

ALPHA STAFFS COMMITTEE

3098 HB - SSA 184 HB 289
8672



STATE OF ALASKA

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Bussell	Bill Number CS HB 184 (SA)
Department Position Support		
Division Director Robert J. Rowan <i>Rob J Rowan</i>	Date 3-23-83	Commissioner's Signature <i>Robert J. Rowan</i>
		Date 3-24-83

Comments:

<input type="checkbox"/> Position Noted	By	Date
-----------------------------------------	----	------

SUMMARY

1. a) Related Bills (Similar or Conflicting)	1. b) Other Agencies Affected by Bill
2. a) Organizational Support for Bill	2. b) Organizational Opposition to Bill

3. Program Effects of Bill

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:

6. Comments: Prefer Section 1 indicate "a mobile home as defined by regulation", or if they want it specific, "a mobile home as defined in 13 AAC 40.010(27), rather than "a mobile home as defined in AS 45.30.100". Reason being, we are not sure the definition contained in the statute will allow us to title trailers used for plan reviews, equipment storage, etc., at job sites. The regulation definition is more specific. Banks and construction company owners do want us to be able to title this type equipment.

13 AAC 40.010(27) states: "mobile home" means a trailer in excess of either 28 feet in length or eight feet in width that is designed, constructed, and equipped for use as a dwelling or as a place of business, storage or other off-highway purpose".

CONSTITUENT CASEWORK

NAME: Kew Simpson

STAFF: Suzanne Trice

ADDRESS: Division of
Motor Vehicles

DATE OPENED: _____

DATE CLOSED: _____

2
(Mailing or Residence)

REFERRAL: _____

PHONE # (H): _____

SSN #: _____

(W): 209-5906

AGE: _____

MINORITY: _____ SEX: _____

Bill
Walker

563-
3877

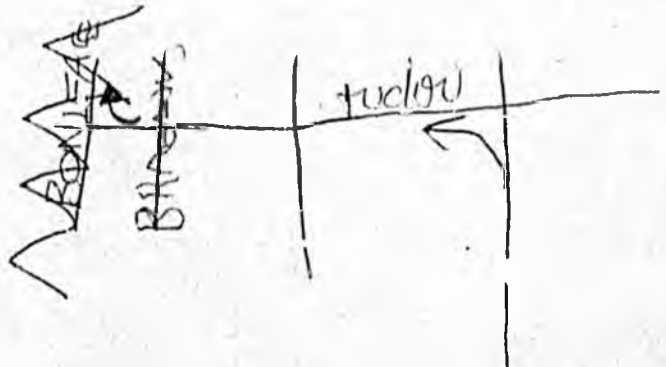
Unfortunately, the research person in the
Division of Motor Vehicles has been cut out.
We are now the only state that does not
have a research section.

The research section is vitally important
for the apprehension of criminals. Virtually
no

Special mobile equip.

Director & Commissioner
Draft Req.

Robert J. Rowan



CONSTITUENT CASEWORK

NAME: Ann Marshall

STAFF: _____

ADDRESS: _____

DATE OPENED: _____

DATE CLOSED: _____

(Mailing or Residence)

REFERRAL: _____

PHONE # (H): _____

SSN #: _____

(W): 276-3414 (WORKS AT HOME)

AGE: _____

MINORITY: _____ SEX: _____

Pioneer Home - 276-3414 [Time: N/AFF] [Mr. N/AFF] Pioneer
Louie Keller (276-3414) * Benefits

- He is not in pioneer's home.
- allowed her to enter.
- he is living on his own
- he can come and visit her.
- ^{she} needs care dressing etc... (minimal care patients)

[Someone dds admitted who was only
w/3. Squeaked on by.]

- [DFAYS services - Kathy Katzell
- Perhaps home health aide
 - home maker
 - home delivered meals -
 - transportation
 - She could be delivered to day care everyday.

CONSTITUENT CASEWORK

NAME: Dennis ALLEN

STAFF: G. BAIM

ADDRESS: KSKA

DATE OPENED: 9/6/83

DATE CLOSED: _____

_____ (Mailing or Residence)

REFERRAL: UF

PHONE # (H): _____

SSN #: _____

(W): 561-1161

AGE: _____

MINORITY: _____ SEX: _____

had note from systems.

Dennis Allen of KSKA called Wednesday, September 7 - he wanted to speak to Vic.

PROBLEM: KSKA has the community support, permission to use the land, and funding from the legislature to put in a translator in Girdwood and Hope so those communities can have public radio.

Me1 Holverstein of the Division of Telecommunications has unilaterally refused to grant KSKA permission to put in the translators. Mr. Allen seemed to believe that because of a bad taste in his (Holverstein's) mouth over a public radio hassel in Wrangell * he (Holverstein) has "a hair up his but over public radio". (quote is from Allen).

I told Mr. Allen you'd call him back to get a more detailed picture of the problem and follow up with a call to Lisa Rudd.

*Being as how my dad is the engineer in Wrangell, I called him and asked for a rundown on the "hassle" with DivCom. He said this: The city of Wrangell wanted public radio so they waived rules on city owned recreation land to allow the station to put in a translator with the limitation that no commercial use could be made of the property and that the translator was to be only for public radio, not TV or any other quasi-commercial operation. Because the city would have to charge a private group (if the radio group wanted to incorporate or something) and would only have to charge a token amount for leasing to a state agency, DIVCOM agreed (and signed) to be the responsible party to lease the land, fully understanding the restrictions placed on the leasing agreement.

Immediately upon signing the lease DIVCOM proceeded with trying to set up public television translators on the site with apparent plans to include commercial TV at some time. Wrangell was furious (at the root of some of this problem is DIVCOM's plan to replace satellite bush feed with regular public TV in Wrangell. Needless to say the Wrangelites want to keep the live sports coverage that comes with the bush feed rather than straight public TV).

Wrangell is still imbroiled in this hassel but does have an operating public radio station and thus far, has prevented DIVCOM from putting in anything else. I suspect a similar situation is brewing over the Girdwood/Hope problem.

Let me know what you want to do about this?

Systems has sites where they
have equip & etc.....

KSKA WANTS TO PUT THEIR EQUIP
in some bldg. Systems wants
to keep bldg secure. (Systems
has metal bldg).

Bruce Smith - Station manager w/
KSKA.

STATE SYSTEMS SITE.

anchorage public radio
4101 university drive
anchorage • alaska • 99508 • 907/561/1161

KSKA *fm* **91**

September 20, 1983

Ms. Julianna Guy
Deputy Commissioner of Telecommunications
Juneau, AK 99811

Dear Ms. Guy,

Thank you for your interest in the KSKA translator project for Girdwood. What KSKA needs to complete this project is the following:

- 1) permission to locate a 10 watt translator in the equipment shelter at Girdwood (we would accept an adjacent empty structure if available)
- 2) space for a small transmit antenna on the tower at Girdwood
- 3) AC power (not to exceed 100 watts)
- 4) carriage on the State Microwave System. KSKA will purchase the modulator/demodulator for the State microwave and a fixed tuned base band receiver for installation at the Point Campbell microwave head-end

Our present plan calls for the State to carry KSKA from Point Campbell to Girdwood to hand off base band composite audio to our translator.

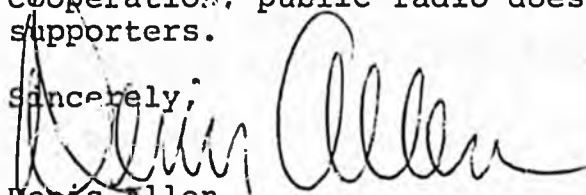
KSKA agrees to the following maintenance stipulations:

- 1) There will be no costs to the State for equipment to do this.
- 2) KSKA will maintain the Girdwood translator.
- 3) KSKA will pay all maintenance costs for the modulator, demodulator, and fixed tuned receiver.

KSKA will continue the spirit of friendly cooperation which is the hallmark of relations with the Division of Telecommunications.

KSKA will publicly thank the chief government officials involved in the project for their understanding, cooperation and sensitivity to the public needs. KSKA will be forever indebted to the responsiveness and sensitivity you have shown to the Girdwood residents in completing this project. We have our FCC construction permits and are ready to proceed. Following the plan outlined above should make any translator at Hope unnecessary and access to that site unnecessary. Again, thank you for your cooperation; public radio does not forget its friends and supporters.

Sincerely,


Denis Allen
Chief Engineer

DA/ct

cc: Charlie Northrip, Director - APBC
Girdwood Board of Supervisors
Senator Vic Fischer

STATE OF ALASKA
FISCAL NOTE

Revision Date 5-9-83

I. REQUEST

Bill/Resolution No.: CS HB 184 (State Affairs)
 Title: An Act relating to issuing a cert.
 Sponsor: Bussell
 Requestor: House State Affairs

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life & Prop. P.
 BRU, Program of Subprogram(s) Affected:
 Driver/Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

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

Zero fiscal impact on Division of Motor Vehicles.

IV. ANALYSIS: Attach a separate page for any Analysis

(See attached comment)

Prepared By: Bill Brown

Phone: 465-4335

Division: Motor Vehicles

Date: 3-17-83

Approved by Commissioner: [Signature]

Date: 3/18/83

Department: Public Safety

Distribution:

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

3/8/83

FISCAL NOTE
CS HB 184 (State Affairs)

COMMENT:

Prefer Section 1 indicate: "(12) a mobile home as defined by regulation.", or, to be more specific: "(12) a mobile home as defined in 13 AAC 40.010(27)".

Reason: We are not sure the definition contained in the statute, specifically AS 45.30.100, will allow issuance of titles for trailers used for plan reviews, equipment storage, etc., at job sites. The regulation definition is more specific. Banks and construction company owners do want the Division of Motor Vehicles to be able to title this type equipment.

13 AAC 40.010(28) states: "'mobile home' means a trailer in excess of either 28 feet in length or eight feet in width that is designed, constructed, and equipped for use as a dwelling or as a place of business, storage or other off-highway purpose".

