

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672
5367 SLAB SB 257 - SB 274 99

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to business licenses. This bill will ease the administrative backlog under the current system and will permit coordination between the Department of Revenue and the Department of Commerce and Economic Development with respect to the issuance of licenses necessary to conduct a business in the state.

The bill has three main components. First, sec. 2 of the bill will require an applicant for a business license to include in the application the business name that the applicant intends to use. This will permit the Department of Revenue to cross-reference information with the Department of Commerce and Economic Development, division of occupational licensing and division of banking, securities and corporations. Those divisions maintain their records by business name.

In connection with this amendment, sec. 1 of the bill would add a new AS 43.05.230(h) to allow the Department of Revenue to provide to the Department of Commerce and Economic Development information related to business or legal names of licensees. Existing AS 43.05.230(g) already makes the information contained in a business license public information.

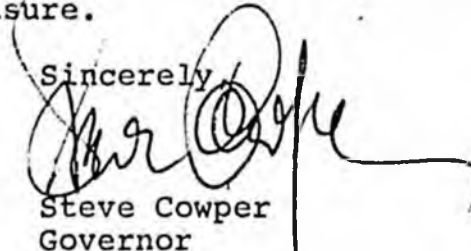
Second, sec. 3 of the bill provides that a business license will be valid for a two-year period after the date of issuance rather than the current one-year period with simultaneous expiration, in order to ease the administrative backlog and delay that results from the department's processing of approximately 60,000 business licenses annually.

Third, sec. 4 of the bill raises the fee for an Alaska business license from \$25 per year, the rate that has been charged since 1949, to \$100 per year.

Section 5 of the bill, amending AS 43.70.090, and sec. 6's repeal of AS 43.70.040(a) and 43.70.110(2) and (3), remove obsolete provisions related to former gross business tax provisions that were repealed by sec. 3, ch. 144, SLA 1978. AS 43.70.020(c) is repealed in sec. 6 of the bill simply because it refers to the calendar-year issuance of business licenses, and is not appropriate under the two-year schedule proposed in sec. 3 of the bill. The remaining repealer in sec. 6, AS 43.70.030(d), is necessary to remove reference to the \$25 license fee and because it, too, contains provisions related to the former gross business tax.

This bill will help alleviate some of the confusion confronting businesses in Alaska, who must register with both the Department of Revenue and the Department of Commerce and Economic Development. I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", with a long horizontal flourish extending to the right.

Steve Cowper
Governor

No 232

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date:

REQUEST

Bill/Resolution No: SB 257
Title: An act relating to the issuance of business licenses and raising business license fees.
Sponsor: _____
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: SB 257
4-13-87
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	30.2	4.2	-	-	-	-
SUPPLIES	1.0	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LAND & STRUCTURES	-	-	-	-	-	-
GRANTS/CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	31.2	4.2	-	-	-	-

CAPITAL	-	-	-	-	-	-
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REVENUE	0	9653.4	2051.6	10300.8	3754.6	10300.8
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FUNDING: (Thousands of Dollars)

GENERAL FUND	31.2	4.2	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	31.2	4.2	-	-	-	-

POSITIONS:

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

ANALYSIS:

See attached

Prepared by: Linda Gene Lockridge Phone: 465-2392
Division: Public Services Date: 12/10/86

Approved by: Walter B. Barber Date: 12-12-86
For Commissioner: _____
Agency: Revenue

Distribution (by Agency preparing fiscal note):

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

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. 257

Estimated Revenue:

Revenue estimates are based on total business license receipts for each year shown. Renewals for a biennial license established in 1988 will be due every other year. There will be no renewal licenses in FY89.

Assumption: There will be a 17% per year decrease in new licenses issued through FY89, and a 2% per year decrease in renewal licenses issued through FY89. This is based on the decrease in sales from 1985 to 1986. After FY89 license sales will level off and remain steady.

With an effective date of 1/1/88, FY88 sales will only be for one-half the fiscal year. Assumption: 100% of renewal licenses and 50% of new licenses will be purchased during this six month period.

Estimated Expenditures:

<u>Contractual:</u>	<u>FY 87</u>	<u>FY 88</u>
Systems Analyst/Programmer		
2 months at Range 18B (\$4,217 per month)	8.4	
1 month at Range 18B (\$4,217 per month)		4.2
Printing notice to current licensees	1.1	
Postage	13.2	
Forms design and typesetting	7.5	
<u>Supplies:</u> Envelopes	<u>1.0</u>	<u> </u>
<u>Total</u>	<u>31.2</u>	<u>4.2</u>

SB

260

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 15, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making necessary amendments to the state procurement code that was enacted last year (ch. 106, SLA 1986) with a July 1, 1987 effective date. HB 192, the bill deferring the effective date of the procurement code, proposed a two-year deferment; the House State Affairs Committee, in CSHB 192(SA), recommended a one-year deferment. The attached bill combines various substantive amendments with only a six-month deferment.

The legislature's conference committee on the budget last year reduced the procurement code's fiscal note to zero. However, several of its provisions, such as those pertaining to handling sole-source procurements, the extended and revised protest period, the appeals requirements, and the small procurement requirement are very "work intensive." The problem is exacerbated by the state's current fiscal crisis. There simply is no way to implement the provisions of the code right now. This bill's six-month postponement will give the state a chance to begin to regain its fiscal footing before taking on the new procedures set out in the procurement code. In addition, the amendments in this bill help tailor the code to conditions in Alaska. This bill is not, however, a general clean-up of the code.

To aid in your analysis of this bill, here is a section-by-section commentary on it:

Sections 1, 2, 15, 18, and 21 -- 23:

These are the deferment sections. Section 23, amending sec. 69, ch. 106, SLA 1986, is the most significant in that it changes the overall effective date of the procurement code. The other sections in this group make corresponding amendments in other time-related provisions that were enacted in ch. 106, SLA 1986.

Section 3:

AS 36.30.050(b) is amended to delete the blanket requirement of a biennial fee for getting on a list of contractors. Charging contractors to be on a bidder's list is prohibited by federal regulations on federally assisted construction projects. Even though using a bidder's list is only an available option in advertising for construction projects, it is impractical to maintain separate lists or systems for state-funded versus federally assisted projects. This amendment's proposed discretionary language would allow construction bidders list fees to be optional or to be eliminated if that would be appropriate.

Section 4:

AS 36.30.115(a) is amended to change the 24-hour requirement to a 72-hour requirement for submitting a list of subcontractors and to change the triggering event from the opening of bids to the receipt of the notice of intent to award. These amendments are necessary to provide appropriate flexibility in the handling of bids and subcontractor lists, and are consistent with the amendment in sec. 7 of this bill. With these changes, it is also advisable to delete the requirement that the two lowest bidders submit the list of subcontractors, as sec. 4 does. These amendments will be more cost-effective for both the state and the contractors.

Section 5:

AS 36.30.140(a) is amended to delete the requirement of the presence of a witness during bid openings. Although bid openings are open to the public, many of them have no members of the public in attendance. When no member of the public attends, it is necessary to assign an employee to be a witness. The effectiveness of such a procedure is questionable, and the use of employee time for such a function is wasteful. With the current and impending cutbacks in staff, such a procedure would be especially troublesome. Therefore, this amendment is necessary.

Section 6:

AS 36.30.170(b) is amended so that the apparent low bidder at a bid opening can be quickly announced. The current statute can be awkward to put into practice.

Section 7:

AS 36.30.210(a) is amended to conform to the 72-hour amendment of AS 36.30.115(a) (in sec. 4 of this bill). The requirements for listing subcontractors should be consistent among the various methods of procurement.

Section 8:

A proposed new section, AS 36.30.305, establishes a procedure in between the "sole source" procurements of AS 36.30.-300 and the "emergency" procurements of AS 36.30.310. It is thus a "semi" or "modified" sole source procurement provision. This new statute will serve the state's need for a method to procure which is broader than sole-source procurement but does not require all of the details of a competitive sealed process. This language provides broader purchasing capability. Failure to add this section would mean that the Department of Administration would have to write significantly more bids with a reduced staff.

Section 9:

AS 36.30.320(e) is amended to delete the requirement of sending notices to Alaska bidders designated by the commissioner under AS 36.30.050(d). The latter statute, which is being repealed in sec. 20 of this bill, pertains to small procurements. For every small procurement an agency might wish to make, it would be required by the current provision to contact the Department of Administration which would provide from the computerized list of contractors three names on a rotating basis. The requesting agency would have to contact those three contractors for quotes. We estimate that there are more than 70,000 small procurements made each year. The repeal of AS 36.30.050(d) is discussed below in connection with sec. 20 of the bill.

Section 10:

AS 36.30.322(a) is amended in two respects. First, "Alaska" is substituted for "local" to make clear that the requirement for use of timber and lumber products originating in this state means originating in an Alaska forest, not necessarily a southeastern forest or a southcentral forest, etc. The current language could produce an undesirable regionalism within the state, and I do not believe that that is what was intended with the original enactment. Second, an unnecessary step, certification by the commissioner of commerce and economic development, is removed so that the Department

of Commerce and Economic Development does not have to check up on each contract to see that sufficient notice has been given and that Alaska manufacturers were in fact unable to provide the product within the seven percent margin. The requirements for reasonable notice, etc., are not being changed.

Section 11:

A new subsection is added to AS 36.30.322 to establish a record-keeping procedure that will serve in the case of a challenge to the bid practices. This will assure that proper records will exist to document the use of preferred products.

Section 12:

AS 36.30.332(b) is amended by deleting references to the "manufacturer's quoted price" to make the language consistent with subsec. (a) and to ensure that the certification process does not become excessively complex, burdensome, or time-consuming. As currently written, the references in subsec. (b) to "manufacturer's quoted price" could require a certified public accountant's audit and statement detailing incoming materials costs and providing a detailed cost analysis of the manufacturing process. The amendment would allow the broad categories and criteria established by regulations adopted under subsec. (a) to be the basis for the determination required by subsec. (b). It would thus make the whole certification process more efficient.

Technical, grammatical corrections are also being made in AS 36.30.332(b).

Section 13:

AS 36.30.338(1), the definition of "Alaska product," is amended to delete the reference to the "quoted price of the manufacturer," consistent with the changes made in sec. 12 of the bill. The re-wording of this definition also ties in the regulations that existing AS 36.30.332(a) requires, and thus makes the definition clearer.

Section 14:

AS 36.30.365 is amended so that construction contracts are not unduly delayed. For many years, the applicable statute allowed five rather than 10 days for construction contract award protests, and it is desirable to continue that fair

and efficient practice. This statute is also amended to make clear that contracts awarded under the sole-source statute (AS 36.30.300), the limited competition procurements statute (AS 36.30.305, proposed in sec. 8 of the bill), the emergency procurement statute (AS 36.30.310), or the small procurements statute (AS 36.30.320) are not covered by the 10-day or five-day requirement for providing to each bidder or offeror notice of intent to award a contract. The 10-day, and even the five-day, requirement could cause unnecessary delay in the award of contracts that should not be delayed.

