

ATASKA TELS COMPT 1902
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3663 HSTA
HB 113 - HB 122

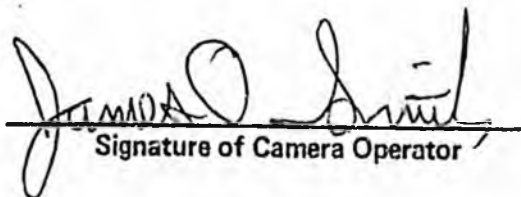
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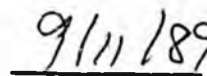


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

H B

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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HSA 3-28-85 3pm

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

DIVISION OF FINANCE

WORKING/113
Bill Sheffield, Governor

(MS-0204)
POUCH C
JUNEAU, ALASKA 99811
PHONE: 465-2240

March 5, 1985

Honorable Katie Hurley
Chairman
House State Affairs Committee
Pouch "V" (MS 3100)
Juneau, AK 99811

MAR 7 1985

Dear Madam Chairman:

This letter is intended to provide you and the House State Affairs Committee a brief background on the need for House Bill Number 113 entitled: "An Act providing a reserve for the payment of cash benefits for State employees; and providing for an effective date" and to request that this bill be scheduled for review by the House State Affairs Committee.

SUBJECT OF PROPOSED BILL:

To establish a formally recognized reserve account within the General Fund into which agency charges for terminal leave, leave cash-ins and unemployment insurance are deposited and from which all distribution payments are paid centrally by the Division of Finance via the reserve account.

SUMMARY/EXPLANATION OF INTENT:

Currently, budgeted amounts for employer charges concerning terminal leave, leave cash-in and unemployment insurance have been budgeted as a uniform percentage in each agency's budget. The Division of Finance would assess each agency the portion which was estimated to be needed to cover terminal leave payments and unemployment insurance payments. The remainder of the budgeted percentage was intended to be left with the agencies to cover their costs for payment of leave cash-ins.

Problems inevitably arise during changes in administration when terminal leave payments run substantially higher than normal. During periods of heated labor contract negotiations, requests for leave cash-in also run significantly higher than normal. Estimates for unemployment insurance needs are based on historical data. When changes to the labor market take place causing higher than average employer charges, the amount budgeted remains fixed but the employer obligation still remains to pay all claims.

Until recently, the effects of the above usually offset one another so that the net budgetary impact was minimal. However, as a result of the combination of leave cash-in activity experienced during labor negotiations during FY 84

and Unemployment Insurance costs running heavier than usual, all budgetary impact has been in the same direction with no offset. Accordingly, we are placed in the position of analyzing and assessing agency lapsed balances to generate funding needed to cover these underbudgeted costs.

In an effort to smooth the budgetary impact caused by the three factors described above, the central reserve account approach was recommended. The central reserve account mechanism would allow the State to continue budgeting a uniform percentage adjusted on an annual basis. If funding for the above three items were overestimated for a given year, funds would lapse to the general fund. If funding were underestimated, this mechanism would allow us to wait until the fiscal year-end before additional agency assessments were made when lapsed balances are better known. The additional funds required would be generated from known lapsing balances, thus producing a minimal impact on agency operating budgets.

ESTIMATED FISCAL IMPACT:

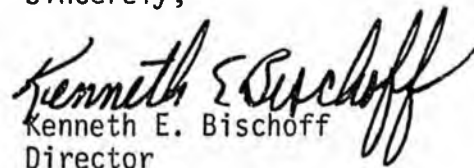
Capital: NONE

Operating: NONE

This bill is basically a housekeeping effort and is intended to clean up and prevent the sloppy budgetary condition described above so that the process surrounding payment of terminal leave, leave cash-in and assessment of unemployment insurance charges runs smoothly and efficiently.

Thank you.

Sincerely,


Kenneth E. Bischoff
Director

KEB/mms

15/3D1/0305-02

cc: Commissioner Lisa Rudd
Department of Administration

Honorable Mike Navarre
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

Honorable Bette M. Cato
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

cc: (continued)

Honorable Red Boucher
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

Honorable Mike M. Miller
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

Honorable Virginia Collins
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

Honorable Roger Jenkins
Alaska State Legislature
Pouch "V" MS 3100
Juneau, AK 99811

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 23, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that provides an orderly system for accounting for and paying cash benefits to which state employees are entitled by law or through collective bargaining agreements. These benefits include cash payment of excess accrued annual leave, cash-out of annual leave upon termination, and employer contribution for unemployment benefits of former employees.

The bill creates a reserve account that permits the Department of Administration to charge appropriations made to state agencies for salaries and benefits, so that these benefits may be equitably allocated throughout the executive budget. Currently, there is no reliable method for anticipating the rate of expenditure necessary to pay these obligations for each fiscal year, and no mechanism exists to assure benefits for state employees in those agencies that experience unanticipated claims. The public suffers as well when an agency budget is overtaxed by having to pay these benefits. This reserve account will serve as a management tool that gives the Department of Administration the ability to apply savings in one department to payment of unanticipated claims arising in another.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of _____

REQUEST

Bill/Resolution No.: RR 112
 Title: Reserve Acct. for Terminal Leave
Leave Cash-In and Unemp. Ins. Charges
 Sponsor: Administration
 Requestor: Admin./Finance
 Date of Request: _____

FISCAL DETAIL

Agency Affected: _____
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 SUPPLIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS	0	0	0	0	0	0
800 MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING						

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Ken Bischoff, KEB
 Division: Finance

Phone: 465-2240

Date: 10/19

Approved by Commissioner: Lisa Rudd, LJR
 Agency: Department of Administration, 101

Date: 12/18/84

Distribution (by Agency preparing fiscal note):

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

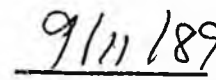


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

H B

1 2 1

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 25, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill changing the name of the division of telecommunications systems, in the Department of Administration, to the division of telecommunications operations. The new name more clearly reflects the actual functions of the division. The bill makes technical amendments to AS 44.21 to accomplish this change.

I urge your favorable consideration of this housekeeping measure.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF ADMINISTRATION

POUCH C (MS 0200)
JUNEAU, ALASKA 99811
PHONE: (907) 465-2200

OFFICE OF THE COMMISSIONER

February 7, 1985

Mr. Erik Dahl
Administrative Assistant
Office of Representative H.A. 'Red' Boucher
Pouch V (MS 3100)
Juneau, AK 99811

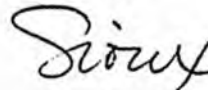
Dear Erik:

You inquired about the fiscal impact, if any, to HB 121, the bill which changes the Division of Telecommunications Systems to the Division of Telecommunications Operations.

Fiscal impact remains "0" because the Division will not incur FY 86 costs to accommodate this change. As a result of Commissioner Rudd's memorandum of June 7, 1984, the Division had stationery and outside sign changes made shortly thereafter. These changes were made for under \$500.00 and were paid from FY 84 operational monies.

If you have any questions, please call.

