

ALASKA STATE DEPARTMENT
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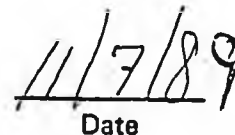
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HOUSE & SENATE JOINT
JOURNAL SUPPLEMENT

February 27, 1985

No. 7

THE FOLLOWING COMMENTARY

FROM THE

ALASKA CODE REVISION COMMISSION

COVERS

HOUSE BILL NO. 245)
)
) "An Act relating to
) security interests
) in real property;
) and providing for
) an effective date."
)
SENATE BILL NO. 198)

ALASKA CODE REVISION COMMISSION



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February 15, 1985

The Honorable Jack Fuller
Chairman, Alaska Legislative Council
Pouch V, State Capitol
Juneau, Alaska 99811

Re: Bill on security interests in real property

Dear Chairman Fuller:

The attached bill is submitted to the Alaska Legislative Council pursuant to AS 24.20.075 with the request that it be introduced in the Fourteenth Legislature.

The bill was in the Thirteenth Legislature as HB 341/SB 244. That bill did not move out of committee. At least part of the reason was that it was erroneously associated in many minds with a controversial "due-on-sale" section of an earlier bill, HB 403 of the Twelfth Legislature. That section is not in the bill now offered. Changes in other state and federal lending laws have made it unnecessary.

The bill covers the relationship, rights, and remedies of debtor and creditor in secured real property transactions. It resulted from the commission's general review of real property law in Title 34.

The main sources drawn upon in preparing the bill are the existing Alaska law on deeds of trust, the Uniform Commercial Code, the Washington law on nonjudicial foreclosure, and the Uniform Land Transfers Act.

A commentary on the bill is attached.

Respectfully submitted,

John W. Abbott, Chairman
Alaska Code Revision Commission

JWA:chw

Attachments

cc: Hon. Bill Sheffield
Hon. Edmond W. Burke, Chief Justice
Executive Director, Legislative Affairs Agency

FEBRUARY 1985
ALASKA CODE REVISION COMMISSION
COMMENTARY TO ACCOMPANY
DRAFT BILL ON SECURITY INTERESTS IN REAL PROPERTY
BILL NO.

General Features of the Bill

The attached bill prepared by the Alaska Code Revision Commission is an effort to bring into secured real property transactions some of the same principles that govern secured personal property transactions under the Uniform Commercial Code. The bill covers the broad area of relationships, rights, and remedies of debtor and secured creditor. The state law on summary foreclosure of deeds of trust would be superseded, but not drastically changed. In cases where foreclosure under a power of sale is required, the bill makes possible a fairly reasonable resale by listing and sale through a real estate agent, in order to avoid the disastrous forced-sale price often received at public auction.

The bill was introduced in the Twelfth Legislature as HB 403. Action was not taken on it. All attention focused on a relatively minor part of the bill, a section limiting the use of "due-on-sale" clauses in security agreements for the purchase of a home. That controversial section, readily separable from the body of the bill, is not included in the present form of the bill and has largely been preempted by recent federal and state statutes and regulations (sec. 341, Garn-St. Germain Depository Act of 1982, P.L. 97-320, 12 U.S.C., sec. 1701 j-3; 12 U.S. sec. 371(g); 12 C.F.R. sec. 548.8-4(5); AS 06.01.020; AS 18.56.098(e); 15 AAC 118.267).

In the Thirteenth Legislature the bill was again introduced, but it was not scheduled for committee hearings. In that legislature the code revision commission was asking that priority be given to several other bills it had drafted. However, the commission believes the time now is right for legislative

attention to this bill.

Persons familiar with the present Alaska law on both real and personal property should find the bill a natural development. The vast majority of real property sales are now financed by deeds of trust. Most departures in the bill from present practices under deeds of trust are not great. The main changes occur where needed to permit additional kinds of sales of collateral in cases of default. The bill makes deed of trust foreclosure procedures applicable to mortgages and contracts of sale. Under present law mortgages are more difficult to foreclose than deeds of trust, for no logical reason, and there are no statutory guidelines for foreclosing contracts of sale, which has resulted in substantial litigation at both the superior court and supreme court level (e.g., Lonas v. Metropolitan Mortgage and Securities Co., 432 P.2d 603 (1967); Moran v. Holman, 501 P.2d 769 (1972); Curry v. Tucker, 616 P.2d 8 (1980); Wickwire v. McFadden, 633 P.2d (1981); Strack v. Miller, 645 P.2d 184 (1982); additional cases are summarized in Department of Revenue v. Baxter, 486 P.2d 360 365 n.10).

A bill of this kind must specify procedures to be followed and forms to be used in carrying out the procedures. The procedures to be followed before sale in a summary foreclosure are set out in the bill in AS 34.21.110--34.21.150. These sections are followed by AS 34.21.160--34.21.170 which specify the content of forms that are to be used. Since the forms are designed to advise the defaulting debtor of his rights and to inform him of the procedures that will be followed, they cover some of the same material that is set out in the preceding substantive sections. AS 34.21.100 in the bill explains this relationship between the sections.

A contents page and a comparison of time elements and steps from default to sale under existing law and under the bill are attached here for ready reference. (See next 3 pages)

CHAPTER 21. SECURITY INTERESTS IN REAL PROPERTY

- Sec. 34.21.010. POLICY AND SCOPE
- Sec. 34.21.020. TRANSACTIONS EXCLUDED
- Sec. 34.21.030. WHERE COLLATERAL NOT OWNED BY DEBTOR
- Sec. 34.21.040. REQUEST FOR STATEMENT OF ACCOUNT
- Sec. 34.21.050. ALIENABILITY OF DEBTOR'S RIGHTS
- Sec. 34.21.060. NOTIFICATION OF ASSIGNMENT
- Sec. 34.21.070. RELEASE OF SECURITY INTEREST
- Sec. 34.21.080. REMEDIES OF SECURED PARTY
- Sec. 34.21.090. REQUIREMENTS FOR SUMMARY FORECLOSURE
- Sec. 34.21.100. PROCEDURE BEFORE SALE
- Sec. 34.21.110. TRANSMITTING AND POSTING NOTICE C' DEFAULT
- Sec. 34.21.120. RECORDING NOTICE OF INTENT TO SELL
- Sec. 34.21.130. TRANSMITTING, POSTING, AND PUBLISHING NOTICE OF INTENT TO SELL
- Sec. 34.21.140. TRANSMITTING FURTHER INFORMATION ABOUT SALE
- Sec. 34.21.150. MANNER OF TRANSMITTING NOTICE
- Sec. 34.21.160. CONTENT OF NOTICE OF DEFAULT
- Sec. 34.21.170. CONTENT OF NOTICE OF INTENT TO SELL
- Sec. 34.21.180. CURING DEFAULT BEFORE SALE; EXTINCTION OF DEBTOR'S RIGHT TO CURE
- Sec. 34.21.190. MANNER OF SALE
- Sec. 34.21.200. PURCHASE OF COLLATERAL BY LIENHOLDER
- Sec. 34.21.210. PROCEDURE AFTER SALE
- Sec. 34.21.220. EFFECT OF SALE
- Sec. 34.21.230. DISPOSITION OF PROCEEDS OF SALE
- Sec. 34.21.240. SECURED PARTY'S LIABILITY FOR FAILURE TO COMPLY; ENJOINING SALE
- Sec. 34.21.250. GENERAL VALIDITY OF SECURITY AGREEMENT
- Sec. 34.21.260. WAIVER OF RIGHTS
- Sec. 34.21.270. DEFINITIONS

Other Amendments:

- Sec. 06.05.175. DEPOSITOR AND CUSTOMER RECORDS CONFIDENTIAL
- Sec. 09.45.170. JUDGMENT ON FORECLOSURE OF LIEN

Repeal of AS 09.45.200 and AS 34.20.010--34.20.135

Transitional provisions

Effective date

STEPS IN SUMMARY FORECLOSURE
UNDER EXISTING SECTIONS 34.20.070 - 34.20.135
(Deeds of Trust)

DEFAULT
(including the running of any grace period)

[wait 30 days or more]



Record notice of default and sale

[within 10 days]



Transmit copy to (1) debtor, his known successor, recorded successor, or successor in possession; (2) any other person in possession; (3) recorded subsequent lienholders, and (4) state (special notice re its liens)

[no wait necessary]



Post copy in three public places and publish once a week for four weeks



(Right to cure default and resume payment schedule until auctioneer's hammer falls)



SALE AT PUBLIC AUCTION
(No creditor's right to recover deficiency and no debtor's right of redemption)

A-wait
90 days
or more



*B-wait 30
days or
more fol-
lowing
posting



Minimum time between the end of a grace period for receipt of payments and the date of sale: 120 days.

* A and B time lapse is used depending upon which brings one to a later sale date.

STEPS IN SUMMARY FORECLOSURE
UNDER PROPOSED SECTIONS 34.21.090 - 34.21.280

(Any security agreement containing a power of sale)

DEFAULT

[wait 30 days or more]

↓
Transmit notice of default
[to (1) debtor or his successor
and (2) occupants]

[wait 30 days or more]

↓
Record notice of intent to sell

[no wait necessary]

↓
Transmit notice of intent to sell [to (1)
debtor and any other person with known or re-
corded interest in the collateral; (2) an attorney
shown in a lis pendens, and (3) the Attorney Gen-
eral with special notice re state liens], post
it on the collateral and start publication of
it once a week for 3 weeks

*A-wait
60 days
or more

[no wait necessary]

↓
Notice of time and place of public sale
or time after which private sale will be made
(this separate notice is not necessary if
it was included in notice of intent to sell)

*B-wait 45
days or
more fol-
lowing
transmit-
tal post-
ing and
start of
publica-
tion

[wait 10 days or more]

↓
SALE

(No creditor's right to recover deficiency
and no debtor's right of redemption)

Minimum time between the end of a grace period for receipt of
payments and the date of sale: 120 days.

* A and B time lapse is used depending upon which brings one to
a later "sale" date.

The date for "sale" shown here is also the last date for curing
a default and resuming the regular payment schedule (a "simple"
cure). The sale may be held later as a public sale or a "com-
mercially reasonable" private sale, but after the final date
for a simple cure, the sale can be stopped only by paying the
full principal, interest and costs.

Section Analysis

Following are source notes and brief comments on the sections, where appropriate. In the source notes and comments the Uniform Commercial Code, AS 45.01--45.09, is referred to as the UCC. The Uniform Land Transactions Act is referred to as the ULTA and the Uniform Simplification of Land Transfers Act is referred to as the USLTA. The Revised Code of Washington Annotated is referred to as RCWA.

Section 1

COMMENT: This section states the general purposes of the Act.

Section 2

AS 34.21.010

SOURCE: (a) is from AS 45.09.102; (b) is from AS 45.09.202; (c) is part of the ULTA sec. 3-103(7) and USLTA sec. 1-201.