Sections 16 and 17:

The amendment, in secs. 16 and 17, of AS 36.30.565 and AS 36.30.610, respectively, will make the appeal process more efficient by limiting appeals to those of the award or proposed award. Language relating to an appeal before a bid is opened is deleted. This will simplify the whole procedure while still assuring fair treatment of all parties.

Section 19:

AS 36.30.900 is amended in two ways. First, two redundant verbs are deleted, in order to simplify and streamline the language. Second, a reference to AS 36.20.010 is deleted because that statute was repealed by sec. 67, ch. 106, SLA 1986.

Section 20:

Several statutes are repealed, as follows:

AS 36.30.050(d), the requirement that lists of contractors be used in providing notice of intent to make a small procurement, is repealed because it would require the Department of Administration to revise its bid-list program to provide names on a rotating basis. The estimated cost of the computer software alone is \$20,000. Also, the current provision requires that all departments use the names provided, something that would be relatively simple if the purchaser were always in an office with access to a computer. However, numerous offices do not have that access. In addition, the requirement to contact vendors does not take into account the vendor's location or real interest in the specific procurement. For example, a Department of Fish and Game employee in Soldotna could be required to call the Anchorage office to get the names of three vendors who turn out to be located in Nome, Ketchikan,

and Haines. The purchaser would then have to make three long-distance calls to get quotations. Since the purchaser would be allowed to secure additional quotations, he or she could probably get a local quotation that turns out to be well below those obtained through this elaborate procedure. Thus, this statute is wasteful at a time when it is critical that the state government be more efficient.

AS 36.30.362, a provision requiring the state to provide a superfluous written statement (explaining the basis of an award to a person who does not reside or maintain a place of business in Alaska) is repealed. Bids are awarded to low responsive bidders even if they are located outside the state. A written statement explaining the award accomplishes nothing.

AS 36.30.380, which requires approval of proposed contractors' accounting systems, would be repealed. This section appears to require the state to approve all accounting systems for contracts awarded by the sealed proposal method. Some bidders will be major corporations, and it would be foolish to waste state staff time reviewing, analyzing, and approving their accounting systems. This would be very costly, and, if it is not done properly, could expose the state to claims or overcharges.

AS 36.30.540(4) and (5), requiring the state to make listings of all procurements made within the state and outside the state, are being repealed. These lists are never consulted and provide no usable information.

Section 24:

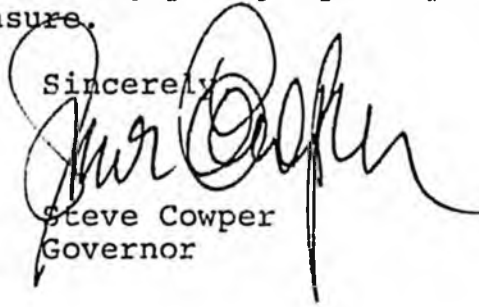
The deferment sections of this bill have been given an immediate effective date so that everyone involved in dealing with the procurement code, both the public and the administrators, will be able to make appropriate plans. The other sections of this bill have been given a January 1, 1988 effective date to coincide with the proposed deferred effective date of all but one section of ch. 106, SLA 1986. (Section 66 of last year's act was given an immediate effective date at that time to enable the regulations-adoption project to get started.)

Hon. Jan Faiks

Page 7

Enactment of this bill will streamline procurement activities of the state and will result in an enormous cost-savings at this critical time. It is necessary to enact this bill this session. I strongly urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the word "Sincerely,".

Steve Cowper
Governor

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: 4/6/87

Bill Version: SB260
Publish Date: _____

Revision Date: _____

Agency Affected: DOT&PF

Title: An Act Relating to State Procurement Procedures & Providing for an Effective Date
 & Procedures: & Providing for an Effective Date

Sponsor: Governor

Design: & Construction

Engineering & Operations Standards

Requestor: _____

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

The fiscal impact of this bill is zero. Although the attached analysis shows a reduced expenditure of \$136,000, it does not represent a true reduction. The department had to absorb an estimated expenditure of \$200,000 when the original procurement legislation was passed last session with a zero fiscal note.

Prepared by: Loren Rasmussen
 Division: Engineering & Operations Standards

Phone: 465-2960
 Date: 4/8/87

Approved by Commissioner: M. L. S. [Signature]
 Agency: Transportation & Public Facilities

Date: 4/9/87

Distribution (by preparer):

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

Tracy

ANALYSIS RE:

HB _____ An Act Relating to State Procurement Practices and Procedures; and Providing for an Effective Date

NOTE:

It must be noted that the original procurement bill was passed last year with a zero fiscal note when the estimated impact was \$200,000. Therefore the cost savings shown in this fiscal note are costs that are absorbed in DOT&PF operating and CIP budgets and no actual reduction would occur.

Section by Section review and analysis:

Given data (from DOT&PF records):

1. 200 construction contracts annually.
2. Estimate 300 contractors on bidders list.
3. Estimate 300 to 500 consultants on bidders list.
4. 175 consultant contracts annually.
5. 1700 quotes on small purchases annually.
6. \$35/hr cost of an Engineer.
7. \$20/hr cost of a clerk.

Section 1. Eliminates biennial fee for getting on the construction contractors bidder list.

Assume Bidders List is 300:

$$\frac{\$25 \times 300}{2} = \$3,750 \text{ savings to the contractors*}$$

Cost of maintaining the list:

$$(3/\text{hrs/wk}) (3 \text{ regions}) (52 \text{ wk}) (\$20/\text{hr}) = \$9,360$$

Say \$10,000 savings to DOT&PF

Section 2. Listing of subcontractors 72 hours after Letter of Intent to Award and only from apparent low bidder.

$$(200 \text{ projects annually}) (4 \text{ hrs to put list together}) (\$35) = (200) (4) (\$35) = \$28,000 \text{ savings to the contractors*}$$

½ hour savings to check subs listing

$$(200) (.5) (\$35/\text{hr}) = \$3,500$$

Say \$4,000 savings to DOT&PF

Section 3. Eliminates witness at bid opening.

* does not show on fiscal note

$(.5/\text{hr})(3 \text{ regions})(52/\text{wk})(\$20/\text{hr}) = \$1,560$

Say \$2,000 savings to DOT&PF

Section 4. Amends the code so that the apparent low bidder can be announced quickly - large savings or benefit may be in preventing bidder errors.

Assume:

$\frac{1}{2}$ /hour savings at each bid opening

$(.5/\text{hr})(3 \text{ regions})(52/\text{wks})(\$35/\text{hr}) = \$2,730$

Say \$3,000

Section 5. 72 hour requirement for listing subcontracts on proposal type contracts.

These contracts are negotiated type consultant contracts and the actual savings would be in time and administrative costs.

Section 6. A procedure for contracts between sole source and emergencies.

No savings to DOT&PF - present law provides a similar system for construction contracts.

Section 7. Small purchases on a rotating basis.

$(1700 \text{ "quotes"})(.5/\text{hr "required"})(\$20/\text{hr}) = \$17,000$

Section 8. Changes "local" to "Alaska" forest products and certification on a statewide basis instead of project by project basis.

$(200 \text{ projects annually})(2/\text{hrs to put certification together})(\$35/\text{hr}) = \$14,000 \text{ to DOT\&PF}$

(The same type of savings to the contractors*)

Section 9. Added record section for keeping requirements for Alaska products.

No cost savings to DOT&PF

Added cost to contractors: $(200)(2/\text{hrs})(\text{annually})(\$35) = \$14,000^*$

Section 10. Deleting reference to "manufacturer's quoted price"

No cost savings to DOT&PF.

Section 11. Same as Section 10.

Section 12. Provides for awarding a construction contract in 5 days.

There would be a savings to DOT&PF mainly in time - the amendment would save 5 days in awarding contracts - but not all contracts can or would be actually awarded in 5 days. It is not practical to put a cost for this section.

Section 13
and 14.

Eliminates bid protests during the advertising time of a project (before bid openings).

Although there could be substantial savings to the DOT&PF for this section (by allowing a critical project to proceed to the bid opening stage) it is not practical to compute an actual savings.

Section 15. Cleans up language for Alaska products (forest products).

No fiscal impact on DOT&PF.

Section 16. Repeals several sections.

AS 36.30.050(d) - small procurement using a contractor list (see section 7)

AS 36.30.362 - eliminates the written statements explaining awards for out-of-state contractors.

(200 projects annually) (10% out-of-state contractors) (1/hr for letter) (\$35/hr) = \$700
Say \$1,000

AS 36.30.380 - Eliminates approval of contractors accounting system.

(175 consultant contracts) (1.4 contracts/consultants) = 125
(125) (2 days) (7.5 hr/day) (\$35/hr) = \$65,625
Travel (10% of 125) (1 trip) (\$1,500/trip) = \$18,750
\$84,375

Say \$85,000

AS 36.30.540(4) & (5) - Eliminates making a list of in-and-out-of-state contractors.

(3 days) (7.5/hr) (\$20/hr) = \$450

Section 17. Effective date of July 1, 1987 but note HB 192 proposes a delay.

Summary:

Section 1.	10,000	
Section 2.	4,000	
Section 3.	2,000	
Section 4.	3,000	
Section 5.	-	(Time only)
Section 6.	-	(DOA)
Section 7.	17,000	
Section 8.	14,000	
Section 9.	-	(DC&ED)
Section 10.	-	(DC&ED)
Section 11.	-	(DC&ED)
Section 12.	-	(Time only)
Section 13.	-	(Impractical to estimate)
Section 14.	-	(Impractical to estimate)
Section 15.	0	
Section 16		
AS 36.30.050(d)	-	(See section 7)
AS 36.30.362	1,000	
AS 36.30.380	85,000	
Section 17.	-	(Effective date
	<u>\$136,000**</u>	

** \$85,000 would be assumed to be in the Capital Budget the remaining \$51,000 would be in the Operating Budget.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____
 Revision Date: _____
 Title: An Act relating to state
procurement practices
 Sponsor: Governor
 Requestor: _____

Bill Version: 773-87-0146
 Publish Date: _____

Agency Affected: Comm. & Econ. Dev.
 BRU: Advocates

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Becky Bear, Information Officer Phone: 465-2504
 Division: Administrative Services Date: April 14, 1987

Approved by Commissioner: *Anthony Smith*, Commissioner Date: April 14, 1987
 Agency: Department of Commerce and Economic Development

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

LAW LOG #773-87-0146

Bill-~~Version~~: _____

Publish Date: _____

REQUEST _____

Revision Date: _____

Agency Affected: Administration

Title: An Act Relating to State

BRU: General Services & Supply

Procurement Practices and Procedures
and Providing Effective Date.

Sponsor: Rules Committee by Request
of the Governor

Components: Purchasing

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS:

N/A

Prepared By: Robert J. Link *Robert J. Link*
Division: General Services & Supply

Phone: 465-2250

Date: April 6, 1987

Approved by Commissioner: Garrey Peska *Garrey Peska*
Agency: Department of Administration

Date: 4/7/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

DEPARTMENT OF ADMINISTRATION COMMENTS

Section 36.30.050 (d). Small procurements have traditionally been secured by getting quotations from three or more vendors. This portion of the law would have two impacts. The first would be to require Department of Administration (DOA) to revise its bid list program to provide names on a rotating basis. The estimated cost to revise the existing is \$20,000. The second requirement would be that departments use the names provided. That would be fine if the purchaser were in an office with computer accessibility. Numerous offices do not have computer accessibility. Additionally the requirement to contact vendors does not take into account the vendor's location or real interest in the specific procurement. A perhaps exaggerated example would be a Department of Fish and Game employee in Soldotna calling the Anchorage office to get the names of three vendors who turn out to be located in Nome, Ketchikan, and Haines. The purchaser would have to make three long-distance telephone calls to get quotations. Since they would be allowed to secure additional quotations the purchaser would probably get a local quotation which would turn out to be the low cost bid.