Sincerely,



Sioux Plummer
Acting Deputy Commissioner

SP/sg
8/2D1/0207-01/1
Enclosure

cc: Mel Hoversten
Acting Deputy Commissioner
Telecommunications
Department of Administration

Rebecca Burch
Special Assistant
to the Commissioner
Office of the Commissioner
Department of Administration

Working / 121

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 1

REQUEST
BILL/Resolution No.: HB 121
Title: Change name Div. Tele. Systems
to Div. Tele. Operations
Sponsor: Governor
Requestor: _____
Date of Request: _____

FISCAL DETAIL
Agency Affected: Administration
Program Category Affected: General Government
BRU, Program or Subprogram(s) Affected: Telecommunications

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Bill will make technical amendments to AS 44.21.300-320 changing name of Division of Telecommunications Systems to Division of Telecommunications Operations. This housekeeping measure will update the statutes to reflect name change effected in June, 1984 by Commissioner Rudd. Requirements, authorities and duties of the division will not change.

Prepared By: [Signature] Phone: 465-2041
Division: Telecommunications Services Date: 12/5/84

Approved by Commissioner: Lisa Rudd [Signature] Date: 12/12/84
Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

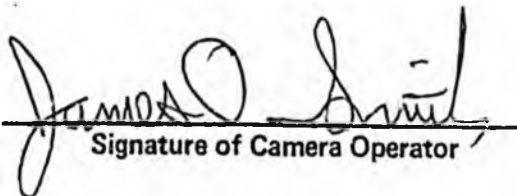
HSA 2-22-85 lpm



RECORDS CERTIFICATION



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Signature of Camera Operator


Date

H B

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COMMITTEE REPORT
HOUSE

7/10

(7)

FURTHER: FINANCE

1/25/85

Date: April 9 1985

The Committee on STATE AFFAIRS has had HB 122

"An Act abolishing inactive boards, councils, and commissions."

under consideration and recommends:

do pass [] do not pass

[] do pass with attached amendments(s)

[] replace with CS for _____ [] same title

and recommends _____ [] new title

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

[] reports it back without recommendation [] Zero Fiscal Note Attached

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Steve Hawkey
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon
W.C. Brannon

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Roger L. Roberts No Rec
0
1

Steve Hawkey
CHAIRMAN

Introduced: 1/25/85
Referred: State Affairs
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 122

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act abolishing inactive boards, councils, and
7 commissions."

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

9 * Section 1. AS 44.99.001 is amended to read:

10 Sec. 44.99.001. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
11 governor may contract and do all other things necessary on behalf of
12 this state under 23 U.S.C. sec. 401 -- 404 (Highway Safety Act of
13 1966), and may cooperate with interested persons and agencies to
14 effectuate the purposes of that Act. The governor may designate a
15 person to serve as the governor's highway safety representative;
16 however, the governor is the official in this state having the ulti-
17 mate responsibility for dealing with the federal government with
18 respect to programs and activities under the Federal Highway Safety
19 Act of 1966. The governor shall coordinate the activities relating to
20 highway safety of state departments, agencies, and subdivisions [AND
21 OF THE GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY ESTABLISHED IN
22 AS 44.19.190].

23 * Sec. 2. AS 18.65.250; AS 44.19.064 -- 44.19.072, 44.19.110 -- 44.19.-
24 122, 44.19.131 -- 44.19.140, 44.19.190 -- 44.19.192; AS 44.27.050(5);
25 AS 44.33.020(23), 44.33.190 -- 44.33.230, 44.33.401 -- 44.33.430; AS 44.-
26 47.160 -- 44.47.190; and AS 44.66.010(a)(9) are repealed.

AID Comm.

Admin of Justice

Law of Sea

TRANS. SAFETY

Cultural Facilities

RURAL DEVELOPMENT



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 25, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill abolishing six non-functional boards, councils, and commissions. Section 2's repealer is the heart of this bill. Section 1 makes an amendment to correspond with the repealer.

In 1983 the Office of the Governor conducted an inventory of all state boards and commissions. Several boards, councils, and commissions were determined to be nonfunctional, the following seven of which require statutory changes: (1) Alaska International Development Commission (AS 44.19.064 -- 44.19.072); (2) Governor's Commission on the Administration of Justice (AS 44.19.110 -- 44.19.122), which will be dealt with in a separate bill; (3) Commission on the Conference of the Law of the Sea (AS 44.19.131 -- 44.19.140); (4) Governor's Commission on Transportation Safety (AS 44.19.190 -- 44.19.192); (5) Tourism Advisory Board (AS 44.33.190 -- 44.33.230); (6) Advisory Council on Cultural Facilities (AS 44.33.401 -- 44.33.430); and (7) Rural Development Council (AS 44.47.160 -- 44.47.190).

These entities are considered nonfunctional for one or more of the following reasons:

1. their function has been absorbed by another entity;
2. they have lacked funding by legislative appropriations more than two years in a row;
3. the specific need for which they were established no longer exists.

Despite their dormant state, these entities exist on the books of the Alaska Statutes. The purpose of this bill is to abolish these entities and repeal the statutes governing their operation. The cultural facilities development fund, AS 44.33.401 -- 44.33.417, which was to be handled by the

Advisory Council on Cultural Facilities, is also repealed; no money has been appropriated to the fund, and no grants have been awarded.

I urge your prompt and favorable action on this measure, to clean up the statutes and to clear up public confusion about these entities.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 122 701
 Title: Abolishing inactive boards, councils and commissions, and transferring responsibilities.
 Sponsor: Governor
 Requestor: Governor
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: Public Protection, Economic Development, Energy Development
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The boards and commissions that are being abolished by this bill that the Department of Commerce and Economic Development in some way participated in, have all been inactive for at least three years. No expenditures would be incurred in their formal abolishment.

Prepared By: Steven D. Hildebrand Phone: 465-2509
 Division: Administrative Services Date: _____

Approved by Commissioner: Loren H. Lounsbury Date: 1/9/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: _____
 Title: Abolishing inactive boards,
 councils and commissions
 Sponsor: Governor
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Community & Regional Affairs
 Program Category Affected: Rural Development
 Council AS 44.47.160--44.47.190
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

The Rural Development Council was not funded in the FY 84 Budget.

Prepared By: Jennifer Fate Phone: 465-4700
 Division: Commissioner's Office Date: 1/10/85

Approved by Commissioner: Emil Notti *not* Date: 1/10/85
 Agency: Community and Regional Affairs

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 111
 Title: "An Act abolishing boards, councils..."
 Sponsor: Rules Comm. for Governor
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: _____
Administration of Justice
 BRU, Program or Subprogram(s) Affected: _____
Commissioners Office

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Marcia Lynn McKenzie Phone: 465-4349
 Division: Administrative Services Date: 1/8/85

Approved by Commissioner: [Signature] Date: 1/8/85
 Agency: Department of Public Safety

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agencies

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 122
 Title: Abolishing Inactive boards, councils, and commissions.
 Sponsor: Rules Committee
 Requestor: Governor
 Date of Request: 2-4-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Highway Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: T. Michael Lewis Phone: 465-4374
 Division: Highway Safety Planning Agency Date: _____

Approved by Commissioner: *[Signature]* Date: 2-4-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 122
 Title: Abolishing Inactive boards, councils, and commissions.
 Sponsor: Rules Committee
 Requestor: Governor
 Date of Request: 2-4-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life and Property Protection
 BRU, Program or Subprogram(s) Affected: Highway Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: T. Michael Lewis Phone: 465-4374
 Division: Highway Safety Planning Agency Date: _____

Approved by Commissioner: *[Signature]* Date: 2-4-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

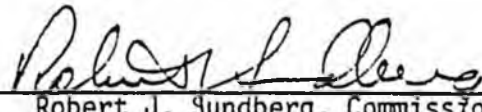
Department of Public Safety
Position Paper - HB 122
Support
January 31, 1985

HB 122 - "An Act abolishing inactive boards, councils and commissions."

