

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672  
5511 SSTA SB 5 - SB 42 1083

**OFFICE OF THE GOVERNOR**

**OFFICE OF MANAGEMENT AND BUDGET**

**DIVISION OF POLICY**

P.O. BOX AD  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3568

March 16, 1987

The Honorable Mitch Abood  
Chairman, Senate State Affairs  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Abood:

SUBJECT: SB 5, "Establishing procedures to be followed..."

Senate Bill 5 establishes procedures to be followed when estimated State revenue will be insufficient to provide for appropriations during a fiscal year.

It is easy to recognize and be sympathetic with the concerns which prompted the introduction of Senate Bill 5. However, the bill itself, as drafted, raises problems of flexibility and time limits in which action has to be taken.

The following discussion points out those problems vividly. If the bill had been in effect during this fiscal year, the following would have occurred when the prior administration recognized that would be a \$600 to \$900 million deficit:

- (1) The bill sets aside any restrictions on capital projects appropriations, about \$337 million for FY 87;
- (2) The bill sets aside any restrictions on municipal grants, about \$150 million for FY 87;
- (3) With approximately \$1,206.9 million left in revenues and non-excluded appropriations totalling over \$2,092.5 million, a pro rata

across-the-board restriction of about 42% would have been made, with no differentiation among agencies or priorities;

- (4) The 42% restriction would have impacted general obligation bond debt, school debt retirement, education foundation formula, municipal assistance, revenue sharing, and operating agencies, such as Public Safety, Corrections, and Health & Social Services whose services may be critical to public health and safety.

In essence, the bill sets up two classes of appropriations, with CIP/municipal grants having a "sacredness" not given to other State obligations. This approach fails to take into consideration the State's legal obligations, such as general obligation debt, and the criticalness of entitlement programs, for example, to individuals' wellbeing. Across-the-board restrictions, like across-the-board reductions, are not prudent. Some government functions are, in fact, more critical than others. Thus, the bill, if implemented under the terms of the fiscal emergency of last fall, would have had severe and unanticipated consequences.

Further, the bill then provides the release of the restrictions on the 15th day of the first regular session that occurs after the effective date of the restrictions order. That automatic release ignores the reality that both revenues and immediate cash flow might not be then available -- as they were not available this January.

Also, the bill does not consider what cash reserves are on hand for the Governor to use in an emergency of this nature, and what flexibility does he/she have in case of an emergency. The budget reserve bill passed last session set up procedures which make it difficult to deal with a true emergency. Given the roller coaster rise-and-fall of oil revenues, it seems that more flexibility rather than less will provide best for the State's stability.

The other sections of the bill speak to the Legislature's ability to call itself into session -- an ability which already exists, although it was not exercised last fall. If the committee wishes to

March 16, 1987

proceed further with this legislation, it may want to investigate an automatic call into session 15 or 30 days after a governor has issued an executive order restricting or reducing general fund appropriations due to revenue shortfalls.

Thank you for this opportunity to comment on the proposed legislation.

Sincerely,

MARY HALLORAN

Mary Halloran  
Director

MH/dmc/87D-281

cc: Senator Jack Coghill  
Alaska State Legislature

George Sullivan, Legislative Lobbyist  
Bob Evans, Legislative Assistant  
Office of the Governor

Senator John B. (Jack) Coghill  
Alaska State Legislature

Pouch V  
Juneau, Alaska 99811  
(907) 465-4931

Box 55028  
North Pole, Alaska 99705  
(907) 488-0862



January 24, 1987

TO: Members of the Senate  
State Affairs Committee

FROM: Senator Jack Coghill

RE: SB 5, "An Act establishing procedures to be followed when  
when estimated state revenue will be insufficient to  
provide for appropriations during a fiscal year."

I believe it is the legislature's job to react to revenue problems. Article IX, Sect. 13 of the Constitution gives total and absolute power of expenditure of state funds to the legislature. As the representatives closest to the people, we must look after their welfare. If we as members do not react to severe downturns of the economy we are not fulfilling our mandated role.

To safeguard that mandate, this bill sets up additional procedures under the Executive Budget Act and under Title 24 regarding special sessions.

I was greatly dismayed this past interim about how the budget shortfalls were handled by the executive branch. It is my intent through this legislation to prevent the usurpation of legislative powers by any future executive officer.

While the executive branch should have the flexibility to deal with budget shortfalls, this power must have limits. I believe this bill will achieve that goal.

