without a legislative appropriation. This section appropriates the interest income to the fund.

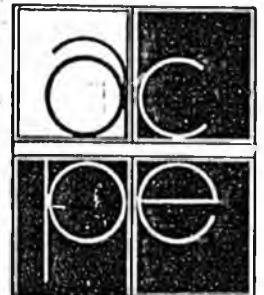
Section 2. This section appropriates \$3,799,754 from the Working Capital Reserve Fund to the University in order to remove from the University's books the liability that exists from over expenditures in FY 77 and FY 79.

Alaska Commission on Postsecondary Education

**Review
of the
University of Alaska
FY 1984
Operating and Capital Budgets**

**Submitted to the
Governor
and the
Thirteenth Alaska State Legislature**

December 10, 1982



Recommendation 2: THE UNIVERSITY SHOULD BE ABLE TO ACCEPT GRANTS AND CONTRACTS DURING THE COURSE OF A FISCAL YEAR WITHOUT WAITING TO CLEAR SUCH ACCEPTANCE THROUGH THE GOVERNOR'S OFFICE AND THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE.

Hearings held throughout the state revealed that there was a great deal of criticism raised regarding the inability of the University to respond quickly to requests for special courses, workshops, seminars, and even research projects when the requesting group or agency was willing to pay for the service. By the time all required approvals had been obtained, need may have passed, the funds may have been lost, or the interest may have waned.

For the university system to be able to meet these demands and thereby provide services to the state, more flexibility must be allowed. One of the detriments to this flexibility is the requirement which states that the University must go through the same Revised Program (RP) process as all the other state agencies when contracts exceed their budgetary authority. This is an extremely time-consuming process and is one which was not required of the university system until the last few years.

There was a time when fiscal accountability of the university system was justifiably called into question. That time has now passed, and the University has demonstrated sound fiscal practice to the satisfaction of nearly all observers. The Commission would like to see some flexibility returned to the University budgeting

procedure; this could be brought about by adding a section to the appropriation bill.[?] In the 1978 appropriation bill (FCCSSCSCSHB 627), the following language was included:

"Federal or other program receipts available to the University of Alaska which exceed the amounts appropriated in this Act are appropriated and available for expenditure under procedures established by the Board of Regents."

The Commission recommends that such flexibility be returned to the Board of Regents.

This would require an amendment to AS 37.07



UNIVERSITY OF ALASKA, ANCHORAGE

1000 University Avenue
Anchorage, Alaska 99504

November 29, 1983

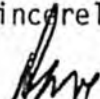
The Honorable Terry Martin
3960 Reka Drive, 36
Anchorage, AK 99504

SUBJECT: Proposed Legislation

Dear Terry,

Please be advised that the UAA Executive Council has reviewed and expressed enthusiastic support for your proposed legislation redefining the fiduciary rights of the University of Alaska. I concur with their recommendation. Enactment of the proposed legislation would be an important benefit to the University of Alaska. Thank you for your continued interest and support.

Sincerely,


David L. Outcalt
Chancellor

/mah

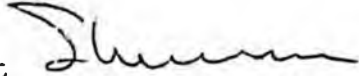


Sherman Carter
Executive Vice President
474-7448

University of Alaska
Fairbanks, Alaska 99701
October 27, 1983

TO: Don Abel, President and
Members of the Board of Regents

THROUGH: Jay Barton
President

FROM: Sherman Carter
Executive Vice President 

SUBJECT: Possible Changes in Legislation Affecting Fiscal
Administration of the University

Several provisions in existing legislation impede efficient fiscal administration of the University of Alaska.

For example, as you know, the university has a need during the course of a fiscal year to be able to receive program receipts, such as tuition, in amounts greater than what was initially budgeted without waiting weeks for prior approval to be able to do that.

During the last legislative session, an attempt was made to correct this problem by an expression of legislative intent as follows:

"Notwithstanding the provisions of AS 37.07.080(h), federal or other program receipts available to the University of Alaska which exceed the amounts appropriated in this act are appropriated and available for expenditure under procedures established by the Board of Regents and the Office of Management and Budget. The university shall provide the Legislative Budget and Audit Committee with quarterly reports detailing additional federal or program receipts accepted under this provision."

However, subsequently I was told that a provision such as the above could not properly be handled by an intent statement -- that legislation to make this change was required. Also, it would be far more advantageous to get things such as this corrected in continuing legislation rather than to hope each year that such needed provisions are included in appropriation bills, since sometimes they get included and sometimes, inadvertently, they do not.

University of Alaska

Don Abel and Members of the Board of Regents

Page 2

October 27, 1983

There are several other problems which the university has perennially, unnecessarily, which keep us from doing a more efficient job for the state, for example, current provisions in law providing that the university may invest program receipts but not general fund money. This is not sensible in that the university draws money from the state monthly and pays its employees every two weeks. Consequently, the university does have temporary cash in excess to its needs from time to time and should not simply leave that in banks without earning interest. There is a need to change legislation so that the fact that the university may also invest general fund money is permissible. Now we simply do this anyway, and occasionally the state tells us that legally we may not. Meanwhile, the interest we are earning in temporary, secure cash investments permits us this fiscal year to decrease our request for general fund money in the amount of \$1.8 million. Obviously, the present law prohibiting the university from investing state and federal money is absurd and needs to be changed, in the state's own best interest.

Another problem has to do with organized research. Various research projects continue past the end of a fiscal year and state money for them, which along with federal money which does not lapse, finances such research and should not need to be lapsed precisely at the end of a fiscal year any more than capital funds for a building project, which will take several years, need to lapse at the end of each fiscal year. Right now, this is on a hit and miss basis; that is, sometimes legislation appropriating money for organized research provides for a lapse of such money at the end of the calendar rather than the fiscal year and sometimes legislation making funds available for organized research does not.