This bill abolishes several boards, councils and commissions that are currently inactive. The only commission of interest to the Department of Public Safety is the Transportation Safety Commission established under AS 44.19.190 - AS 44.19.192. This commission was originally established in response to repeated recommendations by the National Highway Traffic Safety Administration in their program reviews of the Alaska highway safety program.

However, the need for this commission and the cost/benefit of it to the State has always been questionable. Under the recently reorganized management of the Highway Safety Planning Agency, all federal requirements for the highway safety program are currently being met. The most recent program audit indicated that the Transportation Safety Commission was no longer necessary to the State's program.

The fact that this commission has never been appointed, nor has ever met in the three years since it was established, indicates the lack of need for it. This bill is simply a house-cleaning bill that will abolish inactive and unnecessary boards and commissions and therefore, the Department of Public Safety supports it.


Robert J. Sundberg, Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: HB 111
 Title: "An Act abolishing boards, councils..."
 Sponsor: Rules Comm. for Governor
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL
 Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Commissioners Office

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Marcia Lynn McKenzie Phone: 465-4349
 Division: Administrative Services Date: 1/8/85

Approved by Commissioner: [Signature] Date: 1/8/85
 Agency: Department of Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

STATE OF ALASKA

BOARDS AND COMMISSIONS
BOOK

NOVEMBER 1982

JAY S. HAMMOND
GOVERNOR

*This book contains
Administrative Code of Justice
of Civil and Criminal
of State of Alaska
of State of Alaska
of State of Alaska
of State of Alaska
of State of Alaska
of State of Alaska*



CONTACT: Ms. Venetta Hildebrand
Special Assistant
Pouch A
Juneau, AK 99811
(907) 465-3500

ADMINISTRATION OF JUSTICE, GOVERNOR'S COMMISSION ON THE
 (AS 44.19.110) 13 members plus 2 required by federal regulations; no term; serve at
 the pleasure of the Governor; subject to financial disclosure.

MEMBERS	REPLACING	APPT.	TERM
Chief Justice Edmond Purke Supreme Court 303 K Street Anchorage, Alaska 99501	Jay Rabinowitz		
Commissioner William Nix ^{SUNDBERG} Department of Public Safety Pouch N Juneau, Alaska 99811			
Commissioner Meien Belme ^{R. SMITH} Dept. of Health & Social Services Pouch H-01 Juneau, Alaska 99811		78/01/09	
Ms. Dana Fabe Public Defender 716 W Fourth Avenue, Suite 500 Anchorage, Alaska 99501	Brian Shortell		
VACANT Legislative Appointment	Eliason	81/02/24	
Senator Tim Kelly Alaska State Legislature Pouch V Juneau, Alaska 99811	Dankworth	81/02/24	
Mr. Harold S. Newcomb Box 276 Wasilla, Alaska 99687	Charles Anderson (resigned 1/19/81)	81/02/13	
Ms. Anne Brower P.O. Box 123 Barrow, Alaska 99727	Nora Guinn	77/12/09	
Ms. Gail Rowland 2300 Lord Baranof Drive Anchorage, Alaska 99503		75/10/03	
Judge Jay Hodges Superior Court 604 Barnette Street Fairbanks, Alaska 99701	Thomas Schulz (effective 79/05/02)	79/08/02	
Atty. Gen. Wilson L. Gorden ^{NORM GOESWEN} Department of Law Pouch K Juneau, Alaska 99811 (Chairman)	Avrum Gross	80/06/18	

ADMINISTRATION OF JUSTICE, GOVERNOR'S COMMISSION ON THE (Cont.)

MEMBERS	REPLACING	APPT.	TERM
Ms. Rose Ann Timbers P.O. Box 61 Nome, Alaska 99762	Middleton-Cook	80/06/18	
Mr. Art Snowden SRA 1735M, Trapline Drive Anchorage, Alaska 99507		77/03/04	
Mr. Lew Williams, Jr. 755 Grant Ketchikan, Alaska 99901		77/06/13	
Ms. Alaire Stanton 3817 Fairview Avenue Ketchikan, Alaska 99901		77/01/24	

CONTACT AGENCY:
 Department of Law
 Criminal Justice Planning (465-3591)
 Pouch KJ
 Juneau, AK 99811

CULTURAL FACILITIES, ADVISORY COUNCIL ON

(AS. 44.33.400) Department of Commerce and Economic Development; consists of five members appointed by the Governor from a list of candidates provided for that purpose by the State Council on the Arts; overlapping three-year terms.

MEMBERS	REPLACING	APPT.	TERM
Ms. Mary E. Binkley P. O. Box G College, Alaska 99708		79/09/27	82/09/26
VACANT	Jane Stewart	81/11/25	84/09/26
Ms. Lois R. Hermansen 2979 Glacier Street Anchorage, Alaska 99504	Reappointed	80/11/13	83/09/26
Ms. Joy Morgan Box 56 Hope, AK 99605	Carol Derfner	82/04/02	84/09/26
Mr. Allan P. Gregg P. O. Box 2078 Wrangell, Alaska 99929		79/09/27	82/09/26

CONTACT AGENCY:

Commerce & Economic Development
Pouch D
Juneau, AK 99811
William Paulick (465-2020)

INTERNATIONAL TRADE COMMISSION

(Administrative Order 66) reorganized April 1981, & (AS 44.19.145) Members representing business, industry, finance and State government are appointed by the Governor. The Commissioner, Dept. of Commerce, serves as chairman, and the Director, Division of Special Industrial Development, serves as secretary to the commission.

MEMBERS	REPLACING	APPT.	TERM
---------	-----------	-------	------

Commissioner Charles R. Webber Dept. of Commerce & Economic Development Pouch D Juneau, Alaska 99811 (Chairman)			
--	--	--	--

Mr. <i>Bill Quinn</i> Richard Quinn , Director Div. of Economic Enterprise Pouch EE Juneau, Alaska 99811 (Dept. of Commerce)			
--	--	--	--

VACANT	Don Dickey		
--------	------------	--	--

VACANT	Sharon Macklin		
--------	----------------	--	--

VACANT	Byron Mallott		
--------	---------------	--	--

VACANT	Robert Thorstensen		
--------	--------------------	--	--

Mr. Alvin Burch United Fishermen of Alaska P. O. Box 1352 Juneau, Alaska 99802			
---	--	--	--

VACANT	Charles Meacham		
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INTERNATIONAL TRADE COMMISSION (Cont.)