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



May 17, 1983

Butrovich Room

Members Present

Senator Vic Fischer, Chair
Senator Tim Kelly
Senator Arliss Sturgulewski

Agenda

HB 6 Driving a motor vehicle
HB 17 Advisory vote on raising the drinking age to 21
HJR 28 Native Allotments
HB 184 Title for Vehicles
HCR 9 Veterans' memorial
HCR 17 State medal of heroism
HCR 18 Display of flags
HB 106 Alaska bidder preference
HB 165 Relating to the Alaska Public Offices Commission

HB 5 Driving a motor vehicle

Committee staff presented a proposed committee substitute. The committee substitute is an amended version of SB 61 which has been considered previously by the committee.

Alan Baily, Anchorage Municipal Prosecutor and Gayle Horetski, Department of Law, testified in favor of the committee substitute.

Senator Sturgulewski asked if there are latent constitutional problems with administrative revocation of driver's licenses. Ms. Horetski replied that there are no problems per se.

Senator Fischer called attention to Sec. 13, sobriety check points, which has been added to the bill.

Senator Kelly moved and asked unanimous consent to adopt the committee substitute and pass it from committee with individual recommendations. There was no objection.

HB 17 Advisory vote on raising the drinking age to 21

Senator Kelly asked to withdraw his proposed committee substitute. He then moved and asked unanimous consent to pass the bill from committee with individual recommendations. There was no objection.

HJR 28 Native Allotments

Senator Fischer proposed a committee substitute which refined and clarified certain language but made no substantive changes.

The committee substitute was passed from committee with individual recommendations.

HB 184 Title for vehicles

Wally Kubley, representing himself, testified for the bill.

There was discussion regarding whether the definition of "mobile home" should be by statute or by regulation. It was decided to follow the written recommendation of the Department of Public Safety and have the definition by regulation. Committee staff was directed to prepare a committee substitute to that effect.

HCR 9 Veterans' memorial

Senator Fischer expressed concerns about the resolution including the issue of censorship of art and possible copyright law violations.

Natalie Pauthaus, Juneau Arts and Humanities Council, spoke in favor of leaving the sculpture "Nimbus" where it is. She felt that there would be negative repercussions from the National Endowment for the Arts if the State of Alaska did not hold up its grant agreement.

Senator Sturgulewski said she favors leaving "Nimbus" alone.

Peter Kelley, Vietnam Veterans of Alaska, testified in favor of moving "Nimbus" to another location and placing a veterans' memorial at that location.

Senator Fischer said he favored a resolution which would look at the entire capital city area for potential sites for a veterans' memorial.

Steve Smith, Southeast Alaska Visual Artists Association, testified he personally thought that the present site is not ideal for a work such as "Nimbus" but that he had reservations about moving the work. He suggested that a more appropriate memorial could be dedicated to all those who have been lost in Alaska's waters, with special emphasis on veterans.

The resolution was held over pending study by staff.

HCR 17 State Medal of Heroism

The resolution was passed with a unanimous do pass recommendation without discussion.

HCR 18 Display of flags

Representative Milo Fritz (prime sponsor) testified for the resolution. He has noticed that during holidays the flag poles in Juneau are often empty. He finds this situation deplorable. He thinks flags should be flown on state government buildings throughout the state.

Senator Fischer suggested that there be a slight wording change to clarify that flags are to be flown only when there is a security or maintenance person on regular duty.

Senator Sturgulewski moved and asked unanimous consent to adopt a committee substitute to that effect and to move the bill from committee with individual recommendations. There was no objection.

HB 106 Alaska bidder preference

Senator Fischer introduced a proposed committee substitute for the Committee's consideration.

Resa King, Associated General Contractors, testified against the bill and bidder's preferences in general because of increased costs.

Bob Link, Director of the Division of General Services and Supply, Department of Administration, said that the bidder's preference was easy to administer. He said the bill could lead to significantly increased costs.

Dave Hutchins, Alaska Rural Electric Cooperative Association, testified against raising the bidder's preference to 15%.

The bill was held over pending additional staff work.

HB 165 Relating to the Alaska Public Offices Commission

Representative Rick Uehling (prime sponsor) testified for the bill and gave a brief legislative history of the bill.

Theda Pittman, Executive Director of the Alaska Public Offices Commission, testified in favor of the bill and recommended that a House floor amendment deleting certain requirements be added back into the bill by this committee.

Senator Fischer stated that the bill would be held over pending preparation of a committee substitute.

The meeting was adjourned at 4:32 p.m.

by
David Dye
committee aide

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

P. O. BOX 960
ANCHORAGE, ALASKA 99510DRAFT

July 13, 1982

To: All Lending Institutions

A recent Alaska Supreme Court opinion, Leslie Newell v National Bank of Alaska, No. 2518, June 18, 1982, has brought to our attention a discrepancy under the most recent revised motor vehicle code, Alaska Title 28, which prohibits us from issuing title or registration to certain vehicles not normally moved upon the highways.

Of particular interest to you may be the prohibition of titling vehicles "driven or parked on private property". This would include mobile homes and similar vehicles.

It is the division's opinion that all such vehicles described above may not be titled and any such title issued since October , 1978, to a vehicle driven or parked on private property which attempted to perfect a security interest is ineffective under the Alaska Motor Vehicle Code.

The division has attempted unsuccessfully to correct the noted discrepancy by legislative action and will continue to do so during the Thirteenth Session of the Alaska State Legislature. In the meantime, commencing immediately the division will no longer issue title to vehicles driven or parked on private property and would suggest that you review your records for any such titled vehicles so that you may perfect your security interest under the Uniform Commercial Code or a similar method.

If you have questions concerning this matter do not hesitate to contact my office at your convenience.

Robert J. Rowan, Director

TO: William R. Nix
Commissioner
Department of Public Safety.

DATE: July 13, 1982.

FILE NO:

TELEPHONE NO: 269-5551

FROM: *Bob. Rowan*
Robert J. Rowan, Director
Division of Motor Vehicles
Department of Public Safety

SUBJECT: Vehicle Title, Mobile Homes

269-5551-

This division has always, since I've been with it, issued title for mobile homes as the lending institutions found this an easy method of securing their lien interest and for recording ownership. It didn't significantly effect our workload so we had no problem with this method. We recognized that a problem existed after AS 28 was changed by the 1978 Legislature. We attempted to address this by submitting a suggested change to the law. This was in SB-319 Section 10, however this bill never got out of committee.

After I read the attached recent supreme court decision, I met with Assistant's Attorney General Joseph Balfe and Diane Olson to discuss the ramifications of this opinion. They were unanimous in suggesting that we stop titling mobile homes immediately.

Because this action will undoubtedly result in some adverse reaction from the lending institutions, I thought it best if you looked at the opinion and the proposed letter before I go any further.

Basically I would request your approval or disapproval of sending this letter at this time.

Attached is a draft of the proposed letter and a copy of the Alaska Supreme Court decision.

attachments (2)

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



May 19, 1983
3:00 p.m.

Butrovich Room

Members Present

Senator Vic Fischer, Chair
Senator Tim Kelly
Senator Pat Rodey
Senator Arliss Sturgulewski

Agenda

HB 106 Alaska bidder's preference
HB 165 Relating to the Alaska Public Offices Commission
HB 184 Title for vehicles
HB 128 Child prostitution penalties
HJR 2 Constitutional Amendment--length of legislative session

HB 106 Alaska bidder's preference

The bill was discussed by the committee and the consensus was that the portion of the bill dealing with the percentage of preference should be deleted and made the subject matter of a separate state affairs committee bill. The new committee substitute for HB 106 would thus contain the "purpose" section and a section relating to joint venture.

Senator Rodey moved and asked unanimous consent to adopt the committee substitute and to pass the bill from committee with individual recommendations. There was no objection.

General discussion ensued on the topic of session extensions once the limit had been met.

The committee adjourned at 3:45 p.m.

Original sponsor: Bussell

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 184 (State Affairs)

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 issuing a certificate of title
7 for vehicles exempt from registration and exempting
8 mobile homes from registration."

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

10 * Section 1. AS 28.10.011 is amended by adding a new paragraph to read:

11 (12) a mobile home as defined by regulation.

* ONLY
change
in state aff. CS.

12 * Sec. 2. AS 28.10.201(b) is amended to read:

13 (b) The owner of a vehicle described in AS 28.10.011 as being
14 exempt from registration and the owner of a snowmobile or off-highway
15 vehicle may not apply for, nor may the department issue, a certificate
16 of title for such a vehicle. However, the department may issue a
17 certificate of title to the owner of a vehicle exempt from registra-
18 tion under AS 28.10.011(3), (6), (7), (11) or (12) [AS 28.10.011(6),]
19 upon application by that owner.

20
21 * House CS defined mobile home in statute,
22 see highlighted paragraph ^{ON} next page.

23 X Definition by regulation WAS preferred; ~~as~~ it is
24 unclear whether the statutory definition would
25 allow DMV to title trailers used for plan reviews,
26 or equipment storage at job sites.

27 — DMV WANTS TO BE ABLE TO TITLE TRAILERS
28 MOVED FROM JOB TO JOB.

1) State affairs CS changes the definition reference to regulation from statute.

2) This change was requested because the statute definition is too unclear.

3) A) It is questionable, for instance, whether or not DMV would be able to title trailers used at job sites for plan review. ~~ETC.~~

B) CONSTRUCTION COMPANIES WANT TRAILER EQUIPMENT TO BE TITLED.

Offered: 3/18/83
Referred: Rules

Original sponsor: Bussell

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 184 (State Affairs)

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 issuing a certificate of title

7

for vehicles exempt from registration and exempting

8

mobile homes from registration."

9

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

10

* Section 1. AS 28.10.011 is amended by adding a new paragraph to read:

11

(12) a mobile home as defined in AS 45.30.100.

12

* Sec. 2. AS 28.10.201(b) is amended to read:

13

(b) The owner of a vehicle described in AS 28.10.011 as being

14

exempt from registration and the owner of a snowmobile or off-highway

15

vehicle may not apply for, nor may the department issue, a certificate

16

of title for such a vehicle. However, the department may issue a

17

certificate of title to the owner of a vehicle exempt from registra-

18

tion under AS 28.10.011(3), (6), (7), (11) or (12) [AS 28.10.011(6),]

19

upon application by that owner.

<CS FOR HOUSE BILL NO. 184 (SA)> by the State Affairs Committee, entitled:

"An Act relating to issuing a certificate of title for vehicles exempt from registration and exempting mobile homes from registration."

was read the first time and referred to the State Affairs Committee.