Another problem the university has relates to the lapsing of program receipts. Unspent general fund money may continue to be lapsed. However, various classes of program receipts should not lapse. As one illustration, consider university bookstores. They try to break even, but they can never do that exactly. Some years they may come out slightly ahead or slightly behind a break even point, depending upon sales, losses and all kinds of factors. If bookstores are required to lapse money when they end up in the black and then incur uncovered, illegal deficits when they end up in the red, this is obviously an unfair problem, like expecting them to go to bat with two strikes against them to begin with. The university can and will provide full disclosure to the executive and legislative branches on its holdings of program receipts.

University of Alaska

Don Abel and Members of the Board of Regents

Page 3

October 27, 1983

Several weeks ago, Representative Terry Martin indicated to me that he wanted to propose certain legislative changes to correct problems as noted above. He asked me for information concerning them and my suggestions, which information and suggestions I provided to him. In answer to a letter I received from him yesterday, asking for my comments on his proposed bill, I have sent to him the attachment. Today I am having a copy of it taken to Gene Dusek, the associate director in the Office of Management and Budget in Juneau. I also plan to provide this information to other legislators.

SFC/pe

Attachment

cc: The Honorable Terry Martin, w/o attachments ✓

Mr. Peter McDowell

Chancellors Biggerstaff, Melican, O'Rourke, Outcalt, Paradise
Office of Regents' Affairs



Sherman Carter
Executive Vice President
474-7448

University of Alaska
Fairbanks, Alaska 99701
January 5, 1984

The Honorable Peter Goll
State of Alaska
House of Representatives
Pouch V
Juneau, AK 99811

Dear Peter:

This is to answer your letter, a copy of which is attached for convenient reference. Regarding your points which I have marked --

1. Any reasonable limitation would cause no problem. What we are talking about is strictly temporary, secure investments of cash. All such investments to date have been made in or through Alaskan banks or savings and loan associations and have been 100 percent collateralized, so that there is no possibility whatsoever of principal being lost. We are not talking about investing in equities or in other ways. All investments of any state general funds and federal funds held by the university will continue to be limited by the university with or without legislation specifically requiring that.

If legislation were going to specify the types of investments which could be made with state general funds and federal funds, I would like it to be broad enough to make clear the fact that investments in such things as treasury bills are permissible and that such investments may be made through brokers if the university should elect to do so. If a limitation on the type of investments to be made must go into the legislation, I would suggest the limitation include the following types of investments, if this is not too cumbersome. Right now we have no need to invest in some of these, but some time in the future, such investments may be advisable, being completely prudent and offering higher yields than such things as collateralized CDs.

- . Certificates of deposit in Alaska banking organizations
- . Obligations of the U.S. Government
- . Federal funds bank repurchase agreements
- . Deposits in savings or other accounts in commercial banks, savings and loan associations, and federal credit unions in the state of Alaska
- . Commercial paper, of prime or equivalent grade

2. This point of yours is also an excellent one. We here at the university are extremely careful about the use of non-budgeted program receipts. When we receive such things as tuition or interest income, beyond what was initially budgeted, this is invariably spent for one-time projects that do not continue any obligation whatsoever beyond the current fiscal year, and often

University of Alaska

The Honorable Peter Goll

Page 2

January 5, 1984

in ways to decrease appropriation requests from the state in future years. I can conceive of increased program receipts carrying obligations beyond a current fiscal year. For example, a federal grant or contract could be signed which would involve expenditures into the next year. But, again, we take special care to ensure that the financing of any such continuing expenditures is absolutely assured.

We have never caused the state any problem in these respects. Our difficulty with handling non-budgeted program receipts is that decisions must be made promptly. In granting the university authority to accept non-budgeted program receipts as is proposed in the draft legislation I sent to you, the state is not giving up any control that it now actually has. That might not seem to be true but is really the case. Units may expeditiously clear virtually any amount of program receipts by placing those into a budget request initially and having those "appropriated." In fact, this is a continuing problem. It is easy for units to overbudget their program receipts and avoid later delays in getting increased receipts approved. This encourages bad management, because we then need continually to decrease appropriation and spending authority already allocated in line with money actually being received. The university must have the authority to accept non-budgeted program receipts promptly and needs to be entrusted with the responsibility for assuring that no such receipts require uncovered obligations into future fiscal years.

The acceptance and expenditure of program receipts above those initially budgeted invariably results in a net financial gain to the university. With respect to your request that I document that point, one illustration is the fact that the university submitted a request to the state on October 4, 1983 for authority to expend \$100,000 of excess program receipts to do emergency repair work on the Seward Marine Center. There is a problem there with land eroding away into the ocean and the university needs to build a gabion wall and place armor rock along Armstrong Road for a distance of about 30 feet. Delay in performing this construction will eventually result in demolition of the docking facility needed for research vessels. I am still awaiting authority from the state to make the expenditure from money which the university has in hand. This same request to the state, awaiting action, asked for authority to cover other pressing needs, such as roof repairs which will cost about \$60,000. These things will all eventually get done and will end up costing more than would have been the case without the delay.

University of Alaska

The Honorable Peter Goll

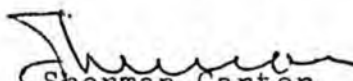
Page 3

January 5, 1984

One other example of the fact that program receipts result in a gain to the university is a case which I may or may not have previously mentioned to you. A few years ago, the university had an opportunity to accept about one-half million dollars of federal money to provide student financial aid. The money had to be accepted and expended promptly. Accordingly, I did that and then reported to the state what I had done. However, proceeding in that way was not in accordance with instructions from the state as to how we here should have proceeded. If I had done it the correct way, students would have lost about one-half million dollars which got accepted and spent in Alaska without costing the state one dime. I could document case after case of the fact that program receipts in addition to those initially budgeted result in a gain to the university and to the state. Indeed, I cannot now think of one single example of the university's use of such receipts when that has not been the case.

