

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/Z

4168                   SLAB                   SB 78

1048

1 (1) may not exceed a term of 15 years, except for exten-  
2 sions under AS 16.10.310(a)(4);

3 (2) may not bear interest exceeding 10-1/2 percent;

4 (3) must [SHALL] be secured by a first priority lien and  
5 appropriate security agreement; and

6 (4) may not exceed 90 percent of the appraised value of the  
7 collateral used to secure the loan[, EXCEPT THAT A LOAN GRANTED UNDER  
8 AS 16.10.333 FOR THE PURCHASE OF AN ALASKA LIMITED ENTRY PERMIT MAY  
9 NOT EXCEED AN AMOUNT DETERMINED IN ACCORDANCE WITH (f) OR (h) OF THIS  
10 SECTION].

11 (b) A lien in favor of the state is not required for loans  
12 guaranteed fully by the federal government under 46 U.S.C. 1271 --  
13 1279b (Federal Ship Financing Act of 1972), as amended. In the case  
14 of a security agreement given to secure a loan made under AS 16.10.300  
15 -- 16.10.370 and covering a vessel documented under the laws of the  
16 United States and so long as 46 U.S.C. 911-948 (Ship Mortgage Act,  
17 1920) as amended, and so long as 46 U.S.C. 801-842 (Shipping Act,  
18 1916), as amended, remain ambiguous with respect to whether or not a  
19 state or state agency qualifies as a citizen of the United States for  
20 purposes of those Acts, the first lien requirement of this section may  
21 be satisfied by the recordation and endorsement of a first preferred  
22 ship mortgage under 46 U.S.C. 911-984, and by perfection of a security  
23 interest under the Uniform Commercial Code - Secured Transactions  
24 (AS 45.09), if the approval of the Secretary of Commerce is obtained  
25 under 46 U.S.C. 839 for the transfer to the department of the interest  
26 in a vessel documented under the laws of the United States. In the  
27 case of a security agreement given to secure a loan made under AS 16.-  
28 10.300 -- 16.10.370 and covering a vessel documented under the laws of  
29 the United States, the first lien requirement of this section may also

1 be satisfied by use of a trust deed and bond issued under it, if the  
2 trustee is a citizen of the United States and obtains a first pre-  
3 ferred ship mortgage on the vessel under 46 U.S.C. 911-934, and the  
4 approval of the Secretary of Commerce is obtained under 46 U.S.C. 839  
5 and 961 for the transfer of the bond or bonds to the department if the  
6 trustee is not a trustee approved by the Secretary of Commerce under  
7 46 U.S.C. 808, 835 and 961.

8 (c) [Repealed by sec. 72, ch. 113, SLA 1982.]

9 (d) The total of balances outstanding on loans [LOANS] made to a  
10 borrower under AS 16.10.310(a)(1)(A) may not exceed [A TOTAL OF]  
11 \$300,000. The total of balances outstanding on loans [LOANS] made to  
12 a borrower under AS 16.10.310(a)(1)(B) [OR (C)] may not exceed [A  
13 TOTAL OF] \$100,000. [A LOAN TO AN ASSOCIATE OF THE BORROWER IS CON-  
14 sidered to be a loan to the borrower. For the purposes of this sec-  
15 tion, "ASSOCIATE OF THE BORROWER" means

16 (1) A CORPORATION OR OTHER ORGANIZATION OF WHICH THE BOR-  
17 ROWER IS AN OFFICER, DIRECTOR OR PARTNER, OR IS, DIRECTLY OR INDI-  
18 RECTLY THE BENEFICIAL OWNER OF 10 PERCENT OR MORE ON ANY CLASS OF  
19 EQUITY SECURITIES;

20 (2) A PERSON WHO IS, DIRECTLY OR INDIRECTLY, THE BENEFICIAL  
21 OWNER OF 10 PERCENT OR MORE OF ANY CLASS OF EQUITY SECURITIES OF THE  
22 BORROWER;

23 (3) A TRUST OR OTHER ESTATE IN WHICH THE BORROWER HAS A  
24 SUBSTANTIAL BENEFICIAL INTEREST OR AS TO WHICH THE BORROWER SERVES AS  
25 TRUSTEE OR IN A SIMILAR FIDUCIARY CAPACITY.]

26 (e) Two or more individual commercial fishermen who each satisfy  
27 the requirements specified in AS 16.10.310(a)(1)(B) may jointly,  
28 whether operating as a corporation, partnership, joint venture, or  
29 otherwise, obtain a commercial fishing loan for the repair.

1 restoration, or upgrading of an existing vessel and gear, for the  
2 purchase of gear, and for the construction [OF A FISHING VESSEL] or  
3 the purchase of a [AN EXISTING] fishing vessel. Loans granted under  
4 this subsection

5 [(1)] may not exceed the amount specified in (d) of this  
6 section multiplied by the number of qualified commercial fishermen  
7 applying for the loan.[:]

8 [(2) MAY NOT EXCEED A TERM OF 15 YEARS;

9 (3) SHALL BE SECURED BY A FIRST PRIORITY LIEN AND APPRO-  
10 PRIATE SECURITY AGREEMENT;

11 (4) MAY NOT BEAR INTEREST EXCEEDING 10 1/2 PERCENT;

12 AND

13 (5) MAY NOT EXCEED 90 PERCENT OF THE APPRAISED VALUE OF  
14 THE COLLATERAL USED TO SECURE THE LOAN.]

15 (f) [EXCEPT AS PERMITTED IN (h) OF THIS SECTION, A LOAN MADE  
16 UNDER AS 16.10.310(a)(1)(A) AND (B) FOR THE PURCHASE OF AN ALASKA  
17 LIMITED ENTRY PERMIT MAY NOT EXCEED 90 PERCENT OF THE APPRAISED VALUE  
18 OF THE COLLATERAL USED TO SECURE THE LOAN.]

19 (g) [Repealed by sec. 72, ch. 113, SLA 1982.]

20 (h) A loan for an entry permit under AS 16.10.310(a)(1)(B) may  
21 be made for up to 100 percent of the appraised value of the collateral  
22 used to secure the loan if the borrower demonstrates that (1) the  
23 borrower has at least three years of experience as a commercial fish-  
24 erman in the fishery to which the entry permit applies; and (2) the  
25 borrower has not owned an Alaska limited entry permit in the year  
26 immediately preceding the application for the loan. In this subsec-  
27 tion "three years of experience as a commercial fishermen in the  
28 fishery" means that for an accumulated total of three fishing seasons  
29 in the same fishery the borrower has actively participated in the

1 commercial harvest of fish under the direction of a limited entry  
2 permit holder.

3 (i) If a loan is made to a borrower under AS 16.10.310(a)(1)(A),  
4 subsequent loan may not be made to the borrower [OR AN ASSOCIATE OF  
5 THE BORROWER] under AS 16.10.310(a)(1)(B) [OR (C)]. If a loan is made  
6 to a borrower under AS 16.10.310(a)(1)(B) [OR (C)], a subsequent loan  
7 may be made to the borrower [OR AN ASSOCIATE OF THE BORROWER] under  
8 AS 16.10.310(a)(1)(A) if the total of the balances outstanding on  
9 loans received by the borrower [OR THE ASSOCIATE] under AS 16.10.310  
10 does not exceed \$300,000.

11 \* Sec. 4. AS 16.10.333 is amended to read:

12 Sec. 16.10.333. LOANS FOR PURCHASE OF ALASKA LIMITED ENTRY  
13 PERMITS. (a) Loans under AS 16.10.310(a) [AS 16.10.320(a)] may be  
14 made to an individual commercial fisherman for the purchase of a  
15 limited entry permit upon certification by the commission that the  
16 fisherman is a person who qualifies as a transferee for the permit  
17 under AS 16.43 and the regulations adopted by the commission.

18 b) Upon approval by the commissioner, the permit to be pur-  
19 chased may be pledged as security for a loan under (a) of this sec-  
20 tion, if

21 (1) the certificate for the pledged permit lists the com-  
22 missioner as the equitable owner of the permit;

23 (2) the certificate for the pledged permit lists the debtor  
24 as the equitable owner of the permit;

25 (3) all annual permit cards issued under the pledged permit  
26 list the name of the debtor;

27 (4) all obligations and responsibilities of a permit owner  
28 are assumed by the debtor;

29 (5) co-signers or other sureties for performance under the

1 note are not vested with any rights in the pledged permit and their  
2 obligation is limited to satisfaction of the note and payment of costs  
3 directly incurred by the department in administering the loan.

4 (c) The commissioner is not liable for any act or omission  
5 resulting from permit ownership nor will that act or omission affect  
6 the commissioner's title to the permit or the commissioner's rights  
7 under it.

8 (d) Upon satisfaction of the note by the debtor, the commission-  
9 er shall certify to the commission that the note has been satisfied.

10 (e) Upon certification as provided in (d) of this section, the  
11 commission shall amend the permit certificate to list the debtor as  
12 the legal owner.

13 (f) [IN DETERMINING WHETHER AN INDIVIDUAL COMMERCIAL FISHERMAN  
14 IS REASONABLY LIKELY TO BE ABLE TO REPAY A LOAN MADE UNDER THIS SEC-  
15 TION, THE COMMISSIONER SHALL CONSIDER THE INDIVIDUAL COMMERCIAL FISH-  
16 ERMAN'S INCOME FROM COMMERCIAL FISHING AND FROM ALL OTHER SOURCES.]