MEMBERS	REPLACING	APPT.	TERM
VACANT	Ronald Skoog		
Mr. Robert Richards Alaska Pacific Bank Box 420 Anchorage, Alaska 99510 (Executive Vice-Pres.)		80/04/06	

CONTACT AGENCY:
Dept. of Commerce & Economic Development
Commissioner's Office (465-2500)
Pouch D
Juneau, AK 99811

LAW OF THE SEA, COMMISSION ON THE CONFERENCE OF THE
 (AS 44.19.131) 4 public members appointed by the Governor with a member of the House
 of Representatives, a member of the Senate and an executive director; 6-year
 overlapping terms.

MEMBERS	REPLACING	APPT.	TERM
Mr. Jeffrey R. Stephan Box 2917 Kodiak, Alaska 99615	Thomas A. Casey	80/12/03	86/09/01
Mr. Philip A. Daniel Box 75 Ninilchik, Alaska 99639	Reappointed	80/12/03	86/09/01
Mr. Robert M. Thorstenson Box 683 Petersburg, AK 99833	Robert Hartig	80/12/03	82/09/01
VACANT	Daniel J. O'Hara	80/12/03	85/09/01
Senator Robert Mulcahy Alaska State Legislature Pouch V Juneau, Alaska 99822	Reappointed		
Rep. Eric Sutcliffe Alaska State Legislature Pouch V Juneau, Alaska 99811	Fred Zharoff		

CONTACT AGENCY:
 Department of Fish & Game
 Juneau, AK 99811
 Reva Lafavour (465-4100)

RURAL DEVELOPMENT COUNCIL

(AS 44.47.130) 16 members; 6 rural residents and chairperson appointed by the Governor, a member of each house of the Legislature, commissioners of Transportation and Public Facilities, Commerce and Economic Development, Community and Regional Affairs, and the Director of the Division of Policy Development and Planning. Meet at least four times a year.

MEMBERS	REPLACING	APPT.	TERM.
Mr. Vern Wiggins Special Assistant to the Secretary U.S. Department of the Interior P.O. Box 120 Anchorage, Alaska 99501 (Ex Officio)	Jerry Gilliland		
Mr. Roger E. Willis FmHA Business and Industry and Community Programs Falmer Business Plaza P.O. Box 1289 Palmer, Alaska 99645 (Ex Officio)	Frank Muncy		
Mr. Dave Dougherty Principal Regional Official, HEW 6058 Arcade Plaza Building 1321 Second Avenue Seattle, Washington 98101 (Ex Officio)	Bernard Kelly		
Commissioner Robert Ward Department of Transportation and Public Facilities Pouch Z Juneau, Alaska 99811			
Commissioner Lee McAnerney (Mr. Richard Aks, Designee) Dept. of Community & Regional Affairs Pouch B Juneau, Alaska 99811			
Commissioner Charles Webber Dept. of Commerce & Economic Development Pouch D Juneau, Alaska 99811			
Mrs. Caroline Powell Box 158 Yakutat, Alaska 99684 (Chair)	734-3355		

RURAL DEVELOPMENT COUNCIL (Cont.)

MEMBERS	REPLACING	APPT.	TERM.
Mr. Thomas Able Box 56 Craig, Alaska 99921			
Mr. Caleb Pungowiyi Box 948 Nome, Alaska 99762			
Mr. Ralph Anderson Box 801 Barrow, Alaska 99723			
Mr. Herb Smelcer Drawer G Copper Center, Alaska 99573			
VACANT	Freeman A. Roberts		
VACANT Alaska State Legislature	George Hohman		
Rep. Bob Bettisworth Alaska State Legislature Pouch V Juneau, Alaska 99811	Jim Duncan	81/07/15	
Mr. Jim Souby Division of Policy Development & Planning	Marie Matsuno		
Mr. Michael L. Jennings 1255 Hayes Avenue Fairbanks, AK 99701 (Rural Resident)	VACANT	82/04/16	

CONTACT AGENCY:
 Dept. of Community & Regional Affairs
 Rural Development Council (465-4872)
 Pouch B
 Juneau, AK 99811

TOURISM ADVISORY BOARD

(AS 44.33.190) 11 members; 9 public chosen by the Governor with representatives from the House of Representatives and Senate; 3-year term; serve at the pleasure of the Governor.

MEMBERS	REPLACING	APPT.	TERM
Mr. Leonard Laurance Box 6018 Ketchikan, Alaska 99901	Reappointed	82/02/05	85/01/31
Mr. Ross Wood 313 E St., Suite 5 Anchorage, Alaska 99501	Reappointed	82/02/05	85/01/31
Mr. Paul Smith Golden Bear Motel Tok, Alaska 99780	Reappointed	81/02/02	83/01/31
Mr. George Charles 1426 E. 26th Anchorage, Alaska 99504	Reappointed	81/02/05	83/01/31
Ms. Hazel Heath Box 676 Homer, Alaska 99603 (Chairman)	<i>resigned</i> Reappointed	81/02/02	83/01/31
Ms. Dorothy Urbach P. O. Box 277 Seward, AK 99664	Reappointed	82/04/02	85/01/31
Cecelia Kleinkauf 4201 McInnes Road Anchorage, Alaska 99504	Reappointed	81/02/03	84/01/31
Ms. Laurie Herman 4839-4 Bryn Mayr Court Anchorage, AK 99504	Reappointed	81/07/31	84/01/31
Ms. Donna Davidson P. O. Box 80335 Fairbanks, Alaska 99708	Reappointed	81/03/31	84/01/31
Senator M. E. Dankworth Alaska State Senator Pouch V Juneau, Alaska 99811	Brad Bradley		
Don Dickey, Director Division of Tourism Pouch E Juneau, Alaska 99811 (Executive Director)			

TOURISM ADVISORY BOARD (Cont.)

MEMBERS	REPLACING	APPT.	TERM
James Eide, Director Division of Marine Highways Pouch R Juneau, Alaska 99811			
Ms. Dolores Moulton Information & Education Dept. of Fish and Game Juneau, Alaska 99811			
Mr. W. Chip Dennerlein Director Division of Parks E. 4th Anchorage, Alaska 99501	Terry McWilliams		
VACANT Rep. Joe Flood Legislative Appointment	Jim Duncan	73/06/23	

CONTACT AGENCY:

Commerce & Economic Development
Division of Tourism (465-2010)
Pouch E
Juneau, AK 99811

TRANSPORTATION SAFETY, GOVERNOR'S COMMISSION ON

(AS 44.19.190) consists of 15 members: the attorney general, commissioners of Public Safety, DOT/PF, and H&SS; one superior or district court judge experienced in adjudication of traffic cases; six legislative members (at least one from each house); four public members selected by Governor, based on geographic representation and population distribution.

MEMBERS

REPLACING

APPT.

TERM

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 20, 1985

FEB 25 1985

The Honorable Katie Hurley
Chair, House State Affairs
Committee
Alaska House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Hurley:

Pursuant to your request of February 7, requesting background information on the inactive boards and commissions listed in House Bill No. 122, I have prepared information which the Committee may find helpful.