COMMENT: (a) is intended to allow a court to find a transaction subject to this chapter even though there is no documentary evidence of the parties' intent. The Supreme Court of Alaska has made it clear this is our present law. Brand v. First Fed. Sav. and Loan, 478 P.2d 820 (1970); Dept. of Revenue v. Baxter, 486 P.2d 360, 365 (1971).

The material in (c) was included as part of the definition of "security interest" in the referenced uniform acts. The general subject matter of .010 is covered in ULTA sec. 3-102.

AS 34.21.020

SOURCE: AS 45.09.104(8).

COMMENT: The exclusion in this section is consistent

with the definition of "security interest" as a "consensual" interest.

AS 34.21.030

SOURCE: AS 45.09 112.

COMMENT: This section is designed to protect the real party in interest. Its effect is similar to that of existing law, which requires the trustee to send a notice of sale "where the trustee or beneficiary has actual notice of the lien or interest." AS 34.20.070(c)(3).

AS 34.21.040

SOURCE: This section was taken from ULTA sec. 3-209 which is based upon sec. 9-208 of the UCC (AS 45.09.208). Language is added to allow a debtor to request statements from the bank to which he actually makes his payments.

COMMENT: Existing law makes no provision for such a statement, although the common practice is for statements to be sent even though not requested.

Liability is imposed on the person failing to comply with the request only if he lacks a "reasonable excuse."

The bill gives the holder of a subordinate security interest like a second deed of trust the right to get from the trustee or beneficiary on a first deed of trust a statement of account on the obligation secured by the first deed of trust. The duty placed on the secured party or his agent bank to provide information would create an exception to the strict confidentiality or bank records under AS 06.05.175. Section 3 near the end of the bill specifically amends that section.

AS 34.21.050

SOURCE: AS 45.09.311.

COMMENT: This section is verbatim from the UCC. It is to make clear that in all secured real property transactions the debtor has an interest which the debtor can dispose of and which the creditors of the debtor can reach.

The section does not preclude a security agreement provision which makes a transfer a default but merely prevents such a provision from having the effect of prohibiting transfer. The transfer would be subject to the security interest.

AS 34.21.060

SOURCE: AS 45.09.405(c).

COMMENT: Existing law deals with the subject of this section only by providing that recording an assignment of a mortgage is not in itself notice to the debtor of the assignment. AS 34.20.010. In contrast, AS 34.20.130 provides that recording an assignment of the beneficial interest in a deed of trust is "constructive notice to all persons." (When the assignor acts as the assignee's agent to receive payments following the assignment, this section could be ignored.)

AS 34.21.070

SOURCE: The section is based upon AS 45.09.404(a), sec. 9-404(1) of the UCC.

COMMENT: The section requires the secured party to pay the debtor both a fixed sum of \$500 and his actual damages if he fails to provide the statement within 15 days after demand. This is the UCC provision, substantially, except the UCC requires the statement within 10 days and the dollar penalty is \$100.

AS 34.21.080

SOURCE: AS 45.09.501(a), with major changes.

COMMENT: The commission saw no reason to restrict the secured party from proceeding with judicial and nonjudicial remedies simultaneously. The section follows generally UCC sec. 9-501(1) which provides that remedies shall be cumulative.

The section is subject to the court's authority to consolidate actions and to require marshaling of assets. As with existing law on nonjudicial foreclosure, AS 34.21.220(d) in the bill provides that there is no right to recover a deficiency after sale in a nonjudicial foreclosure.

AS 34.21.090

SOURCE: RCWA 61.24.030.

COMMENT: The last phrase, "or another person," in subparagraph (1) is intended to insure that deeds of trust continue to be summarily foreclosed.

All of the requirements of this section are also in existing law. AS 34.20.070(a) and (b).

AS 34.21.100

SOURCE: Original drafting.

COMMENT: This section is a guide to the balance of the chapter. It is to make clear that secs. 110 through 150 cover the pre-sale procedures and time elements for power-of-sale foreclosure, and that secs. 160 and 170 only establish the content of the principal notices, i.e., the notice of default and the notice of intent to sell.

AS 34.21.110

SOURCE: RCWA 61.24.030.

COMMENT: This section repeats the present rule that proceedings cannot begin until 30 days after the default.

As under existing law, notice is sent to the debtor. The requirement of service on an occupant is new to Alaska Statutes, but almost certainly required by common law.

AS 34.21.120

SOURCE: RCWA 61.24.040(1)(a).

COMMENT: Existing law requires a notice of default which includes a notice of time and place of sale. The proposed section requires a simple notice of default followed, if necessary, by a formal notice of intent to sell which is recorded. If a sale becomes necessary, sec. 150 requires that an informal notice giving further information as to the sale be provided to interested parties.

AS 34.21.130

SOURCE: (1)(A) is from RCWA 61.24.040(b); (1)(B) is from RCWA 61.24.040(c); (2) is from AS 34.20.070(d); (3) is from RCWA 61.24.030; and (4) is from AS 09.35.140(2). There are changes from the original forms.

COMMENT: The initial notice of default should be relatively inexpensive for the secured party to send out, unlike the currently used notice of default which requires a record search. The more expensive notice of intent to sell goes out only if the debtor fails to cure within 30 days of the first notice. Since the debtor pays costs and attorneys fees when he cures under both present law and the proposed section, this provision should save the debtor considerable money.

Subparagraph (2) continues the present rule requiring that the state be given particular information as to the liens it has on the collateral.

Posting on the collateral of notice of intent to sell is required.

Subparagraph (d)(3) changes the present publishing requirement which is hidden in AS 09.45.180 and 09.35.140(2) from four to three weeks. But the time between the first publication and the sale must be at least 45 days.

AS 34.21.140

SOURCE: Original drafting.

COMMENT: This section includes provision for giving notice of time and place or manner of sale to all those who received the notice of intent to sell and to all those who have asked to be notified.

AS 34.21.150

SOURCE: Original drafting.

COMMENT: The section clarifies intent.

AS 34.21.160

SOURCE: Paraphrased from RCWA 61.24.030(6).

COMMENT: This section requires that when a secured party declares a debtor in default, he fully informs him the basis of the default, what he must do to cure the default and the consequences if he fails to cure it. It requires a clear warning to the debtor that his rights in the collateral will be cut off under sec. 180(g) if he fails to cure within the required time.

AS 34.21.170

SOURCE: RCWA 61.24.040(f), with many changes.

COMMENT: The notice set out in this section corresponds to the existing notice of sale, except that this notice need not contain the time, place, and manner of the sale. When it does not contain this information, the debtor and interested parties will be advised of specifics as to the sale by a later notice. The later notice will also go

out to all other persons who have written to the person designated in the notice expressing an interest and providing a mailing address.

AS 34.21.180

SOURCE: (a) is from RCWA 61.24.090(b)(1); (b) and (c) are paraphrased from AS 34.20.070(b); (d) is original drafting; (e) is from RCWA 61.24.090(b)(2) and (4); (f) is from RCWA 61.24.090(b)(5); (g) and (h) are original drafting.

COMMENT: Subsection (a) essentially restates existing law, except that it explicitly allows cure by persons other than the debtor.

Subsection (b) sets a time limit within which cure must be made. After the expiration of that time period, cure can only be made by tendering the full amount of indebtedness under (d).

Subsection (c) limits to two the number of times the debtor will be permitted to cure after the second step toward foreclosure has been reached. By subsection (c) the debtor is limited in the number of times he can reinstate the security agreement after defaulting and permitting foreclosure to reach the last stage before sale.

Subsection (d) is intended to ameliorate the harshness of (g), which cuts off the debtor's right to cure in order to maximize the purchase price at the foreclosure sale. The debtor may rescue his home at any time before the sale by paying the entire default, including the accelerated amount.

Subsection (e) applies to cures the rule currently applicable to post-sale redemption, which is that a creditor who rescues the debtor acquires a lien for the amount spent on the rescue.

Subsection (f) is designed to provide a clear record for the title searcher. If the secured party's failure to record the required notice after cure causes a debtor to lose a sale, the debtor may sue for damages under sec. 240.

Subsection (g) is a radical departure from existing law, which allows cure until the auctioneer's hammer falls. The proposed section cuts off the debtor's right to a simple cure so that the collateral can be listed and sold. While the proposed section appears on its face to treat the debtor harshly, it is intended to protect his equity from the usual sacrifice sale. No other state has been found which has eliminated the requirement of a public auction.

Subsection (h) assures that any payment made which stops default proceedings will not be a bogus payment.

AS 34.21.190

SOURCE: (a) is from AS 45.09.904; (b) is original drafting; (c) is on the subject of AS 45.09.904(c); (d) is from AS 45.09.904(c); (e) is from AS 45.09.507(b); and (f) is from AS 45.09.507(b).

COMMENT: Subsection (a) provides for sale following expiration of the cure period.

Subsections (d) and (e) incorporate the UCC standard of the commercially reasonable sale. To insure a high purchase price, a commercially unreasonable sale transfers good title to the buyer (see sec. 220). However, an aggrieved debtor may sue the secured party for damages under sec. 240.

The concept of this section is basic to the UCC and basic to this bill.

AS 34.21.200

SOURCE: Original drafting.

COMMENT: Offset bidding at a sale of collateral at public auction is the norm at present, and continues to be provided for in this section.

This bill permits negotiated sales of the collateral as well as sales at public auction. Subsection (a) prohibits the foreclosing secured party from being a purchaser at a sale that he negotiates as seller.

Subsection (b) authorizes a junior lienholder to set off the amount of his lien if he is a purchaser of the collateral and first pays off or secures the release of superior liens.

AS 34.21.210

SOURCE: AS 34.20.080(c) and (d).

COMMENT: This section requires that there be included in, or attached to, the deed issued by the secured party (1) an affidavit of the manner of giving the required notices and (2) an affidavit of publication of the notice of intent to sell. Existing AS 34.10.080(d) calls for recording of these affidavits by the secured party after the sale.

AS 34.21.220

SOURCE: (a) is from AS 34.20.090(a); (b) is from AS 34.20.090(b); (c) is from AS 34.20.090(c); and (d) is from AS 34.20.100.

COMMENT: This section is little changed from existing law.

Subsection (d) restates the present rule which allows nonjudicial foreclosure only where no deficiency judgment is permitted.

AS 34.21.230

SOURCE: (a) is from AS 45.09.504(a); (b) is original drafting; and (c) is from AS 45.09.504(b).

COMMENT: Subsection (a) is taken from the UCC. The priorities among various types of liens and security interests are left by (a)(3) to case law. Although it is not spelled out in the bill, it is intended that the secured party retains a right to file an interpleader action when priorities are in doubt.

AS 34.21.240

SOURCE: AS 45.09.507.

COMMENT: This section allows for an injunction before sale or damages after sale for failure to comply with this chapter.

AS 34.21.250

SOURCE: AS 45.09.201.

COMMENT: This section is taken from the UCC, and is included principally to contrast with AS 34.21.260.