The State Affairs Committee considered <CS FOR HOUSE BILL NO.> <184 (SA)> (certificate of title for vehicles exempt from registration and exempting mobile homes from registration) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE
BILL NO. 184 (SA)

Senator Vic Fischer, Chairman and Senator Sturgulewski signed "do pass". Senators Kelly and Rodey signed "no recommendation".

CS FOR HOUSE BILL NO. 184 (SA) was referred to the Rules Committee.

Rule SC5 offered 6/26

H B

I 9 8

STATE OF ALASKA

THE LEGISLATURE BUDGET AND AUDIT COMMITTEE

ROOM 508
CAPITOL BUILDING
POUCH V
JUNEAU, ALASKA 99811

907-465-3818
907-465-3810

DATE: February 24, 1983

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Bob Bettisworth, Chairman *PAB*
Legislative Budget and Audit Committee

RE: HB 198: "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I would like to express my appreciation to you and the House Finance Committee for taking the time to hear HB 198.

In an effort to effectuate the Legislative Budget and Audit Committee's responsibilities, I respectfully urge the Committee's approval of this bill.

This legislation is a direct result of the transitional problems the Legislative Budget and Audit Committee faced earlier this year, due to organizational problems in the other body. Two years hence, however, this same problem occurred due to organizational problems in the House.

The Legislative Budget and Audit Committee, being a permanent interim committee, with certain statutory mandates to uphold, will be greatly enhanced by this legislation. It will insure continuity in carrying out the Committee's responsibilities. By adopting this proposed amendment, there will be a definite date when the new Legislative Budget and Audit Committee members take on their respective responsibilities, resulting in the Committee's continuous operation.

The intent of incorporating the confidentiality language on lines 24 and 25, is to do just that. Audit records and reports are confidential until approved by the Committee. This amendment will provide a statutory mandate to uphold this recognized procedure.

Again, I respectfully urge the House Finance Committee's approval of H.B. 198.

SENATOR
ARLISS STURGULEWSKI

2957 SHELDON JACKSON
ANCHORAGE, ALASKA 99504
SENATE DISTRICT F, SEAT A

Alaska State Legislature



Senate

White in Juneau
POUCH V
JUNEAU, ALASKA 99811
(907) 465-3818

MEMORANDUM

February 22, 1983

TO: Representative Bob Bettisworth, Chairman
Legislative Budget and Audit Committee

FROM: Senator Arliss Sturgulewski *AS*
Senate District F, Seat A

RE: HB 198 "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I appreciate the fact that the Legislative Budget and Audit Committee has taken action to change the duration of the committee and to confine the committee members terms of office to the duration of the legislature in which they had been appointed. The present statute has created some difficulties. I recall that in 1981, the House did not organize until February 2 and the Legislative Budget and Audit Committee was not appointed on the House side until February 6. It was not until February 13 that a Committee meeting could be held and a new chair, in that instance myself, could be elected. You can well imagine that there was considerable confusion as to space allocations and Committee responsibilities during this in between time.

A similar circumstance arose during the current session. Although the statute is clear and there has been an Attorney General's opinion regarding the ongoing role of the Committee until such time as the reappointment or appointment of the committee members successors take place, considerable confusion has resulted from the current practice as set forth by statute. I strongly support the submission of your legislation. I think it will make future transition times much clearer. The one negative factor, of course, is in the event of delays in organizing that there would not be a chairman and a committee in place to conduct special needed business. However, since the legislature would be in session, alternative methods of solving emergency situations are certainly available.

I would like to bring to your attention another matter which has some bearing on the Legislative Budget and Audit Committee. It has to do

February 22, 1983

with the allocation of legislative space. Apparently through the years there have been various non-binding intent statements placed in the budget document that appear to give some authority to the Budget and Audit Committee and/or the Finance Committees to make space allocations. I did not feel that was appropriate and the Committee did not take any action to implement these non-binding intent statements. I do feel, in addition, that there is a major unresolved area between the Legislative Council and the Rules Committee as to space allocations that needs clarification. I am enclosing for your review a copy of a memo that speaks to this issue. I am also making a copy of this memo available to the Special Committee on Legislative Reform since I think this area of possible overlap and confusion is one they may wish to address.

Please contact me further if I can give you more information regarding the issue raised in HB 198.

Enclosure

Alaska State Legislature



IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
907) 465-4949

BOX 142
EAGLE RIVER, ALASKA
99577

Representative Randy Phillips

MEMORANDUM

HOUSE DISTRICT 15

TO: Senator Vic Fischer
Chairman, Senate State Affairs Committee

FROM: Representative Randy Phillips *REP*

DATE: March 15, 1983

RE: House Bill 198 am, "A. Act relating to membership of the Legislative Budget and Audit Committee, the Alaska Legislative Council and to records of the legislative audit division."

I understand that the Senate State Affairs Committee will be hearing the above-captioned bill this coming Thursday at 3:00 p.m. I will be unable to attend the committee meeting, as the House Community and Regional Affairs Committee (which I serve on) meets at this same time, but as the sponsor of the amendment to add the Legislative Council to the original bill, I wanted your committee to know my reasons for the amendment.

The original bill addressed itself only to the membership of the Legislative Budget and Audit Committee and records of the legislative audit division. My amendment, which I offered on the House floor and which was adopted, added "the Legislative Council" to the title and the present Section 1 in HB 198 am. Section 1 provides that members of these committees (Legislative Budget and Audit and Legislative Council) serve for the duration of the legislature during which they are appointed. This would mean that a term for this Legislature, had the bill be in effect, would run from the date of appointment to the end of this Legislature. The language is an attempt to avoid problems that have appeared in the past when new members of the Council were not appointed and the old returning Council members proceeded on the assumption that they were still the Council. It is my feeling that with the term of membership clearly spelled out in statute, we will avoid misunderstandings and problems that have arisen in the past.

If you have any questions, please do not hesitate to contact me.

Alaska State Legislature

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4949



BOX 142
EAGLE RIVER, ALASKA
99577

Representative Randy Phillips

MEMORANDUM

HOUSE DISTRICT 15

TO: Senator Vic Fischer
Chairman, Senate State Affairs Committee

FROM: Representative Randy Phillips *REP*

DATE: March 15, 1983

RE: House Bill 198 am, "An Act relating to membership of the Legislative Budget and Audit Committee, the Alaska Legislative Council and to records of the legislative audit division."

I understand that the Senate State Affairs Committee will be hearing the above-captioned bill this coming Thursday at 3:00 p.m. I will be unable to attend the committee meeting, as the House Community and Regional Affairs Committee (which I serve on) meets at this same time, but as the sponsor of the amendment to add the Legislative Council to the original bill, I wanted your committee to know my reasons for the amendment.

The original bill addressed itself only to the membership of the Legislative Budget and Audit Committee and records of the legislative audit division. My amendment, which I offered on the House floor and which was adopted, added "the Legislative Council" to the title and the present Section 1 in HB 198 am. Section 1 provides that members of these committees (Legislative Budget and Audit and Legislative Council) serve for the duration of the legislature during which they are appointed. This would mean that a term for this Legislature, had the bill be in effect, would run from the date of appointment to the end of this Legislature. The language is an attempt to avoid problems that have appeared in the past when new members of the Council were not appointed and the old returning Council members proceeded on the assumption that they were still the Council. It is my feeling that with the term of membership clearly spelled out in statute, we will avoid misunderstandings and problems that have arisen in the past.

If you have any questions, please do not hesitate to contact me.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 198
 Title Relating to the membership of LB&A, and records of legis. audit
 Requested by House Finance Committee Date 2/23/83 div.

II. FISCAL DETAIL
 Agency Affected Legislative Affairs Agency
 Program Category Affected Legislature
 BRU, Program, Or Subprogram(s) Affected LB&A Cmtee, Legis Audit Division
 (Note: "More than one budget component is affected, separate line-items and funding for each component in the analysis section.")

EXPEND IS (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES		0	0	0	0	0
200 TRAVEL		0	0	0	0	0
300 CONTRACTUAL		0	0	0	0	0
400 COMMODITIES		0	0	0	0	0
500 EQUIPMENT		0	0	0	0	0
600 LAND & STRUCTURES		0	0	0	0	0
700 GRANTS, CLAIMS, ETC.		0	0	0	0	0
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME		0	0	0	0	0
PART TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

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

The legislation has no fiscal impact.

IV. DATE 2/23/83 PREPARED BY Rep. Al Adams
 AGENCY House Finance Committee
 Original: Legislative Finance PHONE 465-3706
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/82)

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465 4954



March 17, 1983
3:00pm

Butrovich Room
Capitol Bldg.

Members Present

Senator Vic Fischer, Chair
Senator Bill Ray, Vice-Chair
Senator Pat Rodey
Senator Tim Kelly
Senator Arliss Sturgulewski

HJR 25--Time Zone Change

Senator Fischer stated that this bill was similar to SJR 17, which the committee had previously considered. It would move the Alaska and Pacific time zones to the Yukon time zone and move the Bering time zone to the Alaska time zone. Senator Fischer also stated that he had sent a questionnaire to all senators asking them their preference for time zone consolidation. Out of nine responses, eight senators favored putting the entire state on Yukon time and one favored putting the entire state on Alaska time.

Senator Fischer proposed a committee substitute which asks the Secretary of the U.S. Department of Transportation to put the entire state on Yukon Standard time and to rename that time zone "Alaska Standard Time."

Senator Sturgulewski asked how the people of western Alaska would view such a change. Senator Fischer responded that some would like it and some would not; however he had spoken with both senators from that region and that they had concurred with the committee substitute.

The committee discussed the effects of a time change on school children, farmers and sportsmen.

Senator Rodey moved and asked unanimous consent to adopt the committee substitute and to move the bill from committee with a do pass recommendation. There was no objection.

SB 155--Truth in campaign advertising

Senator Rodey, prime sponsor, spoke in favor of the bill. He stated that upon reflection he had reservations about making the Alaska Public Offices Commission (APOC) into a quasi-judicial body.

Brooke Miles, APOC staff, stated that the commission had not formulated a position on the bill. She conveyed several concerns expressed to her by Theda Pittman, executive director, of the APOC. These included a reservation about creating a quasi-judicial responsibility for the commission and a concern that the commission would be flooded with complaints during the last days of an election.