I have enjoyed our talks and exchange of correspondence, and I thank you again for your continuing confidence and for what you do to help the University of Alaska. To keep other people who are interested informed about these matters, I am taking the liberty to send copies of these papers to persons listed below.

Sincerely,


Sherman Carter

SFC/pe

Attachment

cc: The Honorable Terry Martin
Regents' Finance Committee
President Jay Barton
Mr. Elmer Lindstrom



STATE OF ALASKA
HOUSE OF REPRESENTATIVES

December 30, 1983

Mr. Sherman Carter
Executive Vice President
University of Alaska
Fairbanks, Alaska 99701

Dear Sherman:

Thank you for your thoughtful letter of December 22.

I am in full support of the principles outlined therein.

Thank you too for the information to support efforts in behalf of university research. I will try to put it to good use. Keep in touch as needed.

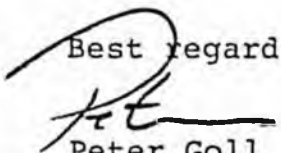
① Terry Martin's bill draft seems very good. Should there be resistance to its passage, possibly a limit on the sort of investments which can be made with general funds would allay concern.

② Regarding your point number one on accepting of non-budgeted program receipts, can you advise me on the actual impact of this policy? That is: If you accept program receipts which are not in the budget, and hire extra staff as a result, will you generally expect a net financial gain or loss to the university? If a gain, can you document this? In any case, if you have the funds to hire the extra personnel, I would certainly support your serving the additional students. I am reminded of the Cordova situation.

Incidentally, thank you very much for your support in that matter. John Devons has handled himself quite well, and I believe the matter is resolved. I am working to help the citizens of Cordova coordinate their efforts in support of funding with John in order to insure that those efforts benefit the FY85 budget development.

Should you be in Juneau, I would enjoy meeting with you.

Best regards,


Peter Goll

H

B

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COMMITTEE REPORT

HOUSE

(7)

FURTHER: FINANCE

1/9/84

Date: 1-27-84

Mr. Speaker:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 467

"An Act making special appropriations to the University of Alaska working capital reserve fund and to the University of Alaska to pay obligations from past fiscal years; and providing for an effective date."

under consideration and reports it back as follows:

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

MEMBERS SIGNING
DO PASS

Max Tischer

Kirk Uehly

Terry Martin

Mike Davis

Steve E. Johnson

John Doe

Mike Hill

MEMBERS HAVING
OTHER RECCMMENDATIONS:

Max Tischer
CHAIRMAN

Alaska State Legislature

REPRESENTATIVE
TERRY MARTIN
DISTRICT 8
CHAIRMAN—LABOR AND COMMERCE COMMITTEE
PHONE 465-3873



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ANCHORAGE, AK 99504
PHONE 333-6990

DURING LEGISLATURE
POUCH V
STATE CAPITOL
JUNEAU, AK 99811
PHONE 465-3784

MEMORANDUM

To: House HESS Committee

From: Representative Terry Martin *T.M.*

Date: January 24, 1984

Subject: HB 467

"An Act making special appropriations to the University of Alaska working capital reserve fund and to the University of Alaska to pay obligations from past fiscal years; and providing for an effective date."

This bill will clear up a discrepancy on the University's books resulting from under-appropriations to the working capital reserve fund in the fiscal years 1977 and 1979. I will quote from a letter I received from Dr. Sherman Carter dated October 26, 1983, which explains what the bill will accomplish:

Pent, Marwick, Mitchell & Co., the university's external auditors, have recommended that the university propose a bill designed to improve the university's financial position as reflected in its financial statements. The recommendation is being included in the auditor's annual management letter to the Board of Regents. (NOTE: Dr. Carter is expected to bring a copy of this letter with him to the HESS hearing.--T.M.) The management letter has not yet been formally issued, but the auditors have discussed the recommendation and shown me a draft of it....

In FY77 and again in FY79, the university incurred deficits. In all other years, the university has lapsed funds back to the state. The deficits in FY77 and FY79 resulted from the university then not being able to control its finances. Since that time, the university installed a new financial accounting system and did regain control of its finances.

The deficits incurred in the late '79s (\$3,767,040 for FY77 and \$32,714 for FY79) continue to be reflected as a negative fund balance in the university's audited financial statements. The notes to the financial statements also have a comment that the accumulated deficits are included in the

Alaska State Legislature

House of Representatives



Official Business

Al Adams
Chairman
Committee on Finance

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Kotzebue, Alaska 99752
(907) 442-3320

1024 W. 6th
Anchorage, Alaska 99501
(907) 274-0615

MEMORANDUM

TO: Terry Martin
Chairman
University of Alaska Budget Subcommittee
House Finance Committee

FROM: Elmer A. Lindstrom
Professional Aide
House Finance Committee

DATE: November 4, 1983

SUBJ: University of Alaska Bill drafts 13-1543 and 13-1587

Enclosed are the two bill drafts you requested. The following is a sectional analysis of each bill.

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Section 2. This section allows the University to place income derived from the investments allowed under AS 14.40.250 (see section 1 above) into the Working Capital Reserve Fund without an appropriation to the fund by the legislature. This conforms with the current practice of the University although in the opinion of legislative counsel it does raise the question of a dedicated fund (see attached memo from Keith Levy, Legislative Counsel).

Section 3. This section allows the University to make transfers between objects of expenditures, e.g., personal services, travel, etc., and transfers between allocations without the approval of the Office of Management & Budget. This is similar to the legislative intent contained in the FY 84 General Appropriations Act.

Section 4. This section allows the University to receive and expend additional federal or program receipts during the course of a fiscal year without the approval of the Office of Management & Budget and the Legislative Budget & Audit Committee. This is similar to the legislative intent contained in the FY 84 General Appropriations Act.

Section 5. This section allows the University to carry forward all non-general funds and those general funds designated by the legislature for "organized research" from one fiscal year to another.