AS 34.21.260

SOURCE: This section is from AS 45.09.501(c), but is more inclusive.

COMMENT: This section protects debtors from being asked to waive various rights guaranteed by this chapter.

AS 34.21.290

SOURCE: (1) is from AS 45.09.105(3); (2) is from AS 45.09.105(4); (.) is from USLTA sec. 1-201(19); (4) is from AS 45.09.105(8); (5) is from USLTA sec. 1-201(25) and ULTA sec. 3-103(7); and (6) is from AS 45.09.105(9).

COMMENT: All definitions are paraphrased from the UCC or the USLTA, as noted. The terms "governmental agency,"

"receiver," and "trustee in bankruptcy" are added in (6) to clarify intent.

Section 3

AS 06.05.175

COMMENT: This subsection is added to meet the possible reluctance of a financial institution to provide information to the holder of a subordinate security interest.

Section 4

AS 09.45.170

COMMENT: This section substitutes the broader term "security interest" for the term "mortgage" in the long-standing section on judicial foreclosure in the Code of Civil Procedure. No change is made in the judicial foreclosure procedure, but it is made clear by statute that the procedure is available broadly for foreclosure of all security interests.

Section 5

Repeal of AS 09.45.200 and AS 34.20.010--34.20.135

COMMENT: AS 09.45.200, here repealed, provides that an action for foreclosure cannot be maintained while an action is pending for the debt. Reference AS 34.21.080 in the bill.

The other sections repealed are the existing law on deeds of trust.

Section 6

COMMENT: This transitional section takes the conservative approach that the law in effect when a security agreement is entered into shall be the law used in enforcing the security agreement. However, since this Act follows more closely the existing law on deeds of trust than it does the existing law on other security agreements, an exception is made as to deeds of trust. The person foreclosing a deed of trust

is given an option to proceed with foreclosure under this Act if he should wish to.

This transitional section will make it necessary that the statutes repealed or amended by this Act be retained in Alaska Statutes volumes for several years after this Act goes into effect.

Section 7

The effective date of the Act should be several months following enactment to allow time for becoming familiar with its terms.

DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT

3601 C Street
Suite 798
Anchorage, Alaska 99503
Phone: (907) 563-2169

November 18, 1985

REAL ESTATE COMMISSION

House Judiciary Committee
Pouch V
State Capitol
Juneau, Alaska 99811

Attn: Hayden Kaden, Committee Counsel

Dear Mr. Kaden:

I have reviewed HB 244 and HB 245 and the sectional analyses that you provided. Clarification and simplification in these areas would materially benefit the public. In our day to day dealings with public inquiries and complaints it is not uncommon for a problem to be traceable to problems with either recording or security instruments or both. In many cases the problems stem from confusion regarding what is proper and legal and what is not. The "unification" of foreclosure procedures, regardless of what they are called would eliminate many problems. In this respect, one of the problem areas and one that is frequently involved when fraud is committed involves unrecorded contracts for deed. The unrecorded contract for deed is frequently used by subdividers to eliminate the time and costs of foreclosure proceedings under deeds of trust. I would suggest that a penalty provision be attached to the non waiverability section of HB 245 making it a fraud to circumvent or deny a person's rights under the law through the use of any instrument or scheme that deceives a person about or conceals from the person their rights under the law. This might be similar to the other provisions that provide for a minimum of unproven damages or actual damages if they are greater.

Often in real estate transactions the problem boils down to the fact that the consumers do not know the law that would protect them. The commission, in common with similar bodies in other states is looking at increased disclosure requirements rather than extensive additional regulation. A requirement that the foreclosure procedures and the owner's rights under them be disclosed in the instrument when an instrument other than a deed of trust is executed might be quite beneficial.

In sec. 7 of HB 245 I would suggest that the word "recorded" be inserted so it reads (a) A recorded security instrument....This would eliminate many of the problems that are waiting to manifest themselves with current unrecorded instruments and would get most legitimate instruments recorded. A "grace" period could be granted from the effective date of the act to enable unrecorded instruments to be recorded. This would mean that instruments that do not get recorded and unrecordable instruments would be covered by the new law rather than any law that was in effect at the time they were allegedly drafted.

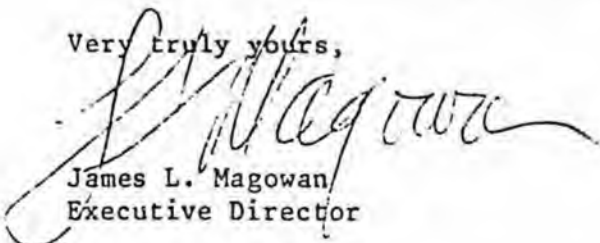
Hayden Kaden, Committee Counsel
House Judiciary Committee
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November 18, 1985

Such an amendment to the bill would affect primarily those people who are attempting to victimize the public by the use of what might be called creative foreclosures which avoid the normal delays and protections afforded the consumer. In order to eliminate harmful effects that might occur to people who used other or unrecorded instruments for legitimate reasons and which instruments may not be in recordable form (not notarized etc) there might be, during the grace period, a waiver of most requirements for recordation with the caveat that in the event of a challenge to an instrument so recorded recordation is not effective as full constructive notice unless a court rules it is.

A current practice is to require a borrower to sign an undated quit claim deed or reconveyance to the seller or creditor so that in the event of a default the creditor does not have to go through foreclosure proceedings but simply date and record the instrument. If I read it correctly the non waiverability clause in HB 245, (34.21.260), would render such a practice ineffective if it were fought by the debtor. This is precisely the class of event that disclosure would give adequate protection to both parties in. Sometimes the undated reconveyance is a benefit. Buyers sometimes default and disappear, for example. In such a circumstance the recording of a previously undated instrument is a benefit and a saving all around. Disclosure rather than prohibition would permit proper use of such instruments but would go a long way toward eliminating abuses.

I hope these comments are of some assistance to the committee. If I can be of any additional help I will gladly do what I can.

Very truly yours,


James L. Magowan
Executive Director

JLM/0144M



*National
Bank of Alaska*

Corporate Headquarters PO Box 600 • Anchorage Alaska 99510-0600 • (307) 276-1132

November 15, 1985

Wes Coyner
3111 Douglas Highway
Juneau, AK 99801

Re: House Bill #245

Dear Mr. Coyner:

In regard to the above-indicated bill, it seems that National Bank of Alaska will be impacted as a lender, as a servicer of loans for other institutional lenders, and as a servicer of escrows in our Contract Collections Department. Concerning Sections 34.21.040, which pertains to providing an additional Statement of Account, it seems that the bank will be charged a \$250 penalty without any proof of damages when we do not respond in a 15-day period of time. Under the new rules, it will be more difficult for us to determine who actually has the legal right to obtain additional statements. We are also guided by Federal and State Right-to-Privacy regulations about giving out information, so this is of some concern to us. The Contract Collections Department generally provides a monthly statement which provides for account balances, interest, and other information. We believe that we are providing a public service in providing this additional information and therefore should be limited to a \$250 penalty when damages are actually incurred and no penalty in cases where no damages are incurred.

In regard to Section 34.21.070, a penalty of \$500 without proof of any damages for not releasing the security interest within a 15-day period of time is "totally unreasonable". In many cases the lenders are outside the state of Alaska and the 15-day period is difficult to meet unless prearranged by a borrower. Fannie Mae and other lenders have rather extensive bureaucracies, so I would find it difficult to respond in that period of time on a routine basis and would discourage lenders from making loans in the state. You are probably aware that the recording office has been as much as a year behind in recording reconveyances. How would it be decided as to who was at fault in late filing of the reconveyances? If the State of Alaska finds it impossible to record reconveyances in a timely manner, how can you hold lending and servicing institutions at a much higher level of conduct? Would the State of Alaska be subject to a \$500 fine for not recording the reconveyance within the 15-day period? This could possibly amount to several million dollars in penalties to the State if it held itself accountable. We have not received many consumer complaints, so this must not cause many problems, but the fine is unreasonable. Perhaps \$500 maximum with proof of damages would be reasonable in cases where a prior written request is received by the servicing agency.

Wes Coyner
November 15, 1985
Page Two

In regard to Section ~~34.21.180~~, we are somewhat concerned as to the language which allows lenders with inferior priorities to be able to cure the fault. If, in fact, this section means that they may cure the default only by paying off the entire balance, then it would not cause any concern, but the section confuses us. Does this mean that the inferior institution can continue to make monthly payments indefinitely? If so, this language leads to a dilution of the "Due-on-Sale" clause, which violates federal policy under the Garn-St. Germain Act. This issue also relates back to Section 34.21.050, which states that a borrower can convey property regardless of the provisions of the security interest. Even though this language does not preclude us from foreclosing under the Due-on-Sale clause of a mortgage, the language is confusing and could lead to unnecessary legal action. Also, we have in our possession the commentary Booklet #7 which does not clarify the matter in our minds.

Basically, the issue of "posting of property" as stated in my letter of a year ago is still worrisome. We do not see that any of our previous concerns have been addressed.

I hope this is going to be of assistance to you.

Sincerely yours,



J. K. Sieberts
Senior Vice President

acm

cc: Hayden Kaden

February 28, 1984

Wes Coyner
3111 Douglas Highway
Juneau, AK 99801

Dear Wes:

In regard to last year's House Bill #341 pertaining to security interests in real property, we continue to have problems with the draft legislation.

From an historical point of view, Alaska lenders are generally not holders of long-term notes of Deeds of Trust on real property. We tend to be servicers of these real estate obligations or, as defined in the bill, "a secured party's agent". In this regard, we have provided a service not always found in other states. Early on in our banking history, we realized that we were not capable of internally generating the capital needs of the state of Alaska and consequently became extremely aggressive in seeking funds for mortgages from capital sources outside the state. Therefore, we service loans for pension funds, insurance companies, other financial institutions, and governmental agencies.

In addition to this servicing arrangement of external capital, most banks in the state provide a service for the public, generally described as an escrow function or a contract collection function depending on which bank you deal with. In these institutions, banks serve as a paying and receiving agent for the consumers who entrust the recordkeeping to the financial institution. This service is provided in the state for fees ranging from \$30 to \$75 per year which is extremely beneficial to the consumer. This service is not generally provided by banks in the Lower 48 due to liabilities to the institution created by various governmental regulations. Therefore, the consumer is on his own to maintain this recordkeeping service, which I believe probably creates more disputes and law suits than the system that has developed within Alaska.

Under either of these scenarios, acting as a collecting agent for a consumer or for another financial institution, certain penalties established in this bill are prohibitive and would cause lenders throughout the state to re-think the services that they are providing the consumer at a reasonable cost today. And, in cases of contract collections, the cost to the consumer would substantially increase in those institutions that decided to continue to provide the service.