As we have witnessed, the executive did not evenhandedly apply budget reductions between the agencies. This bill requires that the executive apply the cuts equally to each agency, and direct legislative appropriations are left untouched. It is my belief that the executive should not have control over projects that solely emanate from the legislature.

These provisions will prevent the executive from the serious danger of rewriting the budget to promote its own spending priorities.

The executive must also inform the presiding officers of both houses if state revenues experience a 10 percent shortfall. If this occurs, the presiding officers must conduct a poll of their respective members regarding a special session.

I would appreciate your due consideration of this legislation.

S B  
L

FISCAL NOTE

REQUEST:

Revision Date: 1/15/87  
Title: "An Act relating to loans by a candidate to the campaign. . ."  
Sponsor: Sen. Fischer  
Requestor: Legislature

Agency Affected: Alaska Public Office Commission  
BRU: \_\_\_\_\_

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
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)

This measure will have no impact on the Alaska Public Offices Commission.

Prepared by: Karla Forsythe, Executive Director Phone: 276-4176  
Division: Alaska Public Offices Commission Date: 1/14/88

Approved by Commissioner: Daniel Patrick O'Tierney Date: 1/15/88  
Agency: Chairman, Alaska Public Offices Commission

Distribution (by preparer):

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

# STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

Bill Version: SB 6  
Publish Date: \_\_\_\_\_

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_

Title: An Act relating to loans by a candidate to the campaign . . .

Sponsor: \_\_\_\_\_

Requestor: Senate State Affairs

Agency Affected: Administration

BRU: Alaska Public Offices

Commission

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

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

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Theda Pittman *Theda Pittman*  
Division: Alaska Public Offices Commission

Phone: 276-4176  
Date: 2/12/87

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

Date: 2/12/87

Distribution (by preparer):

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

POSITION PAPER

SB 6

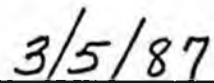
This bill amends the Campaign Disclosure Law by establishing "the day before the election" as the deadline for a candidate to recover any loans the candidate has made to his or her campaign. It also specifies that contributions received after the deadline may not be used for repayment of the loan.


Such a provision would reduce the purpose for post-election fundraisers to paying off debts to others, i.e., outstanding bills to vendors or campaign loans from others. Candidates who, because of personal wealth or a surplus from prior campaigns, could afford to forego repayment would be less affected than lesser known candidates or those whose campaign finance plans turned out to be inadequate. Some candidates might want to start their campaigns earlier than usual to assure more time for raising money from others.

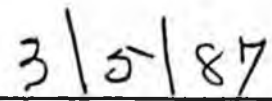
The proposed language does not include campaign expenses paid directly by the candidate as subject to the repayment deadline. The only difference between a candidate's loan and the reimbursement of purchases by the candidate is whether or not the funds go into the campaign account. The bill is not explicit in prohibiting the taking of a campaign surplus as "income" by a candidate who did not repay his or her "loan" by the deadline. If this bill passes, the reporting forms should be modified to require more detail about candidate funds for the purpose of monitoring compliance. Violation of this new provision would not be subject to a fine by the Commission unless the candidate failed to report the illegal repayment. The only other possible sanction would be the general misdemeanor provision under AS 15.13.120(a).

The Commission's position on SB 6 is neutral because the bill addresses only a portion of the problem of post-election fundraisers. Effective control of campaigns that are too expensive, last too long, and are followed by fundraising of questionable propriety should be addressed in a more comprehensive fashion.

  
\_\_\_\_\_  
Theda Pittman, Executive Director  
Alaska Public Offices Commission

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Commissioner Jean Rogers  
Alaska Public Offices Commission

  
\_\_\_\_\_  
Date

APOC Meeting February 25 - 26, 1987

SB

13



# Alaska State Legislature

Senator Mike Szymanski

While in Session:  
P.O. Box V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4978/4979

## MEMORANDUM

Interim  
11920 Johns Rd.  
Anchorage, AK 99515  
(907) 349-3373

January 27, 1987

1024 W. 6th  
Anchorage, AK 99501  
(907) 276-6739

TO: Senator Mitch Abood, Chairman  
Senate State Affairs Committee

FROM: Senator Mike Szymanski MS/MS



SUBJECT: SB 13, Park Fees Legislation

I would like to request that the Senate State Affairs Committee schedule a hearing for SB 13, relating to the levy and collection of fees for the use of state park facilities, at the earliest possible date.