"An Act making special appropriations to the University of Alaska working capital reserve fund and to the University of Alaska to pay obligations from past fiscal years; and providing for an effective date."

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Section 2. This section appropriates \$3,799,754 from the Working Capital Reserve Fund to the University in order to remove from the University's books the liability that exists from over expenditures in FY 77 and FY 79.

H

B

4

20

Alaska State Legislature

Representative Milo Fritz
District 5
P.O. Box 158
Anchor Point, Alaska 99556
(907) 235-8366



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-4833

House of Representatives MILO FRITZ

MEMORANDUM

February 14, 1984

TO: Representative Mae Tischer, Chairman House HESS

FROM: Representative Milo H. Fritz, M.D. *MHF*

SUBJECT: HB 470

HB 470 is an appropriation bill for the making of a Documentary Film History of WWII in Alaska. Originally, there were two bills HB 484 and HB 470. HB 484 was a bill to form a Commission for this special task. The bills went to State Affairs where we were asked to reraft HB 484. After hearing testimony from Carol Derfner, Special Assistant of the Governor in charge of Boards and Commissions my aide went to speak with her and Keith Levy, a legislative affairs lawyer. I learned there is an Alaska Historical Commission already formed by A.S. Title 44 Article 3 that has the power under statute section (4), (5), & (6) to make the documentary film. With the bill you will find a letter of Intent we would like to see passed out with the Bill.

Would you please schedule this bill as soon as Possible? I would like to testify for this bill. If you have any questions regarding this bill my researcher, Jan, will give you any backup material needed.

jh

MEMORANDUM

State of Alaska

TO:

The Honorable Milo Fritz
Alaska House of Representatives
Attn: Jan Harmon

DATE: March 5, 1984

FILE NO:

TELEPHONE NO: 465-2910

FROM:

Richard B. Engen, Director *book review*
Division of State Libraries & Museums

SUBJECT: Comments on HB 484

I am sorry I will be in Sitka and cannot be present at the hearing on March 7th dealing with the proposed documentary film on the Aleutian Campaign of World War II.

We have two film centers, Juneau and Anchorage, which provide services to libraries and individuals statewide. We have the largest film library selection in the state. One of our concerns, based on previous experience, is to assure that the State Library has an adequate number of copies for use statewide and full video duplication rights. As the film is being done at state expense, we recommend that the state hold the copyright and that production copies (internegatives) be placed with the State Library depository at Alpha Cine in Seattle. This will assure future access to the film.

Based on estimated use we recommend that 6 copies of the film and 2 video 3/4" masters be placed with the State Library.

We could also offer assistance in locating other footage dealing with the Aleutian Campaign; i.e. U.S. Army Signal Corps film presently in storage.

If we can offer other information or assistance please contact me.

Attachment

cc: Pat Wilson, Alaska State Film Library
Phyllis DeMuth, Alaska Historical Library
Allison Elgee

National Archives Record Group 18, acc no.

III-NAV-307.

Rescue Party Trek Through Deep Snows in Hunt for Two Missing Planes, 11th Air Force, Aleutian Islands, November 27, 1943, 448 feet.

Miscellaneous Stock Photo Shots from Attu Island, November 30, 1943, 202 feet.

Christmas (Preparations), 11th Air Force, Aleutian Islands, November 30, 1943, 876 feet.

Christmas (Preparations), 11th Air Force, Aleutian Islands, December 1, 1943, 631 feet.

Tools and Parts Built in the Field, Mainly from Salvage by Members of 404th Bombardment Squadron Machine Shop, 11th Air Force, Aleutian Islands, December 6, 1943, 796 feet.

Staff Section, 11th Air Force, at Xmas Dinner, and Winter Scenes, Adak Air Field, Aleutian Islands, December 25, 1943, 746 feet.

Christmas Activities in the Aleutians, 11th Air Force, December 25, 1943, 2,103 feet.

Replacement Crews Landing at Alexai Point Air Base in B-25s, 11th Air Force, Aleutian Islands, December 31, 1943, 438 feet.

Air Transport Command and General Shots, 11th Air Force, Aleutian Islands, January 1, 1944, 555 feet.

Adak Snow Storm, January 10, 1944, 776 feet.

General Scenes, Adak Island, January 10, 1944, 301 feet.

Plane Takeoffs in Snow, etc., 11th Air Force, Aleutian Islands, Including Views of General Buckner, January 10, 1944, 334 feet.

Aerial Views Over Adak Island, Aleutian Islands, February 22, 1944, 1,036 feet.

National Archives Record Group 208, Accession 3276:

First Pictures: Alaska-Russia Sky Route. United News Film, 1945, 10 minutes.

National Archives Record Group 111, Accession 2355:

Electronics at Work, 1945 Signal Corps Film, Explaining Basic Principles of Radar, 22 minutes.

Alaska, Signal Corps Educational Film No. 193, 1945, 11 minutes.

Citizen in Arms, Signal Corps Orientation Film No. 48, 1948, Showing Military Bases in Alaska, Hawaii, and Puerto Rico, 9 minutes.

National Archives Record Group 111, Accession III-NAV-210:

General Butler makes awards, Adak Island, February 20, 1943, 794 feet.

Activities at Longview Field, Adak, March 1, 1943, 1,636 feet.

Mission over Kiska and activities at Longview Field, Adak, March 8, 1943, 1,066 feet.

General Activity around Adak, March 27, 1943, 2693 feet.

Activities at Kiska and Adak, April 15, 1943, 800 feet.

Operations at Anchitka -- Attacks on Attu, May 22 (?), 1943, 2700 feet.

C-47 Operations in Alaska, August 3, 1943, 550 feet.

General Scenes of Activity on Attu Island, September 1943, 1872 feet.

Aerial Activity Over Attu by the 77th Bomber Group, B-25s and P-38s, September 20 to October 1, 1943, 1557 feet.