Section 36.30.140 (a). This requires the presence of a witness during bid openings. Many bid openings have public attendance but numerous have no attendance. In cases where there was no attendance we would have to assign an employee to be witness. We estimate it would take over several hundred staff hours per year to provide witnesses.

Section 36.30.300. The existing statute allows sole source procurements under very restrictive circumstances. The State needs a method to procure which is broader than sole source but does not require all the details of a competitive sealed process. The substitute language provides broader purchasing capability. The impact of not adding this section is that we would have to write significantly more bids with our reduced staff. This section is the most work intensive of the entire statute.

Section 36.30.320 (e). This section would require procurement officers wishing to make a small procurement to contact DOA for a listing of people to call. This is the second half of 36.30.050 (d).

Section 36.30.360 (a). This requires a written determination. No written determinations of responsibility have ever been used. It would add time and complexity to the bidding process.

Section 36.30.362. This requires the State to provide a superfluous written statement. Bids are awarded to low responsive bidder even if they are located outside. A written statement explaining the award accomplishes nothing.

Section 36.30.390 (b). Another superfluous written determination is required.

Section 36.30.460 (i). Another superfluous written determination.

Section 36.30.540 (4),(5). This requires us to make listings of all procurements made instate and out-of-state.

Section 36.30.560-620. Protest Procedure. The existing procedure is lengthy and complex. The substitute deletes the procurement officer level of protest and has all appeals go to the commissioner. Additionally the appeals are limited to those of the award. The appeal before a bid is opened is deleted. This is an attempt to simplify the process.

Section 36.30.860. Hearing Officer advises that this adds nothing to the process.

DEPARTMENT OF ADMINISTRATION REVISIONS

Section 36.30.050. (d) [THE LISTS SHALL BE USED IN PROVIDING NOTICE OF INTENT TO MAKE SMALL PROCUREMENTS TO ALASKA BIDDERS AS DEFINED UNDER AS 36.30.170,c). A PROCUREMENT OFFICER WHO INTENDS TO MAKE A PROCUREMENT UNDER AS 36.30.320 SHALL REQUEST NAMES FROM THE DEPARTMENT AND THE DEPARTMENT SHALL FURNISH NAMES OF ALASKAN BIDDERS ON A ROTATING BASIS FROM THE LIST IN RESPONSE TO EACH REQUEST.]

Section 36.30.140. BID OPENING. The procurement officer shall open bids publicly [IN THE PRESENCE OF ONE OR MORE WITNESSES] at the time and place designated in the invitation to bid.

Section 36.30.305. LIMITED COMPETITION PROCUREMENTS. (a) A contract may be awarded for supplies, services, professional services or construction without competitive sealed bidding or competitive sealed proposals in accordance with regulations adopted by the commissioner of Administration. A contract may be awarded under this section only when the commissioner of Administration, or for construction contracts or procurements for the State equipment fleet, the commissioner of Transportation and Public Facilities, determines in writing that a situation exists that makes competitive sealed bidding or competitive sealed proposals impractical or contrary to the public interest. Procurements under this section shall be made with competition that is practicable under the circumstance. The authority to make a determination required by this section may not be delegated.

(b) The using agency shall submit written evidence to support a determination under this section.

(c) Procurement requirements may not be artificially divided, fragmented, aggregated or structured so as to constitute a purchase under this section or to circumvent the source selection procedures required by AS 36.30.100-36.30.270.

(d) Sole source procurements may not be made under this section.

Section 36.30.320(e). The procurement officer shall give adequate public notice of intent to make a procurement under this section in accordance with regulations adopted by the commissioner. [NOTICES SHALL ALSO BE PROVIDED TO THOSE ALASKA BIDDERS DESIGNATED BY THE COMMISSIONER UNDER AS 36.30.050.]

Section 36.30.360 DETERMINATION OF RESPONSIBILITY. (a) A [WRITTEN] determination of responsibility of a bidder or offeror shall be made by the procurement officer in accordance with regulations adopted by the commissioner.

Section 36.30.362 [DETERMINATION TO AWARD A CONTRACT TO A NONRESIDENT. IF THE PROCUREMENT OFFICER AWARDS A CONTRACT TO A PERSON WHO DOES NOT RESIDE OR MAINTAIN A PLACE OF BUSINESS IN THE STATE AND IF THE SUPPLIES, SERVICES, PROFESSIONAL SERVICES, OR CONSTRUCTION THAT IS THE SUBJECT OF THE CONTRACT COULD HAVE BEEN OBTAINED FROM SOURCES IN THE STATE, THE PROCUREMENT OFFICER SHALL ISSUE A WRITTEN STATEMENT EXPLAINING THE BASIS OF THE AWARD. THE STATEMENT REQUIRED UNDER THIS SECTION SHALL BE KEPT IN THE CONTRACT FILE.

Section 36.30.390 (b) Before using a multi-term contract, the procurement officer shall determine [IN WRITING] that

(1) estimated requirements cover the period of the contract and are reasonably firm and continuing; and

(2) the contract will serve the best interests of the state by encouraging effective competition or otherwise promoting economies in state procurement.

Section 36.30.460 MODIFICATION OF STANDARD CLAUSES. The procurement officer or the head of a contracting agency may vary the clauses adopted under 36.30.430 for inclusion in a particular state contract if [THE

(1) VARIATIONS ARE SUPPORTED BY A WRITTEN DETERMINATION THAT STATES THE CIRCUMSTANCES JUSTIFYING THE VARIATION: AND

(2)] approval required by AS 36.30.340 is obtained.

Section 36.30.540 [(4) A LIST OF PROCUREMENTS MADE UNDER THIS CHAPTER FROM OUT-OF-STATE SOURCES DURING THE PREVIOUS TWO FISCAL YEARS TOGETHER WITH THE TOTAL NUMBER OF PROCUREMENT CONTRACTS ENTERED INTO DURING THAT PERIOD WITH OUT-OF-STATE CONTRACTORS AND THE TOTAL VALUE OF THESE CONTRACTS; THIS PARAGRAPH DOES NOT APPLY TO PROCUREMENTS MADE UNDER AS 36.30.320; AND

(5) A LIST OF PROCUREMENTS MADE UNDER THIS CHAPTER FROM STATE SOURCES DURING THE PREVIOUS TWO FISCAL YEARS TOGETHER WITH THE TOTAL NUMBER OF PROCUREMENT CONTRACTS ENTERED INTO DURING THAT PERIOD WITH STATE CONTRACTORS AND THE TOTAL VALUE OF THESE CONTRACTS; THIS PARAGRAPH DOES NOT APPLY TO PROCUREMENTS MADE UNDER AS 36.30.320.]

Section 6.30.560 - 36.30.620(b). Repeal and replace with:

Section 36.30.560. FILING OF AN APPEAL. An interested party may appeal the proposed award of a contract for supplies, services, professional services, or construction by an agency. The protest shall be filed with the Commissioner of Department of Administration or Department of Transportation and Public Facilities and all interested parties as appropriate in writing and must include the following information:

- (1) the name, address, and telephone number of the protester;
- (2) the signature of the protester or the protester's representative;
- (3) identification of the contracting agency and the solicitation or contract as issue;
- (4) a detailed statement and explanation of the legal and factual grounds of the appeal, including copies of relevant documents; and

(5) the form of relief requested.

Section 36.30.565. TIME FOR FILING AN APPEAL.

An appeal based upon alleged improprieties in award of a contract involving competitive sealed bidding or competitive sealed proposals shall be received ten days after a notice of intent to award the contract is issued by the procurement officer.

Section 36.30.610. The Commissioner will, within 15 days of receipt of an appeal notify the appellant of the acceptance or rejection of the appeal and if rejected, the reasons for rejection.

The commissioner of the Department of Administration or the commissioner of the Department of Transportation and Public Facilities, as appropriate, shall reject an appeal if it is determined that the appeal is:

- (a) untimely under AS 36.30.590(a);
- (b) does not otherwise meet the requirement of an appeal;
- (c) the appeal does not present a prima facie case for acceptance on its merits;
- (d) the commissioner of the Department of Administration or the commissioner of the Department of Transportation and Public Facilities, as

appropriate, may issue a decision on an appeal without a hearing if the appeal involves questions of law without genuine issues of fact.

Section 36.30.615. HEARING ON PROTEST APPEAL. A hearing on an appeal shall be conducted in accordance with AS 36.30.670 and regulations adopted by the commissioner.

Section 36.30.620. CONTRACT CONTROVERSIES.

- (a) A contractor shall file a claim concerning a contract awarded under this chapter with the procurement officer. The contractor shall certify that the claim is made in good faith, that the supporting data are accurate and complete to the best of the contractor's knowledge and belief, and that the amount requested accurately reflects the contract adjustment for which the contractor believes the state is liable.

- (b) If a controversy asserted by a contractor concerning a contract awarded under this chapter cannot be resolved by agreement, the procurement officer shall, after receiving a written request by the contractor for a decision, issue a written decision. The decision shall be made no more than 90 days after receipt by the procurement officer of all necessary information from the contractor. Failure of the contractor to furnish necessary information to the procurement

Sec. 36.30.860 [SUPPLEMENTARY GENERAL PRINCIPLES OF LAW APPLICABLE.
UNLESS DISPLACED BY THE PARTICULAR PROVISIONS OF THIS CHAPTER, THE PRINCIPLES
OF LAW AND EQUITY, INCLUDING THE UNIFORM COMMERCIAL CODE (AS 45.01 -
AS 45.09), THE LAW MERCHANT, AND LAW RELATIVE TO CAPACITY TO CONTRACT, AGENCY,
FRAUD, MISREPRESENTATION, DURESS, COERCION, MISTAKE, OR BANKRUPTCY SHALL
SUPPLEMENT THE PROVISIONS OF THIS CHAPTER.]

SB

266

**STAT OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: SB2161
Publish Date: _____

Revision Date: _____

Agency Affected: Labor
BRU: Employment Security

Title: "An Act relating to
Unemployment Insurance."

Sponsor: Governor

Components: Unemployment Insurance

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS :

Prepared by: Joe Sixton, Director
Division: Employment Security

Phone: 465-2712
Date: 3/19/87

Approved by Commissioner: Jim Sampson
Agency: Labor

Date: 3/19/87

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

SB 260 cont'd

AS 36.30.380, which requires approval of proposed contractors' accounting systems, would be repealed. This section appears to require the state to approve all accounting systems for contracts awarded by the sealed proposal method. Some bidders will be major corporations, and it would be foolish to waste state staff time reviewing, analyzing, and approving their accounting systems. This would be very costly, and, if it is not done properly, could expose the state to claims or overcharges.