This legislation which has been before the Legislature twice in the last four years, is vital for the healthy development and enhancement of our state parks program and the tourism industry. At a time of declining revenues and budget cutbacks, this legislation would provide for additional revenues for the Division of Parks and partially offset the need for general fund monies. It would certainly appear to be a vital program to lessen our dependence on oil revenues, enhance the development of the tourism industry, and be a step in stabilizing our economy.

As a point of information, Alaska is the ONLY state which does not presently collect any state park fees. It is anticipated by the Department of Natural Resources that approximately 15% of the Division of Parks budget could be offset by a system of fees (the national average is 25% offset but the percentage is less in Alaska because our season is considerably shorter).

I have contacted both local and state Chambers of Commerce and tourism industry groups as well as individuals and there is widespread support for such legislation.

I am attaching back-up on SB 13 for your information. Please contact me or my staff person, Paula Terrel, if you need anything further.

Thank you for your consideration.

RECEIVED  
JAN 30 1986



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

P.O. Box Y, State Capitol  
Juneau, Alaska 99811-3100  
Mail Stop 3100  
(907) 465-3991

December 11, 1986

MEMORANDUM

TO: Representative Mike Szymanski

ATTN: Paula Terrel

FROM: Mary Jennings *mg*  
Legislative Analyst

RE: Park User Fees in Other States  
Research Request 87.054

You requested information concerning user fees for Washington, Oregon, and California state parks, specifically, fee structures, nonresident fees, and the disposition of the fees. In addition, you requested a discussion of the advantages and disadvantages of state park user fees.

According to the National Association of State Park Directors, user fees are charged in all state parks except those in Alaska. Attachment A, prepared by the California Department of Parks and Recreation, presents a table of day and overnight user fees in 43 states.

Washington

**Fee Structure.** In Washington State, the fee for overnight camping at a developed campsite (a site with picnic table, fire pit, and parking area) is \$6.00. A site with sewer, water, and electricity hook-ups is \$8.50. The fee for a primitive campsite (a cleared area primarily used for tent camping) is \$4.50 when a vehicle is parked at the site and \$3.00 with no vehicle.

State parks with boat moorage facilities charge a fee between May first and Labor Day for overnight use of the moorage. The fee for boats under 26 feet is \$3.50 and the fee for boats over 26 feet is \$5.50. Season permits are available: \$24.00 for boats under 26 feet and \$40.00 for boats over 26 feet.

Group overnight camping facilities are available, with the fee depending upon the number of people in the group. Picnic areas for day use may be reserved 30 days in advance by groups of twenty or more for a \$10.00 fee. The picnic areas may be used on a space available basis for no charge.

**Nonresident Use.** Persons from states that charge an additional fee to nonresidents are charged a comparable fee for using Washington parks. This fee is collected based upon a residency question on camping registration forms. Park officials enforce the nonresident fee by periodically checking vehicle license plates at the campsites.

**Special User Fees.** The state offers a \$15.00 annual off-season pass for residents over 62 years of age. The pass can be used for 30 overnight visits between the months of September and April. A limited income provision allows persons with a combined household income of less than \$16,000 to pay half the regular fee for using state parks. Permits allowing half-price fees are also available to persons with a minimum 30 percent disability. Veterans who are over 62 and have a minimum 30 percent disability may obtain a permit that allows camping without paying user fees.

**Disposition of Fees.** User fees are deposited into the state's general fund. The fees represent approximately 16 percent of the annual operating budget of the state's Parks and Recreation Commission.

## Oregon

**Fee Structure.** The user fee set by the Oregon Division of Parks and Recreation of the Department of Transportation for an overnight camping site with electric, water, and sewer hook-ups is \$8.00. A site with electric and water is \$7.00, a site with just a water hook-up is \$6.00 and a site with no hookups is \$5.00. Overnight camping fees are reduced \$1.00 between October first and May first. In parks with boat moorage facilities, a moorage fee of \$2.00 per night is charged.

Many campgrounds utilize an extra vehicle fee. A campsite occupied by fewer than four adults with more than two vehicles parked at the site is charged \$2.00 per additional vehicle and a site with more than five adults and more than two vehicles is charged \$5.00 per additional vehicle. Some campgrounds provide overflow lots with a parking charge of \$2.00 per vehicle. On holidays and weekends during the summer, a day use entrance fee of \$1.00 per vehicle is charged in popular parks. This fee does not apply to tour buses.