Decoration of Col. Matheny by General Nathan Twining, October 3, 1943, 49 feet.

Adak Activities, October 11, 1943, 1,011 feet.

Kiska Island in the Aleutians, Air Base Headquarters, October 12, 1943, 210 feet.

Building Quonsets, Alaska, October 18, 1943, 103 feet.

Captain Eddie Rickenbacker Visits Adak in the Aleutians, October 19, 1943, 225 feet.

General Shots -- Aleutian Islands, Alaska, October 22, 1943, 681 feet.

General Shots, Aleutian Islands, October 22, 1943, 218 feet.

P-40s Over Kiska Field, October 25, 1943, 320 feet.

P-40s Zooming Field on Kiska Island, October 25, 1943, 321 feet.

Air Mail Service on Kiska, October 27, 1943, 202 feet.

Control Center, 11th Air Force, Aleutian Islands, November 1, 1943, 1,013 feet.

Aerial Views, Kiska Air Field and Harbor, October 27, 1943, 225 feet.

Attu Activities, November 12, 1943, 1,085 feet.

Selected Scenes from "Summer Movements in the Arctic", Big Delta Region, Alaska, August, 1949, 1,701 feet.

Selected Scenes from "Arctic Indoctrination School", Big Delta, Alaska, November 30, 1949, 2325 feet.

Selected Scenes from "Alaska Communication System", Alaska, 1950, 4248 feet.

National Archives Record Group 200, Accession III-NAV-9:

Paramount News Film, 1952, Including (Part I) B-29s of the 58th Strategic Reconnaissance Squadron are Warmed up at an Alaskan Field, Take Off, and Fly Over the North Pole, 6 minutes.

National Archives Record Group 200, Accession III-NAV-60:

Paramount News Film, November 4, 1953, Volume 13, No. 24, Including (Part I) an F-86C Scorpion intercepter plane fueled and taking off from an Alaskan Base, 7 minutes. .

3601 Cumberland St. N.W.
Washington, D. C. 20008
15 February 1984

Representative Milo Fritz
Pouch V
Juneau, Alaska 99811

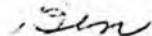
Dear Milo:

On the assumption that the Letter of Intent referred to in your letter of February 6, 1984 has been prepared and is attached to the bill now in process of legislative consideration, there is enclosed a draft of a document in support of this legislation. In any event, a note of suggested matters which should be covered in such a letter of intent is enclosed.

It would be appreciated if you would reproduce and distribute a copy of the supportive memorandum to each member of the legislature and to other individuals and agencies who can assist in getting the appropriation bill through the legislature.

I admit playing blind man's bluff with this, for I haven't seen a copy of the bill to which it refers.

Sincerely,



B. B. Talley

02/15/84

SUGGESTED MATTERS TO BE COVERED BY LETTER OF INTENT

It is the intent of the legislature that funds provided by HB _____ be used by the Alaska Historical Commission to prepare, or to authorize and coordinate preparation and production by others of, a comprehensive documentary film of World War II in Alaska.

In carrying out this mandate, the Commission may give financial support and otherwise participate and cooperate with personnel, both active and retired, of the Armed Forces of the United States, Canada and Japan, and with others, in preparation of the film, using material available from existing sources as well as additional visual components, as may be found appropriate.

02/15/84

Draft prepared by B. B. Talley
with contribution by
Col. Evan J. Griffith, USAF

BACKGROUND MATERIAL IN SUPPORT OF HB _____
APPROPRIATING FUNDS FOR A COMPREHENSIVE DOCUMENTARY FILM
OF WWII IN ALASKA

There exist several books and papers, some official, which purport to document the history of WWII in Alaska. In addition, the military services have extensive motion pictures of their operations in Alaska. In recent years there has been a rebirth of interest on the part of individuals and organizations, particularly veterans organizations, in this part of Alaska's history. These individuals and groups have many important visual records which can be obtained for a comprehensive documentary film of WWII in Alaska.

In 1980, on the 40th anniversary of its arrival in Alaska, the veterans of the 11th US AF held a reunion in Alaska. It included a visit to the Aleutians as far out as Shemya. Weather prohibited their going to Attu. Extensive motion pictures and video tapes were made of this celebration, including interviews and oral history from many of the veterans present.

In 1982 extensive motion pictures and video tapes were made by individuals, organizations and by TV stations of the ceremony in dedication of a memorial on Unalaska Island to all those who lost their lives in the Aleutians during WWII. This included the Armed Forces of the United States and Canada, the Aleuts, and the Japanese Armed Forces. The two Japanese officers, now retired, who led the first and second waves of bombers in the attack on Dutch Harbor on 4 June 1942 participated in this dedication. The dedication was preceded by a flight from Unalaska Island to the Umnak Air Base, and to the position of the Japanese carrier from which the attack was launched, thence following the course of the planes to the rendezvous point and returning to Dutch Harbor. The plane was piloted by the Japanese officer who led the attack, flying

in reverse the course flown in the attack. From the rendezvous point, the plane flew the course at the same altitude flown in the actual attack. In the plane were Admiral James S. Russell, USN-Ret. who commanded the US Navy Catalinas in Alaska during WWII, BG B. B. Talley, Corps of Engineers, retired, who was responsible for building the secret air base on Umnak Island from which the US AF P-40s broke up the Japanese aerial attack on Dutch Harbor, and Admiral Hiroichi Samejima, JMSDF (Ret.) who led the first wave of Japanese bombers, and Colonel Zenji Abe, JMSDF (Ret.) who led the second wave which consisted of dive bombers. (Then Lieutenant Commander Abe later transferred to the army, as the reconstituted Naval defense force did not have dive bombers.) Also in the plane were Mr. Ted Spencer who arranged the dedication ceremony and the aerial flight here described. There was also a motion picture camera crew aboard who recorded the flight on film.