17 \* Sec. 5. AS 16.10.335 is amended to read:

18 Sec. 16.10.335. DEFAULT AND FORECLOSURE. (a) If the debtor  
19 defaults upon a note for which a limited entry permit has been pledged  
20 as security under AS 16.10.333 or [UNDER AS] 16.10.333, the commis-  
21 sioner shall provide the debtor, by both [REGISTERED OR] certified and  
22 first class mail sent to the debtor's last known address on file with  
23 the commissioner, with a notice of default that [WHICH] includes

24 (1) a description of the security given for the note in-  
25 cluding the number assigned to the pledged permit by the commission;

26 (2) the date upon which the default occurred;

27 (3) the amount of arrearages as of the date of the notice,  
28 the total amount remaining on the note less unearned interest, and the  
29 amount of daily interest;

1 (4) a statement that the debtor may, within 15 days after  
2 [OF] the postmark date of the notice, request a hearing to submit  
3 evidence showing the debtor has not defaulted;

4 (5) a statement that the note may be reinstated if brought  
5 current within 60 days after [FROM] the postmark date of the notice;

6 (6, a statement that the note may be paid in full less  
7 unearned interest within 120 days after [FROM] the postmark date of  
8 the notice;

9 (7) the place where reinstatement or payment in full may be  
10 made; and

11 (8) a notice in at least 10-point bold type stating:  
12 "IMPORTANT: YOUR FAILURE TO REINSTATE OR PAY THIS NOTE IN FULL BY THE  
13 DATE SPECIFIED WILL RESULT IN A FORFEITURE OF ALL RIGHTS TO THE PERMIT  
14 AND THE POSSIBILITY OF LEGAL ACTION BEING INSTITUTED AGAINST YOU."

15 (b) In each case of a limited entry permit being pledged as  
16 security under AS 16.10.333 or 16.10.338, the debtor shall maintain on  
17 file with the department an address where notice of default is to be  
18 sent, if necessary, and where that notice will be timely received by  
19 the debtor.

20 (c) Upon presentation of evidence of mailing in accordance with  
21 (a) of this section, the receipt of the notice of default by the  
22 debtor will be presumed for all purposes. This presumption is rebut-  
23 table by presentation of evidence sufficient to demonstrate lack of  
24 receipt of notice through no fault of the debtor. Upon presentation  
25 of evidence sufficient to prove lack of receipt of notice through no  
26 fault of the debtor, the notice is a nullity.

27 (d) Upon good cause shown, the commissioner may waive any of the  
28 time limits in (a) of this section, if the department receives from  
29 the debtor or the debtor's representative a request for the waiver

1 before the expiration of the time limit for which the waiver is  
2 sought.

3 (e) Except as otherwise provided in (c) and (d) of this section,  
4 upon [UPON] the debtor's failure to satisfy the note within the time  
5 specified in (a)(6) of this section, the debtor's interest in the  
6 permit is terminated by operation of law without further notice. Any  
7 entry permit card issued to the debtor under the permit must [SHALL]  
8 be cancelled immediately upon receipt by the commission of a certifi-  
9 cate of termination containing a copy of the notice required by (a) of  
10 this section issued by the commissioner.

11 \* Sec. 6. AS 16.10.339 is amended to read:

12 Sec. 16.10.339. REGULATIONS. The [COMMISSION, WITH THE APPROVAL  
13 OF THE] department[,] shall adopt regulations to implement AS 16.10.-  
14 333 -- 16.10.337.

15 \* Sec. 7. AS 16.10 is amended by adding a new section to read:

16 Sec. 16.10.355. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR FORE-  
17 CLOSURE. The department shall dispose of property acquired through  
18 default or foreclosure of a loan made under AS 16.10.300 -- 16.10.370  
19 or the former AS 16.10.650 -- 16.10.720. Disposal must be made in a  
20 manner that serves the best interests of the state, and may include  
21 the amortization of payments over a period of years, but may not be by  
22 lease.

23 \* Sec. 8. AS 16.10 is amended by adding new sections to read:

24 Sec. 16.10.507. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
25 established as a special account within the fisheries enhancement  
26 revolving loan fund the foreclosure expense account. This account is  
27 established as a reserve from fund equity.

28 (b) The commissioner may expend money credited to the foreclo-  
29 sure expense account when necessary to protect the state's security

1 interest in collateral on loans granted under AS 16.10.520 or to  
2 defray expenses incurred during foreclosure proceedings after a de-  
3 fault by an obligor.

4 Sec. 16.10.555. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
5 FORECLOSURE. The Department of Commerce and Economic Development  
6 shall dispose of property acquired through default or foreclosure of a  
7 loan made under AS 16.10.500 -- 16.10.620. Disposal must be made in a  
8 manner that serves the best interests of the state, and may include  
9 the amortization of payments over a period of years, but may not be by  
10 lease.

11 \* Sec. 9. AS 26.15 is amended by adding new sections to read:

12 Sec. 26.15.085. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
13 FORECLOSURE. The Department of Commerce and Economic Development  
14 shall dispose of property acquired through default or foreclosure of a  
15 loan made under this chapter. Disposal must be made in a manner that  
16 serves the best interests of the state, and may include the amortiza-  
17 tion of payments over a period of years, but may not be by lease.

18 Sec. 26.15.095. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
19 established as a special account within the Alaska World War II veter-  
20 ans' revolving fund the foreclosure expense account. This account is  
21 established as a reserve from fund equity.

22 (b) The commissioner of commerce and economic development may  
23 expend money credited to the foreclosure expense account when neces-  
24 sary to protect the state's security interest in collateral on loans  
25 granted under AS 26.15.040 or to defray expenses incurred during  
26 foreclosure proceedings after a default by an obligor.

27 \* Sec. 10. AS 27.09 is amended by adding new sections to read:

28 Sec. 27.09.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
29 established as a special account within the mining loan fund the

1       foreclosure expense account. This account is established as a reserve  
2       from fund equity.

3       (b) The commissioner of commerce and economic development may  
4       expend money credited to the foreclosure expense account when neces-  
5       sary to protect the state's security interest in collateral on loans  
6       granted under AS 27.09.010 or to defray expenses incurred during  
7       foreclosure proceedings after a default by an obligor.

8       Sec. 27.09.055. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
9       FORECLOSURE. The department shall dispose of property acquired  
10      through default or foreclosure of a loan made under this chapter.  
11      Disposal must be made in a manner that serves the best interests of  
12      the state, and may include the amortization of payments over a period  
13      of years, but may not be by lease.

14     \* Sec. 11. AS 44.33 is amended by adding new sections to read:

15       Sec. 44.33.242. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
16      established as a special account within the child care facility re-  
17      volving loan fund the foreclosure expense account. This account is  
18      established as a reserve from fund equity.

19       (b) The commissioner of commerce and economic development may  
20      expend money credited to the foreclosure expense account when neces-  
21      sary to protect the state's security interest in collateral on loans  
22      granted under AS 44.33.245 or to defray expenses incurred during  
23      foreclosure proceedings after a default by an obligor.

24       Sec. 44.33.272. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
25      FORECLOSURE. The department shall dispose of property acquired  
26      through default or foreclosure of a loan made under AS 44.33.240 --  
27      44.33.275. Disposal must be made in a manner that serves the best  
28      interests of the state, and may include the amortization of payments  
29      over a period of years, but may not be by lease.

1 \* Sec. 12. AS 45.87 is amended by adding new sections to read:

2       Sec. 45.87.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
3 established as a special account within the bulk fuel revolving loan  
4 fund the foreclosure expense account. This account is established as  
5 a reserve from fund equity.

6       (b) The commissioner of commerce and economic development may  
7 expend money credited to the foreclosure expense account when neces-  
8 sary to protect the state's security interest in collateral on loans  
9 granted under this chapter or to defray expenses incurred during  
10 foreclosure proceedings after a default by an obligor.

11       Sec. 45.87.040. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
12 FORECLOSURE. The department shall dispose of property acquired  
13 through default or foreclosure of a loan made under this chapter.  
14 Disposal must be made in a manner that serves the best interests of  
15 the state, and may include the amortization of payments over a period  
16 of years, but may not be by lease.

17       Sec. 45.87.060. REGULATIONS. The department shall adopt regu-  
18 lations to implement this chapter.

19 \* Sec. 13. AS 45.88 is amended by adding new sections to read:

20       Sec. 45.88.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
21 established, as a special account within the revolving loan fund  
22 established under AS 45.88.010, the foreclosure expense account. This  
23 account is established as a reserve from fund equity.

24       (b) The commissioner of commerce and economic development may  
25 expend money credited to the foreclosure expense account when neces-  
26 sary to protect the state's security interest in collateral on loans  
27 granted under AS 45.88.020 or to defray expenses incurred during  
28 foreclosure proceedings after a default by an obligor.

29       Sec. 45.88.050. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR

1 FORECLOSURE. The Department of Commerce and Economic Development  
2 shall dispose of property acquired through default or foreclosure of a  
3 loan made under this chapter. Disposal must be made in a manner that  
4 serves the best interests of the state, and may include the amortiza-  
5 tion of payments over a period of years, but may not be by lease.

6 Sec. 14. AS 45.89 is amended by adding new sections to read:

7 Sec. 45.89.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
8 established as a special account within the residential energy conser-  
9 vation fund the foreclosure expense account. This account is estab-  
10 lished as a reserve from fund equity.

11 (b) The commissioner may expend money credited to the foreclo-  
12 sure expense account when necessary to protect the state's security  
13 interest in collateral on loans granted under AS 45.89.030 or to  
14 defray expenses incurred during foreclosure proceedings after a de-  
15 fault by an obligor.