**Nonresident Use.** Campers with vehicles that have out-of-state license plates are charged an additional \$2.00 fee for campsite use. According to the Oregon Parks and Recreation Division, this fee is charged on the basis of vehicle license plates, regardless of whether or not the campers live within the state.

**Disposition of Fees.** All fees, except the dollar day use fee, are dedicated to the State Park Maintenance and Operation Fund. The day use fee is kept by the generating park for maintenance uses. User fees account for approximately 25 percent of the total operating budget for state parks. Other funds come from the state's general fund and recreational vehicle registration fees.

## California

**Fee Structure.** The California Department of Parks and Recreation charges a \$6.00 fee for overnight camping at developed campsites (sites with picnic tables, fire pits, and common hot and cold shower facilities), a \$12.00 fee for recreational vehicle sites (sites with water, electric, and sewer hook-ups), and a \$3.00 fee for primitive sites (sites with a water source and toilet facilities). For overnight camping at developed campsites on the South Coast beaches, the fee is \$8.00

The day use fee is \$2.00 per vehicle and \$3.00 per vehicle for parks on the South Coast beaches. The charge for vehicles with between 10 and 24 passengers is \$10.00 and the charge for vehicles with over 24 passengers is \$20.00.

**Special Fees.** Senior citizens are offered a discount of \$2.00 for overnight camping and a \$1.00 discount on day use fees. The "Golden Bear" pass allows senior citizens on a fixed income to use the parks for a \$5.00 annual fee. For a fee of \$3.50, a lifetime pass is available to veterans who have a minimum 70 percent disability. Nonresidents pay the same user fees as residents.

**Disposition of Fees.** All user fees are deposited into the state's general fund. User fees represent approximately 35 percent of the parks' operating budget. The fee schedules for the state parks in California are currently being revised and, according to an official, the fees are likely to be increased next year.

## Advantages and Disadvantages

User fees in state parks could favorably be viewed as a means of raising revenues for the maintenance and improvement of state parks for the benefit of the public. An official with the California Department of Parks and Recreation stated that user fees, which account for approximately \$6 million in annual revenues, enable the state to maintain a high standard of quality in their parks. He felt that without user fees, many parks could not be kept open and the quality of parks left open would decrease.

In opposition to the practice, user fees may be viewed as causing increased administrative costs. For example, personnel would be needed in the parks in order to enforce collection of fees and further administration would be required to account for the fees. On the other hand, one could argue that present park personnel would be capable of handling these duties and that revenues generated from the user fees would be in excess of any additional administrative costs.

Representative Szymanski

December

Page 4

User fees could also be perceived to discriminate against the economically disadvantaged. Many states have tried to remedy this situation by offering discounted user fees for low-income families. An official with the Washington Parks and Recreation Commission stated their discount permit programs have been successful in allowing low-income, disabled and elderly persons access to state parks.

#### User Fees In Alaska's State Parks

Revenues. According to John Rubini of the Alaska Attorney General's Office, user fees charged in state parks would have to be deposited into the State's General Fund. Although the State Constitution prohibits the dedication of user fees to the parks budget, Mr. Rubini stated that the legislature has routinely appropriated program receipts to the program that generated the revenue. He stated that the legislature uses this type of appropriation as an incentive for efficient operation of a particular program.

Nonresident Users. The Attorney General's Office stated that the State could probably differentiate fees between resident and nonresident users. The office stated that this could most likely be achieved under guidelines similar to those allowing resident and nonresident fee differentiation for hunting and fishing licenses.

I hope you find this information useful. I have attached a user fee schedule from California and have requested fee schedules from Washington and Oregon and I will forward them to you when I receive them. I have also attached a report prepared by Legislative Research Agency of the Oregon State Legislature that details funding of state parks in the U.S. Please feel free to contact me if you have questions.