Ken Coyner
February 28, 1984
Page Two

We do not have any problem with the concept that a lender should provide a statement of account to a legally authorized party. We provide statements in most cases at no cost at all to the consumer. These statements, however, do not generally provide for the status of escrow funds being held by a secured party. However, I believe under Section 34.21.040(a) that the escrow information should be specifically requested for by the consumer in addition to a request for a statement of principal and interest due.

The language states that the bank or collection agent is liable for all damages caused to that person because of failure to comply, and \$250 without proof of actual damages is excessive. If, in fact, no damages are incurred by the party, why should any damages be paid? We suspect that if a consumer has been damaged they will seek restitution from the bank in any case. Under Section 34.21.260, Waiver of Rights, a bank is not able to limit their liability and the consequential damages they might be faced with. As a matter of practice, the consumer who sets up a collection in a bank would do so under almost any circumstances because of the bank's ability to provide satisfactory recordkeeping. Under paragraph (c) this legislation prohibits us from charging a fee for an additional statement every six months, and we feel that if the government wishes to legislate on this matter we should be allowed to set up our own schedule of charges. The \$20 fee for each additional statement furnished may not be an adequate fee 10 years from today; however, the current demand for our Contract Collection Department by our consuming public leads us to believe that our service charges are at least economically competitive within the community.

Paragraph (e) states that if a mistake is made on the statement the collection agent can be held liable and may not request additional funds. It would seem obvious that if a clerk mistakenly sends out a statement showing a zero balance on a million dollar loan the bank would not be able upon payoff to collect the million dollars. However, on the proposed legislation we would have to accept a payoff of zero dollars and release the security interest. Mistakes are often made despite our attempts to be extremely careful in recordkeeping, and I would suspect that we should be allowed to correct reasonable errors. As a matter of practice in the community, selling agents seek payoff balances preliminarily and at later dates seek final payoff figures on closing.

Wes Coyner
February 28, 1984
Page Three

Under Section 34.21.070(c)(1) we would be fined \$500 for not providing a reconveyance on property within 15 days and no proof of damages is required. It could be that it would take the Contract Collection personnel 15 days to research and determine if a reconveyance is actually warranted. Certain out-of-state lenders sign their own reconveyances which takes more time. Such a penalty seems excessive when no harm has been done.

We continue to be concerned about the posting requirement as defined in Section 34.21.130(3). Our attorney has reviewed this and feels this is a very difficult requirement because:

1. Many foreclosures in this state occur in rural locations, and the proposed posting requirement could ultimately discourage lenders to provide financing in rural outposts.
2. The property may be raw land where there is no conspicuous place to post and would be difficult to post at best.
3. The lender may not have legal access to the real property and could be shot as a trespasser in attempting to post the property.

We can see the logic of posting the property as an additional method of notification; however, to make it a mandatory requirement for providing foreclosure services to real property, we believe that this is an excessive requirement that will cause a great deal of problems in the industry. The notice could be rapidly torn down if the foreclosed party has not left the premises and would, therefore, not serve its purpose as notification to other interested parties. We think the language in this regard should be re-thought or possibly eliminated. Our legal counsel additionally informs us that there are probably some technical problems with the bill when it comes to leasehold estates, etc.

In summary, though we are not opposed to the whole piece of legislation, we believe that the consequential damages called for and posting notices are excessive and will discourage the good services provided by banks to the consumers at large. We do not feel that the intent of providing a notice to the consumer in itself is a bad concept; however, the State Recording Office has not returned recorded documents to us in the past year. If the State cannot perform in a reasonable time frame, how can you put the burden on institutions attempting to provide good service. The changes to the method

Wes Coyner
February 28, 1984
Page Four

of handling foreclosures is not objectionable in itself, except that the posting requirement probably should be eliminated. We have not found the existing methods of foreclosing on real property to be burdensome to lenders or the public and do not quite understand why legislation is being undertaken to change a law which seems to work reasonably well. We are asking our legal counsel to continue to research the matter, so if you have any additional questions in this regard, please give me a call at 265-2991.

Sincerely,

J. K. Sieberts
Senior Vice President

sb

cc: Lucille Stietz
Dick Hall
Stan Reitman



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

11/7/89
Date

S B

1 0 9

December 30, 1985

Senator Patrick M. Rodey,
Pouch V,
Juneau, Alaska 99811

Dear Senator Rodey:

Thank you for your prompt answer to my request in seeking background information regarding House and Senate Joint Journal Supplement #8 regarding the proposed revision of Alaska Corporate Code.

My children, who are grown, have requested that I write on their behalf also in this letter and the previous one I mailed to you in November regarding these proposed revisions. We are shareholders in the Sealaska Native Corporation, and had heard that there were proposed bills in the State Legislature which would affect our situation as shareholders. Hence, we have an earnest interest in the status of these bills.

If you were a shareholder in a Native Corporation, such as ours, Sealaska, and had waited 14 years to receive some form of appreciable benefit from the corporation, and had not been satisfied to the present time, I am sure you, also, would be apprehensive about what proposals were being made which would affect your future.

You are probably aware that the AFN has also been lobbying the U.S. Congress to prohibit us (shareholders) from selling our stock in 1991 on the market, but would have to sell back to the corporation, at the price they determine with the stock being devalued (without land value), which would ultimately leave the stock virtually worthless. The corporate entity could then repurchase our stock cheaply from us, but paradoxically could receive generated income from stock containing the land value.

In addition to the above efforts by our trusted leaders, we now have their efforts in lobbying our State government to allow passage of these bills which are heavily pro-management, in my opinion. I have listed on the attached papers, my comments relative to various sections and language contained in these bills.

We also are concerned that the AFN has had so much impact in supporting these bills, when this organization is not a shareholder under ANCSA and

does not own any stock. Is this a legal entity in representing the wishes of the vast majority of Alaska Native shareholders? These proposals to amend Alaska Corporate Code are too serious to us, to be passed without careful and cautious deliberation by your committee.

We appreciate your serious concerns about these bills, and request that you also view these revisions from the shareholder perspective. Thank you for allowing us to express our opinions, on behalf of my son, Michael O. Smith, daughters, Diana L. Smith, Sylvia Lythgoe and myself.

Respectfully Yours,

A handwritten signature in cursive script that reads "Mary Antonson".

Mary Antonson
2024 Waldron Dr.
Anchorage, Alaska 99507

FROM: MARY ANTONSON
2024 WALDRON
ANCHORAGE, AK 99507

Senate Bill No. 199: " An Act revising the corporations code; and providing for an effective date."

H.B. No. 246: Identical.

One of our major concerns regarding the above mentioned Act and S.B. 199 and H.B. 246 is that the AFN organization is listed as one of the prime supporters of these revisions to the Alaska Corporate Code. The AFN is not recognized as a shareholder entity under ANCSA and does not own any stock, so how can the AFN legally represent Alaska Native Corporation shareholders and impact decisions made by members of our State government? This is an important consideration and should be deliberated cautiously.

Sec. 10.06.010

(6) lend money to its employees and, if properly approved, to its officers and directors, and otherwise assist its employees, officers and directors;

(Comment) This seems to place the corporation at the beck and call of the personnel with support of money and covers the personnel in any manner of assistance whatsoever with such a blanket statement of support with "otherwise assist its employees, etc. The shareholders at large are not listed as receiving this type of support and are not included. This statement too generous for the corporate employees and the shareholders at large would be bearing the expense of such potential generosity.

(15) pay pensions and establish pension plans, pension trusts, profit sharing plans, stock bonus plans and other incentive plans for its directors, officers, and employees;

(Comment) Again, this is biased towards the corporate personnel, particularly when you consider that the corporation could loan money to its personnel, who could then purchase stock along with sharing in the profits of the corporations. There could be created a situation where the corporate personnel could finally own the corporations with all this assistance in securing the stock. Definitely pro-management at the expense of the shareholder at large.

Sec. 10.06.433. Annual Report to Shareholders:
Content; Financial Statement on Request. (b) (1) "
all transactions, excluding compensation of
officers and directors,"

(Comment) Why is this necessary to exclude
information regarding compensation to officers and
directors from the owners of the corporations, the
shareholders? Should not the law protect the
rights of the majority also? This information
should not be kept secret from the shareholders so
that the checks and balances would be in place to
prohibit undue extravagance on the part of
corporate management. Again, this clause is
pro-management at the expense of the shareholder.

Sec. 10.06.435. Shareholders Derivative Action.

(Comment) Since we are not corporate attorneys and
cannot interpret the legalese in this section, we,
nevertheless, get a sense that a shareholder bears
the heaviest burden in proving a wrongful case
against the corporation and has to initially put up
the money to sue, and cannot receive financial
satisfaction. If we are interpreting this
correctly, then again, we feel this is decidedly
pro-management and orphans the shareholder. If we
are wrong, then please advise.

ARTICLE 7. Amendments and Changes.

(Comment) Since our native corporations have been
created and organized by the U.S. Congress with
each shareholder being issued 100 shares prior to
the cut-off date, this above section seems to allow
considerable latitude to the corporate management
in rearranging the framework of the native
corporation as it now stands. Since our native
corporations utilize the Alaska Corporate Code as
it was written and legislated, we feel uneasy in
allowing our corporate leaders to reclassify our
shares, changing preferences, limitations, and
relative rights of the shares, and allowing
corporate management to cancel dividends, etc.
Again, pro-management.

Sec. 10.06.576. Rights of Dissenting Shareholders:
Procedure to Enforce Shareholders Right to Receive
Payment for Shares. Withdrawal of Demand.

(a) Page 93. Line 4. ".....and a demand for
payment of the fair value of the shares.....," and

(e) Page 94. "Upon completion of the corporation action, the shareholder shall cease to have the rights of a shareholder except the right to be paid the fair value of the shares as to which the dissenters rights were perfected under this chapter." and

P.95 ".....the corporation may elect to pay the shareholder the fair value of the shares in cash at the value, as determined by the board.....".

(Comment) The term FAIR VALUE for payment of the stock by the corporation to the dissenting shareholder is too broad in interpretation. This term we find objectionable, for we believe that stock to be fair should have the terms PAR or MARKET value. What is considered fair to the corporate leaders would not be considered fair to the shareholder, particularly, when the corporate leaders have been petitioning U.S. Congress to devalue our stock by not including our major asset, our land. This term of fair value with reference to the value of our stock has been a source of conflict already and to include this language in this bill is objectionable to us.

Since we do not have the legal background to properly interpret areas of these amendments to Alaska Corporate Code and how they would affect the general population of shareholders, there are probably sections that need careful scrutiny and evaluation by others knowledgeable in corporate law from the perspective of the shareholder, and not what has already been promoted to the State Legislative Committee from the perspective of the corporate managers.

We understand the House Bill #246 is identical to this S.B. 199, so we petition that the same consideration of our views apply to the House Bill #246 as it does to Senate Bill #199.

Your efforts to advocate the shareholder perspective will protect the majority interest, for there are more shareholders than corporate managers. We appreciate your efforts on our behalf.



