

ALASKA LEGISLATURE COMMITTEE FILES 1983 - 1984 8672

2562 HLC HB 26 - HB 141 2562

H B

26

HB-26 -
HB-22 -

1/27

⊗ AIDA - NO PRIMARY LOANS; ONLY SECONDARY MARKET; LIMIT OF \$5,000;

INTEREST RATE -

SBA PURCHASE PROGRAM, MOODYS AA, 12 1/4

BONDED INTEREST ~~20~~ 30; MATURITY RATES;

FORMULA - 20 YR - 40-45 BASIS POINT

10 YR 30 BASIS POINT -

RATE OF INTEREST OVER LAST 18 MONTHS

57-M - 20-25 14% - LOAN RATE -

13% LOAN RATE - Aug

11.5% " " - OCT

FORMULA

1. COMMERCIAL BANK - SBA. -

2. ELIGIBILITY APPLICATION; I.R.S. - TAX EXEMPTIONS

BANK CREDIT PACKAGE; PAYMENT -

3. BANK SERVICES THE LOAN; 3/8

4. QUALIFICATIONS FOR LOANS;

5. PROVISION - CONCERNS

6. - 35 LOAN PROGRAMS - SOLUTION TO PROBLEM

27 - STATE BANKS

20 - 10,000 UNDER

- PERMANENT FUND QUESTION;

- BILL COVERS EVERYTHING BUT HOW DO

- SBA - REFINANCE FLEXIBLE PROGRAM, LEGISLATION

- FIXING AMOUNT UNDER SEC. - NO FIXING OF LOAN AMOUNT -

-

BY LINDAUER, FURNACE AND
BETTISWORTH

1 IN THE HOUSE

2 HOUSE BILL NO. 26

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the business refinancing and
7 expansion loan program in the Alaska Industrial
8 Development Authority; and providing for an effective
9 date."

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

11 * Section 1. AS 37.13.120 is amended by adding a new subsection to
12 read:

13 (n) Notwithstanding the other provisions of this section, the
14 board shall invest up to 25 percent of the assets of the corporation
15 to purchase, on the date offered, Alaska Industrial Development
16 Authority Bonds, bearing interest of 10 percent, guaranteed by the
17 Alaska Industrial Development Authority, and secured by loans made
18 under the Alaska Industrial Development Authority business refinancing
19 and expansion loan program (AS 44.88.300 - 44.88.390).

20 * Sec. 2. AS 44.88 is amended by adding new sections to read:

21 ARTICLE 5. BUSINESS REFINANCING AND EXPANSION LOAN PROGRAM.

22 Sec. 44.88 300. PROGRAM ESTABLISHED; PURPOSE AND INTENT. The
23 Alaska Industrial Development Authority business refinancing and
24 expansion loan program is established in the authority. The purpose
25 of the business loan program is to enable state residents to refinance
26 existing business debt and finance business expansion. It is the
27 intention of the legislature that business loans be made through state
28 banks and other financial institutions without unnecessary involvement
29 of the authority.

1 Sec. 44.88.310. POWERS AND DUTIES OF THE AUTHORITY. The author-
2 ity shall sell its bonds to the Alaska permanent fund under AS 37.13.-
3 120(n) and shall use the bond sale proceeds to purchase business loans
4 under the terms and conditions set out in AS 44.88.300 - 44.88.390.

5 Sec. 44.88.320. LOAN PURCHASE REQUIRED. Subject only to the
6 availability of funds from the sale of bonds to the Alaska permanent
7 fund under AS 37.13.120(n) and the priorities set out in AS 44.88.330,
8 the authority shall purchase a business loan when offered by a bank or
9 other financial institution if the business loan meets the conditions
10 set out in AS 44.88.340 and is made to an eligible borrower under
11 AS 44.88.350. The authority shall accept a sworn statement from the
12 bank or financial institution that the loan conforms to the require-
13 ments of AS 44.88.300 - 44.88.390 in purchasing a business loan under
14 this section.

15 Sec. 44.88.330. PRIORITIES. If insufficient money is available
16 from the sale of bonds to the Alaska permanent fund under AS 37.13.-
17 120(n) to purchase all qualifying business loans offered to the
18 authority, the following priorities shall be followed by the authority
19 in purchasing business loans:

20 (1) loans for expansion of business in communities having a
21 population under 10,000 have priority over all other qualifying busi-
22 ness loans; and

23 (2) loans that use at least 25 percent of the loan proceeds
24 for expansion of a business have priority over loans that use less
25 than 25 percent of the loan proceeds for business expansion.

26 Sec. 44.88.340. LOAN CONDITIONS. (a) To qualify for purchase
27 by the authority under the business loan program, a business loan

28 (1) may not exceed \$2,000,000 or 75 percent of the net
29 market value of the borrower's business, whichever is less;

loans

1 (2) may not bear interest in excess of 10.9 percent or one
2 percent above the prime lending rate, whichever is less;

3 (3) shall have a fixed interest rate and fixed monthly
4 payments;

5 (4) shall have a term of 15 years but may not impose a
6 penalty for acceleration of payments;

7 (5) may be assumed;

8 (6) shall be made to refinance the business debt or expand
9 the business of an eligible sole proprietorship, partnership, corpora-
10 tion, or other business entity doing business primarily in the state;

11 (7) may not be made to a business that is engaged in the
12 construction or rental of single or multiple housing units;

13 (8) shall be personally guaranteed by the sole proprietor,
14 partners, corporate shareholders, or other owners of the business; and

15 (9) shall be secured by documents establishing a first
16 priority on assets of the business, including assets to be acquired
17 with the proceeds of the loan, valued at an amount equal to the amount
18 of the loan.

19 (b) In order to qualify a business loan for purchase by the
20 authority under the business loan program the bank or financial insti-
21 tution that originates the loan must retain at least 10 percent of the
22 financing of the loan, or the maximum amount that the bank or finan-
23 cial institution is allowed, as a matter of law, to invest in a single
24 loan, whichever amount is less.

25 Sec. 44.88.350. BORROWER ELIGIBILITY. To be eligible for a
26 business loan that qualifies for purchase by the authority under the
27 business loan program the borrower must do business in the state for
28 at least one year before applying for the loan and shall be

29 (1) a sole proprietorship owned by a state resident;

1 (2) a partnership in which all of the partners are state
2 residents;

3 (3) a corporation in which the controlling interest is
4 owned by state residents; or

5 (4) a business entity that is not a sole proprietorship,
6 partnership, or corporation, in which a controlling interest is owned
7 by state residents.

8 Sec. 44.88.360. LIMIT ON THE NUMBER OF LOANS. A business may
9 receive only one loan under the business loan program except that a
10 corporation that is eligible to receive a business loan is not dis-
11 qualified from receiving a loan by the fact that a prior business loan
12 was made to a shareholder of the corporation.

13 Sec. 44.88.370. FEES. (a) The bank or other financial institu-
14 tion that originates a business loan purchased by the authority may
15 charge the borrower an amount not to exceed three percent of the total
16 loan amount as an application or origination fee.

17 (b) The bank or other financial institution that originates a
18 business loan purchased by the authority shall act as the collection
19 agent for the authority and shall receive six-tenths of one percent of
20 all amounts collected as a collection fee. *6/10 48164*

21 (c) The authority may not charge a fee for authority participa-
22 tion in a business loan.

23 Sec. 44.88.380. REGULATIONS. The authority may make and enforce
24 reasonable regulations to carry out the purposes of the business loan
25 program.

26 Sec. 44.88.390. DEFINITIONS. In AS 44.88.300 - 44.88.390

27 (1) "business loan" or "business loan program" refers to
28 the Alaska Industrial Development Authority business refinancing and
29 expansion loan program;

1 (2) "net market value" means the total assets of a business
2 less the total liabilities of the business and less an amount equal to
3 the total amount of interest due on business debts that are not to be
4 retired by using the proceeds of a business loan, plus the increased
5 value of the business that will result from use of the business loan
6 proceeds, as valued by an appraiser acceptable to the originating bank
7 or other financial institution.

8 * Sec. 3. AS 44.88.320 enacted in sec. 2 of this Act applies to the
9 first \$2,000,000 of loans made by a bank or other financial institution
10 after June 1, 1983.

11 * Sec. 4. This Act takes effect July 1, 1983.

*GETTING MONEY OUT TO
RURAL AREAS; GEOGRAPHIC*

CONTINUATION;

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 26 Date on Bill: 1/17/83
 Title: Act establishing the business refinancing and expansion loan program...
 Sponsor: Lindauer, Furnace and Bettisworth
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating	-0-	200.0	100.0	-0-
Total	-0-	200.0	100.0	-0-

b. Revenues: Program Receipts

Revenue	-0-	200.0	100.0	-0-
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions: It is anticipated that 18 months will be the maximum duration of the program. Additional personnel may be necessary to handle volume. Program will be short lived due to exhaustion of funds and large default rate. Please note that although program receipts is shown as a funding source (since A.I.D.A. is funded 100% with program receipts) the actual source of funds will have to come from other A.I.D.A. activities, since this bill essentially precludes A.I.D.A. from charging any fees for this program. This means users of other A.I.D.A. programs will have to pay for the operation of this program. These figures represent only increased operational costs. No estimate is included as to the amount of loss on A.I.D.A. investment funds, or
4. Disclaimer: the costs of potential interest rate subsidies. This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Bert Wagon Phone: 274-1651
 Division: Alaska Industrial Development Authority Date: _____
 Approved by Commissioner: Richard A. Lyon Date: _____
 Department: Commerce & Economic Development

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

H B

51



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

January 25, 1983

TO: House Labor and Commerce Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Administrative Assistant

SUBJECT: House Bill 51 - Limiting the Adjustment of Retirement Benefits

On several occasions the Blue Ribbon Commission has heard testimony about problems created by overpayments of retirement benefits. Retired state employees may have substantial difficulties if they are required to repay retirement benefits improperly received because of errors made by the Division of Retirement and Benefits or because of a change in law. The commission is proposing legislation to limit the authority of the division to collect amounts paid improperly through no fault of the beneficiary or retired person if the error is not corrected within two years.

One woman testified to the commission that before she retired she asked the division to verify her years of credited service. Several years later a court-ordered change in retirement regulations reduced the number of years for which she received credit. Her employment with the University of Alaska could no longer be counted as credited service in PERS. As a result she had received more than \$5000 in benefits to which she was not entitled. The division reduced her benefit to the correct amount and began withholding an additional \$100 per month to be applied to the overpayment. She appealed to the Public Employees Retirement Board asking that collection of the overpayment be waived.

Both the Public Employees' Retirement Board and the Teachers' Retirement Board have authority to waive collection of overpayments, but the uncertainty of an appeal can cause considerable stress to people on fixed incomes. Both boards are required to determine whether there would be undue hardship imposed by requiring repayment. AS 14.25.175 and AS 39.35.522. In establishing whether there is financial hardship, the entire family financial situation is considered, not just the resources of the petitioner.

The commission recommends that a two-year statute of limitations be placed on the collection of overpayments which resulted from errors which were not caused by the retired state employee. Two years provides ample opportunity for the division to audit its records and correct any errors. After that period, a retired person should not be required to repay benefits erroneously received if he or she did not cause the error. The division will still correct the amount of future benefits paid to the retired person.

Bill Analysis

- Page 1
Line 9 The first section of the proposed legislation adds the two-year statute of limitations to the Teachers' Retirement System.
- Line 18 The second section adds the same provision to the Public Employees' Retirement System. The amendment to PERS is applied only to state employees because the Blue Ribbon Commission considered that requiring other participating employers to pay for errors made by the state was inappropriate.
- Line 29 The third section makes the bill effective retroactively to July 1, 1979, in order to apply to those individuals whose situations came to the commission's attention.
- Page 2
Line 2 The fourth section of the bill contains an immediate effective date clause.

HB

66

Alaska State Legislature


Representative John Lindauer
District 10-A
3933 Geneva Place
Anchorage, AK 99508



While in Juneau
Pouch V
Juneau, AK 99811
465-3709

House of Representatives

TO: House Labor and Commerce Committee

FROM: Representative John Lindauer 

RE: House Bill 66: "An Act relating to fiscal notes on bills that affect state retirement systems; and providing for an effective date."

The intent of this bill is to close a loophole within the current statute. While fiscal notes are currently required on bills affecting the state retirement systems, the entity who is to prepare these fiscal notes is no longer in existence.

The bill amends AS 24.30.036 by replacing the Legislative Board of Retirement Benefits, which no longer exists, with the Division of Retirement Benefits in the Department of Administration.

In addition, this section has been changed to conform with AS 24.30.035 requiring the fiscal note to be prepared before the bill is reported from the committee of first reference.

Alaska
MUNICIPAL
League

TELEPHONES
907) 586-1325
586-6526

204 N. FRANKLIN ST.
JUNEAU, ALASKA 99801

February 3, 1983

to: House Labor and Commerce Committee
from: Ginny Chitwood, AML Executive Director
re: HB 66

Because many municipalities participate in the state retirement system and are also affected financially by changes to the system, the League asks that the proposed analysis be extended to them. A possible amendment to accomplish that intent would be to add "and participating municipalities" on line 25 after the word, "state".

HB

93

John:

Basically, what HB 93 does is not allow departments to hire additional employees unless the department follows proper procedure. Proper procedure is to: submit in the department's budget the total amount of employees, and how much the employee force will cost. Currently, what is happening is that certain departments are adding n additional employees if they have extra money in thier budget, instead of returning thier unused portion of thier budget back into the general fund.

Question: How about making this bill even more tough, by requiring departments to fire all employees associated with a certain program when that program is finished Example: all the revenue workers who worked with the inome tax program. When it was repealed, the workers still stayed.