Senator Fischer appointed Senator Rodey as a subcommittee of one to meet with the commission and to develop improvements to the bill.

HB 198--Relating to membership of the Legislative Budget & Audit Committee, the Alaska Legislative Council and to records of the legislative audit division

The committee briefly discussed the substance of the bill. All were familiar with its substance and spoke in favor of it.

Senator Kelly moved and asked unanimous consent that the bill move from committee with a do pass recommendation. There was no objection.

Senator Fischer adjourned the meeting at 3:35pm.

HB

209

Offered: 6/13/83
Referred: Finance

Original sponsor: Bussell

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 209 (State Affairs)
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 the classification of personnel;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:
10 (22) youth employed by the Department of Natural Resources
11 under the Youth Employment and Student Intern programs.
12 * Sec. 2. AS 39.25.120(c) is amended by adding a new paragraph to read:
13 (19) guards employed by the Department of Public Safety for
14 emergencies.
15 * Sec. 3. AS 44.41 is amended by adding a new section to read:
16 Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department
17 of Public Safety shall submit a report to the director of the division
18 of personnel quarterly and on request of the director. The report
19 shall contain a description of each emergency and shall include the
20 total amount of time by hours for each emergency for which emergency
21 guards under AS 39.25.120(c)(19) were used.
22 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

<CS FOR HOUSE BILL NO. 209 (RLS)> by the Rules Committee, entitled:

"An Act relating to the classification of personnel; and providing for an effective date."

was read the first time and referred to the State Affairs Committee and the Finance Committee.

The State Affairs Committee considered <CS FOR HOUSE BILL NO.> <209 (RLS)> (classification of personnel) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 209 (SA)

with a majority do pass. The report was signed by Senator Vic Fischer, Chairman and concurred in by Senators Sturgulewski, Rodey and Ray.

CS FOR HOUSE BILL NO. 209 (RLS) was referred to the Finance Committee.

The Finance Committee considered <CS FOR HOUSE BILL NO. 209> <(RLS)> (classification of personnel; efd) and recommended the State Affairs Senate Committee Substitute be adopted. Senator Bennett, Co-Chairman and Senators Mulcahy and Josephson signed "do pass". Senator Faiks signed "no recommendation".

CS FOR HOUSE BILL NO. 209 (RLS) was referred to the Rules Committee.

The Rules Committee considered <CS FOR HOUSE BILL NO. 209 (RLS)> (classification of personnel; efd) and a majority of the committee recommended calendar April 17 and the State Affairs Senate Committee Substitute be adopted. The report was signed by Senator Faiks, Chairman and concurred in by Senators Kelly and Ferguson.

CS FOR HOUSE BILL NO. 209 (RLS) appears on the calendar.

<CS FOR HOUSE BILL NO. 209 (RLS)> (classification of personnel; efd) was read the second time.

Senator Faiks moved and asked unanimous consent that CS FOR HOUSE BILL NO. 209 (RLS) be returned to the Rules Committee. Without objection, it was so ordered and the bill was returned to Rules.

DAVID DYE

TO: VF
FROM: ST
MAY 21, 1984

SCS HB 209 (SA) puts into ~~partially~~ exempt service youth conservation corps and emergency guards ~~and if possible the senate version of this bill, it passed last year 1983~~

SASC changes the bill sent over by the house by deleting supervisors in the Department of Corrections. During the committee meetings, most of the testimony was against putting Corrections supervisors in the exempt service.

[CSHB 209 RLS]

If they were placed in the exempt service, people could be supervising prisons who had no experience or education in the field.

It would also remove one of the rungs in the career ladder.

It would allow superintendents to become scapegoats for decisions made in higher eschelons of the department (this came up over and over again in committee).

The argument for the inclusion in the exempt service by corrections was the need to be able to fire corrections superintendents. Under classified service, the superintendent may be fired for incompetence etc.

①

SCS hb 209 now puts emergency guards and YCC in exempt service. ~~Emergency guards~~ *Dept Publ Safety - escort prisoners, guard property, assist troopers, etc* are better suited for exempt service because of the paperwork involved in hiring and terminating the guards when they are in the classified service. They have to go through the registers and filling out retirement papers etc.. --the guards are usually ~~going to be~~ employed for only two or three days at a time, but they may be employed 3 times in one month.

By changing the status from classified to exempt, the guards could be hired for longer periods of time-- decreasing the paperwork, but they would work and receive pay only for the emergencies.

The reporting procedure (section 3) requires DPS to report to the Division of Personnel to monitor the hours that emergency guards work. The purpose of the report is to ensure that increases in the number of hours that emergency guards are employed ~~do not~~ occur.

Those involved in Youth Conservation Corps are usually employed for a couple weeks-- maybe a whole summer. ~~going through~~ employment registers-- ~~where the jobs are over before anyone can fill the vacancy.~~

YCC - exempt service
because:

① under classified service they would have to be paid minimum classified service \$8.13. The DNR pays them ^{only} 3.85/hour.

Means for filling vacancies that may occur during summer....

Offered: 5/5/83
Referred: Rules

Original sponsor: Bussell

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 209 (Rules)

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 the classification of personnel;

7

and providing for an effective date."

8

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

9

* Section 1. AS 39.25.110 is amended by adding a new paragraph to read:

10

(22) youth employed by the Department of Natural Resources

11

under the Youth Employment and Student Intern^(im) programs.

12

* Sec. 2. AS 39.25.120(c) is amended by adding new paragraphs to read:

13

(19) guards employed by the Department of Public Safety for

14

emergencies;

15

(20) correctional superintendents I and II employed by the

16

Department of Health and Social Services.

17

* Sec. 3. AS 44.41 is amended by adding a new section to read:

18

Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department

19

of Public Safety shall submit a report to the director of the division

20

of personnel quarterly and on request of the director. The report

21

shall contain a description of each emergency and shall include the

22

total amount of time by hours for each emergency for which emergency

23

guards under AS 39.25.120(c)(19) were used.

24

* Sec. 4. This Act takes effect immediately in accordance with AS 01.-

25

10.070(c).

SB 116
→
[
→

10 individuals
supervise 3 20%
" II-50-70

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 209 (Finance)
 Title Placing emergency guards in partially exempt service...
 Requested by House Finance Committee Date 3/23/82

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Alaska State Troopers
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

0

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE 3/23/82

PREPARED BY Al Adams, Chair
 AGENCY House Finance Committee

COMMITTEE REPORT
SENATE

FURTHER: FINNICE

5/16/83

Date: 6/9/83

Mr. President:

The Committee on STATE AFFAIRS has had CSHB 209 (RIs)

Classification of personnel; eff. date.

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

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

MEMBERS SIGNING
DO PASS

Bill Ray

MEMBERS HAVING
OTHER RECOMMENDATIONS:

W. Fisher do pass

CHAIRMAN

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



June 9, 1983
3:00 p.m.

Butrovich Room

Members Present

Senator Vic Fischer, Chair
Senator Bill Ray, Vice Chair
Senator Pat Rouey
Senator Arliss Sturgulewski

Agenda

HB 209 Classification of Personnel

HB 323 Residency

HB 413 Capital Area Historic Properties Advisory Commission

HB 209 Classification of Personnel

Terry Cramer, Executive Director, Blue Ribbon Commission on State Personnel, testified against the portion of the bill which would put correctional superintendents into the partially exempt service.

Mary Halloran, Department of Natural Resources, testified in favor of Sec. 1 of the bill. She said that the Department cannot maintain a financially viable summer youth employment program unless the participants are placed in the partially exempt service.

Kevin Bruce, Special Assistant to the Governor, testified in favor of the provision which Ms. Cramer opposed.

Bill Huston, Superintendent of the Juneau Correctional Center, testified against the provision supported by Mr. Bruce. He felt that under a properly managed corrections system those who fail to perform in their jobs can be fired notwithstanding the fact that they are classified personnel.

Cherie Shelly, A.P.E.A., testified that the organization supports Mr. Huston's position.

Senator Ray moved and asked unanimous consent that lines 15 and 16 of the bill be deleted. There was no objection. He then moved and asked unanimous consent that the bill pass from committee with individual recommendations. There was no objection.

HB 323 Residency

Senator Fischer presented a proposed committee substitute.

Robert Maynard, Department of Law, testified for the committee substitute. He said it corrects constitutional problems with a variety of residency statutes. He explained the current state of the law on residency.

Senator Ray moved and asked unanimous consent to amend the committee substitute to raise the age for obtaining a free hunting and fishing license from 60 years old to age 65. There was no objection.

Senator Rodey moved and asked unanimous consent to adopt the committee substitute and pass it from committee with individual recommendations. There was no objection.

HB 413 Capital Area Historic Properties Advisory Commission

Mike Scott, Aide to Senator Ferguson, testified for the bill. He said that it formalizes an informal group which is studying the preservation of the Capitol Building and the Governor's Mansion.

Senator Rodey moved and asked unanimous consent that the bill pass from committee with a do pass recommendation. There was no objection.

The meeting was adjourned at 4:15 p.m.

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 209 (Finance)
 Title Placing emergency guards in partially exempt service...
 Requested by House Finance Committee Date 3/23/82

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Alaska State Troopers
 BRU, Program, Or Subprogram(s) Affected _____

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

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

0

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE 3/23/83

PREPARED BY Al Adams, Chair
 AGENCY House Finance Committee

Offered: 5/5/83
Referred: Rules

Original sponsor: Busseil

1 IN THE HOUSE BY THE RULES COMMITTEE
2 CS FOR HOUSE BILL NO. 209 (Rules)
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 the classification of personnel;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:
10 (22) youth employed by the Department of Natural Resources
11 under the Youth Employment and Student Intern^{ship} programs.
12 * Sec. 2. AS 39.25.120(c) is amended by adding new paragraphs to read:
13 (19) guards employed by the Department of Public Safety for
14 emergencies;
15 ~~(20) correctional superintendents and~~ employed by the
16 ~~Department of Health and Social Services.~~
17 * Sec. 3. AS 44.41 is amended by adding a new section to read:
18 Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department
19 of Public Safety shall submit a report to the director of the division
20 of personnel quarterly and on request of the director. The report
21 shall contain a description of each emergency and shall include the
22 total amount of time by hours for each emergency for which emergency
23 guards under AS 39.25.120(c)(19) were used.
24 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
25 10.070(c).