In view of the advancing age of the still living participants in WWII in Alaska, delay in the production of this visual history might preclude their participation in this important chapter in Alaska's history.

Inasmuch as the State of Alaska would be the primary beneficiary, the State should be the primary sponsor of the project. Such a project is within the purview of the Alaska Historical Commission of the Department of Education.

The project would include, but not necessarily be limited to, bringing together into a single compilation the best of the existing film, editing it into a single comprehensive historical document. There should be included in this compilation such additional footage as may be appropriate, with commentary by selected veterans who took part in the action.

Upon being instructed to carry out this project and being provided with the necessary funds for its accomplishment, the Alaska Historical Commission formed by AS Title 44, Article 3,

would have power to prepare or to authorize and coordinate the preparation and production by others of a documentary film covering this important portion of Alaska's history. Such a history should include but not be limited to the stills and motion pictures already in existence, but should include additional visual components as may be appropriate. Such a project should be completed by June 30, 1986.

A conceptual organization structure for executing this project is shown in Figure 1.

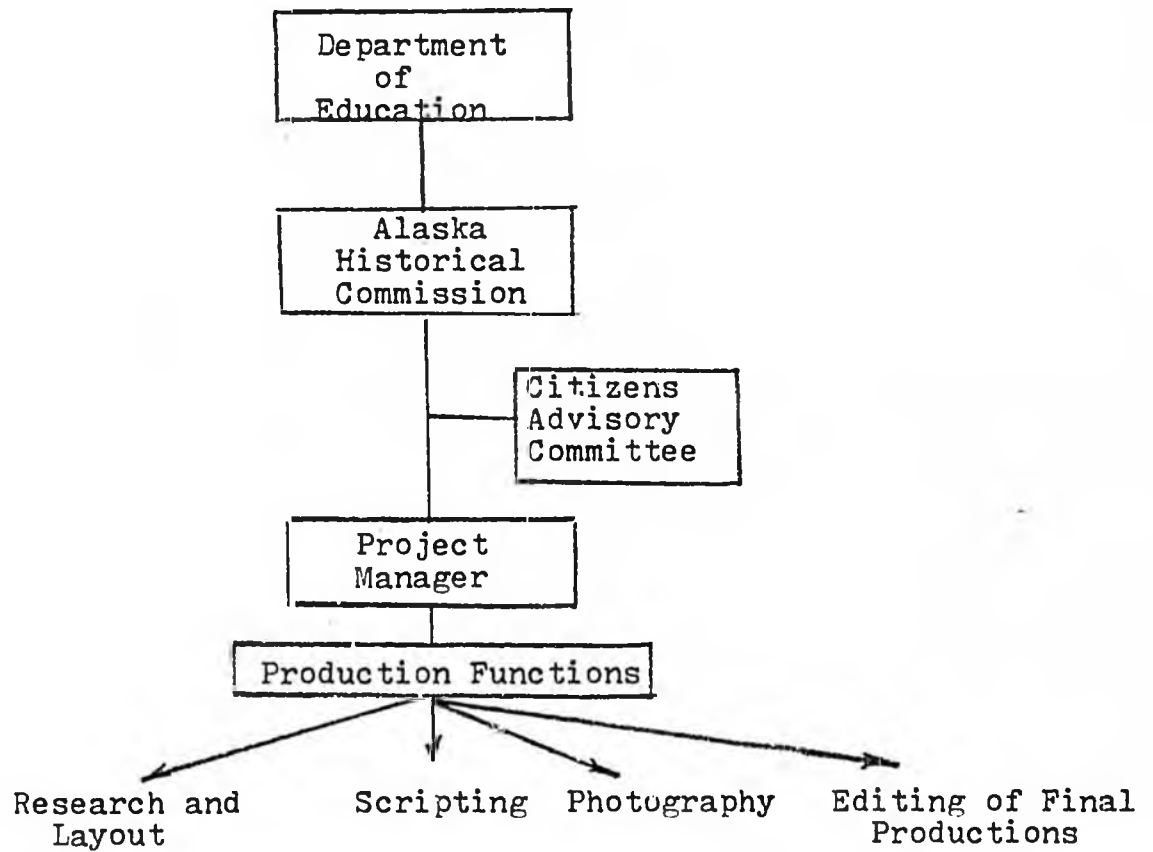


Figure 1. Conceptual Organizational Structure. Production of a Comprehensive Visual History of WWII in Alaska

LETTER OF INTENT SSHB 470

February 22, 1984

On behalf of WWII veterans appropriation SSHB 470 is being introduced. It is the intent of this legislation that funds provided by SSHB-470 be used by the Alaska Historical Commission to prepare, or to authorize and coordinate preparation and production by others of, a comprehensive documentary film of World War II in Alaska.

In carrying out this mandate the Commission may give financial support and otherwise participate and cooperate with personnel, both active and retired, of the Armed Forces of the United States, Canada and Japan, and with others, in preparation of the film, using material available from existing sources as well as additional visual components, as may be found appropriate.

Today, Alaska still suffers from some of the same lack of appreciation that it received at the time of its purchase in 1867. The Aleutian Campaign of WWII, once referred to as "the Forgotten Front," could well become just that---forgotten. It is important to increase the little knowledge and understanding the public has concerning conditions in Alaska during WWII.