H

B

99

Additional Information: HR 99, Appropriation for Susitna Hydropower

According to Milt Barker of Legislative Finance Agency, the following appropriations have been made to Alaska Power Authority from 1979-1982:

Chapter 101 SLA 1982	\$25,600,000
Chapter 7 SLA 1981	2,540,000
Chapter 90 SLA 1981	18,100,000
Chapter 120 SLA 1980	3,095,800
Chapter 54 SLA 1980	1,365,000
Chapter 50 SLA 1980	7,000,000
Chapter 76 SLA 1979	8,178,000

According to Ray Bennish of Alaska Power Authority, the appropriations have been spent in the following manner, through 12/31/82:

APA personal services (staff)	\$ 749,372.
Travel	100,298

Contractual:

Feasibility studies--Akers American	36,682,000
Big Games studies--Ak Dept Fish & Game	1,991,000
Fisheries studies--Ak Dept Fish & Game	3,355,000
Land Use, Cook Inlet Villages	125,709
Stream Gauging--USGS	475,000
Power Supply Forecast--ISER #1	30,000
Cost Estimate	220,000
External Review Panel	144,000
Office of the Governor	4,500
Habitat Studies, US Fish & Wildlife	26,000
Bond Council	4,800
Management Assistance	4,300
Computerized Accounting	1,000
Permitting	8,000
Insurance Consultant	2,400
Other Contractual (leasing space, etc.)	67,000
Supplies	8,000
Equipment	20,000

STATE OF ALASKA

WALT FURNACE, CHAIRMAN
RICK UEHLING, VICE CHAIRMAN
JOHN COWDERY
NILO E. KOPONEN
HUGH MALONE
JOHN RINGSTAD
RON WENDTE



POUCH V
JUNEAU, ALASKA 99811
(907) 485-3892

HOUSE LABOR AND COMMERCE COMMITTEE

MEETING SCHEDULE

Prepared by the Chief Clerk's Office

FOR THE WEEK OF (FEBRUARY 21 - 25)

LABOR & COMMERCE

Meets: Behrends Room 209
Monday - Friday
8:45 am - 10:00 am

Monday, February 21

NO MEETING SCHEDULED - STATE HOLIDAY

Tuesday, February 22

** HB 99 - An act making a special appropriation to the Alaska Power Authority for construction of the Susitna River hydroelectric project.

Sunset Review - Board of Nursing

Wednesday, February 23

HB 93 - An act relating to limitation of the number of state employees.

Thursday, February 24

** Sunset Review - Board of Medical Examiners

Friday, February 25

Sunset Review - Board of Medical Examiners

** Indicates notice of first public hearing on a new bill.

STATE OF ALASKA

WALT FURNACE, CHAIRMAN
RICK UEHLING, VICE CHAIRMAN
JOHN COWDERY
NIILO E. KOPONEN
HUGH MALONE
JOHN RINGSTAD
RON WENDTE

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



HOUSE LABOR AND COMMERCE COMMITTEE

February 22, 1983

Representative Joe Hayes, Speaker of House
Alaska House of Representatives
Pouch V,
Juneau, Alaska 99811

Re: Board of Nursing

Dear Mr. Speaker:

Pursuant to AS 44.66.050(a) the House Labor and Commerce Committee has held hearings regarding the above referred Board. Under AS 44.66.050(e) the Committee recommends adoption of the attached Committee Bill continuing the Board of Nursing.

Specifically, the findings of the Committee of the public need for the Board as required under AS 44.66.050(c) are as follows:

AS 44.66.050(c) " A determination as to whether a board or commission or agency program has demonstrated a public need for its continued existence shall take into consideration the following factors:"

"(1) the extent to which the board, commission or program has operated in the public interest;"

The Committee finds that the Board of Nursing has operated in the public interest by holding public hearings to discuss statute and regulation revisions concerning continuing competency requirements, Board membership, foreign nurse graduate requirements, and the definition of license violations. The Board of Nursing accredits and periodically surveys Alaska nursing education programs to ensure that educational standards are being maintained.

"(2) the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters;"

The usage of the teleconference network by the Board of Nursing has allowed them to communicate throughout the State during subcommittee meetings and public hearings.

"(3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest;"

The Board of Nursing is currently developing regulations that will maintain a level of competence for practitioners. The Board is in the process of developing formal regulations which define and list examples of license violations.

"(4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided;"

Applicants who have repeatedly failed the examination are helped through counseling or referred to useful textbooks.

"(5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions;"

In addition to teleconferencing, the Board of Nursing advertises meeting and examinations in newspapers in Anchorage, Fairbanks and Juneau.

"(6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved;"

The Committee finds that the Board of Nursing is handling complaints in a timely manner. During the fiscal years 1979 through 1981 two complaints were filed with the Ombudsman. Both were subsequently resolved.

"(7) the extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public;"

During the fiscal years 1979 through 1981, the Board of Nursing issued approximately 1800 licenses and 1235 temporary permits to practice nursing in Alaska.

"(8) the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest; and"

The Committee determined that the Board of Nursing is in compliance.

"(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection."

The Board of Nursing needs to adopt formal regulations which define and list examples of license violations. In addition, it would be helpful if the Board of Nursing would continue its efforts towards developing relevant and effective regulations that will maintain a level of competence for practitioners.

Pursuant to AS 44.66.050(d) the Committee recommends the following:

"(d) As to each board, commission, or agency program assigned to it for purposes of review, the committee of reference shall, not later than the 60th day of the legislative session, submit a report to the presiding officer of the house. The report shall contain a summary of the findings of the committee as to the compliance of the board, commission or program with the factors enumerated in (c) of this section, together with a summary or recommendations of the committee as to each of the following:"

"(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address;"

The Board of Nursing was created in 1941 with the primary purpose to protect the public's health, safety, and welfare through the regulation of the nursing practice.

"(2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments;"

The Board of Nursing determines the minimum allowable quality of nursing care in the State by establishing or amending rules and regulations necessary to ensure compliance with State statutes. They also approve curricula, adopt standards and accredit nursing education programs. The Board of Nursing examines and issues licenses to qualified applicants and the Board of Nursing hold hearings which may revoke, suspend, or take other appropriate action on the license of a person violating the nursing statutes and regulations.

The Board of Nursing has staff support from the Division of Occupational Licensing which employs an Executive Officer of the Board who is statutorily responsible for performing administrative duties and assisting the Board in conducting examinations and educational programs.

"(3) an identification of any other programs having similar, conflicting or duplicate objectives;"

The Committee did not find other programs which had conflicting or duplicate objectives.

"(4) an assessment of alternative methods of achieving the purposes of the program;"

The Committee found no viable alternative method of achieving the purposes administered by the Board of Nursing.

"(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level;"

The Committee finds that to eliminate the Board of Nursing or consolidating its activities would denigrate the level of protection to the public's health, safety, and welfare.

"(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts; and"

The Board of Nursing has recommended changes to statute and regulation in the public interest, helped develop curriculum to enhance the professionalism of nursing, conducted necessary examination of applicants for licensure to protect the health, safety, and welfare of the public.

"(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest."

The Committee commends the dedication, time, and effort on the part of each Board member for their service in a complex and difficult job.

Respectfully submitted:

Representative Walt Furnace, Chairman

Representative Rick Uehling, Vice Chairman

Representative John Cowdery

Representative Niilo Koponen

Representative Hugh Malone

Representative John Ringstad

Representative Ron Wendte

Alaska State Legislature

REPRESENTATIVE
BARBARA LACHER
P.O. BOX 478
PALMER, ALASKA 99645
(907) 376-4215



WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4894

House of Representatives

To: House Labor & Commerce Committee
From: Representative Barbara Lacher
Date: February 21, 1983
Subject: HB 99—Appropriation for Susitna Hydroelectric Project

Alaska Power Authority has requested \$47 million for FY 84 in order to continue design and studies of the Susitna Hydroelectric project. I have attached a letter from Eric Yould, executive director of APA, which breaks out how the appropriation will be used.

The Susitna Hydroelectric Project Draft Summary Report, prepared by APA, forecasts that railbelt energy demands could double by the year 2000--just seventeen years from now. APA also predicts that the costs of electricity will nearly triple between 1994 and 2010, if thermal energy, which is produced by coal or gas fired plants, is selected as an alternative to hydroelectricity. This is illustrated in the attached charts and graphs, taken from APA's draft Susitna Hydroelectric Summary Report.

On the other hand, Susitna could eventually produce cost advantages as high as \$5.5 billion.

In order to continue the work necessary to receive licensing from the Federal Energy Regulatory Commission, Alaska Power Authority must complete studies of the environment, of the impact of the dams on fisheries and wildlife, and meet other licensing requirements. APA will also continue with engineering and design work.

In light of the great benefits Susitna Hydropower will bring to so many Alaskans, I strongly urge your support for House Bill 99.

Points

- 1.) LEGISLATURE MUST LOOK AT FEASIBILITY
- 2.) A.P.A.
- 3.) CHECKS AMERICAN / DESIGN AND CONSTRUCTION COSTS
- 4.) AFFORD ELECTRIC POWER;
- 5.) READY INFORMATION; FOUR BILLS

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

JAY NELSON
ALASKA APA
CENTER

January 27, 1983

The Honorable Barbara Lacher
House of Representatives
P.O. Box 30
Wasilla, Alaska 99687

FOR ENVIRONMENT

300 KWH - INCREASED COSTS
2.3 BILLION APPROPRIATION

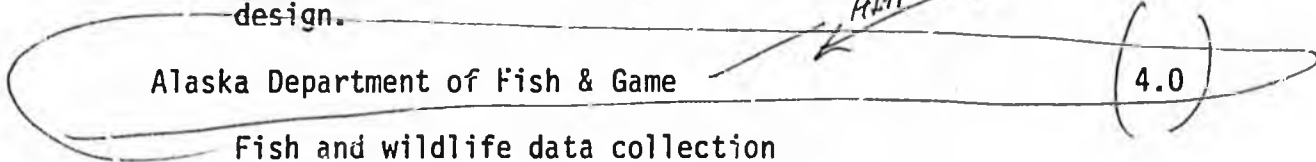
Dear Representative Lacher:

Through your assistant you have asked for information relating to the Alaska Power Authority's \$47 million FY84 request for the Susitna project.

The basis of the estimate follows:

<u>Item</u>	<u>Amount (\$ Million)</u>
Harza-Ebasco Contract	35.5
Site explorations, logistical support, licensing support, environmental analysis, detailed engineering and design.	
Alaska Department of Fish & Game	(4.0)
Fish and wildlife data collection program.	
Land Analysis and Acquisition	0.3
USGS Sediment Studies	0.2
External Review	0.2
Legal Support of FERC Licensing	0.2
USF&WS Support of Environmental Program	0.1
Design Review	1.0
Construction Manager Support	2.0
Transmission Facilities Design	2.0
Power Authority Personnel and Related Costs	1.5
Total	47.0

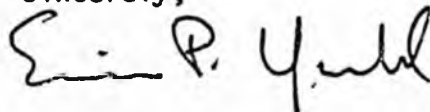
ADAMS →



Representative Lacher
January 27, 1983
Page 2

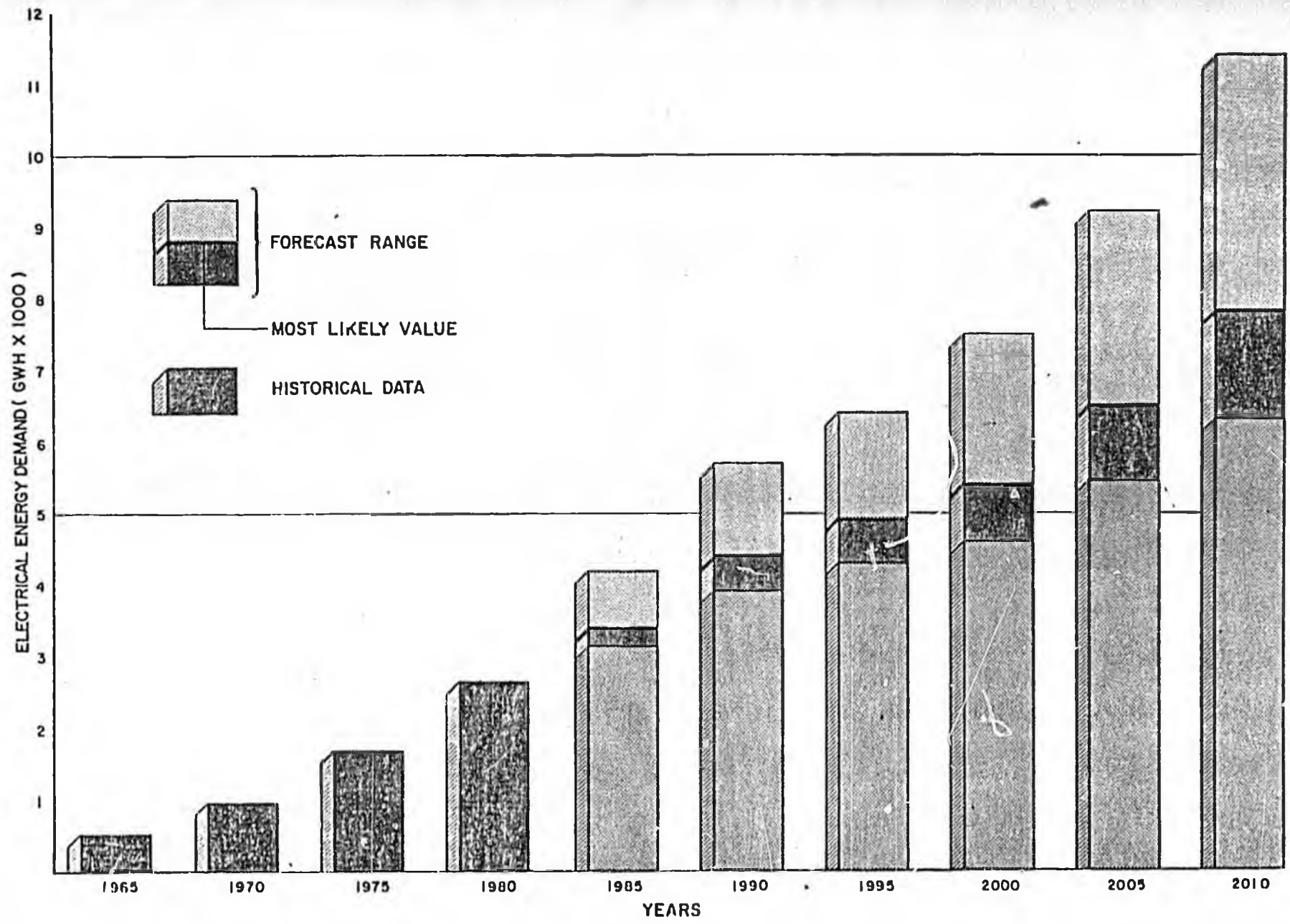
Over the next month, the basis of this estimate will be reviewed in light of the design contract presently under negotiation with Harza-Ebasco and the current outlook for project licensing.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eric P. Yould". The signature is written in a cursive style with a large initial "E".