AS 36.30.540(4) and (5), requiring the state to make listings of all procurements made within the state and outside the state, are being repealed. These lists are never consulted and provide no usable information.

Section 24:

The deferment sections of this bill have been given an immediate effective date so that everyone involved in dealing with the procurement code, both the public and the administrators, will be able to make appropriate plans. The other sections of this bill have been given a January 1, 1988 effective date to coincide with the proposed deferred effective date of all but one section of ch. 106, SLA 1986. (Section 66 of last year's Act was given an immediate effective date at that time to enable the regulations adoption project to get started.)

Enactment of this bill will streamline procurement activities of the state and will result in an enormous cost-savings at this critical time. It is necessary to enact this bill this session. I strongly urge your prompt and favorable action on this measure.

Sincerely,

/s/ Steve Cowper
Steve Cowper
Governor

SB 261

SENATE BILL NO. 261 by the Rules Committee by request of the Governor, entitled:

"An Act relating to unemployment insurance."

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

Zero fiscal note published today from Department of Labor.

April 16, 1987

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SB 261 cont'd

Governor's transmittal letter dated April 15:

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to unemployment insurance.

AS 23.20 contains a comprehensive scheme for both the collection of unemployment insurance contributions from employers and employees and for the payment of unemployment insurance benefits to unemployed workers in the State of Alaska. The economic conditions in the State of Alaska over the past couple of years have created a situation in which, at the same time that employee and employer contributions to the unemployment compensation fund have decreased, the payment of benefits out of that fund has dramatically increased. The result will be that by or near the end of 1987, the ability of the state to pay unemployment insurance benefits will be in jeopardy because the fund balance will be reduced to near zero.

Therefore, in accordance with existing AS 23.20.140, the state will need to obtain advances from the federal government in order to support the payment of unemployment insurance benefits until such time as the economic conditions in the State of Alaska turn around and employer and employee contributions once again are sufficient to keep the fund solvent.

Since 1982, the federal government has charged interest on the advances it makes to states. Under federal law (42 U.S.C. 1322(b)(5)), the interest may not be paid from employer contributions, nor may it be paid from the unemployment compensation fund. The Department of Labor has determined that interest can, however, be paid from a portion of employee contributions to the fund. This bill clarifies the Department of Labor's authority to pay the interest on advances by using employee contributions.

Section 2 of the bill is a housekeeping measure that simply makes a related provision make sense.

I recommend prompt and favorable action on this proposal.

Sincerely,

/s/ Steve Cowper
Steve Cowper
Governor

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FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An act relating to smoke detection devices.
Sponsor: Duncan
Requestor: Senate Labor & Commerce

Agency Affected: Public Safety
BRU: Fire Prevention
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

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

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Gordon E. Brunton *5/1/88* Phone: 465-4331
Division: Fire Prevention Date: 1/12/88
Approved by Commissioner: *Janet A. Horta* Date: 1-27-88
Agency: Public Safety *Dep. Comm.*

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



Alaska State Legislature

SENATOR JIM DUNCAN

P.O. Box V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:
FINANCE
RESOURCES
BUDGET AND AUDIT

MEMORANDUM

February 4, 1988

To: Senator Tim Kelly
Chairman Senate Labor & Commerce

From: Senator Jim Duncan

Subject: SB 266 Smoke Detectors

I would appreciate your scheduling SB 266, a bill concerning smoke detectors, for a hearing before the Senate Labor and Commerce at your earliest convenience.

Current statute and regulation 13 AAC 50 require smoke detectors in all guest rooms in hotels and lodging houses used for sleeping purposes. They are also required in all dwelling units (apartments, condos etc.) except single family homes, duplexes and triplexes built before 1975 that have never been sold. Living units are not defined in the Uniform Building Code (UBC). Dwelling units are defined in the UBC and used in the estate fire marshall's regulations.

The responsibility to provide and maintain smoke detection devices in rental property is not defined in current law. Section 2 of SB 266 clarifies land lord and tenant responsibilities as related to smoke detection devices.

Alaska has the highest per capita rate of death by fire in the western world. Passage of SB 266 will help to reduce fire deaths in Alaska while having a negligible financial impact on home owners.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____
 Revision Date: _____
 Title: An act relating to smoke detection devices.
 Sponsor: Senator Duncan
 Requestor: Senate State Affairs

Bill Version: SB 266
 Publish Date: (SENATE) 1/28/88

Agency Affected: Public Safety
 BRU: Fire Prevention

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL		0	0	0	0	0
REVENUE		0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Gordon E. Brunton *GB* Phone: 465-4331
 Division: Fire Prevention Date: 4/22/87

Approved by Commissioner: [Signature] Date: 4/23/87
 Agency: _____

- Distribution (by preparer) :
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

Sec. 34.03.350. Attorney fees. Attorney fees shall be allowed to the prevailing party in any proceeding arising out of this chapter or a rental agreement. (§ 1 ch 10 SLA 1974)

Sec. 34.03.360. Definitions. In this chapter

(1) "abandonment" means that the tenant has left the dwelling unit and the tenant's personal belongings in it and has been absent for a continuous period of seven days or longer without giving notice under AS 34.03.150 and has defaulted in the payment of rent;

(2) "building and housing codes" include any law, ordinance, or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy, use, or appearance of a premise or dwelling unit;

(3) "dwelling unit" means a structure or a part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household, and includes mobile homes, and if located in a mobile home park, the lot or space upon which a mobile home is placed;

(4) "fair rental value" means the average rental rate in the community for available dwelling units of similar size and features;

(5) "good faith" means honesty in fact in the conduct of the transaction concerned;

(6) "landlord" means the owner, lessor, or sublessor of the dwelling unit or the building of which it is a part, and it also means a manager of the premises who fails to disclose as required by AS 34.03.080;

(7) "organization" includes a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal entity;

(8) "owner" means one or more persons, jointly or severally, in whom is vested all or part of the legal title to property or all or part of the beneficial ownership of property and a right to present use of the premises; the term includes a mortgagee in possession;

(9) "person" includes an individual or organization;

(10) "premises" means a dwelling unit and the structure of which it is a part and facilities and appurtenances in it and grounds, areas and facilities held out for the use of tenants generally or whose use is promised to the tenant;

(11) "prepaid rent" means that amount of money demanded by the landlord at the initiation of the tenancy for the purpose of ensuring that rent will be paid, but does not include the first month's rent or money received as security for damage;

(12) "rent" means the uniform periodic payment due the landlord, however denominated;

(13) "rental agreement" means all agreements, written or oral, and valid rules and regulations adopted under AS 34.03.130 embodying the terms and conditions concerning the use and occupancy of a dwelling unit and premises;

(14) "sanitary facility" means a flush toilet and proper drainage for all toilets, sinks, basins, bathtubs and showers;

(15) "single family residence" means a structure maintained and used as a single dwelling unit;

(16) "tenant" means a person entitled under a rental agreement to occupy a dwelling unit to the exclusion of others;

(17) "undeveloped rural area" means an area where public sewer or water services are not available;

(18) "wear resulting from ordinary use" means deterioration of the premises which is the result of the tenant's normal nonabusive living and includes but is not limited to deterioration caused by the landlord's failure to prepare for expected conditions or by the landlord's failure to comply with the landlord's obligations. (§ 1 ch 10 SLA 1974)

NOTES TO DECISIONS

Term "rental agreement" not used in connection with month-to-month tenancies. — While "rental agreement" is defined in this section as "all agreements ... embodying the terms and conditions concerning the use and occupancy of a dwelling unit ...," the term "rental agreement" is not used in the uniform act in connection with month-to-month tenancies. *McCall v. Fickes*, Sup. Ct. Op. No. 1335 (File No. 2611), 556 P.2d 535 (1976).

Alaska Statutes 34.03.020(d) fixes a month-to-month tenancy, in absence of agreement by the parties to a different term in the rental agreement, if rent is paid on a monthly basis. *McCall v. Fickes*, Sup. Ct. Op. No. 1335 (File No. 2611), 556 P.2d 535 (1976).

Quoted in *Smith v. Great Am. Ins. Co.*, Sup. Ct. Op. No. 2375 (File No. 5312), 629 P.2d 543 (1981).

Sec. 34.03.370. Applicability. After March 19, 1974, this chapter applies to any rental agreement, lease, or tenancy entered into, extended, or renewed by the payment of rent on or subsequent to that date. (§ 1 ch 10 SLA 1974)

Sec. 34.03.380. Short title. This chapter may be cited as the "Uniform Residential Landlord and Tenant Act." (§ 1 ch 10 SLA 1974)

done. The persons doing the work shall immediately stop the work until authorized by the fire marshal to proceed. (Eff. 6/15/79, Reg. 71: am 8/2/86, Reg. 99)

Authority: AS 18.70.080
AS 18.70.090

Editor's Note: International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. The I.C.B.O. regular plan check fee is 55 percent of the building permit fee schedule set out in Table No. 3-A of the U.B.C. The fire and life safety plan check fee is 75 percent of the regular plan check fee.

Editor's Note: Insurance Services Office, Sprinklered Risk Section, 10 United Nations Plaza, San Francisco, California 94102. The I.S.O. does not charge for examination of sprinkler system plans for risks insured through one of their member companies.

13 AAC 50.030. FIRE PROTECTION SYSTEMS (INSTALLED AND PORTABLE). (a) Fire-extinguishing systems including automatic sprinkler systems must be installed as required by the U.B.C., U.F.C., and 13 AAC 50.020, and must meet the requirements of the U.B.C. Standards 38-1, 38-2; N.F.P.A. Volume 1, Standards 11, 11A, 11C, 12, 12A, 12B, 13, 15-18, 20, 22, and 24; and N.F.P.A. Volume 4, Standards 96.

(b) Fire detection systems must be installed as required by the U.B.C., U.F.C., and Table No. 1 set out in (e) of this section, and must meet the requirements of the standards of the U.B.C. Standard 18-1; U.F.C. Standard 10-2; and N.F.P.A. Volume 3, Standards 71, 72A, 72B, 72C, 72D and 72E.

(c) Single-station smoke detection devices must be installed as required by AS 18.70.095 and Table No. 1 set out in (e) of this section.

(d) Smoke detection devices required by AS 18.70.095 must comply with U.B.C. Standard 43-6.

(e) Fire alarm systems must be installed as required by the U.B.C., U.F.C. and Table No. 1 of this subsection, and must meet the requirements of the U.B.C. Standard 18-1; U.F.C. Standard 10-2; and N.F.P.A. Standards 71, 72B, 72C, 72D and 74.

International Conference of Building Officials

Alaska Southeast Chapter

JANUARY 13, 1988

LEGISLATIVE POSITION PAPER IN SUPPORT OF

CSHB 282 AND SB 288

AN ACT RELATING TO SMOKE DETECTION DEVICES

Our membership recommends adoption of these two bills which are amendments to the existing statute pertaining to smoke detectors. The current law is vague in defining conditions under which smoke detectors are required.

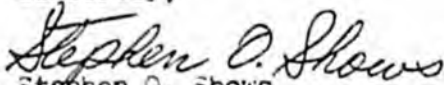
Smoke detectors are inexpensive and save lives. They offer the best available strategy in Alaska for reducing the loss of life and property from fire. Our State leads the Nation in these losses per capita year after year.