Typo
delete

POUCH V
JUNEAU, ALASKA 99811
465-4990

P.O. Box 4-1325
ANCHORAGE, ALASKA 99509
248-1515



Representative Charlie Bussell

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

CHAIRMAN
HOUSE JUDICIARY COMMITTEE
MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
SPECIAL COMMITTEE ON FISHERIES
MEMBER
LEGISLATIVE COUNCIL
MEMBER
ALASKA CODE REVISION COMMISSION

MEMORANDUM

DATE: June 1, 1983
TO: Senate State Affairs Committee
FROM: Representative Charlie Bussell
SUBJECT: CS for House Bill No. 209 (Rules)

Sectional Analysis

Section 1 - Line 10 - Places young people employed by DNR in the employment-student intern programs in the exempt service.

The Department of Natural Resources proposed this amendment to ensure that these programs may employ youths at minimum wage as proposed under the funding placed by House Finance in DNR's budget. Previously the Youth Conservation Corps program was basically federally funded and thus fell under federal wage restrictions provided for in AS 39.25.190.

Section 2 - Line 13 - Places guards employed by the Department of Public Safety for emergencies into the partially exempt service.

This provision was introduced by the Blue Ribbon Commission on Personnel. These employees guard prisoners or seized property in rural areas where a one- or two-person post prevents a trooper from maintaining 24-hour per day watch. The period required for the emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property or prisoner. Typical appointments last from two to four days.

Placing these employees in the partially exempt service will reduce the paperwork burden on the Department with no effect on the employee.

Section 2 - Line 15 - Places correctional superintendents I and II employed by the Department of Health and Social Services in the partially exempt service.

Sectional Analysis
CSHB 209 (Rules)

Correctional Superintendents are responsible for the planning, general administration, operations, maintenance and logistics of correctional facilities with the distinctions of I and II being related to the size of the facility being managed.

Placing correctional superintendents in the partially exempt service will enhance the coordination within Corrections and will contribute to an orderly and systematic implementation of new policies and directives leading to a comprehensive development of corrections within the state.

Section 3 - Line 18 - Amends the chapter which creates the Department of Public Safety by requiring the Department to report to the Director of Personnel on the number and description of appointments of emergency guards. Departments are currently required to report the number of classified service emergency appointments they make. This will retain that requirement for emergency guards after they are moved to the partially exempt service.

A Report on Nonpermanent
and Emergency Employment 1982

Prepared by the
Division of Personnel

January, 1983

NONPERMANENT EMPLOYMENT

FOURTH ANNUAL REPORT

January 1, 1983

PURPOSE:

The purpose of this report is to be in compliance with AS 39.25.195 (Ch. 67, SLA 1979). That statute in pertinent part requires:

The director shall present a report on nonpermanent and emergency hire practices in state government to the legislature within the first 10 days of each regular legislative session. . . . The report shall include information on the number of nonpermanent employees authorized under this section and the number of emergency employees hired in each department, a description of the procedures used in authorizing the hiring of nonpermanent employees, and any recommendations for legislation required to implement the intent of this section. (AS 39.25.295 (h))

The statute became effective January 1, 1980. This report covers the third full calendar year of activity. The format has been expanded to report on the effect of local preference in nonpermanent appointments which became effective June 5, 1982 (Ch. 89, SLA 1982).

The Number of Nonpermanent Employees Authorized:

AS 39.25.195-200 provides for four types of nonpermanent appointments: program, project, substitute, and (for lack of a specific statutory label) normal. During calendar year 1982, departments had submitted formal requests to establish 126 program, 197 project, and 101 normal nonpermanent positions. One hundred eighty-seven nonpermanent positions authorized in prior years continued into 1982. The departments also indicated their intent to fill 203 permanent positions with nonpermanent substitutes. Table 1 compares 1980, 1981 and 1982 figures.

Table 1

Nonpermanent Positions Requested

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Program	254	149	126
Project	237	198	197
Normal	<u>225</u>	<u>71</u>	<u>101</u>
Subtotal	<u>716</u>	<u>418</u>	<u>424</u>
Permanent Positions to be filled with substitutes	179	229	203

The Legislative Findings and Intent connected with AS 39.25.195-200 included the intent to unmask poor planning. The schedule established by the Division of Personnel for identifying the need for a nonpermanent position places two and one-half months advance notice as the criterion to call a position planned. Of the 424 program, project and normal nonpermanent positions identified by departments, one meets the two and one-half month criterion for planning and 423 do not. Table 2 compares these figures to 1980 and 1981.

Table 2

Nonpermanent Positions - Planned Versus Unplanned

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Planned	58	4	1
Unplanned	<u>658</u>	<u>414</u>	<u>423</u>
Total	716	418	424

As of December 15, 1982, there were 165 program, project and normal nonpermanent employees on the State payroll. Table 3 provides a comparison with the previous three years. Summary data by department of program, project and normal nonpermanent employees is presented in Addendum A.

Table 3

Nonpermanent Employees as of December 15

<u>1979*</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
425 -	99	130	165

*Temporary employees in agencies subject to AS 39.25.195-200

Since June 5, 1982, (the effective date of Ch. 89, SLA 1982) 59 program, project and normal nonpermanent appointments were made based on eligible lists issued by the Division. Ten of the 59 appointments were of qualified applicants referred by Job Service. The locations of the positions and the local referrals are shown in Table 4.

Table 4

Location of Nonpermanent Positions Filled by
Local Preference Job Service Referral,
June 5 to December 31, 1982

Juneau	8
Anchorage	1
Ketchikan	1
	<u>10</u>

The Number of Emergency Employees Hired:

AS 39.25.195-200 incorporated provisions of the Personnel Rules regarding emergency employees. While little change was required to implement this portion of the law for most agencies, the most frequent use of emergency appointments - guarding prisoners and protecting seized property - has been significantly impacted. The Department of Public Safety hires emergency employees to guard prisoners or seized property in rural areas where a one or two person post prevents a Trooper from maintaining 24-hour per day watch. The period required for emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property. It is not possible to predict the situations requiring those services with sufficient detail to make regular nonpermanent appointments. For each appointment all of the paperwork to hire an emergency Guard, document the emergency, and separate the employee must be completed. The Department of Public Safety made 495 such emergency appointments in 1982.

Departments made 114 emergency appointments, other than emergency Guards, during 1982. Table 5 shows that number of emergency appointments by Division and Department ranked according to the number of such appointments. Addendum B provides details on these appointments.

Table 5
Emergency Appointments¹ 1982

<u>Department</u>	<u>Division</u>		
Fish & Game	F.R.E.D.	38	
	Commercial Fisheries	19	
	Game	11	
	Subsistence	4	
	Sport Fish	<u>2</u>	74
Health & Social Services	Mental Health	14	
	Corrections	6	
	Public Health	<u>2</u>	22
Law	Criminal	5	
	Civil	<u>1</u>	6
Education	Adult & Continuing Education	<u>3</u>	3
Transportation & Public Facilities	Interior Region, Maintenance & Operations	<u>3</u>	3
Public Safety	State Troopers	<u>3</u>	3
Military Affairs	Military Affairs	<u>2</u>	2
Natural Resources	Admin. & Management	<u>1</u>	<u>1</u>
			114

¹Other than guarding of prisoners.

A Description of Procedures Used in Authorizing the Hiring of Nonpermanent Employees:

The initial procedures to implement the nonpermanent law were attached to the first annual report. Amendments were made in 1980 and the updated procedures were attached to the second annual report. No changes in procedures were made during 1981. Ch. 89, SLA 1982, "An Act authorizing preference for hiring local residents for positions in the state service; and providing for an effective date," became effective June 5, 1982. Personnel Rule amendments incorporating local preference became effective on June 30. On August 25, the changes in the law and Rules were incorporated in the procedures for hiring nonpermanent employees. The procedures are 32 pages in length. Ten copies have been supplied to Legislative Affairs with this report. Additional copies are available by contacting the Division office at:

Division of Personnel
Pouch C-0201
Juneau, AK 99811-0201

or calling (907) 465-4430.

Recommendation for Legislation Required to Implement the Intent of this Section:

Prior to the effective date of the nonpermanent law the Personnel Rules provide flexibility in the emergency hiring of guards for prisoners. The definition of "emergency employee" in AS 39.25.200(3) is less flexible and presents a significant paperwork burden on the Department of Public Safety, and consequently the Divisions of Personnel, Finance, and Retirement and Benefits. As indicated under "The Number of Emergency Employees Hired," the Department of Public Safety made 495 emergency guard hires in 1982. However, only 136 different employees were hired. Several potential solutions to the situation have been discussed with the management of the Department. We and they have concluded that the best long-range solution is to place these positions in the exempt service. There are many similarities between these positions and emergency firefighters of the Department of Natural Resources, which are already placed in the exempt service (AS 39.25.110(19)). We therefore recommend the adoption of an additional subsection as follows: "AS 39.25.110(22) emergency guards employed by the Department of Public Safety."

ADDENDUM A

Program, Project, and Normal Employees by Department

December 15

<u>Department</u>	<u>Program</u>			<u>Project</u>			<u>Normal</u>			<u>Department Total</u>		
	1980	1981	1982	1980	1981	1982	1980	1981	1982	1980	1981	1982
Administration	1	2	4	1	14	6	1	0	1	3	16	11
Law	6	3	4	0	1	2	0	0	0	6	4	6
Revenue	0	4	13	22	8	25	0	0	0	22	12	38
Education	5	13	20	1	1	2	0	0	0	6	14	22
Health & Social Services	0	0	1	0	7	19	0	0	0	0	7	20
Labor	15	3	0	1	1	1	0	0	0	16	4	1
Commerce & Economic Development	0	0	0	0	6	0	0	0	0	0	6	0
Military Affairs	0	0	0	0	0	0	0	0	0	0	0	0
Natural Resources	15	38	49	15	15	4	4	1	1	34	54	54
Fish and Game	1	1	4	0	10	2	5	1	0	6	12	6
Public Safety	0	0	0	0	0	3	1	0	3	1	0	6
Environmental Conservation	0	0	0	0	0	0	0	0	0	0	0	0
Community & Regional Affairs	5	0	0	0	1	1	0	0	0	5	1	1
Transportation & Public Facilities	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	48	64	95	40	64	65	11	2	5	99	130	165

ADDENDUM B
Emergency Employees By Department and Division, 1982

Fish and Game
F.R.E.D.