Eric P. Yould
Executive Director

cc: Commissioner Richard Lyon
Pete McDowell
David Wozniak



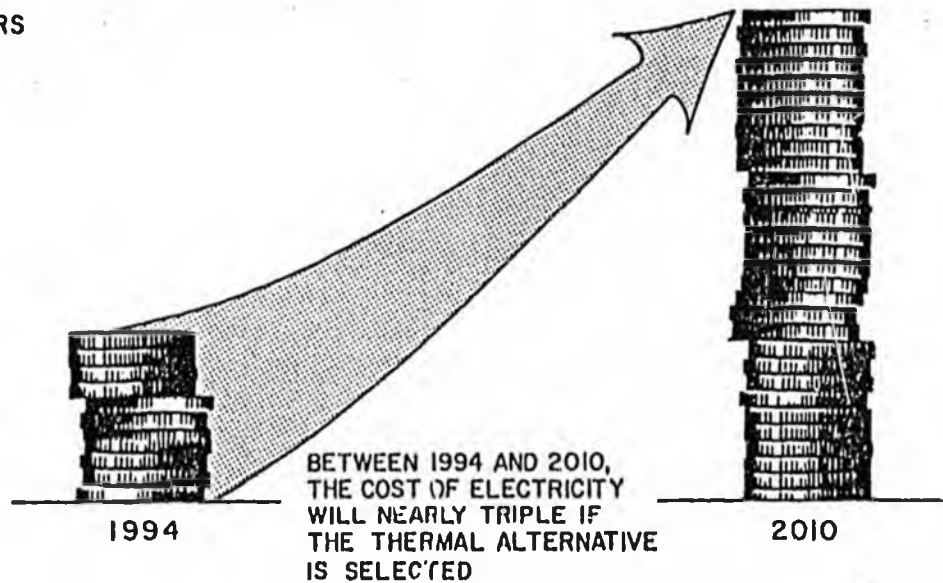
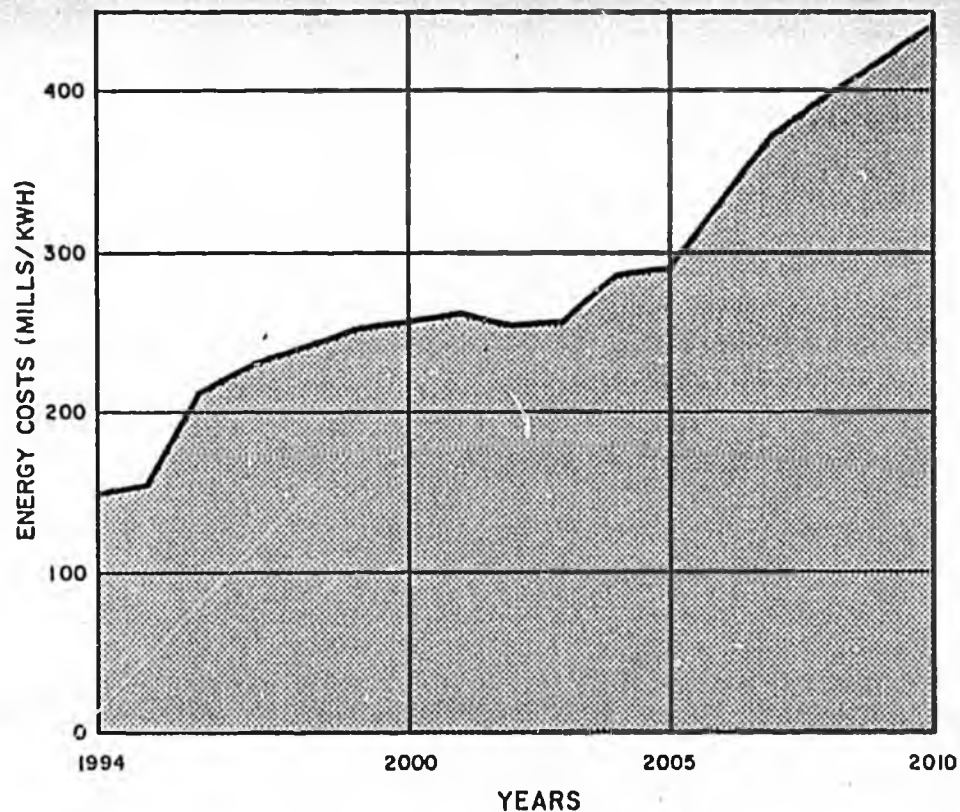
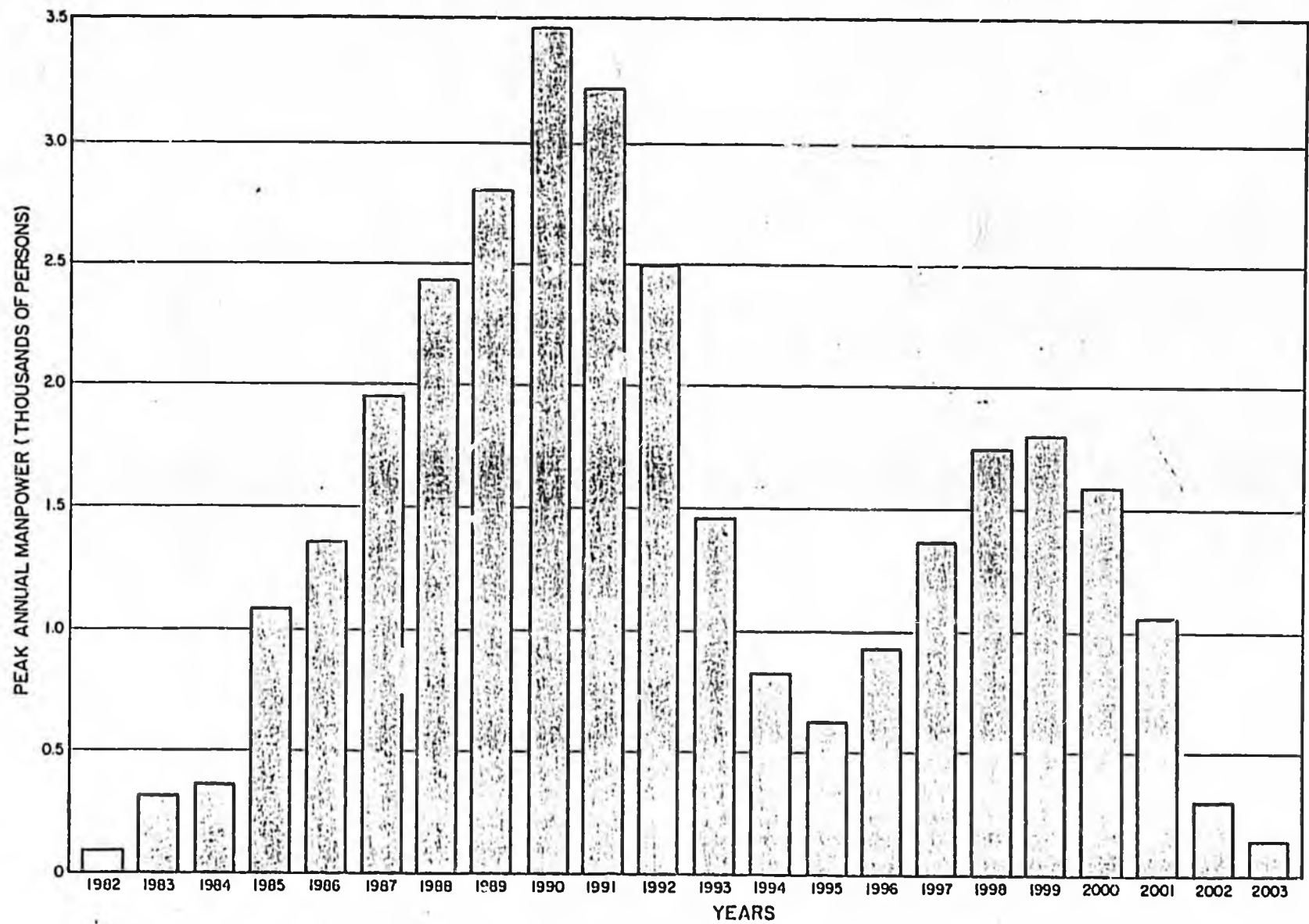
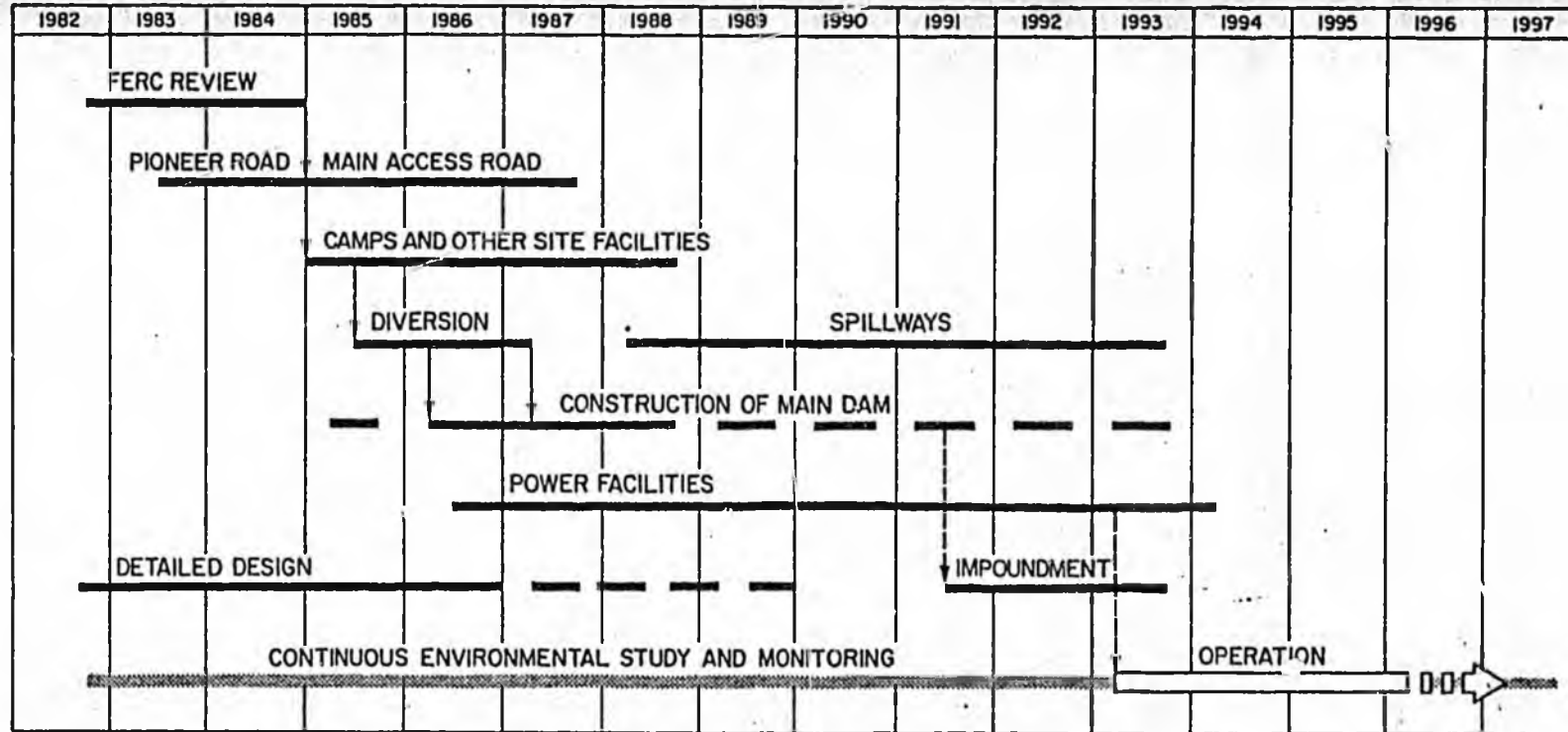