SENATOR FRED F. ZHAROFF
ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

POUCH V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474 • 465-3844 (Labor and Commerce Committee)

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIDILOF ISLANDS • SHUMAGIN ISLANDS

November 1, 1985

Mr. John C. Carpenter
Senior Vice President
The Aleut Corporation
One Aleut Plaza
4000 Old Seward Highway
Suite 300
Anchorage, Alaska 99503

Dear John:

Thank you for your letter of October 7 regarding Senate Bill 199 and House Bill 246, "An Act revising the Corporations Code; and providing for an effective date".

Senate Bill 199 passed out of the Senate Labor and Commerce Committee earlier this year and is now before the Senate Judiciary Committee, chaired by Senator Patrick Rodey of Anchorage. House Bill 246 is still pending before its first and only committee of referral, the House Judiciary Committee. The House committee has received a copy of the Aleut Corporation's proposed amendment and does plan to consider it.

I also will study the proposed amendment, and will make sure the Senate Judiciary Committee has a copy of it. I would encourage you to provide the Senate Judiciary Committee with additional information in support of the amendment. If I can be of further assistance on this or other matters, please do not hesitate to contact me through either my Kodiak (486-5259) or Juneau (465-3844) offices.

Sincerely,

Fred F. Zharoff
Alaska State Senate

cc: Senator Patrick Rodey
Chairman, Senate Judiciary Committee

Representative Mike Miller
Chairman, House Judiciary Committee



The Aleut Corporation

ONE ALEUT PLAZA
4000 Old Seward Highway, Suite 300, Anchorage, Alaska 99503
Telephone (907) 561-4300

October 7, 1985

SENATE LABOR AND COMMERCE COMMITTEE
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

RE: HOUSE BILL 246 - SENATE BILL 199
"AN ACT REVISING THE CORPORATIONS CODE;
AND PROVIDING FOR AN EFFECTIVE DATE"

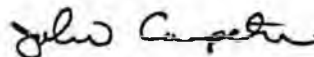
Ladies and Gentlemen:

The Aleut Corporation respectfully requests that Section 10.06.960(d) be revised to include affiliates of ANCSA corporations, so that directors and officers of affiliates would have the same protection against personal liability to contract creditors that is provided to the corporations organized under 43 U.S.C. 1601-1628 (the "original" ANCSA corporations).

We suggest the following revised wording for Section 10.06.960(d):

"Notwithstanding the provisions of AS 10.06.488, a director or officer of a corporation organized under 43 U.S.C. 1601-1628, or a director or officer of any affiliate thereof, is not personally liable to the contract creditors specified in AS 10.06.490 except as otherwise provided by law."

Very truly yours,



John C. Carpenter
Senior Vice President

JCC:ct



The Aleut Corporation

ONE ALEUT PLAZA
4000 Old Seward Highway, Suite 300, Anchorage, Alaska 99503
Telephone (907) 561-4300

October 7, 1985

SENATE JUDICIARY COMMITTEE
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

RE: HOUSE BILL 246 - SENATE BILL 199
"AN ACT REVISING THE CORPORATIONS CODE;
AND PROVIDING FOR AN EFFECTIVE DATE"

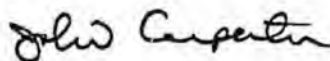
Ladies and Gentlemen:

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We suggest the following revised wording for Section 10.06.960(d):

"Notwithstanding the provisions of AS 10.06.488, a director or officer of a corporation organized under 43 U.S.C. 1601-1628, or a director or officer of any affiliate thereof, is not personally liable to the contract creditors specified in AS 10.06.490 except as otherwise provided by law."

Very truly yours,



John C. Carpenter
Senior Vice President

JCC:ct

Alaska State Legislature



House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4996

MEMO: July 31, 1985

TO: Senator Pat Rodey, Chairman
Senate Judiciary Committee

FROM: Hayden Kaden, Counsel
House Judiciary Committee *Hayden Kaden*

RE: Hearings on Code Revision Commission bills - September 19-21

This is a follow-up to the May 15 memo from Representative Miller regarding the House Judiciary Committee hearings in Anchorage on the three Code Revision Commission bills before the legislature.

On September 19 in the Anchorage L. I. O. the committee will hear HB 244 / SB 197 - filing and recording of documents and HB 245 / SB 198 - real property security interests.

On September 20 - 21 at the same location the committee will hear HB 246 / SB 199 - revising the corporation code.

The September 20 - 21 meeting on the proposed corporation code will be attended by both Professor Dan Fessler, the drafter of HB 246, and Professor Robert Hamilton of the University of Texas Law School, the reporter for the ABA Committee on the Revised Model Business Corporation Act.

I would like to reiterate Representative Miller's invitation to you, your committee staff, and members of the Senate Judiciary Committee to attend these meetings.

If you have any questions please feel free to contact me.

ALASKA CODE REVISION COMMISSION



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ALASKA STATE LEGISLATURE
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-4878
OFFICE LOCATION:
ROOMS 5 AND 8
110 SEWARD ST.
JUNEAU, ALASKA 99801

EXECUTIVE SECRETARY
TAMARA BRANDT COOK


MEMORANDUM

TO: Senator Patrick M. Rodey

FROM: Dick Regan, Research Director
Alaska Code Revision Commission

DATE: March 19, 1985

RE: HB 244/SB 197 (recording)
HB 245/SB 198 (security interests in real property)
HB 246/SB 199 (corporations)



To me it seems the best way to resolve questions on hearings on these bills is for you, Senator Zharoff and Rep. Mike M. Miller to meet together.

Otherwise the chance for a joint hearing March 29 will have been preempted by conflicting scheduling. And the recording and security interests bills may just languish.

DR:chw

26 I
Refer to Committee
of the hearing
At 1:30 to 1:45 P.M.
Re: Corporate Law
- Corporate Bill is up for

ALASKA CODE REVISION COMMISSION



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EXECUTIVE SECRETARY
TAMARA BRANDT COOK

Copy to Sen Rodey

MEMORANDUM

TO: Senator Fred Zharoff, Chairman
Senate Labor and Commerce Committee

FROM: Dick Regan, Research Director
Alaska Code Revision Commission

DATE: March 19, 1985

RE: Treatment of proxies in corporation
code bill, SB 199

Dick Regan

I am looking at the section of SB 199 that you read from when we talked this morning (proposed AS 10.05.418). The sentence you were reading continues with the following underlined clause:

A proxy continues in full force and effect until revoked by the person executing it, except as provided in this section.

The sentence that precedes that sentence limits the validity of a proxy to eleven months as the general rule. Subsection (e) then narrowly limits the use of an exception. There is an explanation of the section at pp. 98-99 of the commentary (Joint House and Senate Journal Supplement No. 8).

I'm sure my answer to your question on proxies was misleading. I think that is a good illustration of why the presence of the draftsman of the bill at committee hearings is a practical necessity. Others of us must first admit our limitations and then answer questions about the specific provisions of the bill as best we can. But generally we will not have an authoritative answer until we have researched a question.

The first chance for a hearing with Professor Fessler as a witness is at 1:30 p.m., March 29, assuming your Labor and Commerce Committee (or Senator Rodey's Judiciary Committee if the Labor and Commerce Committee referral is waived) arrange a joint hearing with the House Judiciary Committee on the identical House bill, HB 246 on March 29.

*Don't intend to see this bill
this year beyond only*

I will be glad to research and respond to any specific questions you may have on SB 199.

As I mentioned, I believe waiver or joint hearings are the practical way to deal with this bill and with the other two code revision commission bills we discussed, SB 197 (recording) and SB 198 (security interests in real property).

DR:chw

cc: Rep. Mike M. Miller
Sen. Patrick M. Rodey

ALASKA CODE REVISION COMMISSION



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JUNEAU, ALASKA 99801

EXECUTIVE SECRETARY
TAMARA BRANDET COOK

MEMORANDUM

TO: Senate Labor and Commerce Committee
Senator Fred Zharoff, Chairman
Senator Richard Eliason, Vice Chairman
Senator Don Bennett
✓ Senator Bill Ray
✓ Senator John Sackett

FROM: Dick Regan, Research Director
Alaska Code Revision Commission

DATE: March 26, 1985

RE: HB 246/SB 199, Alaska Corporation Code

*To Sen Pat Rodey.
Information. We understand
Ann Plunkett has advised
Senate Judiciary members.
Dick Regan*

Please note that the House Judiciary Committee is hearing HB 246, a general revision of the state's business corporation laws, at 1:30 p.m., on Friday of this week, March 29th, in Room 124 of the Capitol.

The bill is introduced in both houses. In the Senate it is SB 199 that is before your committee.

Both the bill and the detailed commentary on it in House and Senate Joint Journal Supplement No. 8 run to over 200 pages. Attending the House Judiciary hearing would provide some background and overview of the bill that could simplify your review.

We hope you attend or send a staff member.

Professor Daniel Wm. Fessler has been consultant and draftsman for the code revision commission on the bill. He will be here on Thursday, March 28th. I will be glad to schedule times for legislators to meet with him. Our telephone: 4878.

DR:chw



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I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

11/7/89
Date

S B

R 1 9



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Post Office Box 100560
Anchorage, Alaska 99510
April 10, 1985

Senator Edna DeVires
Chairman of Community and Regional Affairs
Pouch V
Juneau, Alaska 99811

Dear Senator DeVires:

On Thursday, March 28, 1985, via the Alaska Statewide Teleconference Network, Special Agent Ken Marischen, Federal Bureau of Investigation (FBI), Anchorage, Alaska, testified before the Senate State Affairs Committee on Senate Bill No. 219, dealing with the formation of a special unit for the investigation of criminally exploited and missing children in the State of Alaska.

Although, not wishing to comment upon each specific provision of Senate Bill 219, the FBI believes that a multi-agency approach to the problem of criminally exploited children should be considered in those geographical areas having a high incidence of such cases. An exploited child unit would enable individual departments to augment their manpower resources and direct experienced investigators toward the investigation of exploitation of children cases.

The existence of a core of specialized investigators in this area, and early contact with this unit by outlying area investigators, would aid materially in their investigations.

The FBI in Alaska would work in conjunction with and, consistent with the availability of resources, offer assistance to such a unit if formed.

Sincerely yours,

LAWRENCE J. NELSON
Special Agent in Charge

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 219
 Title: "...special unit for...
 exploited & missing children
 Sponsor: Senator De Vries
 Requestor: Senate State Affairs
 Date of Request: 4-4-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		974.1	1,032.5	1,094.5	1,160.2	1,229.8
200 TRAVEL		33.5	25.4	26.9	28.5	30.2
300 CONTRACTUAL		178.5	188.0	199.3	211.3	224.0
400 SUPPLIES		50.6	53.6	56.8	60.3	63.8
500 EQUIPMENT		242.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		1,478.9	1,299.5	1,377.5	1,460.3	1,547.8

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

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

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS		1,478.9	1,299.5	1,377.5	1,460.3	1,547.8
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME		18	18	18	18	18
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached page.