16 Sec. 45.89.050. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
17 FORECLOSURE. The department shall dispose of property acquired  
18 through default or foreclosure of a loan made under this chapter.  
19 Disposal must be made in a manner that serves the best interests of  
20 the state, and may include the amortization of payments over a period  
21 of years, but may not be by lease.

22 Sec. 45.89.070. REGULATIONS. The department shall adopt regu-  
23 lations to implement this chapter.

24 \* Sec. 15. AS 45.90 is amended by adding new sections to read:

25 Sec. 45.90.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
26 established as a special account within the tourism revolving fund the  
27 foreclosure expense account. This account is established as a reserve  
28 from fund equity.

29 (b) The commissioner of commerce and economic development may

1 expend money credited to the foreclosure expense account when neces-  
2 sary to protect the state's security interest in collateral on loans  
3 granted under AS 45.90.020 or to defray expenses incurred during  
4 foreclosure proceedings after a default by an obligor.

5 Sec. 45.90.050. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
6 FORECLOSURE. The Department of Commerce and Economic Development  
7 shall dispose of property acquired through default or foreclosure of a  
8 loan made under this chapter. Disposal must be made in a manner that  
9 serves the best interests of the state, and may include the amortiza-  
10 tion of payments over a period of years, but may not be by lease.

11 \* Sec. 16. AS 45.95 is amended by adding new sections to read:

12 Sec. 45.95.055. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
13 FORECLOSURE. The Department of Commerce and Economic Development  
14 shall dispose of property acquired through default or foreclosure of a  
15 loan made under this chapter. Disposal must be made in a manner that  
16 serves the best interests of the state, and may include the amortiza-  
17 tion of payments over a period of years, but may not be by lease.

18 Sec. 45.95.065. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
19 established as a special account within the small business revolving  
20 loan fund the foreclosure expense account. This account is estab-  
21 lished as a reserve from fund equity.

22 (b) The commissioner may expend money credited to the foreclo-  
23 sure expense account when necessary to protect the state's security  
24 interest in collateral on loans granted under AS 45.95.020 or to  
25 defray expenses incurred during foreclosure proceedings after a de-  
26 fault by an obligor.

27 \* Sec. 17. AS 45.98 is amended by adding a new section to read:

28 Sec. 45.98.015. SPECIAL ACCOUNT ESTABLISHED. (a) There is  
29 established as a special account within the historical district

1 revolving loan fund the foreclosure expense account. This account is  
2 established as a reserve from fund equity.

3 (b) The commissioner of commerce and economic development may  
4 expend money credited to the foreclosure expense account when neces-  
5 sary to protect the state's security interest in collateral on loans  
6 granted under this chapter, or to defray expenses incurred during  
7 foreclosure proceedings after a default by an obligor.

8 \* Sec. 18. AS 45.98.020 is amended to read:

9 Sec. 45.98.020. HISTORICAL DISTRICT LOANS. Upon endorsement and  
10 plan approval by a local historical district commission established  
11 under AS 29.48.108 and the recommendation of a majority of the members  
12 of the Historic Sites Advisory Committee, the Department of Commerce  
13 and Economic Development may make loans to a person, firm, business or  
14 municipality subject to applicable laws for the restoration, improve-  
15 ment, rehabilitation, or maintenance of

16 (1) a structure which is [(1)] within the boundaries of a  
17 historical district established under AS 29.48.110 and [;]

18 [(2)] identified as important in state or national history as  
19 provided for in AS 29.48.110(b); or [AND]

20 (2) a [(3) ANOTHER] building or structure within a histor-  
21 ical district which is [AND] suitable for superficial modification so  
22 that it can conform to the period or motif of the surrounding build-  
23 ings or structures that are the reason for the area's designation as a  
24 historical district.

25 \* Sec. 19. AS 45.98 is amended by adding a new section to read:

26 Sec. 45.98.055. DISPOSAL OF PROPERTY ACQUIRED BY DEFAULT OR  
27 FORECLOSURE. The Department of Commerce and Economic Development  
28 shall dispose of property acquired through default or foreclosure of a  
29 loan made under this chapter. Disposal must be made in a manner that

1 serves the best interests of the state, and may include the amortiza-  
2 tion of payments over a period of years, but may not be by lease.

3 \* Sec. 20. This Act takes effect July 1, 1985.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 11/30/84

REQUEST

Bill/Resolution No.: SB 2973  
 Title: Miscellaneous Amendments to State loan programs admin. by DCFD  
 Sponsor: Rules/Governor  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.  
 Program Category Affected: Development  
 BRU, Program or Subprogram(s) Affected: Investments

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		156.7	156.7	156.7	156.7	156.7
200 TRAVEL		7.9	7.9	7.9	7.9	7.9
300 CONTRACTUAL		14.0	12.0	12.0	12.0	12.0
400 SUPPLIES		1.2	1.2	1.2	1.2	1.2
500 EQUIPMENT		18.0	-	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>197.</b>	<b>177.8</b>	<b>177.8</b>	<b>177.8</b>	<b>177.8</b>

<b>CAPITAL</b>						
----------------	--	--	--	--	--	--

<b>REVENUE</b>						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND		197.8	177.8	177.8	177.8	177.8
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME		4.0	4.0	4.0	4.0	4.0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Paul B. Arnoia, Director Phone: 465-2510  
 Division: Investments Date: 12/4/84  
 Approved by Commissioner: Richard A. Lyon Date: 12-5-84  
 Agency: Commerce and Economic Development

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

## FISCAL NOTE ANALYSIS

### Personal Services:

Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. One time expenses would be incurred for equipment.

Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.

### PERSONNEL COSTS

Two Loan Examiners II, Range 17A; one each in Anchorage and Juneau:

Salary	\$34,740	
Benefits	\$10,486	
TOTAL Personal Services		\$45,226
Travel		\$ 3,950
Contractual		\$ 3,000
Commodities		\$ 300
Equipment		\$ 4,750
Total per employee		\$57,226

Subtotal for two Loan Examiners II	\$114,452
------------------------------------	-----------

Two Loan Closers II, Range 12A; one each in Anchorage and Juneau:

Salary	\$24,864	
Benefits	\$ 8,281	
TOTAL Personal Services		\$33,145
Travel		\$ -0-
Contractual		\$ 3,000
Commodities		\$ 300
Equipment		\$ 4,250
Total per employee		\$40,695

Subtotal for two Loan Closers II	\$ 81,390
----------------------------------	-----------

Estimates for other line items assume that the new employees required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.

Travel: To inspect collateral, interview applicants, and inform  
(for Loan public on program.  
Examiners)

Contractual: Space Rental: \$3,000  
\$2.50 sq./ft. x 100 sq./ft. x 12 months RSA to Department of  
Administration  
One time \$2,000 modification and reprinting of the existing  
loan application packets.

Commodities: General supplies.

<u>Equipment:</u>	Calculator	\$ 365
(for Loan	Typewriter	\$ 1,369
Closers)	Workstation	\$ 2,516
		<u>\$ 4,250</u>

<u>Equipment:</u>	Calculator	\$ 365
(for Loan	Microfiche Reader	\$ 300
Examiners)	Workstations	\$ 4,085
		<u>\$ 4,750</u>

TOTAL FY '86 PERSONNEL AND ASSOCIATED COSTS

\$197,842

0867Wb111984d

1.	POSITION TITLE LOAN EXAMINER II				RANGE/STEP 17A	DARG. UNIT GGU	PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EMPLOYMENT				Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. On time expenses would be incurred for equipment.					
	PERSONAL SERVICES		AMOUNT		Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.					
5.	Salary	34,740			Estimates for the 200-500 lines items assume that the new employee required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.					
6.	Benefits	5,624			<u>Travel:</u> To inspect collateral, interview applicants, and inform public on program.					
7.	Supplemental Benefits	2,130			<u>Contractual:</u> Space Rental: \$3,000 \$2.50 sq./ft. x 100 sq./ft. x 12 months RSA to Department of Administration.					
8.	Fixed Benefits	2,732			<u>Commodities:</u> General supplies.					
9.	TOTAL PERSONAL SERVICES	01	45,226							
10.	Travel	02	3,950							
11.	Contractual	03	3,000							
12.	Commodities	04	300							
13.	Equipment	05	4,750							
14.	Other									
15.	TOTAL COST		57,226							
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		G.F. Hatch 1003								
19.		General Funds 1004		57,226						
20.		I-A Receipts 1005								
21.		Program Receipts 1028								
		Other								
FOR BSM USE ONLY										
KEY NUMBER										

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
 PROGRAM Economic Development  
 BRU Investments  
 COMPONENT Administration

Page 1 of 4  
 Revised Date

FY 86

1.	POSITION TITLE LOAN EXAMINER II				RANGE/STEP 17A	ORG. UNIT GGU	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. On time expenses would be incurred for equipment.					
	PERSONAL SERVICES		AMOUNT		Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.					
	1	2	3		Estimates for the 200-500 lines items assume that the new employee required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.					
5.	Salary	34,740			Travel: To inspect collateral, interview applicants, and inform public on program.					
6.	Benefits	5,624			Contractual: Space Rental: \$3,000					
7.	Supplemental Benefits	2,130			\$2.50 sq./ft. x 100 sq./ft. x 12 months RSA to Department of Administration.					
8.	Fixed Benefits	2,732			Commodities: General supplies.					
9.	TOTAL PERSONAL SERVICES	01	45,226		Equipment: Calculator \$ 365					
10.	Travel	02	3,950		Microfiche Reader \$ 300					
11.	Contractual	03	3,000		Workstation \$4,085					
12.	Commodities	04	300		\$4,750					
13.	Equipment	05	4,750							
14.	Other									
15.	TOTAL COST		57,226							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		C.F. Hatch 1003								
18.		General Funds 1004		57,226						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER										

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Economic Development  
BRU Investments  
COMPONENT Administration

Page 1 of 4  
Revised Date \_\_\_\_\_

FY 86

1.	POSITION TITLE LOAN EXAMINER II				RANGE/STEP 17A	BARG. UNIT GGU	PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEC.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	ADDITION				Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. On time expenses would be incurred for equipment.					
5.	PERSONAL SERVICES			AMOUNT						
6.	Salary	34,740								
7.	Benefits	5,624								
8.	Supplemental Benefits	2,130								
9.	Fixed Benefits	2,732								
10.	TOTAL PERSONAL SERVICES	01			45,226					
11.	Travel	02			3,950					
12.	Contractual	03			3,000					
13.	Commodities	04			300					
14.	Equipment	05			4,750					
15.	Other									
15.	TOTAL COST				57,226					
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts	1002							
18.		G.F. Match	1003							
19.		General Funds	1004		57,226					
20.		I-A Receipts	1005							
21.		Program Receipts	1028							
21.		Other								
FOR BSM USE ONLY				KEY NUMBER						

Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.