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Cole, Dale A.	Fish Culturist I	05/10/82	05/12/82	No Interest People Off Register
Rhodes, James M.	Fish Culturist I	05/17/82	05/31/82	No Interested People Off Register
McMichael, Deborah K.	Fish Culturist I	04/08/82	04/30/82	Replace Permanent Employee
Hayward, Thomas B.	Fish Culturist I	06/07/82	06/30/82	Replace EM Hire
Ness, Edward R., Jr.	Fish Culturist I	05/25/82	06/23/82	Replace Permanent Employee
Monrich, Clark S.	Fish Culturist I	05/26/82	06/18/82	Replace Permanent Employee
Peratrovich, Corrine	Fish Culturist I	05/27/82	06/07/82	Replace Permanent Employees
Heacock, Marta L.	Fish Culturist I	05/17/82	06/07/82	Replace Permanent Employees
Hamilton, Lori E.	Fish Culturist I	05/17/82	06/15/82	Replace Permanent Employee
Brannen, Jennifer	Fish Culturist I	05/19/82	06/15/82	Replace Permanent Employee
Morrison, Ann E.	Fish Culturist I	05/17/82	06/01/82	Replace Permanent Employee
Lalik, Heather E.	Fish Culturist I	05/17/82	06/15/82	Replace Permanent Employee
Birnbaum, Molly K.	Fish Culturist I	05/19/82	06/15/82	Replace Permanent Employee
Link, Gerald	Fish Culturist I	06/07/82	07/02/82	Replace Permanent Employee
Tremblay, Ryan R.	Fish Culturist I	09/08/82	09/17/82	Take care of work backlog
Collins, Donna	Fish Culturist I	06/21/82	06/21/82	Replace Permanent Employee
Murphy, Marjorie K.	Fish Culturist I	05/02/82	05/26/82	Help with work overload
Thompson, Carol L.	Fish Culturist I	08/02/82	08/13/82	Take care of backlog
Rosenblum, Glenda M.	Fish Culturist I	08/02/82	08/31/82	Take care of backlog
Kunkler, Carol L.	Fish & Game Technician II	08/02/82	08/24/82	Take care of work backlog
Sullivan, Sharon A.	Fish & Game Technician II	08/10/82	08/24/82	Replaced Permanent Employee
Jacobi, Laura L.	Fish & Game Technician II	07/30/82	08/24/82	Replaced Permanent Employee
Jacobs, Laura L.	Fish Culturist I	08/31/82	09/23/82	Replace Permanent Employee
Sugita, Brent T.	Fish & Game Technician II	07/01/82	07/01/82	Replaces Permanent Employee
Souze, Victoria	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Patton, Ellie	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Kaneshiro, Stuart K.	Fish Culturist I	07/15/82	08/13/82	More work than expect
Elston, David L.	Fish Culturist I	07/15/82	07/29/82	Take care of work backlog
Henry, Charles B.	Fish Culturist I	09/01/82	09/30/82	Replace Permanent Employee
Goodwin, John, Sr.	Fish Culturist I	09/01/82	09/30/82	Replace Permanent Employee
Goodwin, Pearl	Fish Culturist I	09/07/82	09/30/82	Replace Permanent Employee
Foster, Amos, Sr.	Fish Culturist I	09/01/82	09/03/82	Take care of work backlog
Nelson, Gary S.	Trades Helper VII	05/19/82	05/25/82	Repair Water Line
Stalcup, Richard B	Maintenance Worker I	05/19/82	05/26/82	Replace Permanent Employee, Repair Waterline
Bowling, Robert D.	Trades Helper VII	02/16/82	03/12/82	Repair Water System
McCracken, Kenneth	Trades Helper VII	02/16/82	03/01/82	Repair Water System
Burnett, Robert C.	Fish Culturist I	06/15/82	07/01/82	Take care of work backlog
Mann, Paul A.	Fish & Game Technician II	06/15/82	06/30/82	Replace Permanent Employee

Fish and Game
Commercial Fisheries

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Echols, Catherine	Fish & Game Technician II	06/24/82	07/17/82	Replace Permanent Employee
McNatt, JoAnn	Clerk Typist III	11/30/82	12/28/82	Replace Permanent Employee
Harman, Kathy	Fish & Game Technician II	06/28/82	07/28/82	Replaces Permanent Employee
Mangiardi, Joseph L.	Fishery Biologist I	06/08/82	07/16/82	Replace Permanent Employee
Smoker, Frances	Fish & Game Technician II	07/06/82	07/16/82	Replace Permanent Employee
Harrison, Robert	Fish & Game Technician III	05/18/82	06/08/82	Replace Permanent Employee
Peters, William F.	Fish & Game Technician III	07/16/82	08/13/82	Replaced Permanent Employee
Boyle, Donald	Fish & Game Technician II	11/10/82	11/23/82	Replace Permanent Employee
Fillingham, Philip H., Jr.	Fish & Game Technician III	07/16/82	07/23/82	Replaced Permanent Employee
Tranfro, Peter	Fishery Biologist I	07/02/82	07/20/82	Replace Permanent Employee
Burt, Emily	Fish & Game Technician II	07/04/82	07/20/82	Replace Permanent Employee
Eubanks, Elizabeth	Fish & Game Technician III	07/16/82	08/02/82	Replaced Permanent Employee
Palmer, Stephen F.	Fish & Game Technician III	07/22/82	08/17/82	Take care of work backlog
Alexan, Danny T., Sr.	Fish & Game Technician I	05/17/82	06/22/82	Obtain harvest data
Puckett, Donnie R.	Fish & Game Technician I	05/17/82	06/11/82	Obtain harvest data
Kumaek, Susan K.	Fish & Game Technician II	06/23/82	07/01/82	Replace Permanent Employee
Constantine, Michael	Fish & Game Technician I	05/17/82	05/21/82	Obtain harvest information
Lance, Todd E.	Fish Culturist I	06/02/82	07/01/82	No Interested People Off Register
Ashworth, Karen	Data Entry Clerk I	07/16/82	07/29/82	Work backlog

Fish and Game
Game

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Bibt, Aimee	Clerk Typist III	08/05/82	09/03/82	Replaced Permanent Employee
Ferguson, Norris	Secretary I	02/19/82	03/08/82	Replace Permanent Employee
Yaska, Vincent	Fish & Game Technician II	03/01/82	03/11/82	Replace Permanent Employee
Hogarth, Keith	Fish & Game Technician II	08/10/82	09/09/82	To assist with bison depredation control
F'nea, James S.	Fish & Game Technician III	09/01/82	09/27/82	Take care of work backlog
Yasha, Vincent	Fish & Game Technician II	09/01/82	09/26/82	Take care of work backlog
Gillaspie, Sharee L.	Fish & Game Technician II	08/26/82	09/24/82	Take care of work backlog
Huntington, Gilbert	Fish & Game Technician II	09/03/82	09/26/82	Take care of work backlog
Holbrook, Janet L.	Fish & Game Technician III	09/11/82	09/26/82	Take care of work backlog
Henry, Arthur, Jr.	Fish & Game Technician III	09/15/82	09/20/82	Take care of work backlog
Rogers, Phyllis M.	Clerk Typist III	02/01/82	03/02/82	Replace Permanent Employee

Fish and Game
Subsistence

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Peol, Janet C.	Clerk Typist III	01/04/82	01/10/82	Replace Permanent Employee
Sumida, Valerie A.	Secretary I	01/25/82	02/23/82	Fill Permanent Position
Thomas, Daniel	Fish & Game Resource Spec. II	01/11/82	02/05/82	Complete Report
Dindinger, Carole	Administrative Assistant II	11/16/82	12/15/82	Help with budget preparation

Fish and Game
Sport Fish

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Jensen, Kathleen A.	Fish & Game Technician III	08/10/82	09/02/82	Take care of work backlog
Virgin, David M.	Fish & Game Technician II	06/19/82	07/04/82	Replace Permanent Employee

Health & Social Services
Mental Health

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Anderson, David	Food Services Worker I	03/11/82	04/09/82	Provide meals to patients
Wilson, Jubal	Psychiatric Nurse Asst. I	07/12/82	07/18/82	Replaces Permanent Employee
Maxwell, Audra	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased patient load
Schmitt, Kelcy V.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased patient load
Nelson, Mark W.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Schoenberg, Marc C.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Anshutz, Robert G.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Harley, Keith R.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Conn, John A., II	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Eastlak, Steven R.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
King, James G.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Olsen, Jeffrey W.	Psychiatric Nurse Asst. I	07/07/82	07/12/82	Increased Patient Load
Taylor, Diane	Clerk I	11/03/82	12/02/82	Replace Permanent Employee
French, Judith L.	Psychiatric Nurse Asst. I	07/21/82	08/03/82	Replaced Permanent Employee

Health & Social Services
Corrections

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
McCollister, Gary L.	Correctional Officer I	08/16/82	10/04/82	Take care of work backlog
Hanson, Gregory	Correctional Officer I	08/18/82	09/29/82	Take care of work backlog
Storms, Donald	Correctional Officer I	12/03/82		Maintain adequate security
Lyon, Tabitha	Correctional Officer I	06/07/82	06/30/82	Replace Permanent Employee
Lyon, Tamitha A.	Correctional Officer I	02/15/82	03/15/82	Replace Permanent Employee
Conidi-Voltz, Julie A.	Correctional Officer I	06/08/82	07/08/82	Facility Short Staffed

Health & Social Services
Public Health

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Morrison, Linda D.	Clerk Typist II	02/16/82	02/25/82	Provide Clerical Support to P.H.N.
McLane, Margaret D.	Clerk Typist II	04/13/82	04/30/82	Replace Permanent Employee

Law
Criminal

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Mayer, Laurie A.	Legal Secretary I	03/04/82	03/24/82	Replace Permanent Employee
Unertl, Roberta A.	Clerk Typist III	06/07/82	07/07/82	Replace Permanent Employee
Dentler, Georgeanne	Clerk Typist III	08/09/82	09/10/82	Replaced Permanent Employee
Hoadley, Marion G.	Legal Secretary II	09/21/82	09/21/82	Replace Permanent Employee
Smithson, Kim M.	Clerk Typist III	03/11/82	03/16/82	Replace Permanent Employee on Annual Leave