Section 2. of the proposal clearly sets forth smoke detector maintenance responsibilities for landlords and tenants in rental situations.

In addition to the State Fire Marshall's office, AS 13.70.090 allows local fire chiefs to enforce these provisions within their jurisdictions. The municipalities of Juneau and Anchorage currently require detectors in all dwelling units.

These acts would have negligible financial impact on both rural and urban residents of Alaska. There is no fiscal note to the State associated with implementation of these amendments.

Sincerely,


Stephen O. Shows
President

P O Box 211411 Auke Bay, AK. 99821

International Conference of Building Officials

Alaska Southeast Chapter

We support the following amendment;

Sec. 13.70.095. Smoke detection devices. Smoke detection devices shall be installed in all [living] dwelling units [built, manufactured or sold] in the state. The devices shall be of a type and deployed in a manner approved by the state fire marshall.

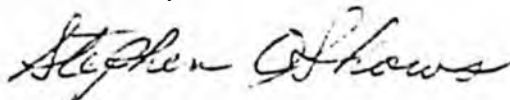
Justification

Current statute and regulation 13.AAC 50 require smoke detectors in all dwelling units except single family homes, duplexes and triplexes built before 1975 that have never been sold. Living units are not defined in the Uniform Building Code (UBC). Dwelling units are defined in the UBC and used in the state fire marshall's regulations.

This amendment would help reduce fire deaths in Alaska. Alaska has the highest per capita death rate by fire in the western world.

This act would have negligible financial impact on rural and urban Alaskans. There is no fiscal note to the state due to implementation of this amendment. This change is also supported by the fire service in Alaska.

Sincerely,



Stephen O. Shows
President

International Conference of Building Officials

Alaska Southeast Chapter

We support the following amendments:

AS 18.70.095. Smoke detection devices. Smoke detection devices shall be installed and maintained in all [living] dwelling units and mobile homes [built, manufactured or sold] in the state. The devices shall be of a type and deployed in a manner approved by the state fire marshall.

A dwelling unit is any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation.

Add to AS 34.03.100 It shall be the duty of the landlord to provide smoke detection devices in rental units.

Add to AS 34.03.120 It shall be the duty of the tenant to maintain smoke detection devices in rental units.

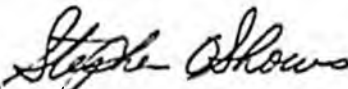
Justification

Current statute and regulation 13.AAC 50.020 require smoke detectors in all guest rooms in hotels and lodging houses used for sleeping purposes. They are also required in all dwelling units (apartments, condos etc.) except single family homes, duplexes and triplexes built before 1975 that have never been sold. Living units are not defined in the Uniform Building Code (UBC). Dwelling units are defined in the UBC and used in the state fire marshall's regulations. Responsibility for smoke detection devices and maintenance in rental property is not clearly defined.

Alaska has the highest per capita death rate by fire in the western world. These amendments would help reduce fire deaths in Alaska.

This act would have negligible financial impact on rural and urban Alaskans. There is no fiscal note to the state due to implementation of this amendment. This change is also supported by the fire service in Alaska.

Sincerely,



Stephen O. Shows
President

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FIRE PREVENTION

REPLY TO:

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4331

5700 EAST TUDOR ROAD
ANCHORAGE, ALASKA 99507-1225
PHONE: (907) 269-5604

1979 PEGER ROAD
FAIRBANKS, ALASKA 99709
PHONE: (907) 456-4002

December 22, 1987

The Honorable Senator Jim Duncan
P.O. Box 020690
Juneau, Alaska 99802

Dear Senator Duncan:

Several recent fire incidents vividly demonstrates the need for smoke detectors in every residence in Alaska. Three people died in a trailer in Sand Point and three others died recently in Anchorage. All six lives would have likely been saved if working smoke detectors were installed. These are just two of the most drastic cases. Unfortunately, these are not exceptions to the fire fatality scenario in Alaska.

I've enclosed the resolution passed by the Fire Associations in support of the smoke detector legislation you introduced last session. I want to offer my full support to assist in the passage of this critical legislation. This legislation will have the most immediate and direct impact on saving lives in Alaska.

In reference to the fullest impact of the legislation, I would like to offer a couple of considerations:

1. As economical as smoke detectors are, some people may not be able to afford them. A fiscal note to purchase a supply for the most needy families may not be desirable, but support of the fire insurance tax bill (HB 230) would provide funding to ensure there is a smoke detector in every residence. I'm confident that the fire departments would be happy to install them in their respective communities.
2. If we are serious about combating the worst per capita fire problem in the U.S., then smoke detectors and residential sprinklers are the ultimate answer.

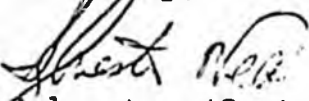
SB 224
Transmission
TAA

Page two
December 22, 1987

I'm enclosing a proposal prepared by the Alaska Coalition for Home Sprinklers and the University of Alaska. I feel strongly that a self-contained, maintenance free, residential system is feasible and a cost effective approach. There is national interest, but the federal government refused to fund the research needed in this area. Fifty thousand dollars is needed. Again, this would be good use for a special appropriation or the insurance tax funds. I would be happy to discuss this proposal in more details.

In closing, I want to reinforce the fire service support for the smoke detector legislation and encourage your support of the insurance premium tax and funding to conduct the residential sprinkler research.

Sincerely,



Sylvester (Sam) Neal
State Fire Marshal

SN:BJN

L88-106

Enclosure

cc: Commissioner Arthur English
Bill Shechter, President AFCA
Gaylen Brevik, President ASFA
The Honorable Representative Fran Ulmer

ALASKA STATE FIREFIGHTERS ASSOCIATION

P.O. Box 34324

Juneau, Alaska 99803-4324

RESOLUTION 87-3

TITLE: SUPPORT OF AN ACT RELATING TO SMOKE DETECTION DEVICES

WHEREAS the State of Alaska currently requires smoke detectors in all living units except single family homes and duplexes built before 1976 that have never been sold; and

WHEREAS the Alaska Southeast Chapter ICBO has a bill known as CSHB 282 and SB 266 pertaining to smoke detectors introduced before the State Legislature; and

WHEREAS this bill would also clarify the responsibilities for smoke detection devices between landlords and tenants; and

WHEREAS this bill would require low cost smoke detection devices to protect sleeping occupants in all dwelling units in Alaska; and

WHEREAS recent studies by the National Association of Home Builders indicate that fire occurs more frequently in older homes; and

WHEREAS no detectors were present in 49.7% of the residential fire incidents reported to the State Fire Marshal's office in 1986.

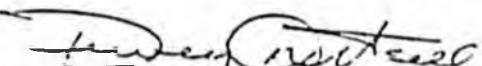
Therefore, be it resolved that

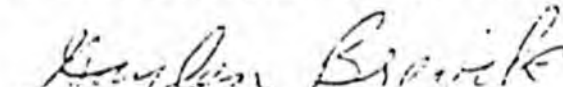
The Alaska Fire Chief's Association and the Alaska State Firefighter's urge the Alaska Legislature to adopt SB 266 or CSHB 282 to help promote the safety of all Alaskans from the threat of death or injury from fire.

Recommendation: Pass

Adoption: Pass X No Pass

Distribution: Governor Cowper
Alaska Legislature


Dewey Whetzel, Pres., A.F.C.A.


Gaylen Brevik, Pres., A.S.F.A.

RECEIVED JAN 14 1988



ALASKA FIRE CHIEF'S ASSOCIATION

656 7th AVENUE • FAIRBANKS, ALASKA 99701 • TEL. (907) 459-6500

January 12, 1988

Senator Jim Duncan
Alaska State Senate
P.O. Box V
Juneau, AK 99811

Dear Senator Duncan:

I am pleased to present to you those pertinent resolutions recently adopted by the Alaska Fire Chiefs Association and the Alaska State Firefighters Association at their most recent joint conference that was held in Juneau in October of 1987.

These resolutions address those issues deemed vital by both Associations, not only for the fire service throughout ALL of Alaska, but also for ALL citizens of our great state.

Should you have any questions or desire clarifications on any of these (or other) issues, please do not hesitate to contact me at the address indicated in the letterhead or call 459-6500 (work) or 479-2001 (home).

I appreciate your time in reviewing the enclosed material.

Sincerely,

William Shechter, President

WTS:nba

cc: Galen Brevek, President, Alaska State Firefighters Association

*See Ball
Resolution
Can we get our
Bill moving*



ALASKA FIRE CHIEF'S ASSOCIATION

POST OFFICE BOX 704 • CORDOVA, ALASKA 99574 • TEL. (907) 424-7475

RESOLUTION 87-1

TITLE: SUPPORTING CONSOLIDATION OF CONSTRUCTION REGULATIONS
AND ENFORCEMENT ACTIVITIES WITHIN ONE DEPARTMENT

WHEREAS, many different state agencies adopt and enforce
building and safety codes; and

WHEREAS, these codes are not always adopted in a timely manner;
and

WHEREAS, the present system of code adoption and enforcement is
not cost effective and places an undue hardship on all
Alaskans;


Therefore, be it resolved that

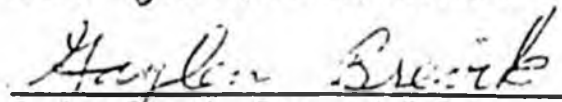
The Alaska Fire Chief's Association and the Alaska State
Firefighter's Association support legislative action to promote
the consolidation of all construction regulations and
enforcement activities within the Department of Public Safety.
To reduce costs and improve governmental efficiency we support
funding for the Alaska Fire Commission, the adoption of the
most recent editions of national codes and the formation of an
appeals board to resolve disputes.

Recommendation: Pass

Adoption: Pass X No Pass

Distribution: Governor Cowper
Alaska Legislature


Dewey Whetsell, Pres., A.F.C.A.


Gaylen Brevik, Pres., A.S.F.A.



ALASKA FIRE CHIEF'S ASSOCIATION

POST OFFICE BOX 304 • CORDOVA, ALASKA 99574 • TEL. (907) 424-7475

RESOLUTION 87-4

**TITLE: SUPPORT OF AN OBJECTIVE AND TIMELY ADOPTION OF CODES
PERTAINING TO SAFETY AND CONSTRUCTION REGULATION**

WHEREAS municipal building officials share the common goals of the firefighters and fire chiefs to save lives and reduce property loss in the State of Alaska; and

WHEREAS building officials unanimously agree with the conclusion of the Alaska Task Force on Fire Prevention and Control that adopting and enforcing all modern construction codes will reduce fire loss in Alaska; and

WHEREAS due to recent funding shortfalls affecting the start up of the Alaska Fire commission, it is especially important that all organizations actively pursue, within their jurisdictions, the stated goals of the Commission; and

WHEREAS the International Association of Fire Chiefs requested the support of all building officials to keep polybutylene plastic pipe in the Uniform Plumbing Code during the 1987 ICBO annual business meeting; and

WHEREAS modern plastic pipes have recently shown great potential for fire suppression in low cost sprinkler systems; and

WHEREAS the building officials in Alaska who enforce fire and life safety standards unanimously concur with the International Association of Plumbing and Mechanical Officials, authors of the Uniform Plumbing Code, that plastic plumbing pipes in combustible buildings have not been shown to be a significant hazard to life and property.