Estimates for the 200-500 lines items assume that the new employee required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.

Travel: To inspect collateral, interview applicants, and inform public on program.

Contractual: Space Rental: \$3,000  
\$2.50 sq./ft. x 100 sq./ft. x 12 months RSA to Department of Administration.

Commodities: General supplies.

Equipment: Calculator \$ 365  
Microfiche Reader \$ 300  
Workstation \$4,085  
\$4,750

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Economic Development  
BRU Investments  
COMPONENT Administration

Page 2 of 4  
Revised Date

FY 86

1.	POSITION TITLE LOAN CLOSER II			RANGE/STEP 12A	BARG. UNIT GGU	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. On time expenses would be incurred for equipment.</p> <p>Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.</p> <p>Estimates for the 200-500 lines items assume that the new employee required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.</p> <p><u>Contractual:</u> Space Rental: \$3,000 \$2.50 sq./ft. x 100 sq./ft. x 12 months RSA to Department of Administration.</p> <p><u>Commodities:</u> General supplies.</p> <p><u>Equipment:</u> Calculator \$ 365 Typewriter \$1,369 Workstation \$2,515 \$4,250</p>				
5.	PERSONAL SERVICES								
6.	Salary	24,864							
7.	Benefits	4,025							
8.	Supplemental Benefits	1,524							
9.	Fixed Benefits	2,732							
10.	TOTAL PERSONAL SERVICES	01	33,145						
11.	Travel	02	-0-						
12.	Contractual	03	3,000						
13.	Commodities	04	300						
14.	Equipment	05	4,250						
15.	Other								
16.	TOTAL COST		40,695						
16.	RECEIPT CODE	FUNDING SOURCE							
17.		Federal Receipts	1002						
18.		G.F. Match	1003						
19.		General Funds	1004	40,695					
20.		I-A Receipts	1005						
21.		Program Receipts	1028						
22.		Other							
FOR BSM USE ONLY KEY NUMBER									

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development

PROGRAM Economic Development

BRU Investments

COMPONENT Administration

FY 86

Page 3 of 4  
Revised Date

1.	POSITION TITLE LOAN CLOSER II			RANGE/STEP 12A	DARG. UNIT GGU	PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	ER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			JUSTIFICATION					
4.	TYPE OF EMPLOYMENT			<p>Processing of an additional 600 applications for assumptions and approval of 400 of those applications per year will create a marked increase in the workload of the division's Anchorage and Juneau regional offices. Two additional loan examiners and two loan closers would be required to handle the increased load and would be spread between the two regional offices. On time expenses would be incurred for equipment.</p> <p>Consideration of these applications would also require significantly more meetings of the department's loan committees. This fiscal note assumes that this additional burden would be absorbed.</p> <p>Estimates for the 200-500 lines items assume that the new employee required for this new loan program will require support at levels similar to that actually being incurred by the division on other loan programs.</p> <p>Contractual:           Space Rental: \$3,000                                   \$2.50 sq./ft. x 100 sq./ft. x 12 months RSA                                   to Department of Administration.</p> <p>Commodities:           General supplies.</p> <p>Equipment:            Calculator                 \$ 365                                   Typewriter               \$1,369                                   Workstation             \$2,515                                                                       \$4,250</p>					
5.	PERSONAL SERVICES		2						
5.	Salary		24,864						
6.	Benefits		4,025						
7.	Supplemental Benefits		1,524						
8.	Fixed Benefits		2,732						
9.	TOTAL PERSONAL SERVICES	01	33,145						
10.	Travel	02	-0-						
11.	Contractual	03	3,000						
12.	Commodities	04	300						
13.	Equipment	05	4,250						
14.	Other								
15.	TOTAL COST		40,695						
16.	RECEIPT CODE	FUNDING SOURCE							
17.		Federal Receipts 1002							
18.		C.F. Match 1003							
19.		General Funds 1004							
20.		I-A Receipts 1005							
21.		Program Receipts 1028							
		Other							
TOTAL				40,695					
FOR BSM USE ONLY									
KEY NUMBER									

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Economic Development  
BRU Investments  
COMPONENT Administration

FY 86

Page 4 of 4  
Revised Date

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 11/30/84

**REQUEST**

Bill/Resolution No.: SB 7778  
 Title: Miscellaneous amendments to State loan programs administered by  
 Sponsor: Rules Committee  
 Requestor: Governor  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Commerce & Econ. Dev.  
 Program Category Affected: DCED Development  
 BRU, Program or Subprogram(s) Affected: Accounting & Collections

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		65.9	67.8	69.9	72.0	74.2
200 TRAVEL		-	-	-	-	-
300 CONTRACTUAL		8.1	1.9	2.0	2.3	2.4
400 SUPPLIES		.7	.6	.6	.7	.7
500 EQUIPMENT		11.8	-	-	-	-
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
900 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>86.5</b>	<b>70.3</b>	<b>72.5</b>	<b>75.0</b>	<b>77.3</b>

<b>CAPITAL</b>						
----------------	--	--	--	--	--	--

<b>REVENUE</b>		445.0	495.0	545.0	595.0	645.0
----------------	--	-------	-------	-------	-------	-------

**FUNDING: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND		86.5	70.3	72.5	75.0	77.3
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>86.5</b>	<b>70.3</b>	<b>72.5</b>	<b>75.0</b>	<b>77.3</b>

**POSITIONS:**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary

See attached.

Prepared By: Margaret I. Hamley, Director Phone: 465-2555  
 Division: Accounting & Collections Date: \_\_\_\_\_

Approved by Commissioner: Richard A. Lyon Date: 12/12/84  
 Agency: Department of Commerce and Economic Development

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

875W113084d

7/1/84

*Accounting & Collections*

MISCELLANEOUS AMENDMENTS TO STATE LOAN PROGRAMS  
ADMINISTERED BY DCED

In order for the Division of Investments to administer this legislation as it relates to commercial fishing loan assumptions, the Division of Accounting & Collections must be staffed to provide minimally adequate service to Investments. We estimate that a minimum of two additional permanent, full-time positions will be required to respond to this workload being generated by four additional positions in Investments.

While we estimate that approximately 600 formal assumption applications will be received by the Division of Investments, resulting in approximately 400 actual assumptions of commercial fishing loans per year, it is realistic to expect many additional borrowers will inquire about the assumption program, based on current requests for information we are presently receiving.

Because of the complexity of commercial fishing loans relative to the other 11 loan programs this division administers, allowing assumptions will impact our records management workload dramatically. Currently, C.F. filing is three times heavier than that for our other loan programs. (This division manages loan files for all regional Division of Investments' offices, as well as our own division.) The one additional records position, will also be required to assist with increased phone calls and increased insurance workload. Lack of staff to handle this workload will thwart Accounting & Collections' best efforts to provide files and requested information to Investments' four regional offices which they must have before they will be able to respond to any assumption inquiries of fishermen.

Although there is no net increase in the number of loans Accounting & Collections will service, it is important to recognize that most of the work in this division is associated with loans in transition, not with loans in a steady-state which pay as agreed each month until maturity. One Accounting Technician II is also requested, as an absolute minimum, in the Customer Service/Subsidiary Ledger Section. This position is needed in order to respond to requests for C.F. account information generated by Division of Investments (relating to assumptions), as well as to correctly process C.F. assumptions within the subsidiary accounting system. Approximately 25% of this position's time will be spent processing refinancing of repossessed collateral through the subsidiary system.