Because there is confusion in the public's mind as to the existence of these boards and commissions, many people still continue to apply for them. By abolishing the boards which are inactive, the Legislature will assist in clearing up the confusion.

Basic information about the seven boards mentioned in this bill follows.

The bill abolishes the following boards, councils, and commissions by repealing the statutes governing their operation: Alaska International Development Commission, Governor's Commission on the Administration of Justice, Commission on the Conference of the Law of the Sea, Governor's Commission on Transportation Safety, Tourism Advisory Board, Advisory Council on Cultural Facilities, and the Rural Development Council. These entities, although still in existence on paper, have not been active or functioning for some time. They are considered nonfunctional for one or more of the following reasons:

1. their function has been absorbed by another entity;
2. they have lacked funding by legislative appropriations more than two years in a row;
3. the specific need for which they were established no longer exists.

Specific information regarding the seven boards is presented below.

GOVERNOR'S COMMISSION ON THE ADMINISTRATION OF JUSTICE
AS 18.65.250; AS 44.19.110-122

When the Law Enforcement Assistance Administration was eliminated at the federal level in 1980 or 1981, the principal source of funding for the Commission and its programs was gone. Following that, the Legislature defunded the Criminal Justice Planning Agency, which was the Commission's planning arm.

The Commission still has a function under the security and privacy regulations pertaining to the criminal justice information systems (6 AAC). The Commission is also empowered to approve all secondary interim user applications. Because of the Commission's dormant status, the Attorney General has informally assumed this responsibility by virtue of his position as ex-officio chair of the Commission. A separate proposed bill regarding the Commission confers these powers to the Attorney General.

A Criminal Justice Working Group, or COG, as it is called, was formed in the fall of 1983 to examine specific criminal justice system problems and devise resolutions and plans. The Attorney General heads this group, which includes representation from all agencies dealing with criminal justice.

ADVISORY COUNCIL ON CULTURAL FACILITIES
AS 44.27.050(5); AS 44.33.020(23); AS 44.33.401-430

The Advisory Council on Cultural Facilities was created by Chapter 62, SLA 1979, to establish criteria, by regulation, for the purpose of construction or development of cultural facilities under AS 43.18.500, etc. The five-member Council was housed under the Department of Commerce and Economic Development, and was appointed by Governor Hammond from a list provided to him for that purpose by the State Council on the Arts.

The Department of Commerce and Economic Development stated that the Council performed much in-depth research and provided the Department with written documentation regarding their findings. However, the Council recommended to the Administration that approximately \$110 million be set aside in a revolving fund for the development and construction of cultural facilities. Neither the Legislature or the Administration implemented that recommendation.

It was stated by the contact agency (DCED) that the terms of the members of the Council were allowed to expire because the Council had presented its findings, there were no funds with which to implement them, and there was no real need for

the Council's activities without the funding of the revolving fund. Additionally, the recommendations made by the Council eventually became the responsibility of each community, who would maintain and operate whatever capital project was decided upon by the community and funded by the Legislature.

ALASKA INTERNATIONAL DEVELOPMENT COMMISSION
AS 44.19.064-072

The Alaska International Development Commission was created in the Office of the Governor in 1959. It was amended by the 1961 and 1963 Legislatures. The statute defines its duties as primarily involving planning in the development and use of water, minerals, power, and forest resources near the border of Alaska and Canada.

The Boards and Commissions Office has no documentation on this Board. Research reflects that the Board was dormant and not "on the books" at the beginning of former Governor Jay Hammond's tenure in 1974, nor since then.

The Alaska International Development Commission is not to be confused with the Alaska International Trade Commission, created by former Governor Hammond by Administrative Orders 57 and 66 in 1979 and 1981, respectively. The Alaska International Trade Commission is also dormant, having been replaced in function by the multi-faceted Office of International Trade with the Department of Commerce and Economic Development.

If you desire information regarding the Development Commission, the only source which may have information is the State Archives. Any information or reports emanating from the Development Commission would now be considered property of that office.

COMMISSION ON THE CONFERENCE OF THE LAW OF THE SEA
AS 44.19.131-140

The Commission on the Conference of the Law of the Sea was created October 4, 1972, by AS 44.19.134 to aid the State in developing positions on the Law of the Sea Conference with specific regard to the State's uses of marine resources. The Commission was strictly an advisory board to the Governor and the Legislature.

The Commission is currently dormant because of the shift of Alaska into the Exclusive Economic Zone (EEZ).

The Extended Jurisdiction Office of the Alaska Department of Fish and Game monitors the Law of the Sea so that information can be had when matters arise at the federal level. However, ADFG considers the board dormant. No funds were expended for its operation in FY 83, FY 84, or FY 85.

RURAL DEVELOPMENT COUNCIL
AS 44.47.160-190; AS 44.66.010(a) (9)

The Rural Development Council, created on July 2, 1980, was established to promote rural Alaska's economic development and to recommend policies to the Governor and the Legislature in this regard. The Council was defunded in 1982 during the previous Administration.

By its creating authority, the Council was advisory in nature. Its duties have been picked up by other entities since its deactivation three years ago -- the Department of Community and Regional Affairs, the Governor's Special Staff Assistant for Rural Development, and additional public input vehicles created by both the Legislature and the Executive Branch specifically to facilitate communications with rural Alaska.

TOURISM ADVISORY BOARD
AS 44.33.190-230

The Tourism Advisory Board has not functioned for at least four and one-half years, and there are no members attached to it, as their terms have expired.

Small industry and community development outreach is being handled internally by the staff of the Division of Tourism in the Department of Commerce and Economic Development. Additionally, the Division has institutionalized a relationship with the Alaska Visitors' Association. State officials from the Governor's Office, the Division of Parks within the Department of Natural Resources, and the Division of Tourism sit on the board of the Alaska Visitors' Association.

GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY
AS 44.99.001; AS 44.19.190-192

This board, created by AS 44.19.190, on January 15, 1982, was never activated. Governor Hammond vetoed the legislation when it passed both houses; however, the Legislature overrode his veto. A fiscal note, which was attached to the original bill, got lost in the shuffle and there were no funds attached to the new Commission. Consequently, the prior Administration took no action to activate the Commission.

The Commissioner of the Department of Public Safety in the previous Administration took no position on the bill when it was before the Legislature because it removed the Highway Safety Planning Agency from the Department and placed it in the Governor's Office.

The Honorable Katie Hurley

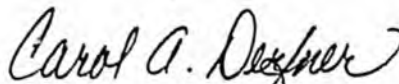
-5-

February 20, 1985

The Department of Public Safety states that the charges of the Commission are being picked up by other offices within the Department and does not feel there is a need for this Commission.

If you have additional questions, please contact me at 465-3651. I have enclosed relevant pages from the November 1982 Boards and Commission Book in order to advise you of previous memberships.