PLATE 5

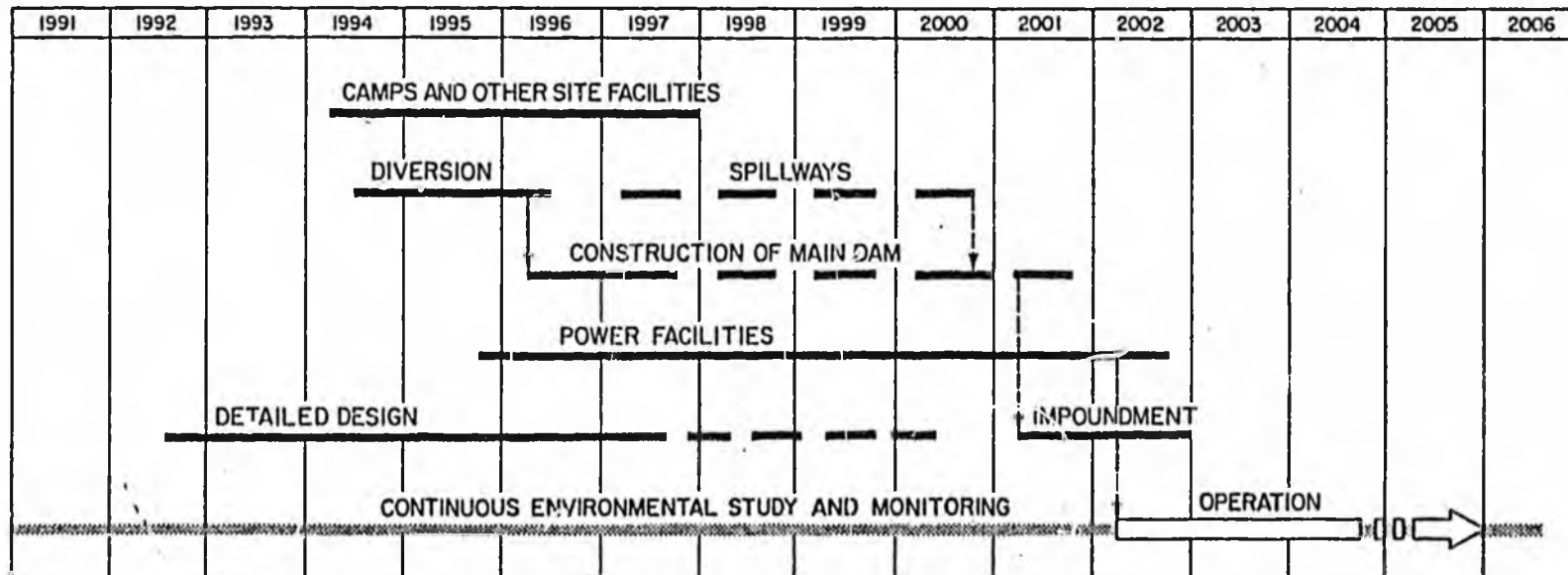
ANNUAL COSTS - BASE CASE

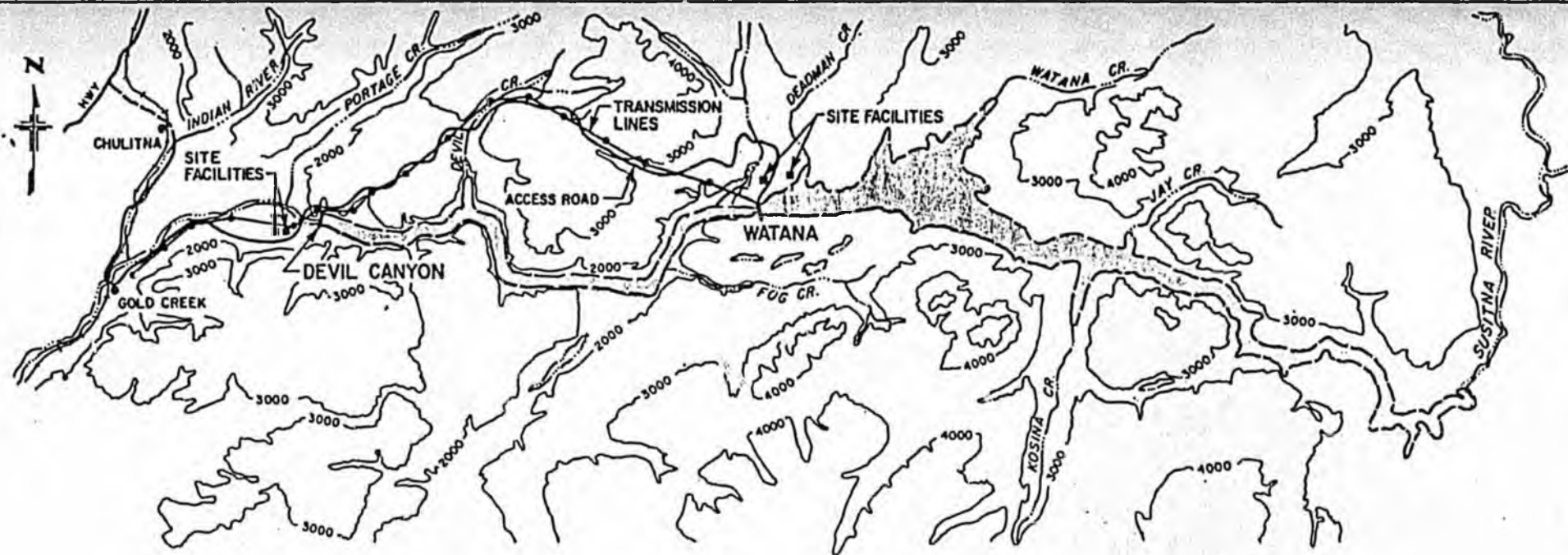


DEVIL CANYON

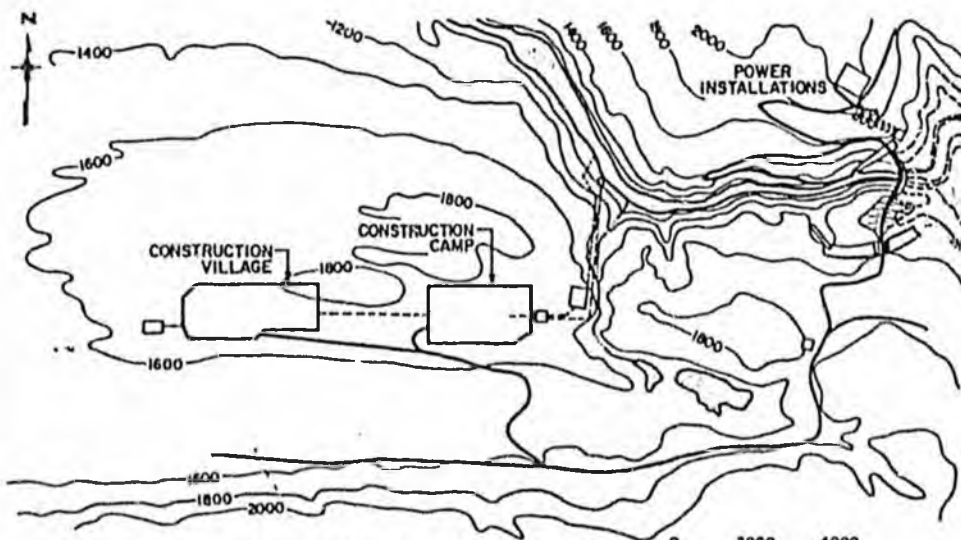
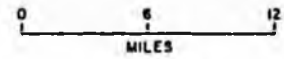


WATANA

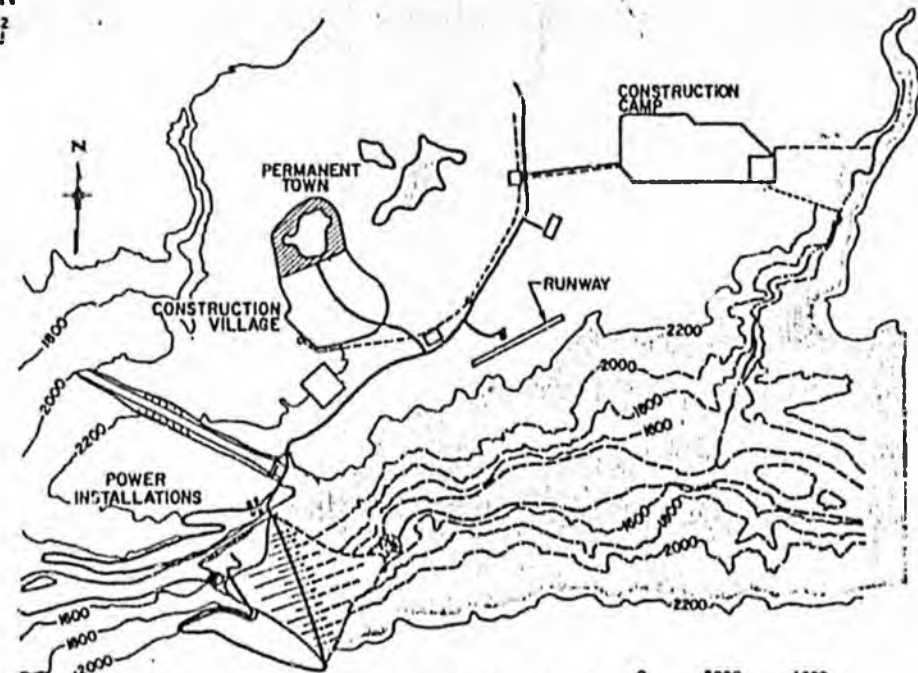
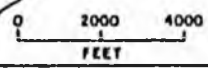




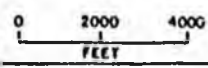
RESERVOIR PLAN

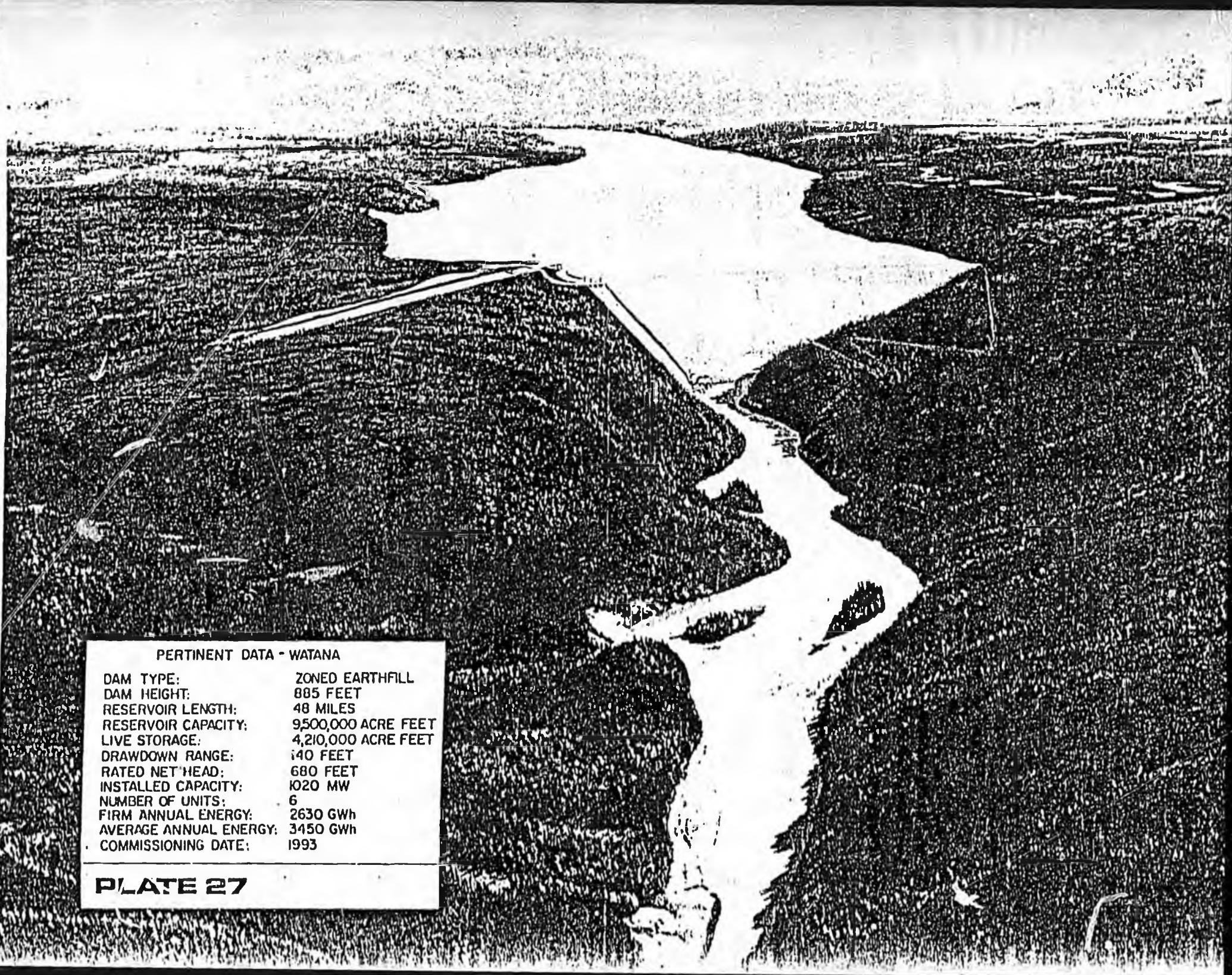


DEVIL CANYON SITE FACILITIES



WATANA SITE FACILITIES





PERTINENT DATA - WATANA

DAM TYPE:	ZONED EARTHFILL
DAM HEIGHT:	885 FEET
RESERVOIR LENGTH:	48 MILES
RESERVOIR CAPACITY:	9,500,000 ACRE FEET
LIVE STORAGE:	4,210,000 ACRE FEET
DRAWDOWN RANGE:	140 FEET
RATED NET HEAD:	680 FEET
INSTALLED CAPACITY:	1020 MW
NUMBER OF UNITS:	6
FIRM ANNUAL ENERGY:	2630 GWh
AVERAGE ANNUAL ENERGY:	3450 GWh
COMMISSIONING DATE:	1993

PLATE 27



MATANUSKA ELECTRIC ASSOCIATION, INC.

P.O. BOX 1148

PALMER, ALASKA 99645

TELEPHONE
(907) 745-3231

RESOLUTION NO. AM-1

SUBJECT: SUSITNA HYDROELECTRIC PROJECT ENDORSEMENT
REFERENCE: ANNUAL MEMBERSHIP MEETING, 4/21/82

WHEREAS, energy costs directly affect the economic stability of individual households, businesses and the community as a whole; and

WHEREAS, energy costs are dependent on energy availability; and

WHEREAS, hydro power is by far the most viable energy source, and is economically and environmentally desirable; and

WHEREAS, the Susitna Hydroelectric Project has been sufficiently planned, studied and reviewed;

NOW THEREFORE BE IT RESOLVED that the Members of Matanuska Electric Association, Inc., assembled at this 1982 Annual Membership Meeting, go on record as being in support of the Susitna Hydroelectric Project; and

BE IT FURTHER RESOLVED that the General Manager and Board of Directors are hereby instructed to forward this resolution to the Governor of Alaska, the Alaska State Legislature, and the Alaska Power Authority immediately.

CERTIFICATION

I, Phil O'Neill, do hereby certify that I am Secretary-Treasurer of Matanuska Electric Association, Inc., an electric nonprofit cooperative membership corporation organized and existing under the laws of the State of Alaska; that the foregoing is a complete and correct copy of the resolution adopted at the Annual Meeting of the Members of this corporation duly and properly called and held on the 21st day of April, 1982; that a quorum was present at the meeting; that the resolution is set forth in the minutes of the meeting and has not been rescinded or modified.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of this corporation this 21st day of April, 1982.

PHIL O'NEILL, SECRETARY-TREASURER
MATANUSKA ELECTRIC ASSOCIATION, INC.

(SEAL)



Dittman poll reports Alaskan support for Susitna dam project

by Ed Bennett
Times Business Writer

Seventy-two percent of Alaskans contacted in a recent poll say they support construction of the Susitna hydroelectric dam project.