Therefore, be it resolved that

The Alaska Fire Chief's Association and the Alaska State Firefighter's Association urge the Alaska Legislature to adopt the most recent edition of the Uniform Plumbing Code (UPC) including the provisions pertaining to plastic pipes. Local governments will still have the option of amending the code to meet specific local conditions.

Recommendation: Pass

Adoption: Pass X No Pass

ALASKA STATE FIREFIGHTERS ASSOCIATION

P.O. Box 34324

Juneau, Alaska 99803-4324

RESOLUTION 87-3

TITLE: SUPPORT OF AN ACT RELATING TO SMOKE DETECTION DEVICES

WHEREAS the State of Alaska currently requires smoke detectors in all living units except single family homes and duplexes built before 1976 that have never been sold; and

WHEREAS the Alaska Southeast Chapter ICBO has a bill known as CSHB 282 and SB 266 pertaining to smoke detectors introduced before the State Legislature; and

WHEREAS this bill would also clarify the responsibilities for smoke detection devices between landlords and tenants; and

WHEREAS this bill would require low cost smoke detection devices to protect sleeping occupants in all dwelling units in Alaska; and

WHEREAS recent studies by the National Association of Home Builders indicate that fire occurs more frequently in older homes; and

WHEREAS no detectors were present in 49.7% of the residential fire incidents reported to the State Fire Marshal's office in 1986.

Therefore, be it resolved that

The Alaska Fire Chief's Association and the Alaska State Firefighter's urge the Alaska Legislature to adopt SB 266 or CSHB 282 to help promote the safety of all Alaskans from the threat of death or injury from fire.

Recommendation: Pass

Adoption: Pass No Pass

Distribution: Governor Cowper
Alaska Legislature


Dewey Whetsell, Pres., A.F.C.A.


Gaylen Brevik, Pres., A.S.F.A.

Position Paper

SB 266

For an Act entitled: "An Act relating to smoke detection devices."

This Act would amend AS 18.70.095 to include the requirement that smoke detectors be maintained, changes the term "living" unit to "dwelling" unit, requires a landlord to install smoke detectors, and requires a tenant to keep the device in working condition.

Background

Smoke detectors are proven life savers in fires, but only an estimated 50 percent of all households are equipped with them. Also, many homes have smoke detectors that will not operate due to lack of maintenance. The fire services estimate that the existence of a functioning smoke detector increases an occupant's chance of surviving a fire by 86 percent. According to the Alaska Division of Fire Prevention, in 1986 there were no fire deaths in Alaska in buildings with functioning smoke detectors.

Position

The Department of Health and Social Services supports passage of SB 266 because it will help reduce the rates of deaths and injuries due to fires.

Recommended by: Elizabeth Ward
Elizabeth Ward, M.N.
Director
Division of Public Health

Date: February 26, 1988

Approved by: Myra M. Munson
Myra M. Munson
Commissioner
Department of Health and
Social Services

Date: February 29, 1988

FISCAL NOTE

REQUEST:

Revision Date: 4/21/87
Title: An Act relating to smoke detection devices.
Sponsor: _____
Requestor: _____

Agency Affected: Health & Social Services
BRU: State Health Services
Components: EMS Certification and Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The enactment of SB 266 would have no direct fiscal impact on the Department of Health and Social Services.

Prepared by: Elizabeth Ward, Director Phone: 465-3090
Division: Public Health Date: 2-26-88

Approved by Commissioner: Maria K. Neenan Date: 2-29-88
Agency: Department of Health & Social Services

Distribution (by preparer):

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

SB

273

MAR 21 1988

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 21, 1988

SUBJECT: Section-by-Section Summary of SB 273,
An Act authorizing gambling enterprises

TO: Senator Bettye Fahrenkamp

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is a section-by-section summary of SB 273 as requested by Tom Moyer of your staff.

A section-by-section summary of a bill should not be considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill states the policy which the Legislature seeks to implement by enacting this bill.

Section 2 of the bill amends AS 05 by adding a new chapter.

CHAPTER 16. LEGALIZED GAMBLING.

Sec. 05.16.010 establishes the conditions under which gambling is permitted.

A person under 21 years of age may not gamble. Only card and dice games and numbers wheels are permitted. A person who operates a gambling enterprise, or an employee of a gambling enterprise may not extend credit to a patron of a gambling enterprise. A person may not receive a permit to operate a gambling enterprise or be employed by a gambling enterprise if the person has been convicted of a state or federal felony or gambling offense. Only a person who has completed classes on gambling at a school in a state where gambling is legal may be employed by a gambling enterprise. An employee of a gambling enterprise may not gamble while on duty for the gambling enterprise.

Within municipalities, the municipal government regulates gambling enterprises. Outside of municipalities, the Department of Revenue regulates gambling enterprises.

Sec. 05.16.020 authorizes the Department of Revenue to regulate gambling enterprises outside of municipalities, on state ferries, and on tour ships. Gambling may be conducted at the place and under the terms established in the license.

Municipalities within 10 miles of the location of a proposed gambling enterprise and law enforcement agencies must receive notice of and may comment on applications for a license for a gambling enterprise. Public hearings must be held in the vicinity of the proposed gambling enterprise before the license is issued. The department shall consider comments received on an application for a license. The department shall also consider the economic impact of a proposed gambling enterprise on gambling enterprises licensed by municipalities when it reviews applications for a gambling enterprise outside of a municipality.

The department may attach conditions to a license that limit the games that may be played, the hours of operation, and the availability of alcoholic beverages.

Sec. 05.16.030 provides that the Department of Revenue may adopt regulations necessary to implement AS 05.16. Among the regulations which the department may adopt are regulations relating to issuance renewal, suspension, and revocation of licenses, financial records of gambling enterprises, investigations of licensees and their employees, exclusion of certain persons from a gambling enterprise, conduct of gambling, accounting procedures, license fees, amounts of wagers, disclosures of financial interests in gambling enterprises, rates of return, dispute resolution procedures, bonds, and reports by municipalities.

Sec. 05.16.040 provides that the Department of Revenue may audit the records of gambling enterprises.

Sec. 05.16.050 requires that licensees provide monthly reports to the Department of Revenue.

Sec. 05.16.060 provides for the distribution of the net proceeds of a gambling enterprise. Half of the net proceeds of a gambling enterprise shall be paid to the Department of Revenue. Money received by the department shall be placed

into the general fund. This money may be appropriated to the department for implementation of this chapter, except that one-half percent may be used for treatment and counseling of compulsive gamblers.

Sec. 05.16.070 requires the Department of Revenue to issue a license for a gambling enterprise on state ferry vessels, if the commissioner of transportation and public facilities requests a license. The proceeds of a gambling enterprise on a state ferry may be used to fund the operations of the Alaska Marine Highway System.

Sec. 05.16.080 requires the Department of Revenue to cooperate with municipalities in the regulation and administration of gambling within municipalities.

Sec. 05.16.090 requires the Department of Revenue to make a report to the Governor and the Legislature by March 1 of each year.

Sec. 05.16.900 defines "department", "gambling", "gambling enterprise", and "tour ship".

Section 3 of the bill amends the definition of gambling in the criminal code so that it does not include gambling conducted under a license issued to a gambling enterprise by the state or a municipality.

Section 4 of the bill amends the definition of gambling enterprise in the criminal code so that it does not include a gambling enterprise licensed by the state or a municipality.

Section 5 of the bill adds regulation of gambling to the list of limitations on powers of home rule municipalities under AS 29.10.200.

Section 6 of the bill amends AS 29.35 by adding new sections related to the regulation of gambling enterprises within municipalities.

Sec. 29.35.600 authorizes a municipality to operate or license a person to operate a gambling enterprise within the municipality if the gambling enterprise enhances the historic character of the municipality, the municipality adopts an ordinance regulating gambling enterprises, and the ordinance is ratified by the voters of the municipality.

Sec. 29.35.610 establishes the requirements for a municipality that regulates gambling.

The municipality must adopt an ordinance regulating gambling. The ordinance must establish a commission responsible for licensing and regulating gambling enterprises, establish qualifications for members of the commission, provide for issuance, renewal, suspension, and revocation of licenses for gambling enterprises, establish the terms and conditions under which gambling is permitted, provide for distribution of the proceeds of a gambling enterprise, require disclosure of persons having a financial interest in a gambling enterprise, and require detailed records.

Gambling within a municipality is limited to card and dice games and numbers wheels. The municipality may regulate the availability of alcoholic beverages at a gambling enterprise. Members and employees of the municipal gambling commission may not participate in or have a financial interest in a gambling enterprise.

A municipality that regulates gambling must submit a report each year to the Department of Revenue.

Sec. 29.35.620 provides for the distribution of proceeds of gambling enterprise licensed by a municipality. Three and one-half percent of the gross proceeds of a gambling enterprise shall be paid to the Department of Revenue for deposit into the general fund. The municipality shall receive all of the proceeds of a municipally operated gambling enterprise less the 3½ percent paid to the Department of Revenue. The municipality shall receive that portion of the proceeds of a gambling enterprise licensed by the municipality and operated by someone other than the municipality, that the municipality and the licensee may agree upon, provided that 3½ percent of the gross receipts is paid to the Department of Revenue.

Sec. 29.35.630 provides that a municipality may dedicate the revenue derived from a gambling enterprise to a public purpose.

Sec. 29.35.640 provides that AS 29.35.600 - 29.35.690 apply to home rule and general law municipalities.

Senator Bettye Fahrenkamp
Page 5
March 21, 1988

Sec. 29.35.690 defines the terms "gambling" and "gambling enterprise".

Section 7 of the bill provides that the bill takes effect immediately.

GU:bb
b4/027

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, LEGISLATIVE COUNCIL
CHAIRMAN, OIL AND GAS COMMITTEE
515 7TH AVENUE, SUITE 130
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 456-2899



WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
CAPITOL ROOM 125
OFFICE (907) 465-3834
HOME (907) 780-6027

Senate

MEMORANDUM

TO: Senator Mitch Abood, Chairman
Senate State Affairs Committee

FROM: Senator Bettye Fahrenkamp

DATE: March 24, 1988

RE: SB 273 An Act authorizing gambling enterprises; and providing for an effective date.

What the bill does

SB 273 would authorize casino style gambling on a limited basis in municipalities (with local voter approval), unincorporated areas, and on the Alaska Marine Highway and tour ships.

Background

I introduced this bill because I believe gambling enterprises will make a contribution to the prosperity of the state in a time of declining and uncertain state revenue. It would enhance Alaska as a tourist destination and create jobs. We already allow forms of gambling such as bingo, Monte Carlo nights, and pool classics, and it's no secret that other forms of gambling take place right now.

Limited Gambling Authorized by the bill

SB 273 authorizes limited casino style gambling. I believe that once made legal, these gambling enterprises can be conducted honestly, free from criminal and corrupt persons and practices. I do not believe it will engender the high roller style gambling found amongst the glitz and glitter of Las Vegas.