Prepared By: Francis C. Allan ^{G.C.A.} Phone: 269-5691
 Division: Alaska State Troopers Date: 04/01/85

Approved by Commissioner: Robert J. Sundberg Date: 4/17/85
 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

SB 219
Fiscal Analysis

Our estimate indicates that to implement this special unit and to strengthen the already existing Child Sexual Assault Unit will require the following manpower additions:

- A) Child Sexual Assault Unit
 - 3 x Trooper working as an investigator (77A)
- B) Criminal Investigation Bureau
 - 1 x Trooper working as an investigator (77A)
 - 1 x Clerk Typist II (7A)
- C) "B" Detachment - Anchorage
 - 1 x Sergeant (78A)
 - 1 x Trooper working as an investigator (77A)
 - 1 x CT II (7A)
- D) "C" Detachment - Soldotna
 - 1 x Sergeant (78A)
 - 1 x Trooper working as an investigator (77A)
 - 1 x CT II (7A)
- E) "A" Detachment - Juneau
 - 1 x Sergeant (78A)
 - 1 x Trooper working as an investigator (77A)
 - 1 x CT II (7A)
- F) "E" Detachment - Fairbanks
 - 1 x Sergeant (78A)
 - 1 x Trooper working as an investigator (77A)
 - 1 x CT II (7A)
- G) Information Services
 - 1 x Analyst Programmer (17A)

Additionally, an average of \$2,000 is estimated to be needed for each commissioned position for investigative travel as well as a five man training course for one week at the Federal Law Enforcement Training Center in Georgia which will cost approximately \$1,900 for each position. Contractual funds are requested for the "Inquire" Data Processing System to address missing persons. A 6% inflation factor is estimated for each year after FY86. Salaries are calculated at the increased rates reflected in new contracts.

Sergeant/Trooper Costs
other than Personal Services

TRAVEL & PER DIEM - 200

Average - this will vary	2,000	
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$100 per month x 12	1,200	
Photo Processing, \$45 per month x 12	540	
PSEA Physical Exam, Average	300	
HWCF Vehicle - Monthly cost Replacement \$369 per month + 1,755 miles x .31	<u>11,868</u>	
TOTAL CONTRACTUAL		13,908

SUPPLIES & MATERIALS - 400

Clothing Allowance	636	
Training Materials	200	
Film Supplies & Office Supplies	1,365	
Vehicle Accessories - blanket, tire chains, snow tires, flares, etc.	650	
Ammunition	100	
Other supplies, such anatomically correct dolls etc.	<u>300</u>	
TOTAL SUPPLIES & MATERIALS		3,251

EQUIPMENT - 500

Patrol Vehicle - initial cost	12,000	
Desk	550	
Underhood Speaker	100	
Car Radio	2,800	
Siren/Amplifier	250	
MX360 Radio - Portable w/charger	2,900	
Chair	275	
Firearms (revolver & shotgun)	<u>375</u>	
TOTAL EQUIPMENT		<u>19,550</u>

Costs per Clerical Position
other than Personal Services

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Maintenance Agreement on Typewriter	<u>175</u>	
TOTAL CONTRACTUAL		1,195

SUPPLIES AND MATERIALS - 400

Forms	1,000	
Stationary, copy machine paper, etc.	<u>1,000</u>	
TOTAL SUPPLIES AND MATERIALS		2,000

EQUIPMENT - 500

Desk	576	
Chair	223	
Typewriter	<u>1,369</u>	
TOTAL EQUIPMENT		2,168

Alaska State Legislature

INTERIM OFFICE
1004 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-1343

IN SESSION
POLCH V
BUREAU, ALASKA 99511
(907) 455-4714



Senator Hitch Abood
CHAIRMAN

Senate Committee on State Affairs

LETTER OF INTENT

SB 219 - "An Act establishing a special unit for the investigation of criminally exploited and missing children; and providing for an effective date."

It is the intent of the Legislature that funding for the core Special Unit for the Investigation of Criminally Exploited and Missing Children be utilized to establish an investigative unit to combat the problems presented by the criminal exploitation of children and missing children.

The Unit will function with a manpower structure based upon that employed by the METRO Drug Units. The core unit will be based in Anchorage, but the Unit is expected to provide assistance to other law enforcement agencies.

The funding for the Unit is envisioned as a budgetary addendum to the Department of Public Safety, pass through grant to the Municipalities.

for the state increment and
as a Dept. of Public Safety

POSITION PAPER/Department of Health & Social Services

POSITION PAPER

SENATE BILL 219

For an Act entitled: "An Act establishing a special unit for the investigation of criminally exploited and missing children; and providing for an effective date."

This bill would create a unit within the Alaska State Troopers specifically trained to investigate and compile data regarding missing and criminally exploited children. The bill also would require that Public Safety annually submit to the legislature a report concerning the activities of the special unit. This would ensure that the status of missing and exploited children be reviewed by the Administration and Legislature on a consistent basis allowing better planning to meet the needs identified in the reports.

Position: The department supports the bill as a positive step toward the protection of abused children.

RECOMMENDED:

Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE:

March 28, 1985

APPROVED:

John R. Pugh
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE:

3-31-85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB No. 219
 Title: An Act establishing a special unit...exploited children
 Sponsor: Sen Devries
 Requestor: _____
 Date of Request: 3/8/85

FISCAL DETAIL

Agency Affected: Health and Social Services
 Program Category Affected: _____
Social Services
 BRU, Program or Subprogram(s) Affected: _____
Social Services

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-				

CAPITAL	-0-	-0-				
----------------	-----	-----	--	--	--	--

REVENUE	-0-	-0-				
----------------	-----	-----	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

N/A

Prepared By: Michael L. Price *Michael L. Price* Phone: 465-3170
 Division: Family and Youth Services Date: 3/22/85

Approved by Commissioner: *J. R. P.* Date: 3-31-85
 Agency: Health & Social Services *JCC*

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
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 18, 1985

SUBJECT: Sectional analysis of SB 219
TO: Senator Edna DeVries
FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have requested a sectional analysis of Senate Bill 219 which establishes a special unit for investigation of criminally exploited and missing children.

Section 1 is legislative findings. The legislature finds there is an escalation of crime committed by and against children and that delinquent acts by children are frequently the result of their criminal and sexual exploitation. It further finds the need to establish a cooperative local, state and federal effort to combat incidents of certain named crimes against children.

Section 2 creates a new section of law, Sec. 18.65.086.

(a) Establishes a special unit within the State Troopers for investigating incidents of missing children and criminal exploitation of children.

(b) Requires the commissioner of public safety to annually submit to the legislature a report concerning the activities of the special unit. The report must be submitted within 30 days of convening of the legislature. The paragraph also contains a nonexclusive list of matters which must be included in the report.

(c) Contains definitions of terms as used in this section. A child is a person under 18. Criminal exploitation of children means the use of a child by an adult in a criminal manner for gratification or profit of the adult.

Senator Edna DeVries
March 18, 1985
page 2

Section 3 provides that this act takes effect July 1, 1985.

It is to be noted that the investigative power of the special unit is cast in broad, general terms while the findings are in specific terms. The specificity is guidance for the special unit but is not limiting except for the stress in the findings on cooperative efforts.

BGB:csh
c3/052

Anchorage Police Dept. 2/14/85

DATE: February 14, 1985

TO: Col. Kolivosky, Alaska State Troopers

FROM: TRP SAGRAVES/INV. FEICHTINGER, Child Sexual Abuse Unit

SUBJECT: Statistical Information, Unit Caseload.

Per your request, attached is a breakout of open cases presently assigned to individual members of the Child Sexual Abuse Unit. The unit was effective on December 1, 1984 and initially consisted of one supervisor (APD), two investigators (APD), and one Trooper Investigator and one clerk (APD). Effective February 1, 1985 an additional investigator (APD) was added to the unit. It is our understanding that on or about March 1, 1985, another investigator (APD) will be added to the unit. When the unit was first formed, the APD sworn personnel assigned brought with them to the unit, cases they had been assigned in their previous units that were still open. The three initial APD investigators assigned to the unit had previously been assigned in units dealing with child sexual abuse crimes.

Presently, the unit is assigned all cases involving the sexual abuse of minors where a family member is the abuser, all cases involving the sexual abuse of minors in which the victims are 10 years of age or younger, and some cases involving the sexual abuse of minors in which the victims are 11-18 years of age. The Sexual Assault Unit of APD is handling the other reported cases involving victims 11-18 years of age. The unit is not handling cases in which minors are being exploited in other than sexual ways such as involvement of minors with adults in narcotics rings and stolen property rings. These cases are being handled by other investigative units within APD. However, some of the sexual exploitation cases presently being handled by the unit also involve other types of exploitation and are being investigated by the unit.

It has been the experience of the investigators in the unit that have worked these kinds of cases for some time that the average amount of investigative time required to handle one single victim inter-family case is approximately 4 man-hours. Multiple victim inter-family cases and single victim exploitation/abuse cases require a man-hour expenditure varying between the two previously stated averages.

In addition to the cases listed and attached, unit members have identified approximately 50-100 suspected or known multiple victim exploiters in the Anchorage area. A pro-active approach is needed to investigate these persons and their activities and there is presently insufficient man-power to do so. Presently, the unit is responding almost entirely re-actively to reported cases and at present is unable to deal effectively even with that. Presently the unit is in a posture where valid cases must be prioritized such that only those involving cooperative victims and situations involving current jeopardy to the victims are being worked.

DATE: February 14, 1985

SUBJECT: Statistical Information, Unit Caseload.

Page 2

In reference to the attached forms detailing presently assigned and open cases we feel that it is necessary to explain some of the categories listed. The blocks labeled "Inter-family and Exter-family" are self explanatory. The block marked "Multiple Victims" indicates any case where there is more than one known victim and could include numerous known victims. If the blocks entitled "Drug Violations, Pornography, or Commercial Prostitution" are checked it indicates that violations of this nature are involved in the case and are being worked as a part of the case. The block entitled "Sexual Assault" refers to cases where the victim (adult or juvenile) was assaulted forceably and is likened to the "stranger rape" situation. The block marked "Sexual Abuse" indicates cases in which a minor was sexually abused, either consentually or forceably. The block marked "Sexual Exploitation" refers to those cases involving sexual abuse in which there are known or suspected multiple victims and there appears to be a pattern of ongoing behavior on the part of the perpetrator in continuing the sexual abuse of known victims and seeking out new victims; in short cases involving a fixated pedophile.

Attached also is a copy of a recent "job description" submitted by Inv. Feichtinger in reference to his duties in this area that had been prepared for an APD classification study now in progress. This attachment is provided for your information and probably accurately describes the job duties, at present, if an investigator in this unit.