0875W113084d

Personal Services	FY '85	FY '86	FY '87	FY '88	FY '89	FY '90
Accounting Technician II (Range 14A) (Customer Service/ Subsidiary Ledger Assumption and Repo Accounting)						
Salary		28.2	29.0	29.9	30.8	31.8
Benefits		8.9	9.2	9.5	9.8	10.1
Clerk IV (Range 09B) Records Management/ Filing Insurance/ Phones						
Salary		21.4	22.0	22.7	23.4	24.1
Benefits		7.4	7.6	7.8	8.0	8.2
SUBTOTAL - 100		65.9	67.8	69.9	72.0	74.2
Contractual Services						
Long distance/Postage		.3	.3	.4	.4	.5
Space allocation		5.4	-0-	-0-	-0-	-0-
Printing/Payment Coupon Forms		1.0	.6	.6	.7	.7
DP Chargeback		1.0	1.0	1.0	1.2	1.2
Training		.4	-0-	-0-	-0-	-0-
SUBTOTAL - 300		8.1	1.9	2.0	2.3	2.4
Commodities						
Office supplies		.2	.1	.1	.1	.1
Microfiche supplies		.5	.5	.5	.6	.6
SUBTOTAL - 400		.7	.6	.6	.7	.7
Equipment						
Workstations \$4.7 x 2		9.4				
Microfiche readers \$.3 x 2		.6				
Calculators \$.4 x 2		.8				
Phone \$.5 x 2		1.0				
SUBTOTAL - 500		11.8				
TOTAL		86.5	70.3	72.5	75.0	77.3

0875W11784c

REVENUE ANALYSIS

1. Assumes an estimated 600 applicants and 400 approvals of assumptions per year, with an average assumed balance of \$67,500:
  - a. Nonrefundable application fee  $\$125 \times 600 = \$75,000/\text{year}$
  - b. Assumption fee (one-time) of 1% of the assumed balance  
 $\$67,500 \times .01 \times 400 = \$270,000/\text{year}$
2. Assumes 90%+ recovery of losses on commercial fishing loans due to ability to finance and reamortize repossessed vessels and other collateral.
  - a. Example: Loss of \$590.7 in FY '84  
 $\$590,700 \times .90 = \$531,630$   
 Reamortized over 10 years at 10.5% (est.) = \$93,000/year for 10 years.
  - b. Using this example, this analysis assumes an increase in each flow of \$93,000+ per year in loss recovery.

<u>Loss/Revenue Year/Year</u>	<u>FY '86</u>	<u>FY '87</u>	<u>FY '88</u>	<u>FY '89</u>	<u>FY '90</u>
FY '85	100.0	100.0	100.0	100.0	100.0
FY '86		100.0	100.0	100.0	100.0
FY '87			100.0	100.0	100.0
FY '88				100.0	100.0
FY '89					100.0
Assumption Application Fees	75.0	75.0	75.0	75.0	75.0
Assumption Fees	<u>270.0</u>	<u>270.0</u>	<u>270.0</u>	<u>270.0</u>	<u>270.0</u>
Total Est. Revenue	\$445.0	\$495.0	\$545.0	\$595.0	\$645.0

1.	POSITION TITLE ACCOUNTING TECHNICIAN II				RANGE/STEP 14A	BARG. UNIT GGU	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 4	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	ADDITION				X					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position will be established in the Customer Service/ Subsidiary Ledger section. The primary responsibility will be to respond to commercial fish assumption related inquiries/requests from the Division of Investments for borrower account information and process approved assumptions on the subsidiary loan accounting system. Approximately 25% of this position's time will be spent processing refinancing of repossessed collateral through the subsidiary system.</p> <p>Assumption quotes will require more than a routine analysis as many borrowers remit multiple partial payments instead of the annual payment which is usual for commercial fish loans. An assumption to cure a delinquent loan or loan in default requires additional support by the accounting and clerical staff to the collection officers. Continued contact must be maintained with the old borrower or his/her attorney, the new borrower, and the State's legal counsel to ensure that the assumption is properly completed and foreclosure proceedings held in abeyance without jeopardizing the State's pending assumption closure.</p> <p>Upon approval of an assumption and prior to closing, Customer Service will perform the following: "freeze" the loan, establish and maintain the loan on the assumption log, monitor partial payments, update final assumption figures and communicate regularly with Investments' loan closers and loan examiners regarding the assumption status. When</p>					
5.	PERSONAL SERVICES									
5.	Salary	28.2								
6.	Benefits	4.6								
7.	Supplemental Benefits	1.7								
8.	Fixed Benefits	2.6								
9.	TOTAL PERSONAL SERVICES	01	37.1							
10.	Travel	02	-0-							
11.	Contractual	03	3.2							
12.	Commodities	04	.1							
13.	Equipment	05	5.9							
14.	Other									
15.	TOTAL COST		46.3							
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts	1002							
18.		C.F. Match	1003	46.3						
19.		General Funds	1004							
20.		I-A Receipts	1005							
21.		Program Receipts	1028							
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER										

REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
 PROGRAM Economic Development  
 BRU Accounting & Collections  
 COMPONENT Administration

Page 1 of 3  
 Revised Date

FY 86

the assumption has been executed (closed) customer services must analyze and process multiple entries on the subsidiary system to delete the old borrower and establish the new one and, and apply outstanding payments according to the assumption agreement and respond to inquiries from the old and new borrowers and the Division of Investments staff regarding the assumption. Quality control on these activities is monitored to ensure timeliness and accuracy.

The Division of Investments estimates 600 formal applications with approximately 400 assumptions approved per year. It is also anticipated that many additional borrowers will inquire about the assumption program.

AGENCY Commerce & Economic Development

PROGRAM Economic Development

BRU Accounting & Collections

COMPONENT Administration

FY 86

PAGE 2 OF 3

REVISED DATE \_\_\_\_\_



ADDITIONAL  
EXPLANATION  
FORM

1.	POSITION TITLE CLERK IV				RANGE/STEP 9B	BARG. UNIT GGU	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 4	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	ADDITION <input checked="" type="checkbox"/>									
5.	TYPE OF EMPLOYMENT									
	PERSONAL SERVICES									
	1	2	3							
5.	Salary	21.4								
6.	Benefits	3.5								
7.	Supplemental Benefits	1.3								
8.	Fixed Benefits	2.6								
9.	TOTAL PERSONAL SERVICES	01	28.8							
10.	Travel	02	-0-							
11.	Contractual	03	2.9							
12.	Commodities	04	1							
13.	Equipment	05	5.9							
14.	Other									
15.	TOTAL COST		37.7							
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		C.F. Hatch 1003								
19.		General Fund 1004		37.7						
20.		I-A Receipts 1005								
21.		Program Receipts 1028								
		Other								

FOR BSM USE ONLY  
KEY NUMBER \_\_\_\_\_

This position will be established in the Daily Operations Section. The primary responsibilities will be records management, commercial fish insurance tracking and back-up receptionist. The Division of Investments estimates 600 formal commercial fish assumption applications and approximately 400 approved assumptions per year. It is anticipated that many additional borrowers may inquire about the assumption program. The Division of Accounting and Collections provides centralized records management for the loan files. Inquiries to Investments will, in turn, create additional work in Accounting & Collections; pulling files, logging out-cards, sending files to regional offices, follow up on files slow to return. Once the assumption has been approved, Daily Operations must process the application fee, set up cross reference between the old and new borrower, create and maintain a suspense for documents pending return of the loan file from Investments. When the assumption has been executed (closed), vessel insurance tracking for the old borrower must be deleted, verify that the new borrowers coverage conforms to contract and is adequate, establish the new borrower on the tracking system, prepare and mail payment cards, date enter and verify all entries to the subsidiary system, file items held in suspense and finally refile the loan file.

AGENCY Commerce & Economic Development  
PROGRAM Economic Development  
BRU Accounting & Collections  
COMPONENT Administration

**FY 86**

Page 3 of 3  
Revised Date \_\_\_\_\_

REQUEST FOR  
NEW POSITION

STATUTES RELATED TO SB 78

AS 16.10.300

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.300  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.300.  
CATCH LINE  
DECLARATION OF POLICY.  
TEXT It is the policy of the state, under AS 16.10.300 - 16.10.370, to  
promote the rehabilitation of the state's fisheries, the  
development of a predominantly resident fishery, and the  
continued maintenance of commercial fishing gear and vessels  
throughout the state by means of long-term low interest loans.  
HISTORY (Sec. 1 ch 134 SLA 1972; am sec. 1 ch 54 SLA 1973; am sec. 1 ch  
128 SLA 1975)

AS16.10.310

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.310  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.

CITATION Sec. 16.10.310.

CATCH LINE

POWERS OF THE DEPARTMENT.

TEXT (a) The department may  
(1) make loans to  
(A) individual commercial fishermen who have been state residents for a continuous period of two years immediately preceding the date of application for a loan under AS 16.10.300 - 16.10.370 and have had a crewmember or commercial fishing license under AS 16.05.480 or a permit under AS 16.43 for the year immediately preceding the date of application and any other two of the past five years, and who actively participated in the fishery during those periods, for the purchase of entry permits;  
(B) an individual who has been a state resident for a continuous period of two years immediately preceding the date of application for a loan under AS 16.10.300 - 16.10.370, who  
(i) because of lack of training or lack of employment opportunities in the area of residence does not have occupational opportunities available other than commercial fishing; or  
(ii) is economically dependent on commercial fishing for a livelihood and for whom commercial

AS16.10.310 (cont.)

fishing has been a traditional way of life for the individual in Alaska, for the repair, restoration or upgrading of existing vessels and gear, for the purchase of entry permits and gear, and for the construction and purchase of vessels;

(C) corporations, partnerships, or joint ventures, 100 percent of which are owned by individual commercial fishermen who have been state residents for a continuous period of two years immediately preceding the date of application for a loan under AS 16.10.310(a)(1)(B) and have had a crewmember or commercial fishing license under AS 16.05.480 or a permit under AS 16.43 for the year immediately preceding the date of application and any other two of the past five years, and who actively participated in the fishery during that period, for the repair, restoration or upgrading of existing vessels and gear, for the purchase of gear, and for the construction and purchase of vessels;

(2) designate agents and delegate its powers to them as necessary;

(3) adopt regulations necessary to carry out its functions;

(4) establish amortization plans for repayment of loans, which may include extensions for poor fishing seasons or for adverse market conditions for Alaskan products;

(5) enter into agreements with private lending institutions, other state agencies, or agencies of the federal government, to carry out the purposes of AS 16.10.300 - 16.10.370;

(6) enter into agreements with other agencies or organizations to create an outreach program to make loans under AS 16.10.300 - 16.10.370 in rural areas of the state.