Law
Civil

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Skurla, Karen L.	Clerk Typist III	05/28/82	06/04/82	Replace Permanent Employee

Education
Adult & Cont Education

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Tippit, Michael	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage
Svabik, Mark	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage
Ronne, Mark S.	Laborer VIII	08/11/82	08/12/82	To help clean up fire damage

Transportation & Public Facilities
Interior Region M & O

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Dodge, Larry T.	Security Guard I	02/11/82	03/18/82	Replace Permanent Employee
Dodge, Larry	Security Guard I	01/09/82	01/23/82	Replace Permanent Employee
Kaiser, Wendell	Building Management Spec. II	09/01/82	09/16/82	Replace Permanent Employee

Military Affairs
Military Affairs

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Brown, Randall	Laborer VIII	01/20/82	01/20/82	Prevent Float from Sinking
Price, Frank	Laborer VIII	01/20/82	01/20/82	Prevent Float from Sinking

Public Safety
State Troopers

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Stirn, Andrea	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog
O'Brien, Barbara	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog
Allen, Hazel	Data Entry Clerk I	05/17/82	06/11/82	Take care of work backlog

Natural Resources
Admin. & Management

<u>NAME</u>	<u>Job Class</u>	<u>Appt. Date</u>	<u>Sep. Date</u>	<u>Reason</u>
Foster, Robin	Administrative Officer III	03/30/82	05/01/82	Assume duties of Citizens Advisory Commission

SB 116

SENATE JOURNAL - PAGE 155- 3 2/ 9/83

SENATE BILL NO. 116 by the Rules Committee by Request of the Legislative Council (for the Blue Ribbon Commission on the State Personnel Act), entitled:

"An Act placing emergency guards employed by the department of public safety in the exempt service."

was read the first time and referred to the State Affairs Committee and the Judiciary Committee.

SB 116

SENATE JOURNAL - PAGE 371- 2 3/11/83

The State Affairs Committee considered SENATE BILL NO. 116 (placing emergency guards employed by the department of public safety in the exempt service) and a majority of the committee recommended it be replaced with CS FOR SENATE BILL NO. 116 (SA), entitled:

"An Act placing emergency guards employed by the department of public safety in the partially exempt service."

and do pass. The report was signed by Senator Vic Fischer, Chairman and concurred in by Senators Ray, Kelly and Sturgulewski.

Senator Ray, Chairman of the Judiciary Committee, waived the Judiciary Committee referral on SENATE BILL NO. 116.

SENATE BILL NO. 116 was referred to the Rules Committee.

SPEECH CSSB 116

TO: VIC

FROM: SUZY

03/21/83

INTENT OF SB 116 is to decrease the excessive paperwork of the department of Public Safety. Under classified status, the hiring and terminating of "emergency guards" must each be accompanied by the necessary paperwork every time a guard is used for an emergency. By changing the status from classified to exempt, the guards could be hired for longer periods of time--decreasing the paperwork, but they would continue to be used and paid only for emergencies as under the classified status.

mostly rural - where state troopers need someone to guard a person or property in emergency

SENATE STATE AFFAIRS COMMITTEE SUBSTITUTE makes these changes:

~~1. moves the emergency guards to the partially rather than fully exempt status to ensure they will be paid according to the state personnel schedule.~~

2. Adds section 2--a provision for reporting the amount of time and a description of the emergency for which the guards are utilized.

--to ensure that the guards work only for emergencies, the report submitted to the division of personnel by the department of public safety must

Contain

✓ a description of each emergency, and the amount of time for which an emergency guard is used.

--guards under the partially exempt status may be

hired for periods longer than 30 days,

but work only for an emerg. period

--it is conceivable that without the reporting

procedure, full time jobs could be created

because of the change from the current classified

status to the partially exempt status.

--it is the intent that guards work the same amount

of hours if this bill becomes effective.



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

February 15, 1983

TO: Members of the Senate State Affairs Committee

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

SUBJECT: Senate Bill 116 - Placing Emergency Guards Employed by the
Department of Public Safety in the Exempt Service

The Blue Ribbon Commission is recommending that emergency guards employed by the Department of Public Safety be moved from the classified service to the exempt service. In 1979, the commission sponsored legislation to place greater restraints on the employment of both nonpermanent and emergency classified state workers. These restrictions have created some difficulties for the Department of Public Safety because of the large number of emergency guards they hire.

An emergency employee is defined as "an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest". AS 39.25.200(3). Departments are required to report the reason for hiring an emergency employee within 15 working days of the appointment. Personnel practices require that departments prepare Personnel Action forms at the beginning and ending of an emergency appointment. Departments are not required to report as extensively for an appointment to an exempt position.

According to the Division of Personnel's "Report on Nonpermanent and Emergency Employment 1982", the Department of Public Safety made 495 emergency guard hires in 1982. These employees guard prisoners or seized property in rural areas where a one- or two-person post prevents a trooper from maintaining 24-hour per day watch. The period required for the emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property. According to the Department of Public Safety, typical appointments last from two to four days.

In its report, the Division of Personnel states that the conditions for making emergency appointments place a significant paperwork burden on the Department of Public Safety, and on the Divisions of Personnel, Finance, and Retirement and Benefits in the Department of Administration. The division and the department recommend that emergency guards working for the Department of Public Safety be placed in the exempt service. The division points out that there are similarities between these positions and emergency firefighters in the department, who are already included in the exempt service by statute. AS 39.25.110(19).

The Blue Ribbon Commission agrees with the recommendation. Emergency guards are typically employed repeatedly in the locations which need them, but for short times each time. The paperwork burden on the departments would be substantially reduced with little effect on the employee because the appointments are of such short duration. (The protections for emergency appointments are not much greater, if at all, than for exempt employees.) The continuing need for these appointments has been adequately documented.

Bill Analysis

Section 1 adds emergency guards employed by the Department of Public Safety to the section of the State Personnel Act which lists exempt positions.

TBC:lmk

BENNETT, RAY AND KELLY

FROM: MEMORIE AND JIM HUNTER, BOX 5616, KETCHIKAN, ALASKA 99901, 247-2482
(HOME) AND 225-6114 (WORK)

D2

RE: CSHB 209 (RULES), RE: CLASSIFICATION OF PERSONNEL

WE OPPOSE CS FOR HB 209. THIS BILL DIRECTLY AFFECTS CORRECTIONAL SUPERINTENDENTS, BUT ITS SIDE-EFFECTS WILL ADVERSELY AFFECT ALL CORRECTIONAL OFFICERS. THIS COULD MEAN APPOINTMENTS WITHOUT REGARD TO EMPLOYMENT EXPERIENCE OR EDUCATION. IT WOULD ALSO REMOVE THE RUNGS FROM THE CAREER LADDER. A CAREER LADDER WILL NO LONGER REACH TO SUPERINTENDENT.

EOM/BCP

EOM/BONNIE

H B

2 5 8

I. REQUEST

Bill/Resolution No: SCSCSSSHB 258(SA)
 Title: Special Investment Tax Credit
 Sponsor: Hayes & Szymanski
 Requestor: Senate State Affairs

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Coll. & Mgmt
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 COMMODITIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC.	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-

CAPITAL	-	-	-	-	-	-
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REVENUE	-	-	-	-	-	-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

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

IV. ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Vincent D. Wright
 Division: Revenue - Research

Phone: 465-2173
 Date: 6/13/83

Approved by Commissioner: *A*
 Department: Revenue

Date: 6/14/83

Distribution:

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

IV. Analysis of SCSCSSHB 258 (SA)

The incorporation of this expanded credit in effect would reduce state taxes as a deductible item at the federal level and thus increase the federal tax take.

The impact of this bill is negative to the state in terms of lost revenues. Since the bill is intended for new facilities, the effect cannot be assessed until they are completed and in operation.

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

POUCH V, JUNEAU 99811

SENATOR VIC FISCHER, CHAIRMAN

(907) 465-4954



June 14, 1983
3:00 p.m.

Butrovich Room
Capitol Bldg.

Members Present

Senator Vic Fischer, Chair
Senator Rodey
Senator Sturgulewski
Senator Kelly

HB 258, Investment tax credit

Senator Vic Fischer explained the provisions of the original bill, the CS adopted by the Senate Resources Committee, and the draft CS prepared for the State Affairs Committee. He explained that the main change in the draft CS was the provision that the tax credit would not be automatic but that the taxpayer would have to apply to the Department of Revenue and demonstrate both that the project would be economically advantageous to the state and not viable without the applied-for credit. He further explained two changes between the draft circulated the day before and the one before the committee-- a clearer definition of gas processing project and a requirement that the commissioner of Revenue report on tax credits in his annual report.

Commissioner Robert Heath, Department of Revenue, testified that his department had been involved in all versions of the bill and had consistently favored the tax incentive concept and consistently opposed unnecessary subsidy to industry. He said that, while the new section was a "little uncomfortable," the department favored its project-by-project approach.

Senator Sturgulewski questioned Commissioner Heath about how the review process would be applied.

Senator Sturgulewski asked whether the Administration favored the bill. Commissioner Heath responded that, while he had not talked directly to the governor, he had talked to others in the Governor's Office and they supported the new CS.

Senator Fischer explained that the purpose of the CS was to provide tax incentives where needed but to screen out windfalls. He noted that, for example, sand and gravel mining was excluded.

Senator Sturgulewski asked whether the federal law was absolutely

clear about what kinds of things the credits applied to, and Commissioner Heath said that it was.

Senator Fischer asked for a motion to move the bill, noting that it was a House priority.

The committee took a short break.

Senator Sturgulewski asked that the bill be held until Thursday, and the committee agreed.

The meeting adjourned at 3:20.

Wong Lad

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



June 13, 1983

TO: Senate State Affairs Committee Members
FROM: Senator Vic Fischer, Chairman
RE: HB 258

Attached find a draft CS for HB 258, the investment tax credit bill.

Also attached is a sectional analysis of the draft bill.

This bill will be heard by the State Affairs Committee on Tuesday, June 14.