~~For your information, during the month of December, 1984, (the first month this unit was in existence) approximately 44 new cases were taken in. During the month of January, 1985, approximately 58 new cases were taken in. So far this month the unit has taken in approximately 23 new cases. This does not include information that has been received from various sources indicating sexually abusive/exploitive situations where no victims have yet come forward.~~

Total Cases Open:	125
Closed by arrest/ Follow-up required:	7
Closed pending trial:	12
Inter-family cases:	30
Outside family cases:	81
Multiple Victims:	32
Drug Violations:	4
Pornography:	12
Commercial Prostitution:	5
Sexual Assault:	10
Sexual Abuse:	110
Sexual Exploitation:	22

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 219
 Title: "...special unit for...
 exploited & missing children
 Sponsor: Senator De Vries
 Requestor: Senate State Affairs
 Date of Request: 4-4-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		974.1	1,032.5	1,094.5	1,160.2	1,229.8
200 TRAVEL		33.5	25.4	26.9	28.5	30.2
300 CONTRACTUAL		178.5	188.0	199.3	211.3	224.0
400 SUPPLIES		50.6	53.6	56.8	60.3	63.8
500 EQUIPMENT		242.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		1,478.9	1,299.5	1,377.5	1,460.3	1,547.8

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		1,478.9	1,299.5	1,377.5	1,460.3	1,547.8
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		18	18	18	18	18
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached page.

Prepared By: Francis C. Allan ^{G.C.A.} Phone: 269-5691
 Division: Alaska State Troopers Date: 04/01/85

Approved by Commissioner: Robert J. Sundberg Date: 4/17/85
 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

SB 219
Fiscal Analysis

Our estimate indicates that to implement this special unit and to strengthen the already existing Child Sexual Assault Unit will require the following manpower additions:

- A) Child Sexual Assault Unit
3 x Trooper working as an investigator (77A)
- B) Criminal Investigation Bureau
1 x Trooper working as an investigator (77A)
1 x Clerk Typist II (7A)
- C) "B" Detachment - Anchorage
1 x Sergeant (78A)
1 x Trooper working as an investigator (77A)
1 x CT II (7A)
- D) "C" Detachment - Soldotna
1 x Sergeant (78A)
1 x Trooper working as an investigator (77A)
1 x CT II (7A)
- E) "A" Detachment - Juneau
1 x Sergeant (78A)
1 x Trooper working as an investigator (77A)
1 x CT II (7A)
- F) "E" Detachment - Fairbanks
1 x Sergeant (78A)
1 x Trooper working as an investigator (77A)
1 x CT II (7A)
- G) Information Services
1 x Analyst Programmer (17A)

Additionally, an average of \$2,000 is estimated to be needed for each commissioned position for investigative travel as well as a five man training course for one week at the Federal Law Enforcement Training Center in Georgia which will cost approximately \$1,900 for each position. Contractual funds are requested for the "Inquire" Data Processing System to address missing persons. A 6% inflation factor is estimated for each year after FY86. Salaries are calculated at the increased rates reflected in new contracts.

Sergeant/Trooper Costs
other than Personal Services

TRAVEL & PER DIEM - 200

Average - this will vary	2,000	
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$100 per month x 12	1,200	
Photo Processing, \$45 per month x 12	540	
PSEA Physical Exam, Average	300	
HWCF Vehicle - Monthly cost Replacement \$369 per month + 1,755 miles x .31	11,868	
TOTAL CONTRACTUAL		13,908

SUPPLIES & MATERIALS - 400

Clothing Allowance	636	
Training Materials	200	
Film Supplies & Office Supplies	1,365	
Vehicle Accessories - Blanket, tire chains, snow tires, flares, etc.	650	
Ammunition	100	
Other supplies, such anatomically correct dolls etc.	300	
TOTAL SUPPLIES & MATERIALS		3,251

EQUIPMENT - 500

Patrol Vehicle - initial cost	12,000	
Desk	550	
Underhood Speaker	100	
Car Radio	2,800	
Siren/Amplifier	250	
MX360 Radio - Portable w/charger	2,900	
Chair	275	
Firearms (revolver & shotgun)	375	
TOTAL EQUIPMENT		<u>19,550</u>

Costs per Clerical Position
other than Personal Services

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Maintenance Agreement on Typewriter	<u>175</u>	
TOTAL CONTRACTUAL		1,195

SUPPLIES AND MATERIALS - 400

Forms	1,000	
Stationary, copy machine paper, etc.	<u>1,000</u>	
TOTAL SUPPLIES AND MATERIALS		2,000

EQUIPMENT - 500

Desk	576	
Chair	223	
Typewriter	<u>1,369</u>	
TOTAL EQUIPMENT		2,168

1.	POSITION TITLE State Trooper			
2.	TYPE OF POSITION DET	STAFF MONTHS 12 0	RP NUMBER	PCN NUMBER
3.	CONTINUATION LEVEL		ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT	
	1		2	3
	PERSONAL SERVICES			
5.	Salary 77A + 180 hrs. O/T	47	640	
6.	Benefits	11	785	
7.	Supplemental Benefits	2	680	
8.	Fixed Benefits	2	612	
9.	TOTAL PERSONAL SERVICES	01		64.7
10.	Travel	02		3.9
11.	Contractual	03		13.9
12.	Commodities	04		3.3
13.	Equipment	05		19.2
14.	Other			
15.	TOTAL COST			105.0
	RECEIPT CODE	FUNDING SOURCE		
16.		Federal Receipts	10 2	
17.		G.F. Match	10 3	
18.		General Funds	10 4	105.0
19.		I-A Receipts	10 5	
20.		Program Receipts	10 3	
21.		Other		
FOR B&M USE ONLY				
4A KEY NUMBER _____				

RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
BRU PRIORITY 1	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		

JUSTIFICATION

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This is one of three positions that will be utilized to strengthen the current Child Sexual Assault Unit in Anchorage and be a component of that Special Unit.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety

PROGRAM Administration of Justice

BRU Alaska State Troopers

COMPONENT Detachments and CIB

FY 86

Page 1 of 18

Revised Date _____

1.	POSITION TITLE State Trooper			
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER
3.	CONTINUATION LEVEL		ADDITION	
4.	TYPE OF EXPENDITURE			AMOUNT
	1	2	3	
	PERSONAL SERVICES			
5.	Salary 77A + 180 hrs. O/T	47.640		
6.	Benefits	11.785		
7.	Supplemental Benefits	2.680		
8.	Fixed Benefits	2.612		
9.	TOTAL PERSONAL SERVICES	01	64.7	
10.	Travel	02	2.0	
11.	Contractual	03	13.9	
12.	Commodities	04	3.3	
13.	Equipment	05	19.2	
14.	Other			
15.	TOTAL COST		103.1	
RECEIPT CODE FUNDING SOURCE				
16.		Federal Receipts	1002	
17.		G.F. Match	1003	
18.		General Funds	1004	103.1
19.		I-A Receipts	1005	
20.		Program Receipts	1028	
21.		Other		
FOR B&M USE ONLY				
4A KEY NUMBER _____				

RANGE/STEP 77/A	BARC. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
BRU PRIORITY 3	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		

JUSTIFICATION

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This is one of three positions that will be utilized to strengthen the current Child Sexual Assault Unit in Anchorage and be a component of that Special Unit.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety

PROGRAM Administration of Justice

BRU Alaska State Troopers

COMPONENT Detachment and CIB

FY 86

Page 3 of 18

Revised Date _____

1.	POSITION TITLE Analyst Programmer			
2.	TYPE OF POSITION PFT	STAFF MONTHS 6.0	RP NUMBER	PCN NUMBER
3.	CONTINUATION LEVEL	ADDITION		
4.	TYPE OF EXPENDITURE			AMOUNT
	1	2		3
	PERSONAL SERVICES			
5.	Salary		8,688	
6.	Benefits		1,569	
7.	Supplemental Benefits		533	
8.	Fixed Benefits		1,366	
9.	TOTAL PERSONAL SERVICES	01		12.2
10.	Travel	02		
11.	Contractual	03		5.7
12.	Commodities	04		1.0
13.	Equipment	05		.8
14.	Other	06		
15.	TOTAL COST			19.7

RANGE/STEP 17/A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
BRU PRIORITY 4	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		

JUSTIFICATION

This position will operate, maintain and otherwise support the "Inquire" data processing software that is utilized in missing persons investigations. This system was purchased several years ago to assist in two major homicide investigations. Funds are requested to upgrade and maintain the system yearly (\$4,500) as well as initial installation (\$1,150). A desk and chair are also requested.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	19.7
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR BSM USE ONLY
4A KEY NUMBER _____

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
 PROGRAM Administration of Justice
 BRU DPS Administration
 COMPONENT Data/Word Processing

FY 86

Page 4 of 18
 Revised Date _____

1.	POSITION TITLE State Trooper		
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	PCN NUMBER
3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary 77A + 180 hrs. O/T	47.640	
6.	Benefits	11.785	
7.	Supplemental Benefits	2.680	
8.	Fixed Benefits	2.612	
9.	TOTAL PERSONAL SERVICES	01	64.7
10.	Travel	02	2.0
11.	Contractual	03	13.9
12.	Commodities	04	3.3
13.	Equipment	05	19.2
14.	Other		
15.	TOTAL COST		103.1

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	103.1
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

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4A KEY NUMBER _____

RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE 7-15	COV.	APPROV.	DISAPP.
BRU PRIORITY 2	LOCATION ANCH	ELECTION DISTRICT	LEG.		

JUSTIFICATION

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This is one of three positions that will be utilized to strengthen the current Child Sexual Assault Unit in Anchorage and be a component of that Special Unit.

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1.	POSITION TITLE State Trooper				RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 5	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1	2	3							
	PERSONAL SERVICES									
5.	Salary 77A + 180 hrs. O/T	47,640								
6.	Benefits	11,785								
7.	Supplemental Benefits	2,680								
8.	Fixed Benefits	2,612								
9.	TOTAL PERSONAL SERVICES	01	64.7							
10.	Travel	02	2.0							
11.	Contractual	03	13.9							
12.	Commodities	04	3.3							
13.	Equipment	05	19.2							
14.	Other									
15.	TOTAL COST		103.1							
RECEIPT CODE FUNDING SOURCE										
16.		Federal Receipts	1002							
17.		G.F. Match	1003							
18.		General Funds	1004	103.1						
19.		I-A Receipts	1005							
20.		Program Receipts	1028							
21.		Other								
FOR B&M USE ONLY										
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1.	POSITION TITLE Sergeant P.S.			RANGE/STEP 78/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PET	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 6	LOCATION ANCH	ELECTION DISTRICT 7-15	LEC.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary 78A + 180 hrs. O/T	51.360							
6.	Benefits	12.705							
7.	Supplemental Benefits	2.680							
8.	Fixed Benefits	2.612							
9.	TOTAL PERSONAL SERVICES	01	69.4						
10.	Travel	02	3.9						
11.	Contractual	03	13.9						
12.	Commodities	04	3.3						
13.	Equipment	05	19.2						
14.	Other								
15.	TOTAL COST		109.7						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts	1002						
17.		G.F. Match	1003						
18.		General Funds	1004	109.7					
19.		I-A Receipts	1005						
20.		Program Receipts	1028						
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

This position will be an investigator who will be part of a special unit dealing with cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases. Current staffing is simply unable to address the number of cases that are coming to light.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will be located in "B" Detachment in Anchorage.