Gambling under SB 273 is limited in the following ways:

- * Municipalities must adopt an ordinance regulating gambling and have it ratified by a majority of voters within its boundary.

* Only card, dice, and number wheels would be allowed, the kinds of games played at the turn of the century in Alaska. No slot machines would be allowed by this measure.

* A gambling enterprise within a municipality must enhance the historic character of the municipality. No glitz and glitter, no chrome and glass.

* Gambling enterprises may not extend credit to its patrons. Large cash or credit transactions provide an opportunity for loan sharks and quick buck artists.

Revenue Distribution

Municipalities may decide to run gambling operations themselves, or license the operation, and must pay three and one half percent of gross revenues to the Department of Revenue.

Licensed operators in unincorporated areas must pay fifty percent of the net proceeds to the department.

All of the revenue derived from gambling on ferries would be deposited in the general fund.

In recognition that a small percentage of gamblers can become compulsive, one half a percent of state income from gambling may be appropriated by the legislature for treatment and counseling.

Sectional Analysis

See attached.

FISCAL NOTE

REQUEST: _____

Revision Date: _____
Title: "An Act authorizing gambling enterprises..."
Sponsor: Fahrenkamp
Requestor: State Affairs

Agency Affected: Revenue
BRU: Income and Excise Audit Division
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES		247.2	247.2	247.2	247.2	247.2
TRAVEL		6.0	6.0	6.0	6.0	6.0
CONTRACTUAL		32.0	14.5	14.5	14.5	14.5
SUPPLIES		5.0	5.0	5.0	5.0	5.0
EQUIPMENT						
LANDS & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		290.2	272.7	272.7	272.7	272.7
CAPITAL						
REVENUE			250.0	500.0	750.0	1000.0

FUNDING: (Thousands of Dollars)

GENERAL FUND		290.2	272.7	272.7	272.7	272.7
FEDERAL FUNDS						
OTHER						
TOTAL		290.2	272.7	272.7	272.7	272.7

POSITIONS:

FULL-TIME		5.0	5.0	5.0	5.0	5.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
See Attached

Prepared By: Steven E. Kettel *[Signature]* Phone: (907) 465-2320
Division: Income and Excise Audit Division Date: March 24, 1988
Approved by Commissioner: Hugh Malone *[Signature]* Date: 3/24/88
Agency: Department of Revenue

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

Prepared By: Steven E. Kettel
Income and Excise Audit Division
March 24, 1988

SB 273 ANALYSIS

Personal Services

<u>Position</u>	<u>Range/Step</u>	<u>FY 89 Budget</u>
Clerk III	8A	\$29.4
Tax Examiner II	12A	\$34.0
Revenue Auditor IV	20A	\$55.9
Revenue Auditor IV	20A	\$55.9
Revenue Audit Supervisor I (Chief of Gaming)	24A	\$72.0
	TOTAL:	\$247.2

Travel

Associated travel to conduct hearings, audits, and/or investigations	\$6.0
--	-------

Contractual

Training	\$8.0
Telephone	\$2.5
Printing	\$4.0
Chairs	\$5.0
Modular Offices	\$9.0
5.drawer Legal Files	\$3.5
	TOTAL: \$32.0

Supplies

Office Supplies	TOTAL: \$5.0
-----------------	--------------

Prepared By: Steven E. Kettel
Income and Excise Audit Division
March 24, 1988

SB 273 ANALYSIS

The Department of Revenue believes its primary responsibility is to collect, invest, and share state revenues. Although we do have several programs in the department which are indirectly related to that program, the administration of gambling contemplated by this bill would be difficult to accomplish with our present expertise. We would suggest perhaps a Gaming Commission be established or locate the administration of this program in another department, such as Commerce. Based on the bill as currently drafted we have prepared the fiscal note with the administration being accomplished by creating a gaming unit in our Income and Excise Audit Division.

Personal Services

Under the bill "strict" regulation and control would be required to accomplish this in conjunction with Public Safety. The Department of Revenue would be responsible for licensing, auditing, collecting tax and generally administering the gaming laws. The department would be required to conduct public hearings on each gaming enterprise license, do investigations, conduct audits and review financial reports of the gaming enterprise.

This activity would require the department to create a gaming unit, comprising of a chief to supervise the gaming unit and act as lead auditor during audits and/or investigations. Two auditors would be required to do the auditing of financial statements, conduct investigations of personnel and review the methods and manners of the enterprises accounting system for receipts and disbursements. A tax examiner would be required to process returns, issue licenses and provide assistance to the public. A clerk typist would be utilized by all positions in the unit.

Revenue

This revenue estimate is at best a guess. It is assumed that the earliest the gaming enterprises could operate is during FY 90. Based on the proposed bill, 50% of net proceeds of all operations outside municipalities would be collected by the department on a monthly return. The department believes a net proceeds tax filed on a monthly basis would be very difficult to prepare and a burden to the gaming enterprise. Revenue would also be received from gaming activities on state ferries. Additionally, gaming enterprises within municipalities would pay 3.5% of gross proceeds to the department. It is very difficult to estimate what the actual revenue would be. Many factors are involved. Currently, as we understand it, three municipalities: Fairbanks, Nome, and Skagway, have expressed their desire to have these activities in their communities. In order to do a more comprehensive revenue projection, specific details would be required, such as how many and what type of games would be on the marine Highway System.

SB

274

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

STEVE COWPER, GOVERNOR

F. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

DATE: May 6, 1987

TO: Senate Labor and Commerce Committee
Senator Tim Kelley, Chairman
Senator Dick Eliason, Vice Chairman
Senator Rick Uehling
Senator Bettye Fahrenkamp
Senator Mike Szymanski

FROM: *KM* Kathy Marshall, Director
Division of Occupational Licensing
Department of Commerce & Economic
Development

SUBJECT: Budget and Fees for the Licensing of Nurses

The attached information provides a response to questions raised at the May 1, 1987 committee hearing on CSHB 178 (L&C) regarding the budget and licensing fees for nurses. In particular, the questions presented by Senator Fahrenkamp are also addressed.

Response to questions asked by Senator Fahrenkamp:

1. Are you aware of the report by the Governor's Transition Team on the Division of Occupational Licensing, which states that, to the extent possible, boards should collect fees which cover their own costs, and where it is not possible (for example, when there are very small numbers of licensees), that the additional funds needed should come from the general fund, not from the licensing fees of other professions?
A: Yes. In fact the division presented this statement to the Governor's Transition Team. In many of the licensed occupations where there are smaller numbers of licensees, it would be unreasonable to expect the licensees to pay an incredible amount in licensing fees to support the licensing function. In this case, those occupations would require general funds to supplement its operations. Because of the large number of licensees, the regulation of nurses in Alaska has the potential of being supported by license fees.
2. Why did the budget upon which the decision to raise nurse's license fees:
 - a. Include a position which has not been funded for over a year (PCN #2031, \$25,775 annually).

A: This statement is partially inaccurate. PCN 2031 was funded at the start of FY 87 in the division's administration component. Mid way through the year, the incumbent was promoted to a vacant position, PCN 2015 in the investigations component. Because the need for clerical support was greater in the investigations component, PCN 2031 was also transferred to the investigations component. Consequently in FY 88, funding for PCN 2031 has been eliminated and funding for PCN 2015 reinstated. The nursing budget was prepared based on the current level of services to reflect actual costs to the extent possible. Attached is Budget Form C4 which indicates the transfer of the position from the administrative component to the investigative component.

b. Not reflect the Governor's proposed 10% pay cut?

A: The budget and fee proposal were prepared prior to the Governor's proposed 10% pay cut. Attached is a current scenario which includes the Governor's 10% cut.

c. Why was it not reduced to reflect the lower number of licensees? 25% less nurses were licensed this year, yet the budget was not reduced 25%. Licensees in other fields have shown declines as high as 47%. Rather than raising fees to fund the current operating costs of the division, I would like to see the division's budget reduced to reflect the lowered number of licensees and the consequent lesser demands on staff.

A: The division could not justify reducing the budget by 25% even if the number of licensees were reduced by 25% for two reasons. First of all, the division is already understaffed. The division regulates 25 occupations and provides staff support to 18 boards. Over the past year, the budget has been cut 13% or \$251,000 in spite of the fact that two new occupations have been added.

FY 86	FY 87 Rev.	FY 88 (Gov.)
2,037.2	1,877.8	1,786.3

Secondly, the division's work load is not directly related to the number of licensees. Licensing Examiners, for example, do more than license individuals. They also staff the 18 boards, public notice and prepare minutes for mandated meetings, answer thousands of requests for information, and conduct examinations. In addition, the number of investigations and hearings associated with an occupation, particularly a large occupation such as nursing, do not necessarily decrease as the number of licensees decrease. In FY 86, there were 38 complaints against nurses and seven cases in litigation. To date, there have been 40 complaints and 10 cases in litigation.

3. What efforts are made by the division to solicit comment from the nurses regulated when regulation changes are proposed?

A: All regulation projects follow the Administrative Procedure Act and follow the guidelines of the drafting manual for Administrative Regulations written by the Department of Law. Basically, the procedures are:

- a. The proposed changes or requests by the board are drafted into regulation form.
- b. The board concurs with a rough draft version of the proposal.
- c. Public noticing of the proposal is made to newspapers, legislators, and interested persons.
- d. An opportunity for public comment is provided through holding hearings and written comments.
- e. Final editing and adoption of the proposed regulations by the board (if overwhelming public response is negative, the project goes back to step 1).
- f. Final review and approval by the Attorney General's office.
- g. The project is filed with the Lt. Governor's office with an effective date.

4. What effect would elimination of the Board of Nursing have on the license fees of nurses?

A: Elimination of the board would save approximately \$20.0 in travel and per diem costs for board meetings and travel to exams. However, in order to use the examinations, the state board is required to pay a \$3.0 membership fee to the National Council for State Boards of Nursing. The Board of Nursing participates in the development of the exam including nominating delegates to write examination questions. If the board were eliminated, it is doubtful that the National Council would allow the state to use the exams. In addition, there would not be a body of experts to develop regulations in response to changes in nursing practice or to discipline licensees who have violated the statute.

5. What effect would a 25% reduction in division funding have on the license fees of nurses? Precisely what services would be lost? Why would there be any reduction in level of service, there being at least 25% less licensees to regulate in all professions?

May 6, 1987

A: The division's FY 88 budget is \$1,786.3. A reduction of 25% represents a loss of \$446.6. Since licensing and board meetings are mandated, the enforcement of the statutes and investigations would be eliminated. Complaints would not be investigated and hearings would not be scheduled. The budget for the Board of Nursing would be reduced by \$84.8, from \$339.2 to \$254.4. Since the current revenue generated by nursing fees is \$202.0, fees would still have to be increased in order for them to be self-supporting. However, in the absence of enforcement, regulation of the occupation would appear to be meaningless.