"We're ecstatic," said Bob Penney, who as head of the Anchorage Chamber of Commerce Energy Subcommittee helped sponsor the poll.

But Eric Myers, a consultant to the Northern Alaska Environmental Center who has long opposed the project, said the poll was "about as relevant as asking people if they want a free lunch or a free car."

The poll was conducted Jan. 14-31 by Dittman Research Corporation. A total of 585 persons in 51 Alaskan communities were contacted on a random basis by telephone. The poll was conducted for a group of organizations which included electrical cooperatives, chambers of commerce and labor organizations.

According to Penney, the poll cost \$5,000 and was paid for by a combination of funds from private donors, the International Brotherhood of

Electrical Workers and the Alaska State Chamber of Commerce.

The poll results indicate support for the Susitna project in all areas of the state, even though the electricity it would produce would serve only the railbelt. Fifty-four percent of persons contacted in rural areas supported the project, 18 percent opposed it, and 28 percent were undecided. In Southeastern Alaska, 60 percent of the respondents support Susitna, the poll said, while 19 percent oppose it and 21 percent are undecided.

The highest support for Susitna came from the areas the dam would serve. Central Alaska indicated 70 percent support, Southcentral 81 percent, and Anchorage 79 percent.

But many people polled were unclear on the actual details of the project. Only about half the persons polled knew which areas the dam would serve; 36 percent said correctly that current plans call for a ten-year construction period; and a mere nine percent knew construction of the project would employ 1000-2000 persons.

Penney said these results were "one of the main

purposes for conducting the poll. It tells us what our next stage of education or public awareness will be." Myers refers to those public awareness efforts as a "propaganda campaign."

Over half the persons polled had no idea what the project would cost. Penney uses a \$5.4 billion figure which does not include inflation; Myers estimates the real dollars spent over the ten-year construction phase at \$12-15 billion, depending on inflation.

Myers said that cost was the real stumbling block to the project. "The real question to ask is whether people would support Susitna if it meant bringing back the personal income tax, or going without new roads or schools," he said. "It's that kind of choice."

The poll showed that of those persons who support the Susitna project, the biggest reason for building it was that "it's the cheapest power source." Of those that oppose the dam, environmental concerns outweighed other considerations, followed by cost.

H B

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STATE OF ALASKA

WALT FURNACE, CHAIRMAN
RICK UEHLING, VICE CHAIRMAN
JOHN COWDERY
NILLO E. KOPONEN
HUGH MALONE
JOHN RINGSTAD
RON WENDTE



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

HOUSE LABOR AND COMMERCE COMMITTEE

April 5, 1983

To: Representative Walt Furnace, Chairman
House Labor and Commerce Committee

From: *Jefferson B. Barry*
Jefferson B. Barry
Professional Aide

Re: House Bill 111

Introductory Analysis

HB111 provides that investments and deposits of public money managed by the Department of Revenue be placed with Alaska state banks if the banks will offer the same terms and conditions as a foreign bank. Testimony by the Department of Revenue, verified by the banking industry, indicates that this is the current practice by the Department of Revenue. No financial institution which feels that they have been left out has been identified, nor has anyone come forward with testimony which would show that this is not the current practice. There has been no indication nor testimony that the Department of Revenue has any plans to change their practice.

While the focus of this legislation is consistent with public policy, it would appear that there is not a demonstrated need for it at this time. HB111 also carries a \$72,000 fiscal note for FY84 and would increase the bureaucracy by adding people to maintain records and be able to show compliance with the provisions of HB 111. The fiscal requirements are \$71,000 for FY85, and \$78,000 for FY86.

Introduced: 1/24/83
Referred: Labor & Commerce
and Finance

120% INCREASE
(660-M) MONEY MARKET
LM

INTERSTATE
BANKING

1 IN THE HOUSE

BY LINDAUER

2

HOUSE BILL NO. 111

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to investments and deposits of
7 public money with foreign banks."

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

9 * Section 1. AS 37.10.078 is amended by adding new subsections to read:

10 (b) The commissioner of revenue may not make an investment or
11 deposit with a foreign bank unless there is no state bank that will
12 accept all or a portion of the investment or deposit under the same
13 terms or conditions. The commissioner shall promulgate regulations
14 which provide for equal participation by all state banks which desire
15 to participate in the investment or deposit of funds under this sub-
16 section.

17 (c) In this section

18 (1) "foreign bank" means a bank, trust company, savings
19 bank, industrial bank, building and loan association, savings and loan
20 association, credit union or other similar lending organization the
21 principal office of which is in another state;

22 (2) "state bank" means a bank chartered to conduct the
23 business of banking in this state but does not include a state bank
24 which is controlled by an out-of-state bank holding company.

Will look up!
3/1/83
1) LOW DEPOSIT RATIOS
2) LENGTH OF MATURITIES (REVENUE DEPT.)
3) FUND FLOW TO ALASKA COMMUNITIES!
OR WILL MONEY FLOW OUTSIDE!
4.)

Alaska State Legislature

Representative John Lindauer
District 10-A
3933 Geneva Place
Anchorage, AK 99508



While in Juneau
Pouch V
Juneau, AK 99811
465-3709

House of Representatives

March 1, 1983

TO: House Labor and Commerce Committee

FROM: Representative John Lindauer *JL*

RE: House Bill #111: "An Act relating to investments and deposits of public money with foreign banks."

The intent of HB #111 is to require that Alaska's money be deposited, invested, and administered by Alaskan financial institutions to the greatest extent possible without loss of income or service.

Currently, 97.2% of Alaska's public funds are invested outside. 90.9% (\$3,469,366,022 as of 12/31/82) of those funds are invested through Bank of America in federal securities. The remaining 6.3% (\$240,259,245 as of 12/31/82) is invested, primarily through the Bank of America, Certificates of Deposit, Corporate Bonds, Bankers Acceptances, Commercial paper and gold (held in Hanover Trust).

The 2.7% (105,400,116 as of 12/31/82) of Alaska's money that is actually held in Alaska is deposited with twenty-three federal credit unions, Alaska National Bank, Alaska Pacific Bank, B.M. Behrends Bank, Alaska Mutual Bank and Mt. McKinley Mutual Savings Bank.

While federal banking laws may limit how much of the money could actually be placed in any one Alaskan bank, keeping as much as possible in Alaska would strengthen the state's economy.

The Bank of America, which is currently the primary beneficiary of the state's investments, is a fine California bank. All Californians, will be sorry about the termination of our efforts to provide their bank with loanable funds and higher earnings. Our own bureaucrats will regretfully be deprived of excuses to visit San Francisco. Our responsibility, however, is to Alaskans and the prosperity of Alaska.

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 111 Date on Bill: 1/24/83
 Title: An act relating to investments and deposits of public money with foreign banks.
 Sponsor: Lindauer
 Requestor: Labor & Commerce

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating		72	71	78
Total	-0-	72	71	78

b. Revenues:

Revenue				

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

The operating costs are for an Investment Officer I and an Accounting Technician I. A 10% increase is added each year thereafter, with a \$5,000 equipment cost in FY 84.

The Investment Officer is needed because investing in Alaska requires a greater amount of time than in the national market. Due to the lack of a secondary market for state bank securities each bank must be contacted on a daily basis for their current offerings.

The Accounting Technician I is needed to account for the increased number of collateral requirements. Investments in smaller state banks have higher collateral requirements by law than deposits in larger foreign banks.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Mary Reiford
 Division: Comm. Affairs
 Approved by Commissioner: Robt D. Lent
 Department: Revenue

Phone: 765-2300
 Date: 2/28/83
 Date: 2/28/83

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

H B

126

STATE OF ALASKA

WALT FURNACE, CHAIRMAN
RICK UEHLING, VICE CHAIRMAN
JOHN COWDERY
NILO E. KOPONEN
HUGH MALONE
JOHN RINGSTAD
RON WENDTE



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

HOUSE LABOR AND COMMERCE COMMITTEE

April 6, 1983

To: Representative Walt Furnace, Chairman
House Labor and Commerce Committee

From: *Jefferson B. Barry*
Jefferson B. Barry
Professional Aide

Re: House Bill 246

Introductory Analysis

HB246 is titled "An Act relating to the deregulation of interest rates...". HB246 does much more than the title implies. As written, it would affect all of the protections that individuals, businesses, and the public have regarding service fees, service charges, late charges and any civil or criminal penalties for violation of the protections that people now have. There would seem to be a fundamental difference to deregulating interest rates and allowing any fee, service, or penalty charge to be imposed at the discretion of financial institutions.

The very reason that laws were passed to protect the public from "loan sharking" was the inability of any one individual or small business to deal with the financial institutions when setting "service fees". If HB246 is enacted in its present form, it is conceivable that an

individual could pay for the rest of their life on a \$100 loan. A business could pay the principal and interest 100 times on a \$2,500 note.

None of the testimony indicates that this was the intent in the proposal of this legislation, and it would be appropriate to consider the deregulation of interest rates separately from the service charges, fees, and penalties. The repealers in Section 7 should be studied carefully as they also affect AS 06.20.250, AS 06.20.260, AS 06.20.270, AS 06.20.285, AS 06.20.320, AS 18.80.250, AS 06.40.160, AS 45.45.050 and possibly others as well.

HB

131

March 16, 1983

Representative Walt Furnace
Chairman
House Labor and Commerce
Committee,
Juneau, Alaska

Dear Representative Furnace:

Here is my testimony
supporting H.B. 31 in which
I was not heard due to
hearing Anchorage landlords
first and I had an
appointment to see my attorney
at 9:00 am, on March 15th

I am currently living
at The A.W.A.R.E. (Aiding Women
in Abuse and Rape Emergencies)
Shelter due to domestic violence
in my living situation and have
been looking for housing since
January. It is a frustrating
and almost impossible
feat to find housing in
Juneau, when you have children.
In addition to finding housing

Rep. Walt Furnace - 2 -

March 16, 1983

when you have children trying to find a reasonably priced apartment or house that is affordable with three children would be a miracle. Being on A.F.D.C. (Aid to Families with dependent children) is an added burden and attempting to attend school is a challenge.

I had to leave my trailer because I did not feel safe; on March 8th, 1983 I went to court on a Contempt of Court charge against my ex-husband to see who would be allowed to live in the trailer. Judge Regus allowed my ex-husband to stay at the trailer until the following week because he did have a place to live and my ex-husband's court appointed attorney said I had a temporary place to live at A.W.A.P.E.

Pop. Wilt Furmace - 3 -

March 16, 1983

Needless to say, my frustration and helplessness like finding housing that accepts children is a major undertaking for me. I am reluctantly on the waiting list at CCHO housing. We have 12 - suitable number of bedrooms for myself & 3 children.) I had at Sleepy Hollow by the hospital (who have 180 people on their waiting lists). I thank you for your consideration & for your thoughts.

Sincerely,

Dorothy Ferguson

Box 809

Juneau Alaska 99803
(meas. 586-6604)

1882.10
CIVIL RIGHTS
REGARDLESS OF
PARENTHOOD

1 IN THE HOUSE

BY HURLBERT

2

HOUSE BILL NO. 131

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to unlawful practices in the sale or

7

rental of real property."

8

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

9

* Section 1. AS 18.80.240 is amended to read:

10

Sec. 18.80.240. UNLAWFUL PRACTICES IN THE SALE OR RENTAL OF REAL

11

PROPERTY. It is unlawful for the owner, lessee, manager or other

12

person having the right to sell, lease or rent real property

13

(1) to refuse to sell, lease or rent the real property to a

14

person because of sex, marital status, changes in marital status,

15

pregnancy, parenthood, race, religion, color or national origin [;

16

HOWEVER, NOTHING IN THIS PARAGRAPH PROHIBITS THE SALE, LEASE OR RENTAL

17

OF CLASSES OF REAL PROPERTY COMMONLY KNOWN AS HOUSING FOR "SINGLES" OR

18

"MARRIED COUPLES" ONLY];

19

(2) to discriminate against a person because of sex, mari-

20

tal status, changes in marital status, pregnancy, parenthood, race,

21

religion, color or national origin in a term, condition or privilege

22

relating to the use, sale, lease or rental of real property [; HOW-

23

EVER, NOTHING IN THIS PARAGRAPH PROHIBITS THE SALE, LEASE OR RENTAL OF

24

CLASSES OF REAL PROPERTY COMMONLY KNOWN AS HOUSING FOR "SINGLES" OR

25

"MARRIED COUPLES" ONLY];

26

(3) to make a written or oral inquiry or record of the sex,

27

marital status, changes in marital status, race, religion, color or

28

national origin of a person seeking to buy, lease or rent real prop-

29

erty;

IT

1 (4) to offer, solicit, accept, use or retain a listing of
2 real property with the understanding that a person may be discrim-
3 inated against in a real estate transaction or in the furnishing of
4 facilities or sources in connection therewith because of a person's
5 sex, marital status, changes in marital status, pregnancy, parenthood,
6 race, religion, color, national origin or age;

7 (5) to represent to a person that real property is not
8 available for inspection, sale, rental, or lease when in fact it is so
9 available, or to refuse a person to inspect real property because of
10 the race, religion, color, national origin, age, sex, marital status,
11 change in marital status, parenthood, or pregnancy of that person or
12 of any person associated with that person;

13 (6) to engage in blockbusting;

14 (7) to make, print or publish, or cause to be made, printed
15 or published, any notice, statement or advertisement, with respect to
16 the sale or rental of real property that indicates any preference,
17 limitation, or discrimination based on race, color, religion, sex,
18 parenthood, or national origin, or an intention to make the prefer-
19 ence, limitation or discrimination.

(8) ADD

(8) As to (1) and (2) above, however, nothing prohibits the owner, lessee, manager or other person having the right to sell, lease or rent real property from promulgating reasonable rules and regulations and requiring a reasonable damage deposit; and,

The following classes of real property are exempt from the provisions relating to parenthood;

- (A) A private residence offered for short term occupancy;
- (B) Housing established primarily for the handicapped, developmentally disabled, or elderly;
- (C) Housing established as a dormitory; and,
- (D) Housing^{OR} established solely for occupancy by singles.