Adoption of SSHB 470 by the Alaska Legislature would exemplify the important role that Alaska played during 1940-1945. It would strengthen an understanding and respect for our great 49th state. It also is an educational tool for our present generation on the folly and danger of being physically, morally and militarily unprepared to protect our country and way of life.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 484
Title: WW II History Commission

FISCAL DETAIL

Agency Affected: Office of the Governor
Program Category Affected: General Government

Sponsor: State Affairs
Requestor: Fritz
Date of Request: 1/9/84

BRU, Program or Subprogram(s) Affected:
Executive Office

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		62,205	64,000	65,500		
200 TRAVEL		12,344	14,344	15,000		
300 CONTRACTUAL		10,427	12,427	13,500		
400 SUPPLIES						
500 EQUIPMENT		13,122	2,000	3,500		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		98,098	92,771	97,500		
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2.0	2.0	2.0		
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Michael A. Nizich Phone: 465-3616
Division: Admin. Services/Executive Office Date: 1/31/84

Approved by Commissioner: Laura J. Herman Date: 2-1-84
Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Fiscal Note on HB 484

The fiscal impact on the Office of the Governor is as follows:

Personal Services: 62,205.00

	<u>Mo. Sal.</u>	<u>Yearly</u>	<u>25% Bene</u>	<u>Total</u>
Administrative Assist., Range 16	2,586.00	31,032.00	7,758.00	38,790.00
Clerk Typist, Range 8	1,561.00	18,732.00	4,683.00	23,415.00
				<u>62,205.00</u>

Administrative personnel are required to gather information and documents from public & private agencies concerning the participation of Alaska in WW II. Also to preserve and index materials gathered in order to make them readily available to the public. In addition, support positions are required to ensure minutes of the meetings are taken and the preparation of the annual report is compiled for the Legislature and Governor.

Travel: 12,344

Travel consists of four meetings annually, to be conducted in Anchorage, Fairbanks, Juneau and Kotzebue. This would entail travel costs for airline tickets for each member of the Commission plus the appropriate per diem rate. Meetings are estimated to be approximately two days in length in each location.

5 Member Commission
\$80. per day Per Diem
2 Day Meetings

<u>Meetings Held</u>	<u>Transp</u>	<u>Per/ Diem</u>	<u>Minimum Total</u>
Anchorage	1,422	1,200	2,622
Juneau	1,618	1,200	2,818
Fairbanks	1,634	1,520	3,154
Kotzebue	2,230	1,520	3,750
	<u>6,904</u>	<u>5,440</u>	<u>12,344</u>

Contractual Services: \$10,427.00

Office Space	4,170.00
Conference Room Space	4,500.00
Phone (rental)	1,096.00/yr.
Work Station (30 x 60)	250.00
Stationery	90.00
Office Supplies (approx.)	300.00
Business Cards	21.00
	<hr/>
	\$10,427.00

Equipment: \$13,122.00

Displaywriter, diskette & printer	9,296.00
Typewriter, Sel. III	789.00
Calculator	190.00
2 file cabinets (4 drawer, ltr) 203. ea.	406.00
1 desk - double pedestal	397.50
1 desk - sec. w/return	505.00
1 chair - exec.	306.00
1 chair - sec.	250.00
2 chairs - side	300.00
1 bookcase - 4 shelf	150.00
2 partitions - 4 x 5 266. ea.	532.00
	<hr/>
	\$13,122.00

TOTAL: 98,098.00

A COMPREHENSIVE VISUAL DOCUMENTARY
OF
WORLD WAR II IN ALASKA

A joint production by the Alaska Veterans of World War II, assisted by contributions by the US Army, Navy and Air Force, together with the State of Alaska, the Air Force Association, et al.

Draft of Suggested Format
Prepared by B. B. Talley

Background music.

Title and accreditation (Producer, Narrators, Contributors, etc.)

PROLOGUE with voice off camera. On the screen flashes of motion pictures and projected stills, changing every 3 to 5 seconds.

Voice off camera:

"ALASKA. A land of inestimable beauty...Its Mountains (McKinley)...Its Rivers...Forests...Lakes: _____ of them...Farms in the Matanuska Valley...A Coastline of _____ miles...The Sea with its abundance of seafood: 35 million salmon alone caught in 1983...The Inside Passage (map) from Seattle to Skagway and to Haines...Its Cities (flash of Fairbanks, Anchorage, and perhaps Juneau)...Its vast natural resources: Oil...Coal...Timber...Gold and other rare metals...Its Industry: Mining...Forestry...Fishing...Construction...Its People (Indians... Eskimos...Aleuts...Sourdoughs...Business Men and Women. Truly a Great Land." (Total time from 3 to 5 minutes.)

On the screen: A map of Alaska superimposed on a map to the same scale, of the South 48 States, with Ketchikan over Jacksonville, FL, and Attu over (vicinity of) San Diego.

As the map is projected, a veteran walks on stage and speaks:

"When the United States purchased Russia's interests in Alaska in 1867, the American people called it 'Seward's Ice Box' or

'Seward's Folly'. The natives called it 'Denali'--the Great Land. A land so vast that if Ketchikan (turns and points) were at Jacksonville, Florida, Attu--one of the Near Islands--would be at San Diego, and the oil fields at Prudhoe Bay would be in North Dakota and Minnesota.

"The Near Islands?" Near to what? _____ miles to Soviet Komandorskiye Islands, _____ miles from the Kamchatka Peninsula in Asia.

"Further north, Soviet Big Diomedes Island is 5 miles from American Little Diomedes. Until recently the Eskimos on these islands visited back and forth, but no more. The inhabitants of Russia's Big Diomedes have been evacuated.

"But this is not a history of Alaska, which was governed as a Military District under the Department of California until it attained Territorial status in 1912, or until it became our 49th state in 1958.

"Rather, we present to you the story of World War II in Alaska as experienced by veterans of that war. Too often it is called 'The Forgotten War' or 'The Thousand Mile War'. A war that few Americans knew much about even while it was taking place; and fewer know now that during that war American territory was seized by the Japanese armed forces and occupied for 15 months before we were able to again bring it under the American flag.

"This is a story told by men who took part in that war and by natives who suffered because of it. It is a story the American people ought to know, to see for themselves pictures made at the time the action took place. They should see for themselves the tremendous effort required to build the bases from which our airmen, our soldiers and our navy operated in the defense of Alaska. They should see what those bases look like more than 40 years after the action took place.