KM/1t7212t
Attachments
050687b

TRANSFERS FROM/DELETIONS:		FUNDING INFORMATION		TRANSFERS TO/ADDITIONS:		
AGENCY	<u>Commerce and Economic Development</u>			AGENCY	<u>Commerce and Economic Development</u>	
BRU	<u>Occupational Licensing</u>			BRU	<u>Occupational Licensing</u>	
COMPONENT	<u>Administration</u>			COMPONENT	<u>Investigations</u>	
PROJECT	_____			PROJECT	_____	
What is being transferred from or deleted from this unit? Why? Include PCN and position title. PCN 2031 (Clerk I) is being held vacant to realize vacancy savings in FY 87. The position is transferred to the investigations component to supplant the FY 87 revised budget deletion of PCN 2015 (Clerk III). In addition, \$2.0 in personal services is transferred to help fund the personal services shortfall in investigations.		AMOUNT	EXPEND. BY OBJECT	AMOUNT	What is being transferred to or added to this unit? Why? Include PCN and position title. The FY 87 revised budget included the deletion of two positions, PCN 2015 (Clerk III) and PCN 2041 (Investigator I). PCN 2031 is transferred from the administration component and is deleted in place of PCN 2015.	
		2.0	100 Pers. Service	2.0		
			200 Travel			
			300 Contractual			
			400 Supplies			
			500 Equipment			
			600 Lands/Bldgs.			
			700 Grants, Claims			
			800 Miscellaneous			
		2.0	TOTAL	2.0		
			1-A Transfer			
			1002 Fed. Receipts			
			1003 CF Match			
		2.0	1004 General Fund	2.0		
			1006 I-A Receipts			
			Other			
		1	15 PFT	1		
			16 PPT			
			17 Non Permanent			
		12	18 Staff Months	1		

C4 TRANSFER WITHIN ADJUSTED BASE

AGENCY Commerce and Economic Development
 BRU Occupational Licensing
 COMPONENT Administration

FY 88

Page 1 of 1
 Revised Date: _____

2050

DETAIL 10P
 REVISED 5/4/87
 REDUCTION--25 PERCENT
 REDUCTION--50 PERCENT CONTRACTORS

OCCUPATIONAL LICENSING
 FY88 Projected Budget--REDUCTION
 Ten % Personal Service Reduction

LICENSING AREAS	ANNUAL FEES	FY 88 LICENSEES	FY 88 BUDGET	AVERAGE REVENUE	DIFFERENCE
ARCHITECTS, ENGINEERS, LS	50	3,550	267,301	275,940	8,639
ATHLETIC COMMISSION	50	17	4,760	330	(4,430)
AUDIOLOGY	30	15	2,481	615	(1,866)
BARBERS & HAIRDRESSERS	50	2,129	136,964	134,665	(2,299)
CHIROPRACTORS	50	97	29,955	6,750	(23,205)
COLLECTION AGENCY	50	73	8,743	4,240	(4,503)
CONCERT PROMOTERS	30	13	2,303	428	(1,875)
CONTRACTORS @ 75%	90	3,996	224,144	388,730	164,586
DENTAL	90	497	95,394	64,774	(30,620)
DISPENSING OPTICIANS	50	54	9,054	4,065	(4,989)
ELECTRICAL EXAMINERS	125	395	50,941	62,601	11,660
GEOLOGISTS	20	25	2,775	300	(2,275)
GLIDES	120	1,255	142,779	87,051	(55,728)
MARINE PILOTS	150 *	68	32,990	10,475	(22,515)
MEDICAL	150	856	167,448	147,050	(20,398)
MORTUARY SCIENCE	30	87	9,744	2,880	(6,864)
NATUROPATHY	50	2	1,869	273	(1,596)
NURSING	32.50	5,218	339,242	201,999	(137,243)
NURSING HOME ADMIN.	30	41	5,855	1,534	(4,321)
OPTOMETRY	50	67	16,507	3,863	(12,644)
PHARMACY	90	348	50,972	37,699	(13,273)
PHYSICAL THERAPY	100 *	150	20,166	18,480	(1,686)
PSYCHOLOGISTS	100 *	81	39,046	10,331	(28,715)
PUBLIC ACCOUNTANCY	100 *	527	62,204	85,985	3,781
VETERINARY EXAMINERS	50	129	27,992	8,723	(19,269)
FY 88 TOTALS	Ave= 70	19,690	1,771,631	1,559,981	(211,650)**

* Indicates fees increases pending

**Amount of revenue shortfall

DETAIL 10P
 REVISED 5/4/87
 REDUCTION--25 PERCENT
 REDUCTION--50 PERCENT CONTRACTORS

OCCUPATIONAL LICENSING
 FY88 Projected Budget--REDUCTION
 Ten % Personal Service Reduction
 Including Nursing Fee Increase

LICENSING AREAS	ANNUAL FEES	FY 88 LICENSEES	FY 88 BUDGET	AVERAGE REVENUE	DIFFERENCE
ARCHITECTS, ENGINEERS, LS	50	3,550	267,301	275,940	8,639
ATHLETIC COMMISSION	50	17	4,760	330	(4,430)
AUDIOLOGY	30	15	2,481	615	(1,866)
BARBERS & HAIRDRESSERS	50	2,129	136,964	134,665	(2,299)
CHIROPRACTORS	50	97	29,955	6,750	(23,205)
COLLECTION AGENCY	50	73	8,743	4,240	(4,503)
CONCERT PROMOTERS	30	13	2,303	428	(1,875)
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DENTAL	90	497	95,394	64,774	(30,620)
DISPENSING OPTICIANS	50	54	9,054	4,065	(4,989)
ELECTRICAL EXAMINERS	125	395	50,941	62,601	11,660
ECOLOGISTS	20	25	2,775	500	(2,275)
GUIDES	120	1,255	142,779	87,051	(55,728)
MARINE PILOTS	150 *	68	32,990	10,475	(22,515)
MEDICAL	150	856	167,448	147,050	(20,398)
MORTUARY SCIENCE	30	87	9,744	2,880	(6,864)
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PSYCHOLOGISTS	100 *	81	39,046	10,331	(28,715)
PUBLIC ACCOUNTANCY	100 *	527	82,204	85,985	3,781
VETERINARY EXAMINERS	50	129	27,992	8,723	(19,269)
FY 88 TOTALS	Ave= 71	19,690	1,771,631	1,707,650	(63,981)**

* Indicates fees increases pending

**Amount of revenue shortfall

SB 274 An act relating to access to employment security records by Senator Bettye Fahrenkamp

Senate Labor & Commerce Committee 5/1/87

Background

Under certain private pension plans established under the Employee Retirement Income Security Act, the administrator of the plan may discontinue benefits if a recipient returns to employment in the same line of work for more than 39 hours per month. However, the administrators often have great difficulty in demonstrating a recipient is no longer eligible to draw retirement benefits.

This bill would allow the Employment Security Division to provide to administrators the name and address of a person's current employer and the current occupation if known.

Without this legislation, there will continue to be instances when younger workers, who have not yet retired, will be displaced by supposedly retired older workers and the benefit fund drawn down unnecessarily.

Sectional Analysis

Section 1. AS 23.20.110(a) Information obtained by department

Adds a new subsection (h) to allow the department to make available upon request to an employee pension benefit plan, the name, address, and if available, the person's current occupation. The information must be kept confidential by the plan, unless it is relevant to a legal proceeding in which the plan is a party. The department may also require the requesting party for reimbursement of the cost of furnishing the information.

Provided by Senator Fahrenkamp's office.

U.S. Department of Labor
RECEIVED

Employment and Training Administration
909 First Avenue
Seattle, Washington 98174

MAR 27 1987

Alaska Dept. of Labor
Rec'd by the Attention of:
RECEIVED

OFFICE OF THE COMMISSIONER

MAR 27 1987

March 24, 1987

Employment Security Division
JUNEAU
EXECUTIVE DIRECTOR

Mr. Joseph M. Sitton
Director
Employment Security Division
Department of Labor
P.O. Box 3-7000
Juneau, AK 99802

Dear Mr. Sitton:

We have reviewed the draft legislation which would add the following to Section 23.20.110 of the Alaska Statutes:

The department shall make information obtained from an employing unit or an individual available on request to an employee pension benefit plan established under 29 U.S.C. 1001 - 1461 (Employee Retirement Income Security Act) to assist the plan in verifying whether a person receiving a retirement benefit from the plan is employed.

The new section goes on to state what information may be given, and creates a confidentiality requirement as well as a requirement that the pension plan reimburse the Alaska agency for the cost of furnishing the information.

Section 303(a)(1) of the Social Security Act (SSA) has long been interpreted as requiring State laws to prohibit disclosure of unemployment insurance (UI) information on the grounds that disclosure deters workers from filing claims and employers from giving information to the State agency, and that disclosure impedes the efficient administration of the UI program. However, a State agency may disclose information concerning claimants or employers to a public official in the performance of his public duties or for purposes necessary for the proper administration of the law administered or enforced by him. Because the Alaska proposal permits disclosure of both claimant and wage record information to a private pension plan, we believe it is inconsistent with these requirements.

We note that Sections 303(d), (e) and (f), SSA, require, under certain conditions, disclosure of UI information to certain governmental agencies. These provisions are exceptions to the

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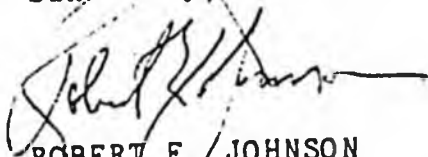
TO:	Act	Int	W
DIRECTOR		✓	
DEP DIR		✓	
ADCS			
ADUI		✓	
BUDGET			
ISU			
10700ULLM 8-4			
DP MGR			
ES TECHS			
UR TRNCS			
MAN UNIT			
A & C			
APPEALS			
BENEFITS			
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Done 3-27



restrictions placed on disclosure by Section 303(a)(1). Because private pension plans are not governmental agencies, the proposed amendment does not fall within the required exceptions and therefore would not appear to be consistent with Federal law requirements.

Sincerely,



ROBERT E. JOHNSON
Associate Regional Administrator
for Unemployment Insurance

A M E N D M E N T

By Fahrenkamp

TO: SB 274

Page 2, line 2:

Delete "employee"

Insert "administrator of a joint administered defined"

Page 2, line 4:

Delete "plan"

Insert "administrator"

Page 2, line 7:

Delete "plan"

Insert "administrator"

Page 2, line 9:

Delete "plan"

Insert "administrator"

Page 2, line 10:

Delete "plan"

Insert "administrator"

Page 2, line 11, after "which":

Insert "the administrator or"

SB 274

AMENDMENT BY FAHRENKAMP

Page 2 Line 14

Add a new Section 3.

Notwithstanding AS 23.20.110(h) enacted by Section 2 of this act, the department may not release information to an administrator if the U.S. Secretary of Labor rules that release of the information would be grounds to find that the state is in substantial noncompliance with 42 USC 502(a).

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version : SB274
Publish Date : _____

REQUEST: _____

Revision Date: _____
Title: "An Act relating to access to
employment security records."
Sponsor: Fahrenkamp
Requestor: Senate Labor and Commerce

Agency Affected: Labor
BRU: Employment Security

Components: Unemployment Insurance

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: ^{NB} Joe Sitton, Director Phone: 465-2712
Division: Employment Security Division Date: 5/1/87

Approved by Commissioner: ^{NB} Jim Sampson Date: 5/1/87
Agency: Labor

Distribution (by preparer):

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