(b) The department shall consult with the Department of Fish and Game on regulations and procedures established under this chapter.

AS16.10.310 (cont.)

HISTORY (Sec. 1 ch 134 SLA 1972; am sec. 3 ch 54 SLA 1973; am sec. 3 ch 128 SLA 1975; am sec. 1 ch 154 SLA 1977; am sec. 3 ch 83 SLA 1978; am secs. 2 - 7 ch 72 SLA 1979; am sec. 7 ch 113 SLA 1982; am sec. 1 ch 7 SLA 1983)

AS16.10.315

\*\*\*\*\*

CHAPTER = 16.10

SECTION = 16.10.315

TITLE = 16

HEADINGS TITLE 16.

Fish and Game.

CHAPTER 10.

Fisheries and Fishing Regulations.

ARTICLE 7.

Commercial Fishing Loan Act.

CITATION Sec. 16.10.315.

CATCH LINE

ALLOCATION OF LOANS.

TEXT The department shall allocate at least 10 percent of the money that is appropriated for a state fiscal year to make loans under AS 16.10.310 for loans of \$35,000 or less made under AS 16.10.310(a)(1)(B) and

(C). An allocation made under this section terminates on April 15 of the state fiscal year for which the allocation is made.

HISTORY (Sec. 2 ch 7 SLA 1983)

AS16.10.320

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.320  
TITLE = 16  
HEADINGS TITLE 16.

Fish and Game.

CHAPTER 10.

Fisheries and Fishing Regulations.

ARTICLE 7.

Commercial Fishing Loan Act.

CITATION Sec. 16.10.320.

CATCH LINE

LIMITATIONS ON LOANS.

TEXT (a) A loan under AS 16.10.310 - 16.10.370

- (1) may not exceed a term of 15 years;
- (2) may not bear interest exceeding 10-1/2 percent;
- (3) shall be secured by a first priority lien and appropriate security agreement; and
- (4) may not exceed 90 percent of the appraised value of the collateral used to secure the loan, except that a loan granted under AS 16.10.333 for the purchase of an Alaska limited entry permit may not exceed an amount determined in accordance with (f) or (h) of this section.

(b) A lien in favor of the state is not required for loans guaranteed fully by the federal government under 46 U.S.C. 1271 - 1279b (Federal Ship Financing Act of 1972), as amended. In the case of a security agreement given to secure a loan made under AS 16.10.300 - 16.10.370 and covering a vessel documented under the laws of the United States and so long as 46 U.S.C. 911-948 (Ship Mortgage Act, 1920) as amended, and 46 U.S.C. 801-842 (Shipping Act, 1916), as amended, remain ambiguous with respect to whether or not a state or state agency qualifies as a citizen of the United States for purposes of those Acts, the first lien requirement of this section may be satisfied by the recordation

AS16.10.320 (cont.)

and endorsement of a first preferred ship mortgage under 46 U.S.C. 911-984, and by perfection of a security interest under the Uniform Commercial Code - Secured Transactions (AS 45.09), if the approval of the Secretary of Commerce is obtained under 46 U.S.C. 839 for the transfer to the department of the interest in a vessel documented under the laws of the United States. In the case of a security agreement given to secure a loan made under AS 16.10.300 - 16.10.370 and covering a vessel documented under the laws of the United States, the first lien requirement of this section may also be satisfied by use of a trust deed and bond issued under it, if the trustee is a citizen of the United States and obtains a first preferred ship mortgage on the vessel under 46 U.S.C. 911-984, and the approval of the Secretary of Commerce is obtained under 46 U.S.C. 839 and 961 for the transfer of the bond or bonds to the department if the trustee is not a trustee approved by the Secretary of Commerce under 46 U.S.C. 808, 835 and 961.

(c) Repealed, sec. 72 ch 113 SLA 1982.

(d) Loans made to a borrower under AS 16.10.310(a)(1)(A) may not exceed a total of \$300,000. Loans made to a borrower under AS 16.10.310(a)(1)(B) or (C) may not exceed a total of \$100,000. A loan to an associate of the borrower is considered to be a loan to the borrower. For the purposes of this section, "associate of the borrower" means

(1) a corporation or other organization of which the borrower is an officer, director or partner, or is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities;

(2) a person who is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities of the borrower;

(3) a trust or other estate in which the borrower has a substantial beneficial interest or as to which the borrower serves as trustee or in a similar fiduciary capacity.

AS16.10.320 (cont.)

(e) Two or more individual commercial fishermen who each satisfy the requirements specified in AS 16.10.310(a)(1)(B) may jointly obtain a commercial fishing loan for the construction of a fishing vessel or the purchase of an existing fishing vessel. Loans granted under this subsection

(1) may not exceed the amount specified in (d) of this section multiplied by the number of qualified commercial fishermen applying for the loan;

(2) may not exceed a term of 15 years;

(3) shall be secured by a first priority lien and appropriate security agreement;

(4) may not bear interest exceeding 10-1/2 percent; and

(5) may not exceed 90 percent of the appraised value of the collateral used to secure the loan.

(f) Except as permitted in (h) of this section, a loan made under AS 16.10.310(a)(1)(A) and (B) for the purchase of an Alaska limited entry permit may not exceed 90 percent of the appraised value of the collateral used to secure the loan.

(g) Repealed, sec. 72 ch 113 SLA 1982.

(h) A loan for an entry permit under AS 16.10.310(a)(1)(B) may be made for up to 100 percent of the appraised value of the collateral used to secure the loan if the borrower demonstrates that (1) the borrower has at least three years of experience as a commercial fisherman in the fishery to which the entry permit applies; and (2) the borrower has not owned an Alaska limited entry permit in the year immediately preceding the application for the loan. In this subsection "three years of experience as a commercial fisherman in the fishery" means that for an accumulated total of three fishing seasons in the same fishery the borrower has actively participated in the commercial harvest of fish under the direction of a limited entry permit holder.

(i) If a loan is made to a borrower under AS 16.10.310(a)(1)(A), a subsequent loan may not be made to the borrower or an associate of the borrower under AS 16.10.310(a)(1)(B) or (C). If a loan is made to a borrower under

AS16.10.320 (cont.)

AS 16.10.310(a)(1)(B) or (C), a subsequent loan may be made to the borrower or an associate of the borrower under AS 16.10.310(a)(1)(A) if the total of the loans received by the borrower or the associate under AS 16.10.310 does not exceed \$300,000.

HISTORY (Sec. 1 ch 134 SLA 1972; am sec. 3 ch 54 SLA 1973; am sec. 3 ch 128 SLA 1975; am sec. 1 ch 154 SLA 1977; am sec. 3 ch 83 SLA 1978; am secs. 2 - 7 ch 72 SLA 1979; am secs. 8 - 12, 72 ch 113 SLA 1982)

AS16.10.325

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.325  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.

CITATION Sec. 16.10.325.

CATCH LINE

GUARANTORS.

TEXT A person may act as guarantor if the borrower has insufficient collateral to secure a loan for the purposes described in AS 16.10.310(a)(1)(B). The loan agreement shall specifically describe the property of the guarantor to be used as collateral by the borrower and shall be signed by the guarantor and the borrower. The department shall provide the guarantor with a copy of all notices sent to the borrower by the department. If the loan is for the purchase of an entry permit, the guaranty by the

AS16.10.325 (cont.)

guarantor may not constitute a lien, mortgage, or encumbrance on  
or pledge of the entry permit.

HISTORY (Sec. 13 ch 113 SLA 1982)

AS16.10.330

\*\*\*\*\*

CHAPTER = 16.10

SECTION = 16.10.330

TITLE = 16

HEADINGS TITLE 16.

Fish and Game.

CHAPTER 10.

Fisheries and Fishing Regulations.

ARTICLE 7.

Commercial Fishing Loan Act.

CITATION Sec. 16.10.330.

CATCH LINE

SALE OR TRANSFER OF MORTGAGES, BONDS AND NOTES.

TEXT Repealed, sec. 14 ch 122 SLA 1980.

AS16.10.333

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.333  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.

CITATION Sec. 16.10.333.

CATCH LINE

LOANS FOR PURCHASE OF ALASKA LIMITED ENTRY PERMITS.

TEXT (a) Loans under AS 16.10.320(a) may be made to an individual commercial fisherman for the purchase of a limited entry permit upon certification by the commission that the fisherman is a person who qualifies as a transferee for the permit under AS 16.43 and the regulations adopted by the commission.

(b) Upon approval by the commissioner, the permit to be purchased may be pledged as security for a loan under (a) of this section, if

(1) the certificate for the pledged permit lists the commissioner as the legal owner of the permit;

(2) the certificate for the pledged permit lists the debtor as the equitable owner of the permit;

(3) all annual permit cards issued under the pledged permit list the name of the debtor;

(4) all obligations and responsibilities of a permit owner are assumed by the debtor;

(5) co-signers or other sureties for performance under the note are not vested with any rights in the pledged permit and their obligation is limited to satisfaction of the note and payment of costs directly incurred by the department in administering the loan.

AS16.10.333 (cont.)

(c) The commissioner is not liable for any act or omission resulting from permit ownership nor will that act or omission affect the commissioner's title to the permit or the commissioner's rights under it.