DESIGNED



STATE OF ALASKA
OFFICE OF THE GOVERNOR

ALASKA COMMISSION ON THE STATUS OF WOMEN
338 DENALI STREET, SUITE 850
ANCHORAGE, ALASKA 99501

March 11, 1983

Testimony before: House Labor & Commerce
Re: HB131
Prepared by: Carla Timpone, Chair
Legislative Committee

Since June of 1979 the city of Seattle has had in effect an ordinance prohibiting discrimination in housing based on parenthood. Many of the concerns expressed here regarding the possible effects of the passage of HB131 were addressed in Seattle during hearings on the ordinance:

- landlords were concerned that they would be required to allow any number of occupants; however, landlords are now and will continue to be permitted to set reasonable and lawful occupancy rates
- what about the right of other tenants to peace and quiet? landlords can now and will continue to be permitted to establish and enforce reasonable rules regarding noise
- what about increased damage to rental property? landlords are well aware that any tenant, regardless of age, is potentially capable of causing property damage

A study of five cities in California, concluded in December of 1979, reached the same conclusions: the presence of children in a dwelling has no impact on property valuation, insurance rates, or maintenance costs.

There is, however, an impact on those being discriminated against. The majority of families in the rental market are female headed households. Consequently, refusing to rent



STATE OF ALASKA
OFFICE OF THE GOVERNOR

ALASKA COMMISSION ON THE STATUS OF WOMEN
338 DENALI STREET, SUITE 850
ANCHORAGE, ALASKA 99501

HB131
page 2

to families with children constitutes de facto discrimination against a large percentage of women.

It should be noted that the statute currently in effect prohibits discrimination in housing based on pregnancy. Since pregnancy frequently results in parenthood, it seems logical that either both or neither of those conditions should be protected.

The Alaska Commission on the Status of Women strongly urges the passage of HB131.

Rick

This is not a major change.

The main effect is to lower housing costs for families with children.

Even in cases where people operate "singles only" or "married couples only"

rentals, the actual construction is quite suitable for people of all ages (altho' the furnishings and appointments may not be).

The risks can be controlled to a large degree by the security deposits, etc.

DO WE ~~WANT~~
HAVE A MENTOR

(KENNY) ⊕

LL.

(25%)

(HB-56) STUDENT LOAN BILL
HESS.

SOLUTION

A.H.F.C. MOBILE HOME
LOAN PROGRAM / AS PER BARNES
CHECK INTO IT!

~~GAIL BILLS~~

~~30561~~

GAIL BILLS

536 PARK ST Apt A

TUNEAU, AK

(A.I.D.A.
CULMAN ACT)

Juneau NOW
536 Park St. Apt. C
Juneau, Ak 99801
586-9739

Testimony to House Committee on Labor and Commerce :

March 11, 1983

My name is Lillian Ruedrich, and I am testifying on behalf of the Juneau chapter of the National Organization for Women. We support HB 131 which proposes the addition of the word "parenthood" as an acceptable condition for renters; one which could not be used as a basis for discrimination. The housing situation is desperate enough for a vast majority of the people of this state due to the general shortage of rental units and the prohibitive cost of buying a home. It makes no social or economic sense to doubly burden people in search of housing simply because they have children. Maintenance and insurance costs in fact do not differ significantly between buildings allowing families with children and those prohibiting children, according to a study done in the state of California. We sincerely hope this committee and the Legislature will work to provide renters with this guarantee of equitable treatment in the same sense that the state seeks to aid homeowners with that loan program. This bill would go a long way toward alleviating the burdens of overcrowding and overpaying which face many families seeking affordable housing. Thank you.

Lillian Ruedrich

HB 131

Although the bill prohibits discrimination in the sale, lease, or rental of real property because of my status as a parent, I wish to point out that the bill does not proscribe any other existing management tools that a landlord may have with regard to rental regulations concerning a tenant's use and occupancy of the premises in order to promote safety, health, or welfare of the tenants.

A landlord may also regulate the tenant's use of the property to avoid abusive use, or to make a fair distribution of services and facilities for tenants generally. This bill also does not prohibit a landlord from taking action against a tenant who fails to; quietly enjoy the premises, or fails to occupy and use the premises in a clean and safe condition. Also, it is clear that a landlord can provide reasonable provisions in a lease limiting the number of persons occupying a unit, without regard issues of parentage.

In conclusion, I believe this legislation should prohibit discrimination against individuals due to their parenthood status, while still allowing a landlord the existing legal controls over the use and occupancy of his rental units.

94% EXCEPT CHILDREN
EFFICIENCY UNITS

DR. GEORGE HANSON

AMERICAN ASSOCIATION
ALASKA



OF UNIVERSITY WOMEN

DIVISION

Susan R. Clark
1109 C Street
Juneau, Ak. 99801

1 June 1981

To: Alaska State Senators
Re: CS HB 356 (Judiciary)

A.A.U.W. supports the bill for we have a national position supporting the the reinforcement of families through legislation and improved accessibility to housing not only for the elderly, the economically disadvantaged, and minorities, but also for middle-income families.

We are in the midst of a housing shortage, both nationally and in Alaska, and during such periods landlords can afford to be more selective because full occupancy is almost assured. On the other hand, such situations present the greatest problem to a family with children because only a portion of the already small number of vacant units will be open to them, forcing the family, in many cases, into unsuitable, overpriced or poorly located apartments. That portion of units available to families can even reach zero in areas where the housing shortage is most acute, as was pointed out on C.B.S. program "60 Minutes": "No Kids Allowed."

Love of children in general is no longer the common denominator of public opinion it was just twenty years ago. The "baby boom" has gone bust. Today the availability of family planning, the unwillingness to make economic and social sacrifices for children, the decision to have later or no children have all helped to bring about a sharp increase in housing discrimination against children. The 1960 census showed for the first time that a majority of American homes contained less than three members, and the 1970 census indicated that over 60% of all rental households had no children. Yet as private homes continue to be priced beyond the reach of more and more Americans, apartment complexes and condominiums will provide a major portion of our housing needs. The failure to rent to families with children - whether by private landowners or by direction of government units which may create special zoning classifications for the elderly or prevent large increases in the number of school children in a certain area to maintain educational quality and low taxes - is a form of action resulting from economic self-interest rather than any intent to injure families with children. But injury is in fact the result.

We are rapidly becoming a nation which segregates its citizens on the basis of age as more and more people separate themselves from those with different needs. As our population begins to accomodate a higher percentage of people of retirement age who draw off to themselves into segregated communities, a growing percentage of singles and couples without children who

do not identify closely with families raising children, such families begin to collect in concentrations where they, too, are not exposed to the multi-generational neighborhoods that can provide richness and understanding between peoples. In a highly mobile society where adult children have left their parents in far distant states, youngsters are raised without experiencing or understanding anyone older than they by more than a score of years. As contact and understanding goes, we become pockets of self-interest - socially, economically, politically and even racially - too often losing the vision of the common good.

Housing that segregates by age can have the unfortunate side effect of racial segregation as well. A court in Missouri found that prohibiting children would constitute a prima facie case of racial discrimination, because recent national statistics indicate that 48% of black familial renters have children while less than 37% of white families living in rental units have children. These statistics may show an even further discrepancy when considering Native or Hispanic families. Thus, the refusal to rent to families with children has a disproportionate effect on non-whites. In addition, indigenous families are more likely to have an elderly person or multi-generations living in the same home, a fact that could result in discrimination against both ends of the age spectrum in terms of housing if children are prohibited. Again, this would also be felt more strongly by non-white families.

There are six states which have legislation prohibiting housing discrimination against families with children, legislation which has been in effect for over fifty years (Ariz., Ill., N.J., N.Y., Mass., and Del.). In fact, while Alaska does not now prohibit discrimination against children in rental property, the Alaska civil rights statutes include a provision that the "opportunity to obtain...housing accommodations and other property without discrimination because of ... pregnancy or parenthood... is a civil right." It would seem only just to follow our own good lead, and truly mean what we have written. Even Congress, which has generally held that the problem could best be handled at local or state levels, did provide in 1976 housing program mortgage insurance benefits to landlords who could certify that they did not discriminate against families with children.

Discrimination based on age, as on race, sex, creed, etc..., is discrimination not founded on actual basis, because individual differences between humans result in some children being disruptive, but so are some adults, some Blacks, some whites, some men, some women, some Protestants, some atheists. Others of these same samplings make excellent tenants. A landlord offering housing to the public should make a decision directly related to issues of merit - past rental history, ability to pay, references - not on the basis of one's age, race, gender, etc....

One of the recommendations from the White House Conference of Families where there was agreement at all three national conferences, was the need to "improve fair housing laws and enforcement - [with] no discrimination against families with children..." A.A.U.W. strongly supports this recommendation and the bill now before you.

JOHN

THIS HAS NOTHING TO DO WITH THE BILL?

(8) As to (1) and (2) above, however, nothing prohibits the owner, lessee, manager or other person having the right to sell, lease or rent real property from promulgating reasonable rules and regulations and requiring a reasonable damage deposit; and,

The following classes of real property are exempt from the provisions relating to parenthood;

- (A) A private residence offered for short term occupancy;
- (B) Housing established primarily for the handicapped, developmentally disabled, or elderly;
- (C) Housing established as a dormitory; and,
- (D) Housing established solely for occupancy by singles.

July

This bill is similar to 7322 and 22792

IN MY VIEW
ALICE BREWER

DEWANE KENDALL
W.R. VARNELL; 100 UNITS / 25% 1 BEDROOM
75% 2 BEDROOM APT

BEN WARSH - EXEMPTION FOR EFFICIENTLY AND ONE BEDROOM APARTMENTS

- OWNER OCCUPIED DUPLEXES
- EXEMPTION FOR HANDICAPPED
- LANDLORD PROMULGATE REASONABLE RULES

{CIVIL}

DISCRIMINATION

— SEX OR PARENTHOOD / STATE LAW

— MUNICIPAL CODE;

— CONSTITUTION

— NO OCCUPANTS — (OCCUPANTS)

—

STATE OF ALASKA THE LEGISLATURE

FOUCH Y STATE CAPITOL
JULY 1960 ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

April 15, 1982

SUBJECT: Discrimination in rental housing
accommodations (Work Order No. 12-2776)

TO: Representative Hugh Malone

FROM: Tamara Brandt Cook
Legislative Counsel *TBC*

You have asked whether a recent California case, Marina Point, Ltd. v. Wolfson, 180 Cal. Rep. 496 (California 1982), has any application under Alaska law. The case deals with the question of whether an owner of an apartment complex may refuse to rent an apartment to a family solely because the family includes a minor child. The California Supreme Court concluded that the owner could not, but two justices dissented.

Although the exclusionary policy was challenged on the basis of an impermissible infringement on state and federal constitutional rights of familial privacy and equal protection of the law as well as on the basis of statutory rights, the case was decided under the Unruh Civil Rights Act of California. The court specifically declined to reach either state or federal constitutional contentions. Marina Point, supra, page 497, page 501. The dissent noted that equal protection and due process principles place no restrictions on purely private actions, but affect only state action. Marina Point, supra, page 512.

In general, a case decided by another state court has no precedential value in Alaska. Nevertheless, had the case been decided on federal constitutional grounds the reasoning in the case could have been directly applied. The Alaska court could also have rejected the reasoning of the California court in interpreting the federal constitution. Although each state court interprets its own constitution and its own statutes, the Alaska court relies on case law from other jurisdictions to support similar conclusions.

Representative Hugh Malone
Page 2
April 15, 1982

The court could rely on the reasoning in this case, especially if the court were interpreting a statute similar to the Unruh Civil Rights Act of California. However, AS 18.80.230 and AS 18.80.240 differ considerably from the Unruh Act, so I suspect that Marina Point, supra, would be deemed to be of little value in interpreting Alaska law.

The pertinent part of the Unruh Act, Civil Code section 51 provides:

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry or national origin are entitled to the full and equal accommodations, advantages, facilities, privileges or services in all business establishments of every kind whatsoever.

The phrase "all business establishments" has been held to apply to the business of renting housing accommodations. Marina Point, supra, page 501. In addition, the California court has interpreted the statute to prohibit all arbitrary discrimination by business establishments, with the particular bases of discrimination listed (sex, race, color, etc.) being illustrative rather than restrictive. In re Cox, 474 P.2d 292 (California 1970). This judicial interpretation has not been disturbed by the legislature. The court notes that the legislature is presumed to be aware of and to have acquiesced in the judicial construction when it amends a statute without altering the portions that have been construed as was done with the Unruh Act in 1974. Marina Point, supra, page 504. The court bases its holding that an owner may not refuse to rent an apartment to a family solely because the family includes a minor child on the fact that this amounts to arbitrary discrimination within the terms of the Unruh Act as judicially construed.

The pertinent Alaska statutes have not been judicially construed to forbid any arbitrary discrimination as was done in California nor have they been construed to forbid discrimination on any basis other than those specifically listed in the statute. AS 18.80.230 forbids discrimination in public accommodations on the basis of "sex, marital status, changes in marital status, pregnancy, parenthood, race, religion, color or national origin". (Emphasis added). AS 18.80.2) deals with the discrimination in the sale or rental of real

Representative Hugh Malone

Page 3

April 15, 1982

property separately from the section that deals with discrimination in public accommodations. Discrimination is forbidden on the basis of "sex, marital status, changes in marital status, pregnancy, race, religion, color or national origin". Discrimination in public accommodations and discrimination in rental of property are treated the same under the Unruh Act, while discrimination in these two areas are treated differently in Alaska. In fact, AS 18.80.250(1) and (2) specifically authorizes discrimination in the rental of housing as between married and single people. It would be difficult for the court in Alaska to conclude, as the court in California concluded, that the legislature intended to forbid all arbitrary discrimination with respect to the rental of housing. The fact that "parenthood" is included in the list of protected classes for purposes of public accommodations and excluded from the list for purposes of rental housing suggests the opposite, that the legislature intended to forbid discrimination in the rental of housing only on the basis of specifically listed factors.

In conclusion, since the decision in Marina Point, supra, is based on a statutory scheme that differs markedly from the statutory scheme in Alaka, it will have no direct affect on Alaska law.