MJ

Attachments

PARK SURVEY

STATE	TENT DAY USE	RV CAMPING	DATE OF LAST INCREASE	
Alabama	1.00	7.00	20.00	1984
Alaska				
Arizona	2.00	5.00	7.00	
Arkansas	7.00	5.00	7.00	1983
California	2.00	6.00	14.00	1985
Colorado	3.00	7.00	10.00	1980
Connecticut	4.00	7.00	7.00	1983
Delaware	2.00	10.00	14.00	1986
*Florida				
Georgia	0.00	3.00	7.00	1984
Hawaii				
Illinois	4.00	6.00		1984
Indiana	0.00	4.50	7.00	1980
Iowa	2.00	5.25	5.25	1985
Kansas	2.00	2.00	3.00	
Kentucky	0.00	3.50	3.50	1984
*Louisiana				
Maine	1.00	3.00		1980
Maryland	0.00			
Massachusetts	0.00			
Michigan	1.00			
Minnesota	3.00	4.00		
Mississippi	1.00	5.50	11.00	1980
Missouri	0.00	0.00	0.00	
Montana	1.00	5.00	5.00	1984
Nebraska	2.00	4.00	3.00	1984
Nevada	0.00	5.00		
New Hampshire	1.00	9.00		1984
New Jersey		7.00		1980
New Mexico	1.00	5.00		1980
New York	3.50			
North Carolina	0.00	5.00		
North Dakota	1.50	5.50		1984
Ohio	0.00	3.00	10.00	1985
Oklahoma	0.00	3.00	9.00	1982
Oregon	1.00	4.00	3.00	1982
Pennsylvania	0.00	3.00		1985
Rhode Island	2.00			1982
South Carolina	0.00	12.00		1980
*South Dakota				
*Tennessee				
Texas	2.00	3.00	7.00	1985
Utah	2.00	4.00	9.00	1980
Virginia	2.00	7.50		1984
*Washington				
Washington	3.00	7.00	11.00	1983
West Virginia	0.00	3.00	3.00	
Wisconsin	3.00	3.50		
*Wyoming				

U.S. Department of the Interior  
Bureau of Land Management

**SCHEDULE OF STATE PARK SYSTEM USE FEES**

(Effective January 1, 1986)

**CAMPING**

**FAMILY CAMPSITES**

Hookup for Trailers, Campers, etc.	\$12.00 per campsite per night
Developed Campsites (incl. environmental sites and en route camping except where developed. Campsite fee is \$8.00)	\$6.00 per campsite per night
Developed Campsites (excl. environmental sites and incl. en route camping) at Carpinteria, Doheny, El Capitan, Gaviota, Leo Carrillo, McGrath, New Brighton, Point Mugu, Refugio, San Clemente, San Elijo, San Onofre, Seacliff, South Carlsbad, and Sunset State Beaches only.	\$8.00 per campsite per night
Primitive Campsites	\$3.00 per campsite per night
Reservation Fee (Family Camps)	(Pending awarding contract)

**GROUP CAMPING**

	Varies (\$20.00 to \$100.00 per night) - Based on capacity and facilities for group camps on the Reservation System. Group camps not on the Reservation System may charge a minimum fee plus \$1.00 per adult or \$.50 per youth over the minimum on an experimental basis. (see Schedule of Group Camp Fees, DPR 5398)
Reservation Fee (Group Camps)	
Camps on Reservation System	(Pending awarding contract)
Camps NOT on Reservation System	\$3.50 per group camp for each period reserved (collected by park when reservation is made)

**OTHER**

Horse Camps	\$6.00 per campsite per night, plus \$1.00 per horse (\$7.00 for Los Caballos Campground at Cuyamaca Rancho SP)
Boat Camps	\$3.00 per campsite per night
Overflow Areas	Normally the same fee as charged for campsites in the unit.
Additional Motor Vehicle	\$3.00 per night for each additional motor vehicle if used in park
Charge Per Dog	\$1.00 per night (no charge for guide dogs)
Trail Camps (Hikers and Bicyclists)	\$1.00 per person per night

*Collection Envelopes are provided for deposit of fees in secure receptacles at some camping units*

**DAY USE**

Persons entering by private vehicle (all units with coastal access - Santa Barbara County south)	\$7.00 per vehicle - Annual Day Use Permits may be used by frequent visitors
Persons entering by private vehicle (all other units)	\$2.00 per vehicle
Persons entering by bus	Normal Day Use Fee per mini-bus or van (9 passenger or less) \$10.00 per bus (10 to 24 passengers) \$20.00 per bus (25 or more passengers)
Group Day Use	Site capacity x \$.50 + 10% reservation fee except where parking space is limited, the fee is: Normal Day Use Fee per vehicle plus the reservation fee (reservations through park only)
Horse Entry	\$2.00 per vehicle, plus \$1.00 per horse; or trail entry, \$1.00 per horse
Charge per dog	\$.50 per dog (no charge for guide dogs)
Parking Fees at 12 dirt parking lots at San Mateo Coast and southern beaches	Variable

*NOTE - Free admission for school groups - K through 12 - with reservation made through park*