Sincerely,



Carol A. Derfrer
Special Staff Assistant
to the Governor

Enclosures

GOVERNOR
STATE OF ALASKA
ANCHORAGE

May 17, 1984

Ms. Alaire Stanton
3817 Fairview Avenue
Ketchikan, AK 99901

Dear Ms. Stanton:

I have received your letter of resignation, and would like to take this opportunity to thank you for your service as a member of the Governor's Commission on the Administration of Justice.

The many hours of time and the personal talents you have contributed are appreciated by the citizens of Alaska, as well as by this Administration. It is Alaska's good fortune that dedicated citizens are willing to be committed to activities so meaningful to our state.

Best of luck in your future endeavors.

Warmest regards,

Bill Sheffield
Governor

bcc: APOC
Department of Law

BS:CAD:kss

CAROL

3817 Fairview Avenue
Ketchikan, Alaska 99901
May 8, 1984

Governor Bill Sheffield
State of Alaska
Pouch A
Juneau, Alaska 99811
Attn: Carol Derfner, Special Assistant

Dear Governor Sheffield;

Recently I was advised by the Alaska Public Offices Commission that I am still a member of the Governor's Commission for the Administration of Justice, and as such, must submit a Conflict of Interest Statement.

Since the Commission has not been active in more than a year and since I was removed from my other previous appointment at the beginning of your administration, I have assumed that I was not a member of any group which would require me to file a report with the APOC. They have informed me that not only do I need to report, but I am liable for civil penalties for filing a late report.

I still retain an interest in Justice and related issues in the State of Alaska, and I would like to continue to be of service to the people of the State, however, I am hereby submitting my resignation from the Commission for the Administration of Justice, effective immediately. I find it extremely ironic that it might cost me several hundreds of dollars just because I have been a concerned citizen, and I find it distressing that an agency which is supposed to "enhance the dignity of the (public) offices and make them attractive to citizens who are motivated to public service" should spend what must be a significant amount of time tracking down conflict statements from persons who don't receive any kind of compensation for their time. Perhaps it is time to do something about revising the Laws regarding the APOC.

I do appreciate your communicating with the Alaska Public Offices Commission about the fact that the Commission has been inactive for sometime. And I appreciate the interest of your Special Assistant, Carol Derfner, who has tried to be of help.

Sincerely,



Alaire E. Stanton

cc: Alaska Public Offices Commission
Attn: Jane Barcott
Rep. Ron Wendte
Rep. Rick Uehling

May 25, 1984

Mr. Harold S. Newcomb
P.O. Box 237
Wasilla, AK 99687

Dear Mr. Newcomb:

I wish to take this opportunity to thank you for your service to the citizens of the State of Alaska as a member of the Governor's Commission on the Administration of Justice. I know you have contributed many hours of time and personal talents during your term of service. Your expertise on various projects has led to a greater confidence in government. It is Alaska's good fortune that dedicated citizens are willing to be committed to activities so meaningful to our state.

Again, thank you for your past service on the Governor's Commission on the Administration of Justice.

Warmest regards,

Bill Sheffield
Governor

bcc: APOC
Department of Law

BS:CAD:kss

CAROL



REAL ESTATE INVESTMENTS
WASILLA REALTY
BOX 237, WASILLA, ALASKA 99687

TELEPHONES:
376-5346
376-5286
AREA CODE 907

11 May '84

RECEIVED
MAY 17 1984

Honorable Governor Bill Sheffield
Pouch A
Juneau, Alaska 99811

Re: Resignation from Commission

GOVERNOR'S OFFICE

Dear Governor Bill;

The Governor's Commission on the Administration of Justice is DORMANT.

APOC has demanded that I file FINANCIAL DISCLOSURE.

APOC intends to fine me for not having filled * I did not know that the COMMISSION still existed.

I would ask your intervention in this matter.

Please accept this as my notice of resignation from the COMMISSION.

Sincerely,

Harold S. Newcomb
Commission Member

cc Honorable Jalmar Kerttula
Honorable Barbara Lacher
Honorable Ron Larson

Something
different
for a
change! 😊



Telegram

02090

NL ANCHORAGE AK 126 05-09 1459 ADT

PMS

HAROLD NEWCOMB 376-5277 376-5346

PC BOX 237 . 1481

WASILLA AK 99687

RECORDS OF THE ALASKA PUBLIC OFFICES COMMISSION SHOW THAT NEITHER YOUR 1984 CONFLICT OF INTEREST STATEMENT NOR YOUR RESIGNATION FROM THE GOVERNOR(S) COMMISSION ON THE ADMINISTRATION OF JUSTICE HAS BEEN RECEIVED. IF A RESPONSE IS NOT RECEIVED BY MAY 16TH, THE 32TH DAY OF DELINQUENCY, AS 39.52 SPECIFIES THAT THE COMMISSION NOTIFY THE GOVERNOR AND THE ATTORNEY GENERAL THAT THE STATEMENT HAS NOT BEEN FILED AND REQUEST THAT THE OFFICIAL BE REMOVED FROM OFFICE AND THAT MISDEMEANOR PROCEEDINGS BE INITIATED. THE STATEMENT MUST BE POSTMARKED NO LATER THAN MAY 16 OR IT MAY BE HAND DELIVERED TO THE APOC ANCHORAGE OR JUNEAU OFFICE NO LATER THAN 4:32 PM LOCAL TIME, MAY 16.

PLEASE CONTACT THE ANCHORAGE OFFICE, 276-4176, IF YOU HAVE ANY QUESTIONS.

SINCERELY,

ALASKA PUBLIC OFFICES COMMISSION
JANE HARCOTT, ASSOCIATE COORDINATOR

January 31, 1984

Mr. Arthur H. Snowden, II
Administrative Director
Alaska Court System
State of Alaska
303 "K" Street
Anchorage, AK 99501

Dear Mr. Snowden:

I have received your letter of resignation, and would like to take this opportunity to thank you for your service as a member of the Governor's Commission on the Administration of Justice.

The many hours of time and the personal talents you have contributed are appreciated by the citizens of Alaska, as well as by this Administration.

Best of luck in your many endeavors.

Warmest regards,

Bill Sheffield
Governor

bcc: APOC

Dean Guaneli
Assistant Attorney General
Department of Law

BS:CAD:kss

CAROL



Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 274-8611

January 17, 1984

Ms. Carol Derfner
Special Staff Assistant to the Governor
Pouch A
Juneau, Alaska 99811

Dear Ms. Derfner:

I would like to submit my resignation from the Commission on the Administration of Justice. This commission has been inactive for some time, despite its being subject to the law. If the commission is reactivated at some future date, I would be more than happy to serve again.

Sincerely,

A handwritten signature in cursive script that reads "Arthur H. Snowden II".

Arthur H. Snowden, II
Administrative Director

AHS,II:smh

cc: Jane Barcott
Alaska Public Offices Commission

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

Bill Sheffield, Governor

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

November 1, 1983

The Honorable Robert Sundberg
Commissioner
Department of Public Safety
Pouch N
Juneau, Alaska 99811

Re: Delegation of Authority to Approve
Requests for Criminal Justice
Information Under AS 12.62.035

Dear Commissioner Sundberg:

As you know, the legislature last term passed SCS CSHB 375 (Jud.) am S, ch. 66, SLA 1983, which authorized an employer to request a limited criminal records check of persons who are employed or are being considered for employment in positions involving supervisory or disciplinary power over minors. Under AS 12.62.035, requests for information of this sort are directed to the ~~Governor's Commission on the Administration of Justice~~, which oversees access to information contained in Alaska's Criminal Justice Information Systems (AJIS). See AS 12.62.010.