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1.	POSITION TITLE State Trooper				RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 7	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 77A + 180 hrs. O/T		47,640							
6.	Benefits		11,785							
7.	Supplemental Benefits		2,680							
8.	Fixed Benefits		2,612							
9.	TOTAL PERSONAL SERVICES		01		64.7					
10.	Travel		02		2.0					
11.	Contractual		03		13.9					
12.	Commodities		04		3.3					
13.	Equipment		05		19.2					
14.	Other									
15.	TOTAL COST				103.1					
<p>This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.</p> <p>This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.</p> <p>This position will function in "B" Detachment in Anchorage.</p>										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			103.1					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
<p>FOR B&M USE ONLY</p> <p>4A KEY NUMBER _____</p>										

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1.	POSITION TITLE Clerk Typist II				RANGL/STEP 7/A	BARG. UNIT GCU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 8	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 7A + 180 hrs. O/T		21,114							
6.	Benefits		3,813							
7.	Supplemental Benefits		1,294							
8.	Fixed Benefits		2,732							
9.	TOTAL PERSONAL SERVICES		01		29.0					
10.	Travel		02							
11.	Contractual		03		1.2					
12.	Commodities		04		2.0					
13.	Equipment		05		2.2					
14.	Other									
15.	TOTAL COST				34.4					
<p>This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "B" Detachment in Anchorage.</p>										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			34.4					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
<p>FOR B&M USE ONLY 4A KEY NUMBER _____</p>										

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1.	POSITION TITLE State Trooper				RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 10	LOCATION FBKS	ELECTION DISTRICT 20	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1	2			AMOUNT					
	PERSONAL SERVICES									
5.	Salary 77A + 180 hrs. O/T	53,232								
6.	Benefits	13,168								
7.	Supplemental Benefits	2,680								
8.	Fixed Benefits	2,612								
9.	TOTAL PERSONAL SERVICES	01	71.7							
10.	Travel	02	2.0							
11.	Contractual	03	13.9							
12.	Commodities	04	3.3							
13.	Equipment	05	19.2							
14.	Other									
15.	TOTAL COST	110.1								
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		110.1						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "E" Detachment in Fairbanks.

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1.	POSITION TITLE Sergeant P.S.				RANGE/STEP 78/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 9	LOCATION FBKS	ELECTION DISTRICT 20	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 78A + 180 hrs. O/T		57,360							
6.	Benefits		14,190							
7.	Supplemental Benefits		2,680							
8.	Fixed Benefits		2,612							
9.	TOTAL PERSONAL SERVICES		01		76.8					
10.	Travel		02		3.9					
11.	Contractual		03		13.9					
12.	Commodities		04		3.3					
13.	Equipment		05		19.2					
14.	Other									
15.	TOTAL COST				117.1					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		117.1						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position will be an investigator who will be part of a special unit dealing with cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases. Current staffing is simply unable to address the number of cases that are coming to light.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "E" Detachment in Fairbanks.

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1.	POSITION TITLE Clerk Typist II				RANGE/STEP 7/A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 11	LOCATION FBKS	ELECTION DISTRICT 20	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 7A + 180 hrs. O/T		22,836							
6.	Benefits		4,124							
7.	Supplemental Benefits		1,400							
8.	Fixed Benefits		2,732							
9.	TOTAL PERSONAL SERVICES		01		31.1					
10.	Travel		02							
11.	Contractual		03		1.2					
12.	Commodities		04		2.0					
13.	Equipment		05		2.2					
14.	Other									
15.	TOTAL COST				36.5					
<p>This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "E" Detachment in Fairbanks.</p>										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004				36.5				
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
<p>FOR B&M USE ONLY 4A KEY NUMBER _____</p>										

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1.	POSITION TITLE Clerk Typist II			RANGE/STEP 7/A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 8	LOCATION ANCH	ELECTION DISTRICT 7-15	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary 7A + 180 hrs. O/T	21.114							
6.	Benefits	3.813							
7.	Supplemental Benefits	1.294							
8.	Fixed Benefits	2.732							
9.	TOTAL PERSONAL SERVICES	01	29.0						
10.	Travel	02							
11.	Contractual	03	1.2						
12.	Commodities	04	2.0						
13.	Equipment	05	2.2						
14.	Other								
15.	TOTAL COST		34.4						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts	1002						
17.		G.F. Match	1003						
18.		General Funds	1004	34.4					
19.		I-A Receipts	1005						
20.		Program Receipts	1028						
21.		Other							
FOR BSM USE ONLY									
4A KEY NUMBER _____									

This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will be located in the Criminal Investigation Bureau in Anchorage.

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1.	POSITION TITLE Sergeant P.S.				RANGE/STEP 78/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 13	LOCATION Soldotna	ELECTION DISTRICT 5	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1				3					
	PERSONAL SERVICES									
5.	Salary 78A + 180 hrs O/T		53,732							
6.	Benefits		13,168							
7.	Supplemental Benefits		2,680							
8.	Fixed Benefits		2,612							
9.	TOTAL PERSONAL SERVICES		01	71.7						
10.	Travel		02	3.9						
11.	Contractual		03	13.9						
12.	Commodities		04	3.3						
13.	Equipment		05	19.2						
14.	Other									
15.	TOTAL COST			112.0						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		112.0						
19.		I-A Receipts 1005								
20.		Program Receipts 1026								
21.		Other								
FOR BSM USE ONLY										
4A KEY NUMBER _____										

This position will be an investigator who will be part of a special unit dealing with cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases. Current staffing is simply unable to address the number of cases that are coming to light.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "C" Detachment in Soldotna.

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1.	POSITION TITLE Sergeant P.S.				RANGE/STEP 78/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 14	LOCATION Juneau	ELECTION DISTRICT 4	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1				3					
	PERSONAL SERVICES									
5.	Salary 78A + 180 hrs. O/T		51.360							
6.	Benefits		12.705							
7.	Supplemental Benefits		2.680							
8.	Fixed Benefits		2.612							
9.	TOTAL PERSONAL SERVICES		01	69.4						
10.	Travel		02	3.9						
11.	Contractual		03	13.9						
12.	Commodities		04	3.3						
13.	Equipment		05	19.2						
14.	Other									
15.	TOTAL COST			109.7						
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts		100%			
17.					G.F. Match		100%			
18.					General Funds		100%			
19.					I-A Receipts		100%			
20.					Program Receipts		102%			
21.					Other					
FOR BSM USE ONLY										
4A KEY NUMBER _____										

This position will be an investigator who will be part of a special unit dealing with cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases. Current staffing is simply unable to address the number of cases that are coming to light.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "A" Detachment in Juneau.

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1.	POSITION TITLE State Trooper				RANGE/STEP 77/A	BARC. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 15	LOCATION Soldotna	ELECTION DISTRICT 5	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 77A + 180 hrs. O/T		49,368							
6.	Benefits		12,213							
7.	Supplemental Benefits		2,680							
8.	Fixed Benefits		2,612							
9.	TOTAL PERSONAL SERVICES		01		66.9					
10.	Travel		02		2.0					
11.	Contractual		03		13.9					
12.	Commodities		04		3.3					
13.	Equipment		05		19.2					
14.	Other									
15.	TOTAL COST				105.3					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1020					
21.					Other					
FOR EMPLOYEE USE ONLY										
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This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "C" Detachment in Soldotna.

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1.	POSITION TITLE Clerk Typist II				RANGE/STEP 7/A	BARC. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.	
2.	TYPE OF POSITION PET	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 16	LOCATION Soldotna	ELECTION DISTRICT 5	LEG.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1		2		3						
	PERSONAL SERVICES										
5.	Salary 7A + 180 hrs. O/T		21.678								
6.	Benefits		3.915								
7.	Supplemental Benefits		1,329								
8.	Fixed Benefits		2,732								
9.	TOTAL PERSONAL SERVICES		01		29.7						
10.	Travel		02								
11.	Contractual		03		1.2						
12.	Commodities		04		2.0						
13.	Equipment		05		2.2						
14.	Other										
15.	TOTAL COST				35.1						
	RECEIPT CODE				FUNDING SOURCE						
16.					Federal Receipts 1002						
17.					G.F. Match 1003						
18.					General Funds 1004						
19.					I-A Receipts 1005						
20.					Program Receipts 1020						
21.					Other						
FOR B&M USE ONLY											
4A KEY NUMBER _____											

This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "C" Detachment in Soldotna.

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1.	POSITION TITLE State Trooper			RANGE/STEP 77/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	ADV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 17	LOCATION Juneau	ELECTION DISTRICT 4	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1			2					
	PERSONAL SERVICES			3					
5.	Salary 77A + 180 hrs. O/T		47,640						
6.	Benefits		11,785						
7.	Supplemental Benefits		2,680						
8.	Fixed Benefits		2,612						
9.	TOTAL PERSONAL SERVICES		01	64.7					
10.	Travel		02	2.0					
11.	Contractual		03	13.9					
12.	Commodities		04	3.3					
13.	Equipment		05	19.2					
14.	Other								
15.	TOTAL COST			103.1					
	RECEIPT CODE		FUNDING SOURCE						
16.			Federal Receipts 1002						
17.			G.F. Match 1003						
18.			General Funds 1004						
19.			I-A Receipts 1005						
20.			Program Receipts 1020						
21.			Other						
FOR B3M USE ONLY									
4A KEY NUMBER _____									

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "A" Detachment in Juneau.

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 Revised Date _____

1.	POSITION TITLE Clerk Typist II				RANGE/STEP 7/A	BARC. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY 18	LOCATION Juneau	ELECTION DISTRICT 4	LEC.		
3.	CONTINUATION LEVEL	ADDITION	JUSTIFICATION							
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2	3							
	PERSONAL SERVICES									
5.	Salary 7A + 180 hrs. O/T	21,114								
6.	Benefits	3,813								
7.	Supplemental Benefits	1,234								
8.	Fixed Benefits	2,732								
9.	TOTAL PERSONAL SERVICES	01	29,0							
10.	Travel	02								
11.	Contractual	03	1.2							
12.	Commodities	04	2.0							
13.	Equipment	05	2.2							
14.	Other	06								
15.	TOTAL COST		34,4							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts	1002							
17.		G.F. Match	1003							
18.		General Funds	1004	34,4						
19.		I-A Receipts	1005							
20.		Program Receipts	1020							
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "A" Detachment in Juneau.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
PROGRAM Administration of Justice
BRU Alaska State Troopers
COMPONENT Detachments and CIB

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Revised Date _____