(d) Upon satisfaction of the note by the debtor, the commissioner shall certify to the commission that the note has been satisfied.

(e) Upon certification as provided in (d) of this section, the commission shall amend the permit certificate to list the debtor as the legal owner.

(f) In determining whether an individual commercial fisherman is reasonably likely to be able to repay a loan made under this section, the commissioner shall consider the individual commercial fisherman's income from commercial fishing and from all other sources.

HISTORY (Sec. 4 ch 83 SLA 1978; am sec. 1 ch 106 SLA 1980)

AS16.10.335

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.335  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.

CITATION Sec. 16.10.335.

CATCH LINE

DEFAULT AND FORECLOSURE.

TEXT (a) If the debtor defaults upon a note for which a limited entry permit has been pledged as security under AS 16.10.333 or under AS 16.10.338, the commissioner shall provide the debtor, by

AS16.10.335 (cont.)

registered or certified mail sent to the debtor's last known address on file with the commissioner, with a notice of default which includes

- (1) a description of the security given for the note including the number assigned to the pledged permit by the commission;
- (2) the date upon which the default occurred;
- (3) the amount of arrearages as of the date of the notice, the total amount remaining on the note less unearned interest, and the amount of daily interest;
- (4) a statement that the debtor may, within 15 days of the postmark date of the notice, request a hearing to submit evidence showing the debtor has not defaulted;
- (5) a statement that the note may be reinstated if brought current within 60 days from the postmark date of the notice;
- (6) a statement that the note may be paid in full less unearned interest within 120 days from the postmark date of the notice;
- (7) the place where reinstatement or payment in full may be made; and
- (8) a notice in at least 10-point bold type stating:  
"IMPORTANT: YOUR FAILURE TO REINSTATE OR PAY THIS NOTE IN FULL BY THE DATE SPECIFIED WILL RESULT IN A FORFEITURE OF ALL RIGHTS TO THE PERMIT AND THE POSSIBILITY OF LEGAL ACTION BEING INSTITUTED AGAINST YOU."

(b) Upon the debtor's failure to satisfy the note within the time specified in (a)(6) of this section, the debtor's interest in the permit is terminated by operation of law without further notice. Any entry permit cards issued to the debtor under the permit shall be cancelled immediately upon receipt by the commission of a certificate of termination containing a copy of the notice required by (a) of this section issued by the commissioner.

AS16.10.337

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.337  
TITLE = 16  
HEADINGS TITLE 16.

Fish and Game.

CHAPTER 10.

Fisheries and Fishing Regulations.

ARTICLE 7.

Commercial Fishing Loan Act.

CITATION Sec. 16.10.337.

CATCH LINE

DEFICIENCIES AND TRANSFER OF ENTRY PERMITS AFTER FORECLOSURE.

TEXT (a) Upon a foreclosure on an entry permit as provided in AS 16.10.335, the commissioner shall offer the commission a right of first refusal if the permit is subject to a buy-back program under AS 16.43.290 16.43.330 at a price equal to the amount outstanding on the note plus any costs the department directly incurred in administering the loan.

(b) If the commission does not exercise its right of first refusal within 30 days after it receives the offer, or if the permit is not subject to a buy-back program under AS 16.43.290 - 16.43.330, the department shall promptly advertise and sell the permit. If the proceeds of the sale of a permit exceed the amount necessary to pay the note in full, plus penalties, costs of administration of the note, and attorney fees, the excess will be transferred by the commissioner to the debtor. At any time until the permit has been sold under this subsection the debtor may repurchase the permit by paying the department the amount necessary to pay the note in full, plus penalties, costs of administration of the note, and attorney fees, as determined by the commissioner.

(c) Repealed, sec. 72 ch 113 SLA 1982.

AS16.10.337 (cont.)

(d) Nothing in this section affects the right of the commissioner to institute legal action for a deficiency resulting from a default on a note given under AS 16.10.333. In addition to any deficiency, the debtor is liable for the costs of administering the note and for costs and attorney fees.

HISTORY (Sec. 4 ch 83 SLA 1978; am sec. 72 ch 113 SLA 1982; am sec. 5 ch 7 SLA 1983)

AS16.10.338

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.338  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.338.  
CATCH LINE  
ENTRY PERMITS AS COLLATERAL.  
TEXT Alaska limited entry permits may be used as security for loans under AS 16.10.310(a). The provisions of AS 16.10.335 and 16.10.337 apply to Alaska limited entry permits pledged as security for loans in accordance with this section.  
HISTORY (Sec. 10 ch 72 SLA 1979)

AS16.10.339

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.339  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.339.  
CATCH LINE  
REGULATIONS.  
TEXT The commission, with the approval of the department, shall adopt  
regulations to implement AS 16.10.333 - 16.10.337.  
HISTORY (Sec. 4 ch 83 SLA 1978)

AS16.10.340

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.340  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.340.  
CATCH LINE  
CREATION OF FUND.  
TEXT There is a commercial fishing revolving loan fund to carry out  
the purpose of AS 16.10.300 - 16.10.370.  
HISTORY (Sec. 1 ch 134 SLA 1972; am sec. 2 ch 177 SLA 1976)

AS16.10.342

\*\*\*\*\*

CHAPTER = 16.10

SECTION = 16.10.342

TITLE = 16

HEADINGS TITLE 16.

Fish and Game.

CHAPTER 10.

Fisheries and Fishing Regulations.

ARTICLE 7.

Commercial Fishing Loan Act.

CITATION Sec. 16.10.342.

CATCH LINE

SPECIAL ACCOUNT ESTABLISHED.

TEXT

(a) There is established as a special account within the commercial fishing revolving loan fund the foreclosure expense account.

(b) Repealed, sec. 72 ch 113 SLA 1982.

(c) The commissioner may expend money credited to the foreclosure expense account when necessary to protect the state's security interest in collateral on loans granted under AS 16.10.300 - 16.10.370 or to defray expenses incurred during foreclosure proceedings after a default by an obligor.

HISTORY (Sec. 4 ch 83 SLA 1978; am sec. 72 ch 113 SLA 1982)

AS16.10.350

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.350  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.350.  
CATCH LINE  
ADMINISTRATION OF FUND.  
TEXT The commissioner shall administer the loan fund.  
HISTORY (Sec. 1 ch 134 SLA 1972)

AS16.10.360

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.360  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.360.  
CATCH LINE  
DEFINITIONS.  
TEXT In AS 16.10.300 - 16.10.370  
(1) "commission" means the Alaska Commercial Fisheries  
Entry Commission;

AS16.10.360 (cont.)

(2) "commissioner" means the commissioner of commerce and economic development;

(3) "debtor" means an individual commercial fisherman who either initially contracts for a loan under AS 16.10.333 - 16.10.337 or assumes a loan as provided in those sections;

(4) "department" means the Department of Commerce and Economic Development.

HISTORY (Sec. 1 ch 134 SLA 1972; am sec. 5 ch 83 SLA 1978)

AS16.10.370

\*\*\*\*\*

CHAPTER = 16.10  
SECTION = 16.10.370  
TITLE = 16  
HEADINGS TITLE 16.  
Fish and Game.  
CHAPTER 10.  
Fisheries and Fishing Regulations.  
ARTICLE 7.  
Commercial Fishing Loan Act.  
CITATION Sec. 16.10.370.  
CATCH LINE  
SHORT TITLE.  
TEXT AS 16.10.300 - 16.10.370 may be cited as the Commercial Fishing Loan Act.  
HISTORY (Sec. 1 ch 134 SLA 1972)

AS16.05.480

\*\*\*\*\*

CHAPTER = 16.05

SECTION = 16.05.480

TITLE = 16

HEADINGS TITLE 16.

Fish and Game.

CHAPTER 05.

Fish and Game Code.

ARTICLE 4.

Licensing of Commercial Fishing Crewmembers and Vessels.

CITATION Sec. 16.05.480.

CATCH LJNE

COMMERCIAL FISHING LICENSE.

TEXT

(a) A person engaged in commercial fishing shall obtain a commercial fishing license. The fee for the license is \$30 for residents, and \$90 for nonresidents. Except for those which are also entry or interim-use permits, all commercial fishing licenses are nontransferable. The commercial fishing license shall be retained in the possession of the licensee, readily accessible for inspection at all times. No more than one fee may be charged annually against a person. For the purposes of this section, "commercial fishing license" includes entry permits and interim-use permits issued under AS 16.43 and crewmember fishing licenses.

(b) A person applying for a resident commercial license under this section shall provide the proof of residence which the department requires by regulation.

(c) Repealed, sec. 12 ch 123 SLA 1978.

HISTORY

(Sec. 6 art III ch 94 SLA 1959; am sec. 19 ch 131 SLA 1960; am sec. 1 ch 93 SLA 1966; am sec. 2 ch 42 SLA 1968; am sec. 3 ch 105 SLA 1977; am secs. 1, 2, 12 ch 123 SLA 1978; am sec. 1 ch 79 SLA 1982)

AS27.09.010

\*\*\*\*\*

CHAPTER = 27.09  
SECTION = 27.09.010  
TITLE = 27  
HEADINGS TITLE 27.  
Mining.  
CHAPTER 09.  
Mining Loan Fund.  
CITATION Sec. 27.09.010.  
CATCH LINE

MINING LOAN FUND.

TEXT (a) There is established in the Department of Commerce and Economic Development the mining loan fund. The department may make loans from the fund to underwrite advanced mineral exploration, development, or mining in the state.