As you are aware, the commission meets only infrequently. During the interim between commission meetings, 6 AAC 60.070(c) provides that the chairman of the commission may approve requests for criminal justice information. By virtue of my statutorily created seat on the commission (AS 44.19.112) and the election of my predecessor in office as chairman, I am the present chairman of the commission. In that capacity, I delegate to you, as Commissioner of the Department of Public Safety, the authority to accept, process, and disseminate information in response to requests for criminal justice information under AS 12.62.035.

Sincerely,



Norman C. Gorsuch
Attorney General

NCG:GAH:1b-05

MEMORANDUM

State of Alaska

TO: Robert Sundberg
Commissioner
Department of Public Safety

DATE: November 1, 1983

FILE NO

TELEPHONE NO

FROM: NORMAN C. GORSUCH
ATTORNEY GENERAL

SUBJECT: Access to Criminal
Justice Information
Under Ch. 66, SLA 1983
(SCS SCHB 375 (Jud.) am S)

DANIEL W. HICKEY
CHIEF PROSECUTOR

By: Gayle A. Horetski 
Assistant Attorney General

As you know, the legislature this past term passed SCS SCHB 375 (Jud) am S, ch. 66, SLA 1983, which authorizes "interested persons" to request a criminal records check of persons who are employed or are being considered for employment in a position which would give them supervisory power over children.

Under the new law, a request for a records check is directed to the Governor's Commission on the Administration of Justice, which has the responsibility for regulating access to the Alaska Justice Information System (AJIS). The Governor's Commission meets only infrequently. However, 6 AAC 60.070(c) provides that during the interim between commission meetings the chairman of the commission, now Attorney General Norman Gorsuch, may approve requests for access to criminal justice information. The attorney general has delegated the authority to accept and respond to specific requests under AS 12.62.035 to the Department of Public Safety, which is the central repository for criminal history information. 6 AAC 60.900(3). Attorney General Gorsuch's letter of delegation is included with this memorandum.

I have discussed the procedures for processing of information requests with Lt. Col. Vaden. We have agreed that the most efficient way to process these requests is through local state trooper posts. Lt. Col. Vaden and I have worked out, subject to your approval, the procedural framework described below. However, before discussing the procedures, there are a couple of legal concerns which I would like to point out.

First, the term "interested persons," which describes who can request this information is defined very broadly, and includes any corporation, company, partnership, firm, association, organization, business trust, society, or person that

"employs or solicits the employment of a person to serve with or without compensation in a position in which the person has or would have supervisory or disciplinary power over a minor." AS 12.62.035(e)(2). This definition would allow any employer to seek a records check of a present or prospective day care worker, teacher, social worker, camp counselor, scout or club leader, babysitter, or even a manager at a fast food restaurant which employs minors. You can expect that your department will receive a large number of these requests once these procedures are in place and the public becomes aware of the law. Apparently, an attorney representing one school district has already advised his client that a failure to request the records check authorized under AS 12.62.035 could increase the school district's exposure to civil liability if a child were to be molested by an employee who has a criminal conviction on his record.

Second, at the present time the records check must be limited to convictions for contributing to the delinquency of a minor or a "sex crime." AS 12.62.035. Contributing to the delinquency of a minor is defined as a conviction for a violation or attempted violation of AS 11.51.130(a)(1), (3), or (5). These sections prohibit aiding or encouraging a child under 18 to do any act prohibited by state law, aiding or encouraging a child under 18 to be present during sale of an illicit drug, and aiding or encouraging a child under 16 to be absent without cause from school or from his parent's care. A "sex crime" is defined as a conviction for a violation or attempted violation of AS 11.41.410 -- 11.41.470. These statute sections include the crimes of sexual assault in any degree, sexual abuse of a minor in any degree, indecent exposure, incest, and unlawful exploitation of a minor. Also included in the definition of "sex crime" is a conviction for a violation or attempted violation of AS 11.61.110(a)(7) (exposing buttocks or anus), and AS 11.66.100 -- AS 11.66.130 (prostitution or promoting prostitution in any degree). AS 12.62.035(e)(3).

Unfortunately, the term "sex crime" is defined by reference to specific statute sections. Because citations to statute sections in the prior criminal code were not included, a conviction under the prior code for rape or lewd and lascivious acts toward children is not a "sex crime" within the scope of AS 12.62.035. We have informed Representative Ramona Barnes, the primary sponsor of HB 375, about this problem in the statutory definition. She intends to introduce legislation during the next session to broaden the list of statutory sections for which conviction information may be released. Until that happens, however, only those convictions resulting from a violation of the statute sections listed above should be reported to a person seeking information under AS 12.62.035. For your convenience, I have attached a list of the specific crimes for

which conviction records may be released. Out-of-state convictions which would have been a violation of one of the listed statutes if the act had been committed in Alaska are also included. AS 12.62.035(e)(1), (3).

Finally, AS 12.62.030(a) states that criminal justice information may be used only for law enforcement purposes and for those other lawful purposes necessary to the proper enforcement or administration of law. Although AS 12.62.035 does not specifically state the "lawful purpose" for which information released under its authority may be used, the bill's legislative history and a fair reading of the statute indicate that the information was intended for an employer's use when making employment decisions (i.e., whether to hire, fire, reclassify or promote a person whose position involves the exercise of supervisory or disciplinary power over minors). Use of the information for any other purpose, such as to damage a person's reputation in the community or to pressure him to do or not do something, would not be a lawful purpose and would constitute misuse of the information. Willful dissemination of criminal justice information in violation of the provisions of AS 12.62 could subject an offender to criminal prosecution, and is punishable by a fine of up to \$1,000, imprisonment for up to one year, or both. AS 12.62.060(b). An offender could also be liable for civil damages. As you know, criminal justice information of this sort is covered by both state and federal law and regulations. Should your department become aware of any unauthorized use of this information, the Department of Law should be contacted immediately.

As to the procedures to be followed, attached to this memorandum is a form which should be used to receive requests for information. The completed form will provide the information necessary for accurate identification of the subject of the request. It will also provide sufficient information about the applicant to enable the person receiving the request to determine if the person or organization is entitled to receive AJIS information. As stated earlier, the definition of an "interested person" under AS 12.62.035 is very broad. Most applicants will fall within the scope of the statutory definition. The request form is designed to elicit enough information about an applicant so that officers can screen out non-existent organizations, or individuals who cannot adequately explain why they are entitled to the requested information.