The principal differences between the Resources CS and the attached draft CS are that in the draft CS

- * the credits must be applied for and will only be approved if the applicant taxpayer proves that the project would be economically advantageous to the state and viable only if the credits were granted
- * the credits are up to 100% of the federal credit
- * the credits are only applicable to tax liabilities attributable to the income from the project in which the investments are put into use
- * the credits do not apply to the mining of sand and gravel, unless such mining is ancillary to a qualified project
- * the credits for new projects, mining as well as gas processing, are repealed Jan. 1, 1993, although previous credits may be carried forward.

This Act provides for the establishment of special investment tax credits for the development of gas processing and non-petroleum mineral development projects. The following is a section by section analysis.

- Section 1. The legislature finds that the development of gas processing facilities and development of non-petroleum minerals is in the statewide public interest. The special investment credits are found to be necessary to encourage the development.
- Section 2. This section provides that the special investment tax credits are not limited to 18 percent of the amount of credit determined for federal income tax purposes.
- Section 3. The amount of qualified investment for the special investment tax credits is limited to the first \$250 million put into use in the state for each taxable year. The taxpayer must opt to take advantage of the special credits or the general investment tax credit but cannot use both.
- Section 4. This section contains 4 new subsections to be added to AS 43.20.036 and contains the authority for the special credits, the conditions under which they may be granted and how the credits are to be applied to tax liability.

(j) Subject to (1), this subsection allows for a credit up to 100% of the federal investment tax credit on qualified investment put into use in gas processing projects.

(k) Subject to (1), this subsection allows for a credit up to 100% of the federal investment tax credit on qualified investment put into use in non-petroleum mineral development projects other than sand and gravel.

(1) This subsection requires a project by project determination by the commissioner of revenue that a proposed project should be granted the special investment tax credits. The Department of Revenue would be required to adopt regulations that establish the criteria for the granting or denial of the special investment tax credits. A taxpayer applying for the special credits would

present evidence at a public hearing to support the application. The taxpayer has the burden of proving the economic advantage of the project to the state and that the project would only be viable if the credits were granted by the commissioner. Following the hearing, the commissioner would determine the rate of the federal credit to be allowed. The commissioner is also authorized to monitor the project for which the special investment credits have been authorized and may withdraw or adjust the terms of the authorization if the project does not substantially conform to the application. The taxpayer has a right to an administrative appeal to protest the withdrawal or adjustment of the authorization. Following the appeal, the commissioner's decision would be final unless reversed or modified by the courts.

(m) The special investment tax credits could only be applied to tax liabilities attributable to the income from the project in which the qualified investments have been put into use. The taxpayer can apply the credits to the first \$1 million of tax and to half of the tax liability greater than \$1 million. Unused credits can be carried forward and used under the carryforward provisions of the Internal Revenue Code which presently provide for a 15 year carryforward.

Section 5. The special credits for qualified investments would be repealed January 1, 1993. Carryforwards could be used after the repeal but investment credits on qualified investments made after December 31, 1992 would be limited to 18% of the Federal credit on the first \$20,000,000 of qualified investment.

Section 6. The Act would take effect January 1, 1984. This provides sufficient time for the department of revenue to adopt the regulations necessary for the operation of the Act.

STATE OF ALASKA
FISCAL NOTE

Revision Date 6/13/83

I. REQUEST

Bill/Resolution No: SCSCSSSHB 258(SA)
 Title: Special Investment Tax Credit
 Sponsor: Hayes & Szymanski
 Requestor: Senate State Affairs

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Coll. & Mgmt
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

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

IV. ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Vincent D. Wright
 Division: Revenue - Research

Phone: 465-2173
 Date: 6/13/83

Approved by Commissioner: *A*
 Department: Revenue

Date: 6/14/83

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- Copy to Requestor (if different from Sponsor)

IV. Analysis of SCSCSSHB 258 (SA)

The incorporation of this expanded credit in effect would reduce state taxes as a deductible item at the federal level and thus increase the federal tax take.

The impact of this bill is negative to the state in terms of lost revenues. Since the bill is intended for new facilities, the effect cannot be assessed until they are completed and in operation.

AMENDMENT **1**

SCS for CS for SS for HB 258 (SA)

page 4, line 12, after "section." insert:

In demonstrating that the proposed project would provide an economic advantage to the state, the taxpayer must show that the investment would significantly diversify the local or state economy and that there exists within an area reasonably proximate to the site of the proposed project for which the investment is to be made at least three of the following:

(1) a high level of unemployment; (2) an underutilized mineral, other than oil or gas; (3) an established infrastructure suitable for supporting the proposed project; (4) access to ice free ports; (5) substantial uncommitted reserves of natural gas.

This amendment helps further define the criteria that the commissioner of Revenue must consider in deciding whether or not to grant the tax credit.

AMENDMENT **2**

SCS for CS for SS for HB 258 (SA)

page 5, lines 12-20

Delete subsection (m) and insert in its place:

(m) The credit per taxable year allowed by (j) and (k) of this section shall not exceed (1) 100 percent of the initial \$1,000,000 of liability for tax attributable to income earned from the projects subject to the credits in (j) or (k) of this section, plus (2) 50 percent of the liability for tax in excess of \$1,000,000 attributable to income earned from the projects subject to the credits in (j) or (k) of this section. Any unused portion of the credit shall be subject to the carry-forward provisions contained in 26 U.S.C. 46(b)(3)(Internal Revenue Code).

This amendment rewrites subsection (m) in a clearer, less confusing manner. The meaning remains the same.

6/16

VIC--

The two amendments are in the back of each member's folder. I've marked on your copy of the bill (in orange) where they fit. I haven't had a chance to discuss the amendments with Revenue yet, but will try to before the meeting. We had discussed the criteria one earlier and Don Bullock felt OK about it at that time. The other is, of course, just a wording change.

Gravo tells me CIRI does not intend to testify or offer anything.

ML

HB

2009

I. REQUEST

Bill/Resolution No.: SCSCSHB 289
 Title: Opening of the polls on election
 Sponsor: Representative Hayes day
 Requestor: Senate State Affairs

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Exec. Operati
 BRU, Program of Subprogram(s), Affected:
 Division of Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	-0-	14.2	28.4	-0-	28.4	-0-
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	14.2	28.4	-0-	28.4	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	14.2	28.4	-0-	28.4	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL: Information was not provided.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Dana C. Coffman, Deputy Director

Phone: 586-6181

Division: Division of Elections

Date: June 1, 1983

Approved by Commissioner: 

Date: June 1, 1983

Department: St. Governor

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CSHB 289

"An Act relating to the time for opening the polls on election day."

ASSUMPTIONS:

1. Payments made to election board workers will not increase through FY 88. Chairperson receives \$8.00 per hour, and board members receive \$7.50 per hour.
2. The number of precincts remain the same through FY 88.
3. There are 437 voting precincts. Approximately 25 are large enough to require double board members. For purposes of computation 462 precincts is used (437 + 25)
4. Presidential Preference Primary will be held on April 17, 1984. If legislation requiring that election passes, there will be zero fiscal impact in FY 84.

COMPUTATIONS:

Statewide elections - Presidential Preference Primary,
Primary, General

1 election x 462 prec. x 7.50 x 3 members x 1 hr. = 10395
1 election x 462 prec. x 8.00 x 1 member x 1 hr. = 3696
14091

Absentee Voting Stations - required for all statewide elections.

10 locations x 7.50 x 2 people x 1 hr. = 150

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



June 2, 1983
3:00pm

Butrovich room,
Capitol Bldg.

Members Present

Senator Vic Fischer, Chair
Senator Arliss Sturgulewski
Senator Pat Rodey

HB 289, Opening of polls on election days.

HB 289 was brought before the committee, and a CS was adopted. The bill would mandate that the polls be opened at 7am instead of 8am on statewide election days.

Senator Sturgulewski made a motion to move the bill out of committee with individual recommendations.

Hearing no objection, the bill was moved out of committee.

SB 110, Retirement for TRS, PERS, JRS, EPORS

Bob Cooksey and Bob Manners explained a proposed committee substitute that was brought before the committee. They also testified in favor of the bill.

Ken Humphries, Division of Retirement joined the other two witnesses and assisted in explaining the bill.

Bob Cooksey testified that the costs of the CS are much less than those incurred by the original bill. He said that the bill was necessary as inflation tends to erode the value of set retirement benefits.

Senator Vic Fischer asked if this bill applied to those persons already retired.

HB 289

Next P.M.

extending ^{hours} to allow people
going to work to vote

Local elections controlled by
ordinance. But division did handle
local liquor elections.
~~The~~ bill said any election.

State handles incorporation
elections, local liquor option
elections.

The intent was for it to
only apply to statewide
elections.

municipalities would prefer
to set their own hours.

Much discussion to include
emincorporated communities
(local governing body) could
set hours for elections.

The house had no objections.

Original sponsors: Hayes and
Szymanski

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 289 (State Affairs)
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 the time for opening the polls on
7 election day."

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

9 * Section 1. AS 15.15.080 is amended to read:

10 Sec. 15.15.080. TIME FOR OPENING AND CLOSING POLLS. (a) Except
11 as provided in (b) of this section, on [ON] the day of any election,
12 each election board shall open the polls for voting at seven [EIGHT]
13 o'clock in the morning, shall close the polls for voting at eight
14 o'clock in the evening, and shall keep the polls open during the time
15 between these hours. The election board members shall report to the
16 polling place at 6:30 [7:30] in the morning of an election day. [THE
17 HOUR SHALL BE DETERMINED BY THE STANDARD TIME, OR DAYLIGHT SAVING
18 TIME, THAT IS APPLICABLE TO THE POLLING PLACE.]

19 * Sec. 2. AS 15.15.080 is amended by adding a new subsection to read:

20 (b) On the day of any election that is not a general election, a
21 ~~party~~ primary election, a special election, or a federal election held
22 under this title, the director shall require each election board to
23 open the polls for voting at eight o'clock in the morning, shall close
24 the polls for voting at eight o'clock in the evening, and shall keep
25 the polls open during the time between these hours unless the director
26 sets other times for opening and closing the polls after consulting
27 with representatives of the community or communities where the
28 election is to be held. The election board members shall report to
29 the polling place one ^{half} hour before the polls are to open on election

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day.