(b) The mining loan fund is a revolving fund consisting of appropriations made to the fund by the legislature and repayments of principal and interest on loans made from the fund. Money appropriated to or repaid into the fund does not lapse under AS 37.25.010.

HISTORY (Sec. 35 ch 106 SLA 1980; am sec. 32 ch 113 SLA 1982)

AS44.33.240

\*\*\*\*\*

CHAPTER = 44.33  
SECTION = 44.33.240  
TITLE = 44  
HEADINGS TITLE 44.  
State Government.  
CHAPTER 33.  
Department of Commerce and Economic Development.  
ARTICLE 4.  
Child Care Facility Revolving Loan Fund.

CITATION Sec. 44.33.240.

CATCH LINE

CHILD CARE FACILITY REVOLVING LOAN FUND.

TEXT There is in the Department of Commerce and Economic Development the child care facility revolving loan fund to carry out the purposes of AS 44.33.240 44.33.275. The fund may not be used for any other purpose.

HISTORY (Sec. 9 ch 253 SLA 1976)

AS44.33.245

\*\*\*\*\*

CHAPTER = 44.33  
SECTION = 44.33.245  
TITLE = 44  
HEADINGS TITLE 44.  
State Government.  
CHAPTER 33.  
Department of Commerce and Economic Development.  
ARTICLE 4.  
Child Care Facility Revolving Loan Fund.

CITATION Sec. 44.33.245.

CATCH LINE

POWERS AND DUTIES OF THE DEPARTMENT IN ADMINISTERING THE FUND.

AS44.33.245 (cont.)

TEXT (a) The department may  
(1) make loans for the construction, renovation, and equipping of child care facilities, including private nonprofit child care facilities;  
(2) adopt regulations necessary to carry out the provisions of AS 44.33.240 - 44.33.275.  
(b) The department shall  
(1) develop eligibility standards for loans to child care facilities;  
(2) adopt guidelines for the determination of loan terms.

HISTORY (Sec. 9 ch 253 SLA 1976; am sec. 1 ch 112 SLA 1981)

AS44.33.250

\*\*\*\*\*

CHAPTER = 44.33  
SECTION = 44.33.250  
TITLE = 44  
HEADINGS TITLE 44.  
State Government.  
CHAPTER 33.  
Department of Commerce and Economic Development.  
ARTICLE 4.  
Child Care Facility Revolving Loan Fund.  
CITATION Sec. 44.33.250.  
CATCH LINE  
CONDITIONS OF LOANS.  
TEXT Repealed, sec. 9 ch 112 SLA 1981.

AS44.33.255

\*\*\*\*\*

CHAPTER = 44.33

SECTION = 44.33.255

TITLE = 44

HEADINGS TITLE 44.

State Government.

CHAPTER 33.

Department of Commerce and Economic Development.

ARTICLE 4.

Child Care Facility Revolving Loan Fund.

CITATION Sec. 44.33.255.

CATCH LINE

LOAN TERMS.

TEXT (a) A loan to a child care facility under AS 44.33.240 - 44.33.275 may not exceed \$50,000.

(b) The rate of interest charged shall be seven per cent a year on the unpaid balance of the loan.

(c) The duration for repayment of a loan may not exceed 20 years.

(d) All principal and interest payments on loans under AS 44.33.240 - 44.33.275 shall be paid into the child care facility revolving loan fund.

(e) If a child care facility ceases operation, any loan to the facility from the fund is due on the date the facility ceases operation.

HISTORY (Sec. 9 ch 253 SLA 1976; am sec. 3 ch 153 SLA 1978; am sec. 18 ch 72 SLA 1979; am sec. 2 ch 112 SLA 1981; am sec. 34 ch 113 SLA 1982)

AS44.33.260

\*\*\*\*\*

CHAPTER = 44.33

SECTION = 44.33.260

TITLE = 44

HEADINGS TITLE 44.

State Government.

CHAPTER 33.

Department of Commerce and Economic Development.

ARTICLE 4.

Child Care Facility Revolving Loan Fund.

CITATION Sec. 44.33.260.

CATCH LINE

ELIGIBILITY FOR LOANS.

TEXT A child care facility is eligible for a loan under AS 44.33.240 -  
44.33.275 if

(1) the applicant submits to the department a plan for  
the use of the loan funds that is approved by the  
commissioner;

(2) Repealed, sec. 9 ch 112 SLA 1981.

(3) Repealed, sec. 7 ch 153 SLA 1978.

(4) Repealed, sec. 7 ch 153 SLA 1978.

(5) the applicant meets additional eligibility  
standards established by the department under AS  
44.33.245(b)(1).

HISTORY (Sec. 9 ch 253 SLA 1976; am secs. 4, 7 ch 153 SLA 1978; am sec.  
9 ch 112 SLA 1981)

AS44.33.265

\*\*\*\*\*

CHAPTER = 44.33  
SECTION = 44.33.265  
TITLE = 44  
HEADINGS TITLE 44.  
State Government.  
CHAPTER 33.  
Department of Commerce and Economic Development.  
ARTICLE 4.  
Child Care Facility Revolving Loan Fund.  
CITATION Sec. 44.33.265.  
CATCH LINE  
CERTIFICATE OF NEED.  
TEXT Repealed, sec. 7 ch 153 SLA 1978.

AS44.33.270

\*\*\*\*\*

CHAPTER = 44.33  
SECTION = 44.33.270  
TITLE = 44  
HEADINGS TITLE 44.  
State Government.  
CHAPTER 33.  
Department of Commerce and Economic Development.  
ARTICLE 4.  
Child Care Facility Revolving Loan Fund.  
CITATION Sec. 44.33.270.  
CATCH LINE  
SALE OR TRANSFER OF MORTGAGES AND NOTES.  
TEXT (a) The commissioner of commerce and economic development may sell or transfer at par value or at a premium to a bank or other private purchaser for cash or other consideration the mortgages and notes held by the department as security for loans made under this chapter.

AS44.33.270 (cont.)

(b) Repealed, sec. 14 ch 122 SLA 1980.

HISTORY (Sec. 9 ch 253 SLA 1976; am sec. 5 ch 153 SLA 1978; am sec. 19 ch 72 SLA 1979; am sec. 14 ch 122 SLA 1980)

AS44.33.275

\*\*\*\*\*

CHAPTER = 44.33

SECTION = 44.33.275

TITLE = 44

HEADINGS TITLE 44.

State Government.

CHAPTER 33.

Department of Commerce and Economic Development.

ARTICLE 4.

Child Care Facility Revolving Loan Fund.

CITATION Sec. 44.33.275.

CATCH LINE

DEFINITIONS.

TEXT In AS 44.33.240 - 44.33.275

(1) "child care facility" means an establishment the principal purpose of which is to provide care for children not related by blood, marriage, or legal adoption, including but not limited to day care centers, family day care homes, and schools for preschool age children;

(2) "department" means the Department of Commerce and Economic Development.

HISTORY (Sec. 9 ch 253 SLA 1976)

AS45.98.020

\*\*\*\*\*

CHAPTER = 45.98  
SECTION = 45.98.020  
TITLE = 45

HEADINGS TITLE 45.

Trade and Commerce.

CHAPTER 98.

Historical District Revolving Loan Fund.

CITATION Sec. 45.98.020.

CATCH LINE

HISTORICAL DISTRICT LOANS.

TEXT Upon endorsement and plan approval by a local historical district commission established under AS 29.48.108 and the recommendation of a majority of the members of the Historic Sites Advisory Committee, the Department of Commerce and Economic Development may make loans to a person, firm, business or municipality subject to applicable laws for the restoration, improvement, rehabilitation, or maintenance of a structure which is

(1) within the boundaries of a historical district established under AS 29.48.110;

(2) identified as important in state or national history as provided for in AS 29.48.110(b); and

(3) another building or structure within a historical district, and suitable for superficial modification so that it can conform to the period or motif of the surrounding buildings or structures that are the reason for the area's designation as a historical district.

HISTORY (Sec. 3 ch 139 SLA 1977)

AS29.48.110

\*\*\*\*\*

CHAPTER = 29.48

SECTION = 29.48.110

TITLE = 29

HEADINGS TITLE 29.

Municipal Government.

CHAPTER 48.

Powers Applicable to All Municipalities.

ARTICLE 2.

Facilities, Services and Regulation.

CITATION Sec. 29.48.110.

CATCH LINE

ESTABLISHMENT OF HISTORICAL DISTRICTS.

TEXT

(a) In addition to existing municipal authority providing for the preservation, protection, and maintenance of historic sites, the local historical district commission established under AS 29.48.108, in consultation with the Historic Sites Advisory Committee within the Department of Natural Resources, may establish historical districts within the boundaries of the municipality.

(b) A historical district shall be a reasonably compact area of historical significance in which two or more structures important in state or national history, and related by physical proximity or historical association, are located. For purposes of this section, "structures important in state or national history" means properties recommended by historical district commissions, which are listed in the National Register of Historic Places or are characteristic of the Russian-American period before October 18, 1867, the early territorial period before 1930, or early Native heritage, reflecting the indigenous characteristics of Native culture in Alaska. Upon recommendation of the governing body of a general law or home rule municipality and the Historic Sites Advisory Committee, the Department of Natural Resources may by regulation formulate additional criteria for the establishment of historical districts not inconsistent with this subsection.

AS29.48.110 (cont.)

(c) The establishment of a historical district under this section shall be consistent with any applicable comprehensive plan for the municipality.

HISTORY (Sec. 2 ch 139 SLA 1977; am sec. 33 ch 113 SLA 1982)