In accordance with AS 12.62.035(b), the form requires that a card containing the fingerprints of the subject of the records check must be submitted with every request. Ideally, the subject should accompany the employer to the AST post when the request is made, and his fingerprints should be taken by AST personnel. Two sets of original prints must be taken if an FBI

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records check is requested in addition to a check of Alaska's AJIS records. When a subject's prints cannot be taken in person at the time of the request (an employment application from a person residing out of state, for example), a fingerprint card submitted by the employer should be accepted if the card is legible and complete (including the subject's signature, DOB, and a print of all 10 fingers). All employers should be required to show adequate proof of identity, such as a driver's license or state ID card. If a Department of Public Safety employee is suspicious of the truthfulness of statements made on a request form, the form should not be sent on for processing until further investigation confirms the accuracy of the information. Completed request forms should be mailed to:

Department of Public Safety
Fingerprint Section
Pouch N
Juneau, AK 99811

If an employer also wants the subject's fingerprints checked through the FBI records in Washington, D.C., he must complete a second request form. An original fingerprint card and a check for \$12.00 payable to the Federal Bureau of Investigation must also be submitted with the form. Applicants should be informed that, while the Alaska AJIS check may be processed fairly soon (within approximately two weeks of date of request), the results of an FBI records check will not be available for a considerably longer period (approximately two to three months).

Once the request for information has been processed by the Fingerprint and Records and Identification Sections in Juneau, a letter must be written to the employer and to the subject to report the results of the records check; AS 12.62.035(a) requires that the agency providing the requested information also provide a copy of it to the subject of the request. A carbon copy of the response should also be sent to the originating AST post, so that the supervising officer there knows that the request was answered.

Again, only convictions for violations of the statutes referred to in AS 12.62.035(e)(1) and (3) may be released. As stated earlier, I have attached a complete list of the crimes for which convictions may be reported. No information about any other crime can be reported. As a practical matter, this means that the records check will not reveal any Alaska conviction entered before 1980. This also means that the results of the FBI records check must be carefully screened to be sure that no arrest records and no records of conviction for other offenses are released.

The application for information must be destroyed within six months after the information or response is sent.

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AS 12.62.035(h). Although the statute authorizes the imposition of a fee to cover the cost of processing a request, I understand that Department of Public Safety is not planning at this time to impose a fee for the processing of applications within the state.

I hope this memorandum, the attached request form, and the list of the crimes covered by the new law are of assistance to you in implementing ch. 66, SLA 1983.

Please call if you have any questions.

GAH/lb-47

Attachments

CRIMES FOR WHICH CONVICTION RECORDS

MAY BE RELEASED UNDER AS 12.62.035

(Ch. 66, SLA 1983 - SCS CSHB 375 (Jud.) am S)

AS 11.41.410	Sexual Assault in the First Degree
AS 11.41.420	Sexual Assault in the Second Degree
AS 11.41.430	Sexual Assault in the Third Degree
AS 11.41.434	Sexual Abuse of a Minor in the First Degree
AS 11.41.436	Sexual Abuse of a Minor in the Second Degree
AS 11.41.438	Sexual Abuse of a Minor in the Third Degree
AS 11.41.440	Sexual Abuse of a Minor in the Fourth Degree
AS 11.41.450	Incest
AS 11.41.455	Unlawful Exploitation of a Minor
AS 11.41.460	Indecent Exposure
AS 11.51.130	Contributing To The Delinquency of A Minor
AS 11.61.110(a) (7)	Disorderly Conduct (exposure)
AS 11.66.100	Prostitution
AS 11.66.110	Promoting Prostitution in the First Degree
AS 11.66.120	Promoting Prostitution in the Second Degree
AS 11.66.130	Promoting Prostitution in the Third Degree

Also included are convictions for an attempt to commit any of the above crimes, and out-of-state convictions which would have been violations of one of these statutes if the offense had been committed in Alaska.

STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY

AS 12.62.035 authorizes the release of certain criminal justice information to an "interested person." "Interested person" is defined in AS 12.62.-035(e)(2) as: "a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person, that employs or solicits the employment of a person to serve with or without compensation in a position in which the person has or would have supervisory or disciplinary power of over a minor." A minor is a child under the age of 18.

PART I. REQUEST FOR CRIMINAL HISTORY INFORMATION

"Applicant" is the person requesting the criminal justice information.
"Subject" is the person about whom the request is made.

- 1) Name of Applicant: _____
- 2) Position or Title: _____
- 3) Organization (if any): _____
- 4) Address: _____
- 5) Mailing Address: _____
- 6) Phone Number: _____ IRS No. (if any): _____
- 7) Description of applicant. Check the box which best describes the applicant:
 - A) public school/school district
 - B) private school
 - C) nursery/day care center
 - D) church/religious organization
 - E) youth organization
 - F) local, state or federal government agency
 - G) private business
 - H) individual
 - I) other
- 8) If box F, G, H, or I is checked above, describe the applicant. If an organization, explain its purpose and what it does. Explain specifically the duties the subject has, or will have, which involve supervisory power over children.

- 13) Phone Number: _____ Social Security No. _____
- 14) DOB: _____ Driver's License No. _____
- 15) Sex: _____ Hgt: _____, Wt: _____, Eye Color: _____ Hair Color: _____
- 16) Aliases or prior names: _____
- 17) Position subject now occupies or is being considered for: _____

PART II. AGREEMENT FOR THE DISSEMINATION OF CRIMINAL HISTORY INFORMATION

I hereby certify that I have read the information contained on the first page of this form, and that (check one:) I am _____ or I represent _____ an "interested person" as defined in AS 12.62.035. I hereby request a record of any convictions of the above-named subject for contributing to the delinquency of a minor or a sex crime as defined in AS 12.62.035(e).

I certify that the subject of this request (check one): is employed _____ or is being considered for employment _____ (with or without compensation) in a position involving supervisory or disciplinary power over a child or children under the age of 18. I certify that employment considerations are the sole reason for this request for information.

In exchange for the release of the requested information, I agree that any information released to me will remain confidential, and will be used only to make lawful employment decisions. I agree to take all possible precautions to prevent the disclosure of this information to unauthorized persons, and agree to immediately report to the Alaska State Trooper any intentional or accidental disclosure of this information by anyone to unauthorized persons.

I understand that unauthorized dissemination or other misuse of this information will result in the denial of future requests for information and may subject me to criminal penalties, including a fine of up to \$1,000, a jail sentence of up to one year, or both.

Signature of Applicant

Date

* * * * *

To be filled out by D.P.S. employee receiving this request:

Form of identification

MEMORANDUM

State of Alaska

to: Carol Derfner, Special Assistant
Boards & Commissions
Office of the Governor

DATE: December 5, 1983

FILE NO:

TELEPHONE NO:

FROM: Alix Wilkerson *Alix*
Executive Secretary
Department of Commerce & Economic
Development

SUBJECT: International Trade Commission

The Alaska International Trade Commission (ITC) created by Administrative Order 57 and continued with Administrative Order 66 has not been functioning.

In April 1981, Governor Hammond signed Administrative Order 66 with the intent of eventually creating the ITC with legislation. The legislation was not forthcoming and the Legislature did not appropriate funds for ITC.

At this time, the Commission is dormant and the questionnaire is not relevant.

Please contact me if you need additional information.

AW/cw#27H17
12583B

*Dick Lyon, DCEI board,
is chair of this dormant board.*