TBC:ljb

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 2, 1983

SUBJECT: Methods of payment of overtime
(HB 223)

TO: Representative Walt Furnace

FROM: Thomas A. Sofo ^{AS}
Legislative Counsel

You have asked this office for an opinion regarding the constitutionality of HB 223. That bill prohibits certain methods for the payment of overtime and excuses employers from the payment of liquidated damages for good faith violations of AS 23.10 (Employment Practices and Working Conditions). Section 3 of the bill extinguishes any criminal or civil liability of employers who may have used one of the prohibited methods since December 9, 1978, while sec. 4 of the bill makes the relevant statutory provisions retroactive to that date.

The retroactivity aspect of this bill opens it for challenge on several constitutional grounds. One basis for a challenge would be the prohibition against the impairment of contracts, found in both the United States and the Alaska Constitutions (U.S. Constitution, Article I, section 10; Alaska Constitution, Article I, section 15). Another basis for attack would be the due process guarantees of the Fifth and Fourteenth Amendments of the U.S. Constitution and Article I, section 7 of the Alaska Constitution.

More recently, it has come to my attention that litigation is currently underway concerning the very issues covered by this bill. An attempt to address the subject matter in this manner may be considered special legislation when viewed in that larger context.

Another point to be made concerning litigation in this area is raised by Dresser Industries, Inc. v. Alaska Department of Labor, 633 P.2d 998 (Alaska 1981). In that case, the Alaska Supreme Court upheld the regulatory prohibition of

Representative Walt Furnace

Page 2

March 2, 1983

the very same conduct which is the subject of the present bill. Since there has already been enforcement of these provisions on certain employers, there may be equal protection problems in trying to retroactively excuse other employers from having to comply with those same provisions.

Although authority does exist which holds that the legislature may abolish purely statutory rights and even remedies in a retroactive manner, this office is not prepared to conclude that those general statements regarding legislative authority have application to this specific case. In the case of a person who worked during the time elapsed since December 9, 1978, and was paid overtime under a prohibited method with the result of denying that person compensation to which otherwise entitled, I am not convinced that the Alaska Supreme Court would be persuaded by the argument that rights to minimum wages and overtime pay are purely statutory and are not vested.

TAS:ljb

9/036

WHERE HAVE ALL THE CHILDREN GONE?

TODAY, THROUGHOUT THE U.S., 27% OF ALL RENTAL HOUSING IS NOT OPEN TO PARENTS WITH MINOR CHILDREN. IN JUNEAU THE FIGURE IS MUCH HIGHER. WE ARE WORKING TO GIVE ALL FAMILIES THE SAME OPPORTUNITIES THAT SINGLES AND COUPLES WITHOUT CHILDREN HAVE.... BELOW ARE A FEW QUESTIONS AND ANSWERS ABOUT FAIR HOUSING.... PLEASE GIVE IT SOME THOUGHT.



ANCHORAGE DAILY NEWS 6/1/81

COZY 2-3 BR, 1 1/2 bath, excellent cond. near West High, fireplace, carport, w/c, dw, gd. \$650/mo no pets or child. Call Joyce. 276-8010, or 344-061.

DOWNTOWN
WALK TO WORK

NOW RENTING!
Apartments in newly renovated building. 1 blk from park Strip, off street parking and laundry room for your convenience. no dogs or children.
EFFICIENCY/\$275
1 BR./\$315
2 BR./\$360
ALL UTIL. INCLUDED
Resident Manager, 277-7151

from, JUNEAU EMPIRE 10/15/80

2 br. apt., adults only, no pets. \$500 plus \$150 cleaning deposit. Call between 7-9 p.m. Available Nov. 1st.

from, JUNEAU EMPIRE 10/9/80

2 br. unfurnished and 1 br. furnished, in West Juneau. Carpeting, dishwasher, garbage disposal, off street parking. No pets or children. Mature adult preferred. 586

- Q: AREN'T MAINTAINENCE COSTS HIGHER WHEN YOU RENT TO FAMILIES WITH CHILDREN?
- A: ACCORDING TO A NEW YORK COMPANCY WHICH SUPPLIES THE INSURANCE INDUSTRY WITH NATIONWIDE STATISTICS ON DAMAGES, THERE IS NO EMPIRICAL DATA TO PROVE THAT THE PRESCENCE OF FAMILIES RESULTS IN GREATER DESTRUCTION TO PROPERTY.
- Q: WOULDN'T A FAIR HOUSING LAW FORCE LANDLORDS TO OVERCROWD THEIR APARTMENTS?
- A: NO. FAIR HOUSING LAWS ARE REASONABLE AND ARE NOT WRITTEN IN AN ARBITRARY MANNER. A LANDLORD WOULD NOT HAVE TO RENT A ONE BEDROOM APARTMENT TO A PARENT OR PARENTS WHO HAD THREE CHILDREN. OR, A PROJECT DESIGNED FOR THE ELDERLY OR HANDICAPPED WOULD NOT BE FORCED TO ACCEPT TENANTS WHO HAD CHILDREN. A FAIR HOUSING LAW WOULD BE REASONABLE AND GIVE EQUAL OPPORTUNITIES TO PARENTS AND INSURE THAT AN ADEQUATE SIZED APARTMENT WOULD NOT BE DENIED TO THEM BECAUSE OF PARENTHOOD.
- Q: ISN'T THE SOLUTION TO BUILD MORE HOUSING?
- A: THIS SOLUTION IGNORES THE FACT THAT OFTEN NEW BUILDINGS WILL NOT RENT TO FAMILIES WITH CHILDREN. ALSO, THERE IS NOTHING TO PREVENT EXISTING BUILDINGS TO ADOPT NEW RULES BANNING CHILDREN. IN THE LAST TWO MONTHS TWO APARTMENT BUILDINGS IN JUNEAU HAVE CHANGED THE RULES AND NOW EXCLUDE CHILDREN.
- Q: DON'T INSURANCE COMPANIES CHARGE HIGHER RATES FOR BUILDINGS THAT ALLOW CHILDREN?
- A: NO. PRUDENTIAL, SAFECO, AETNA, REPUBLIC, NORTHWESTERN, AND CONTINENTAL INSURANCE COMPANIES SAY THAT IT IS THE CONDITION OF THE BUILDING THAT DETERMINES THE RATES, NOT THE AGE OF THE TENANTS. (IT IS IMPORTANT TO NOTE THAT IF TENANT AGE WERE A FACTOR IN SETTING ACCIDENT LIABILITY RATES, THE HEAVIEST BURDEN MIGHT FALL ON THE ELDERLY).
- Q: WOULDN'T FAIR HOUSING LAWS FORCE LANDLORDS TO ACCEPT CHILDREN IN BUILDINGS THAT ARE UNSAFE FOR THEM?
- A: THIS ISSUE IS MISLEADING. ACCORDING TO OUR STATE AND LOCAL BUILDING CODES, ANY BUILDING WHICH IS UNSAFE FOR A CHILD IS ALSO UNSAFE FOR ADULTS. THE REAL SAFETY ISSUE IS THAT ANTI-CHILD RENTAL POLICIES FORCE MANY FAMILIES TO LIVE IN THE MOST DILAPIDATED, UNSAFE, AND OVERCROWDED HOUSING.
- Q: ARE THERE FAIR HOUSING LAWS IN OTHER AREAS OF THE COUNTRY?
- A: YES. LAWS TO PROTECT RENTERS WITH CHILDREN HAVE BEEN PASSED IN MANY AREAS THROUGHOUT THE UNITED STATES. ARIZONA, MICHIGAN, ILLINOIS, NEW JERSEY, NEW YORK, DELAWARE, CONNECTICUT, MINNESOTA, AND THE DISTRICT OF COLUMBIA HAVE PASSED FAIR HOUSING LAWS. NUMEROUS CITIES HAVE ERACED LAWS THAT PROTECT FAMILIES AND CHILDREN, THEY INCLUDE SAN FRANCISCO, SPOKANE, LOS ANGELES, OAKLAND, AND SEATTLE.

Municipality
of
Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4342
(TTY) 279-4725

TUDY KNOWLTON
MAYOR

EQUAL RIGHTS COMMISSION
670 East 10th Avenue

February 23, 1983

Hugh Malone, Representative
State of Alaska
Pouch V
Juneau 99811

Dear Mr. Malone:

The following information is provided in response to an inquiry from your office.

The Anchorage Equal Rights Commission is an administrative agency which is charged with enforcement of the municipal discrimination ordinance. This ordinance is found in the Anchorage Municipal Code, Section 5, a copy of which is enclosed.

In 1982, the Equal Rights Commission opened 97 investigations of alleged discriminatory practices. Of this total, 20 cases or 21%, were filed in the category of housing. Of these housing cases, 9 were filed on the basis of parenthood, which by definition is included under sex discrimination (see Section 5.20.010). This represents 9% of the total cases filed with the agency.

Additionally, the Equal Rights Commission received numerous inquiry calls regarding housing discrimination against parents with children. These callers generally sought clarification of our jurisdiction and were from both property seekers and property owners.

It is significant that prior to 1982, no cases had been filed with the Commission on the basis of parenthood. These 1982 filings are attributed to the severe shortage of rental units in the Anchorage area. With a vacancy rate that at times stood at 1%, parents found it extremely difficult to obtain rental units.

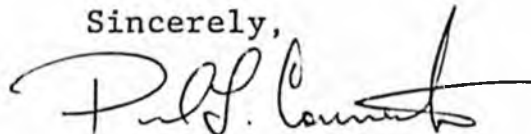
Mr. Hugh Malone
Page Two
February 23, 1983

As the problem continued to accelerate throughout the year, the Equal Rights Commission took steps to alert the community to the requirements of the local ordinance. Advertisements were placed in the local papers which spelled out the Commission's jurisdiction. A public forum on Housing Discrimination and meetings were held with property owners and interested public, to discuss the situation and the method in which the Equal Rights Commission would handle complaints. These actions were of particular importance in raising the awareness level of property seekers and in reassuring property owners that each allegation resulting in a complaint, would be reviewed on a case-by-case basis.

In 1983, we will continue in our efforts to prevent and eliminate alleged discrimination and aggressively enforce Title 5 of the Anchorage Municipal Code.

If I can be of further assistance, please do not hesitate to call me.

Sincerely,



PAUL L. CONNERTY,
Executive Director
Anchorage Equal Rights Commission

jf
Enc.

THE CHRISTIAN SCIENCE MONITOR

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Tuesday, August 12, 1980

40¢

Opening apartment doors closed to kids

By Randy Shipp

Boston

Anyone trying to find an apartment that accepts children will not be surprised by the conclusions of a recent US Housing and Urban Development survey. It shows that, nationwide, 26 percent of all rental units have "no children" policies, and many that do accept children have restrictions on the number, sex, or age of the youngsters.

These restrictions affect roughly 2 million families, says Elizabeth Roistacher, HUD's deputy assistant secretary for policy development and research.

The report adds that restrictive rental policies also may mean that families may be split up, with children being sent to live with other relatives, until parents can find some place for them to live, or doubling up with another family, leading to increased family tension.

"There is also a real feeling among people who are hit by this that society thinks there's something wrong in having children," Dr. Roistacher says. "Children react to this. They are hurt, they're parents are hurt. They're all really disturbed by the fact that children don't seem to be wanted."

The problem is growing worse. The number of rental units unavailable to families with children is rising. And with more apartment buildings switching to "no children" policies, and more one-bedroom rather than multi-bedroom units being built, it is likely to continue to rise.

In Massachusetts, state law prohibits

such discrimination in dwellings with three or more units. Violations carry a fine of up to \$1,000. Even so, discrimination against families with children is "the biggest problem right now for housing," according to a spokesman for the Massachusetts Commission Against Discrimination. Because of exemptions under the law, he says, very few rental units actually are affected.

The California-based Fair Housing for Children Coalition (FHCC) conducted a survey of apartment ads in newspapers. In Los

Focus

Angeles, 71 percent allowed no children of any age, and Fresno, San Diego, and San Jose showed 53 percent, 65 percent, and 70 percent respectively.

"We've dealt with people who are living with six kids in a station wagon on the Santa Monica pier, and a woman living with two kids in a tent on the beach," says FHCC executive director Dora Ashford.

FHCC also gets calls from pregnant women worried that they will lose their apartment when they have their baby.

"We had a recent case of a couple in Santa Monica who had a baby a few months ago. They got a letter from [the apartment management company] saying, 'Congratulations on your new baby - and we would like you to find another place to live in 60 days.'"

But when FHCC lawyers took the case and pointed out that the family would not be

violating any occupancy codes, and that a local ordinance forbade age discrimination, the family was allowed to stay.

The generally tight housing market is a major cause of the problem, Ms. Ashford says.

"As long as the housing crisis worsens [the discrimination problem] will, too. Families with children are in a worse position to buy their way out, as are the elderly, when housing crunches hit, so they're hurt a lot worse than other people."

Helen Blank of the Children's Defense Fund (CDF) says positive steps are being taken. The HUD study, for instance, is an example of interest in the issue on the part of the federal government.

Moreover, anti-discrimination statutes have been passed in Arizona, Connecticut, Delaware, Illinois, Massachusetts, Minnesota, New Jersey, New York, and the District of Columbia. The California Legislature is considering similar legislation.

The CDF has set up a national network of organizations concerned with discrimination against families with children. Its purpose, Ms. Blank says, is "... to communicate with each other about local ordinances they are working on, share strategy, and give each other mutual support."

Dr. Roistacher says increasing the number of available homes and apartments would help solve the problem. She says HUD is looking into possible roles that it can take, and also would like state and local governments to get involved with the issue.



FAIR HOUSING FOR CHILDREN COALITION

P.O. BOX 5877 SANTA MONICA, CA 90405 (213) 393-1093

HH 356

The following letter of intent on COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 356 (relating to unlawful practices in the sale or rental of real property) dated April 30, 1981 was received (the Judiciary committee report appears on page 894 of the journal) and appears as follows:

LETTER OF INTENTCSHB 356

April 30, 1981

The Honorable Jim Duncan
Speaker of the House

Dear Mr. Speaker:

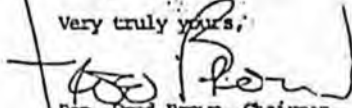
The Committee on Judiciary has had under consideration House Bill 356, "An Act relating to unlawful practices in the sale or rental of real property", and has provided you with a committee report recommending that it be replaced with our committee substitute for that bill, and that committee substitute for House Bill 356 do pass.