"It is important that we do this. History not only tells us what has already happened, but if we are attentive, it will indicate what could occur in the future."

Here continue with a brief statement of the situation in Alaska just before we entered the war, including an account of Captain Streit's visit, General Arnold's photographic mission, an account of the passage of the Around the World Flyers in 1924, the statement of Billy Mitchell regarding the strategic importance of Alaska, etc.

This situation is partially covered in my talk at the EAFB on 17 September. Data covering the other items mentioned are readily available.

For the production, we must review the motion pictures and selected stills made by the three services, and by the Japanese as may be appropriate, and as can be obtained.

The foregoing material should be assembled at the EAFB for review by carefully selected personnel of the three services, and from these select what is needed for the documentary. At the same time we should determine what additional photographic coverage is needed both of the bases on the mainland and in the Aleutians. When this is done, we are well on our way to having the documentary we want.

Hopefully, we can assemble these data before the end of the year. As a starter, I spoke to the Chief of Engineers about the Corps film at the National Archives, and of our plans for this documentary. His reaction was expressed in a few words: "What can I do to help?" Action is being taken to get this film.

Alaska State Legislature

Representative Milo Fritz
District 5
P.O. Box 158
Anchor Point, Alaska 99556
(907) 235-8366



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-4833

House of Representatives

MILO FRITZ

MEMORANDUM

February 14, 1984

TO: Representative Mae Tischer, Chairman House HESS

FROM: Representative Milo H. Fritz, M.D. *MHF*

SUBJECT: HB 470

HB 470 is an appropriation bill for the making of a Documentary Film History of WWII in Alaska. Originally, there were two bills HB 484 and HB 470. HB 484 was a bill to form a Commission for this special task. The bills went to State Affairs where we were asked to redraft HB 484. After hearing testimony from Carol Derfner, Special Assistant of the Governor in charge of Boards and Commissions my aide went to speak with her and Keith Levy, a legislative affairs lawyer. I learned there is an Alaska Historical Commission already formed by A.S. Title 44 Article 3 that has the power under statute section (4), (5), & (6) to make the documentary film. With the bill you will find a letter of Intent we would like to see passed out with the Bill.

Would you please schedule this bill as soon as Possible? I would like to testify for this bill. If you have any questions regarding this bill my researcher, Jan, will give you any backup material needed.

jh

PHOTO CREDITS

AAHS American Aviation Historical Society - California
ADGM Allison Division, GM - California
AJRC Admiral James Russell Collection - Tacoma
BAT Bell Aerospace Textron Collection - Buffalo, NY
BC Boeing Company - Seattle
BN Bob Nelson Collection
CAP Collect-Air Photos - Wisconsin
CAS Charles A. Simenstad Collection
COE Corps of Engineers, US Army - Anchorage
DSB DS Braden Collection - Anchorage
GFP GF Petrov - Finland
JD Jay Demming Collection - Florida
MFC Mark Fuersteanau Collection - Nome
NAA North American Aircraft Collection
PMB Peter M. Bowre Collection - Fairbanks
PPL Pilot Press Ltd. Collection
RWH RW Harrison Collection - Massachusetts
TPL Taylor Picture Library
TS Thomas Spitler - Adak
USA US Army Archives - Washington
USAF US Air Force Archives - Washington
USCG US Coast Guard - Kodiak

AIRCRAFT WRECKS SHOWN ON MAP

WRECK NUMBER	DATE OF CRASH	TYPE OF AIRCRAFT	POSITION OF WRECK
1 ✓	WWII	B-24	CAPE KIGUN, ATKA
2 ✓	WWII	B-24	ILAK ISLAND, WRECKAGE INTACT
3 ✓	28 OCT 46	P-38	TANAGA BAY, POOR CONDITION
4 ✓	28 OCT 46	OA-10	TANAGA BAY
5 ✓	31 AUG 51	PB 4Y-2	NW TIP OF LITTLE TANAGA, 500-FOOT LEVEL
6 ✓	WWII	B-24	SEMISOPOCHNOI, EAST SIDE OF DERRET RIDGE
7 ✓	WWII	B-24	BECHEVIN BAY, ATKA, VERY GOOD CONDITION
8 ✓	WWII	A-20	KISKA, EAST END OF LANDING STRIP
9 ✓	WWII	B-24	GREAT SITKIN, FUSELAGE INTACT, WINGS FOLDED BACK
10 ✓	WWII	PBY	NE SIDE OF KISKA VOLCANO
11 ✓	WWII	PBY	CLIFF ON KASATOCHI ISLAND
12 ✓	WWII	OA-10	ATKA, NORTH SIDE OF KOROVIN BAY
13 ✓	WWII	P-38	NW POINT OF BULDIR ISLAND, POOR CONDITION
14 ✓	5 SEP 46	PV-1	AGATTU ISLAND, PRETTY GOOD CONDITION
15 ✓	WWII	P-38	ALAIID ISLAND, VERY POOR CONDITION
16 ✓	5 SEP 46	C-47	ATTU
17 ✓	WWII	P-38	ATTU, TEMNAC BAY, POOR CONDITION
18 ✓	WWII	P-40	SW END OF UMNAK ISLAND, CAPE STARR
19 ✓	WWII	PBY	UNALASKA ISLAND, DEBRIS SCATTERED FROM 300 TO 900 FOOT LEVELS
20 ✓	WWII	P-40	UNALASKA, BADLY SCATTERED
21 ✓	WWII	OA-10	UNALASKA, BADLY SCATTERED
22	WWII	ZERO	AKUTAN, VERY POOR CONDITION
23 ✓	11 DEC 73	C-118	GREAT SITKIN, TEN PERSONS ON BOARD, NO SURVIVORS

REFERENCE: 5

FIGURE 1-14

DOWNED AIRCRAFT OF POTENTIAL HISTORIC VALUE