Although the bill prohibits discrimination in the sale, lease, or rental of real property because of a person's status as a parent, the committee wishes to point out that the bill does not proscribe any other existing management tools that a landlord may have with regard to rental units. For example, a landlord may still adopt rules and regulations concerning a tenant's use and occupancy of the premises in order to promote safety, health, or welfare of the tenants.

A landlord may also regulate the tenant's use of the property to avoid abusive use, or to make a fair distribution of services and facilities for tenants generally. This bill also does not prohibit a landlord from taking action against a tenant who fails to quietly enjoy the premises, or fails to occupy and use the premises in a clean and safe condition. Also, it is clear that a landlord can provide reasonable provisions in a lease limiting the number of persons occupying a unit, without regard to issues of parentage.

In conclusion, we believe this legislation should prohibit discrimination against individuals due to their parenthood status, while still allowing a landlord the existing legal controls over the use and occupancy of his rental units.

Very truly yours,



Rep. Fred Brown, Chairman
Committee on Judiciary

FB/MF/dm

HB

141

Alaska State Legislature

MEMBER
HOUSE JUDICIARY COMMITTEE
HOUSE LABOR AND COMMERCE COMMITTEE
HOUSE SPECIAL COMMITTEE ON LOANS
HOUSE FINANCE SUBCOMMITTEE FOR
NATURAL RESOURCES, FISH AND GAME,
AND ENVIRONMENT CONSERVATION



KETCHIKAN
3855 EVERGREEN
KETCHIKAN, ALASKA 99901

(DURING SESSION)
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4944

House of Representatives

REPRESENTATIVE
RON WENDTE

MEMORANDUM

To: Representative Furnace, Chairman
Labor and Commerce Committee
House of Representatives

From: Representative Ron Wendte *R.W.W.*

Date: March 9, 1982

Re: Review of Alaska Power Authority

In recent weeks, there has been much discussion concerning Alaska Power Authority, the Tyee Hydro Project, Susitna, etc. in legislative committees and in the news. The Alaska Power Authority (APA) and hydro power in themselves are viable concepts. However, the questions surrounding APA leave considerable doubts in the mind of the public. I believe that we, in the House Labor and Commerce Committee, should begin a review of the Alaska Power Authority in order to outline what the problems are and to make recommendations to resolve those problems.

Because Tyee is only nine months from completion and has been very nearly an APA project from inception, I feel that it would be an extremely good example for review.

It is my suggestion that the Labor and Commerce Committee appoint a sub-committee of one-month duration to look into Alaska Power Authority and the Tyee Project with a final report and recommendations due on April 15, 1983. Because of the vast amounts of material and the workload already placed on most staff people, I would also suggest that an aide or researcher be hired to serve as staff to the sub-committee during that one-month.

The Sub-committee should do an overview of Tyee that would consist of the following points:

- 1) Were the proper feasibility studies done, in particular, were they rechecked when the original cost estimates of the project were shown to be too low?

- 2) Did APA look carefully at alternate sites, smaller projects, or even alternative power sources?
- 3) Has APA followed legislative mandate in all annual reports and project status reports?
 - a) On the basis of what information did the Legislature approve the funding of Tyee?
 - b) Have the statements made to the Legislature been consistent with development of information on Tyee as the project progressed?
- 4) Was management thorough in using correct contracting procedures?
 - a) The problem of wrap-up has been discussed and legislation has been recommended. However, further study should be done on wrap-up as one element of the total project and what impact wrap-up had on cost over-runs and contracting procedures.
 - b) What were the trade-offs in the decision to not relieve the engineer of responsibility for the project?
- 4) What procedures are used in developing cost estimates and how thorough is management in checking those estimates?
 - a) What is the explanation for significant differences in the various estimates on the project costs?
 - b) Do we know with certainty at this time what the final costs of the project will be?
- 5) Did the project costs get out of control and, if so, at what time did the project costs get out of control?
 - a) What steps were taken to control the escalating costs of the project?
 - b) There are excessive numbers of change orders in the Tyee project. Were all of these necessary and what could have been done to prevent this problem?
- 6) Has the Legislature been at fault by constantly changing the ground rules by which APA operates or allowing too much latitude in the operation of APA?
- 7) What has been the specific impact of each legislative change

as the Tyee project progressed (i.e., "Blackmail Clause, SB 25 and 26, HB 9, etc.)?

8) What steps are necessary to resolve the crisis we face with the Tyee project?

a) Do the problems with Tyee apply to other APA projects?

b) Who should bear the burden for the cost over-runs -- the utilities, municipalities (customers) or the State of Alaska?

And finally and most importantly,

9) What recommendations or legislation should be adopted by the Labor and Commerce Committee to prevent these problems from arising again?

Increased energy usage throughout the State, declining oil revenues and an eventual end to fossil fuels demand a workable energy plan for Alaska. Some corrections have been made within APA by changes in legislation, by the APA board and by the APA management. This review should not be a surgical procedure, but rather, an examination, diagnosis and cure.

INDIAN TRAIL RACE

1981 BUDGET

1982

INCOME:

Sweepstakes	\$104,000
Entry Fees	73,430
Appropriation	50,000
Grants	25,000
Plaque Sales	20,000
Memberships	6,000
Runner	9,000
Promotional Sales	60,000
Banquet	26,225
Misc.	7,000
Total Income	<u>\$380,655</u>

ADMINISTRATIVE EXPENSE:

Meetings	\$ 550
Travel	300
Rent & Leases	1,820
Wages	19,000
Telephone	8,500
Office Supplies & Postage	4,300
Stationery & Printing	6,300
Runner	7,000
Legal	750
Misc.	4,100
	<u>\$ 52,620</u>

DIRECT RACE EXPENSE:

Trail	\$ 12,000
Ham Radio	12,000
Checkers & Officials	21,500
Veterinarians	7,000
Air Transportation	39,000
Prize Money	101,500
Trophies	1,300
Headquarters	4,300
Banquet	18,900
Misc.	4,035
	<u>\$221,535</u>

INDIRECT RACE EXPENSE:

Goods for Resale	\$ 40,000
Advertising & Public Relations	12,000
Sweepstakes & Raffles	51,000
Misc.	3,000
	<u>\$106,000</u>

TOTAL EXPENSE:

\$380,655

MARCH 20, 1984

TO: JOHN

FROM: KEN

RE: HB 141 "MAKING AN APPROPRIATION TO THE IDITAROD TRAIL COMMITTEE"

HB 141 WOULD AUTHORIZE AN APPROPRIATION TO THE IDITAROD TRAIL COMMITTEE TO BUILD A HEADQUARTERS BUILDING IN THE WASILLA AREA. THE BILL WOULD PROVIDE 422 THOUSAND DOLLARS FOR CONSTRUCTION OF THE BUILDING. SINCE ITS INTRODUCTION THE AMOUNT NEEDED FOR THE FACILITY HAS BEEN REVISED TO 388 THOUSAND DOLLARS.

1. THE DEPARTMENT HAS STATED IT DOES NOT HAVE THE AUTHORITY TO GRANT THE IDITAROD TRAIL COMMITTEE THIS FUNDING. WHY IS THAT ?
2. HOW DID THE IDITAROD TRAIL COMMITTEE ARRIVE AT ITS FIGURES FOR CONSTRUCTION OF THE HEADQUARTERS FACILITY ?
3. IF FUNDING FOR THE THE HEADQUARTERS IS APPROVED, WILL THE TRAIL COMMITTEE BE ABLE TO GENERATE ENOUGH REVENUE SO IT WILL NOT NEED TO ASK FOR GRANTS FROM THE STATE EACH YEAR TO PUT ON THE RACE ?

IDITAROD TRAIL COMMITTEE, INC.

POUCH X

WASILLA, AK. 99687

GRANT PROPOSAL



IDITAROD TRAIL COMMITTEE, INC

January 19, 1983

Ronald L. Larson
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Ak. 99811

Dear Mr. Larson:

Iditarod '83 will start our second decade of the longest sled dog race in the world. And, quite frankly, we are proud of our contribution to promoting Alaska and long distance sled dog racing. Our emphasis has always been on strict rules regarding treatment of dogs on the trail and sportsmanship among the mushers. ITC has always wanted to reflect the most positive image possible on both the Iditarod and the State of Alaska.

This race we are expecting a record breaking number of mushers to sign up. In addition to the teams, we have hundreds of volunteers working hundreds of hours seeing to the details of the race from Anchorage to Nome. Our volunteers give of their time and many put expensive equipment, such as HAM radios and airplanes, on the line for us. People from every walk of life, lawyers, veterinarians, pilots, trappers, engineers clerks, subsistence dwellers, all join together in a special camaraderie.

Our news media coverage is international. The race has been filmed and reported by the British, Spaniards, Canadians, Germans, and we are working with STV in Japan on the possibility of filming Iditarod '83. CBS and ABC have covered the race. The thirty minute ABC 20/20 show last spring on the race and Susan Butcher has prompted inquiries from all over the lower 48.

The January issue of GEO Magazine has an article on Iditarod. National Geographic will follow with a story in their March issue. And once again, CBS has international rights to live coverage of Iditarod '83.

Iditarod Sled Dog Race has become a year 'round business. Although we have tremendous sponsors for the race, we must turn to the State again and hope you merit our contributions to tourism and State exposure worthy of support of our two proposals.

The first proposal deals with the race itself. These requests are ones we feel will enhance the quality, safety, and organization of the Iditarod.

Our second proposal is for a much needed permanent headquarters. This building would include our offices, a sales outlet, and a museum.

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IDITAROD '84

MEDICAL CARE AND DRUG TESTING PROGRAM FOR DOGS

Our veterinarians try to be at every checkpoint to check and administer any needed care to the dogs. The vets have the final say on a dog continuing in the Race. They also have medical supplies available to treat minor irritations and injuries. And, as our rules state, any dog that expires on the trail must have an autopsy.

Because of the rich purse and intense competition among mushers, ITC makes it a priority to keep drugs from being used on a dog. The vets have a right to randomly check dogs during the race for drugs. Then all dogs are checked at the end of the race. These samples are sent to Cornell University in New York for analysis.

For medical supplies, autopsies, drug testing supplies, sample shipping cost, and analysis.

Cost.....\$9,850.00

IDITAROD AIR FORCE

Our trail Air Force is composed of volunteers who are willing to fly their planes along the trail to move dog food, vets, hams, dropped dogs, race officials, and any other person or object needing to go from checkpoint to checkpoint. Because of the financial restrictions on the Iditarod, we have never been able to provide the full protection the private pilot needs. Airplanes and parts have become so expensive, we can no longer recruit pilots and expect them to "outofpocket" any damage to their plane while flying for the Iditarod.

Full coverage aviation insurance for Iditarod Air Force during March.....\$5,050.00

AIRCRAFT

Each year our trail manager must start earlier flying up the trail. Checkpoints and checkers must be secured. Trail breaking, marking, and maintenance must be coordinated. All of this is done before the race.

During the race, it is becoming essential ITC have a plane at our disposal. Each year brings different emergencies. We must get our Race Marshal to a checkpoint, or a doctor in to treat an injured musher, or a vet to an injured dog. To ensure the safety of our mushers and their teams, the enforcements of our rules, and a organized operation, we are requesting funding for a Maule M-6 airplane.

Cost.....\$48,000.00

RADIOS

For better communications so we are able to respond to problems and emergencies, we need high frequency portable radios. These radios may be used by our pilots or ground crews.

Four (4) HF Radios.....\$4,750.00

SNOWMACHINES

Of course there are times when all air support is grounded by weather. But our race continues. To enable our officials and trail breaking crews to operate we need double track machines. If we have an emergency somewhere a plane cannot land, we need the machines to get to the location. And, just to have the ability to maintain surveillance between checkpoints, the machines would be invaluable.

Two Alpine double track snowmachines.....\$10,400.00

Each year we offer a \$100,000.00 purse to the top twenty mushers. This distinguished the Iditarod as not only the longest sled dog race in the world, but also the richest. This purse also ensures the Iditarod a place in the major athletic events in the world. The purse gives mushers the incentive to train for the race. Consequently we have mushers and teams that are physically and mentally prepared to challenge the Iditarod Trail.

Money for purse.....\$35,000.00

TOTAL OF PROPOSAL #1

\$113,050.00

plans 248.00 >

65,050

PERMANENT IDITAROD HEADQUARTERS

Each year interest in the Iditarod Sled Dog Race grows.

According to surveys done with our out of state visitors, the Iditarod fulfills the image and fantasy of Alaska. News media from the world over come to report the "Last Great Race." Because of the coverage, more and more tourists want to visit Iditarod Headquarters and see first hand the operation of the race.

After ten years we have collected invaluable paraphernalia connected with each race. These items are a part of our history, but are perilously close to being lost because we have no place to store them. The impression each visitor or reporter leaves our headquarters with reflects on the Iditarod and our great state.

At present we are located above Teeland's Country Store in Wasilla. As our volume of traffic increases, not only is it disruptive to Teelands, but our own space is grossly strained. We have no place to store our race records or paraphernalia. Nor do we have the space to accommodate volunteers working on the race and visitors at the same time.

Because of the problems listed above, the Iditarod Sled Dog Race is requesting funding for a permanent headquartes in Wasilla. We want our building to be in the true spirit of Alaskan history and dog mushing, so our decor would be styled on a log cabin -- Roadhouse theme. To complement our building, we need an acre of land that can be landscaped to encourage visitors to stop and enjoy.

In our headquarters we need office space, storage area, conference room, retail sales outlet and a museum. Maximum exposure for our building is a must to ensure us the tourist and drop in trade we

will count on to cover operation and maintenance.

Our request is for: a 3350 sq. ft. building at \$100 per foot building .

Cost.....\$335,000.00

One acre land located on Parks Highway in or about Wasilla.

Cost\$ 26,000.00

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Office equipment, furnishings, display cases, cash register, shelves, hangers, and protective equipment for museum.

Cost.....\$ ~~23,000.00~~⁴⁴

Landscaping, artwork, outside tables and benches and plaques.

Cost.....\$ ~~18,000.00~~^{17,800}

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TOTAL REQUEST.....\$422,800.00

589.00