Boat including air Day Use facilities

Boat Use Only	\$2.00 per day per registered boat	
Angel Island Boat Mooring	\$2.00 per day; \$4.00 if boat size prevents mooring two boats per slip	
Brannan Island SRA Boat Berthing (overnight)	\$6.00 per boat per night	
Holding Tank Pumpout	\$3.00 per each use	
Lake Oroville Floating Campsites	\$35.00 per night	
Cabin Rentals Richardson Grove SP, Malakoff Diggins SP, and Mt. Tamalpais SP	\$15.00 per night	
	6 - 17	18 and Over
Mitchell Caverns NP Tour	\$1.00 per person	\$2.00 per person
	17 and Under	18 and Over
State Parks Swimming Pools Bothe-Napa Valley Grover Hot Springs	\$ .75 per person \$1.00 per person	\$1.50 per person \$2.00 per person

### HISTORIC

	Age 6 - 17	18 and Over
*Museums	\$ .25	\$ .50
California State Railroad Museum	\$1.00	\$3.00
State Indian Museum	\$ .50	\$1.00
**Historic Units	\$ .25	\$ .50
**Sutter's Fort SHP and Governor's Mansion	\$ .50	\$1.00
Monterey Monuments	\$ .50	\$1.00
Monterey Monuments Tour Package	\$2.00	\$3.50

\* If a museum is in a unit with controlled access, where the public must pay either a day use or camping fee, there is no charge for admission to the museum upon presentation of the camping or day use ticket

\*\* Includes use of device to provide recorded tour information at some units

NOTE: Free admission for school groups - K through 12 - with reservation made through park

Hearst San Simeon SHM	Age 6 - 12	13 and Over
TOUR 1 (lower floor)	\$4.00	\$8.00
TOUR 2 (upper floor)	\$4.00	\$8.00
TOUR 3 (recreation wing)	\$4.00	\$8.00
TOUR 4 (garden & behind the scenes)	\$4.00	\$8.00

### ANNUAL/SPECIAL PASSES

<b>Disabled Veteran Pass</b>	<b>\$3.50 one-time payment</b>	<b>Golden Bear Pass</b>	<b>\$5.00 Per Calendar Year</b>
For honorably discharged war veterans with 70% or more service-connected disability or a service-connected disability rated at 100% for reasons of unemployability.		For persons receiving Aid to the Aged, Blind, or Disabled; persons age 62 or older within the income limitations; or persons receiving Aid to Families with Dependent Children.	
Permits use of all State Park System facilities, including boat launching.		Permits use of day use facilities in all State Park System units except Hearst San Simeon SHM, Sutter's Fort SHP, or California State Railroad Museum.	
<b>Annual Day Use Pass</b>	<b>\$40.00 Per Calendar Year</b>	<b>Annual Boat/Day Use Pass</b>	<b>\$65.00 Per Calendar Year</b>
Valid at all parks with day use facilities.		Valid at all parks with day use facilities and State-operated boat launching facilities.	

NOTE: The Annual Day Use Pass will not be honored at OHV units. The OHV Day Use Pass will be valid only at OHV units.

## ANNUAL/SPECIAL PASSES – Continued

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### Second Vehicle Pass \$10.00 per Calendar Year

May be purchased in conjunction with the Annual Day Use or Annual Boat/Day Use Pass with proof of registration.

### Boat Pass

\$25.00 Per Calendar Year

May be purchased by Golden Bear Pass holders entitling them to the use of the same facilities as Annual Boat/Day Use Pass holders. May also be purchased for an additional boat on the same trailer.

### Senior Citizen Discount

For persons 62 years of age or older. Proof of age based on California Drivers License or other identification card.

Permits year-round \$1.00 discount for vehicle day use and \$2.00 discount for camping at all State Park System units. Not available when using the reservation system or for Hearst San Simeon State Historic Monument.

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NOTE: The Annual Day Use Pass will not be honored at OHV units. The OHV Day Use Pass will be valid only at OHV units.

LEGISLATIVE RESEARCH

S-420 State Capitol, Salem, OR 97310-1316

(503) 378-8871

86:20

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TO: Senate Transportation Committee  
FROM: Melanie Zermer, Research Analyst  
SUBJECT: Other States' Funding of State Parks  
DATE: March 21, 1986

You requested Legislative Research to determine how other states fund their parks, especially what innovative methods are used or have been considered. This memorandum discusses nine types of funding mechanisms other than user fees and legislative appropriation of general funds. The mechanisms discussed usually relate to park operations and maintenance. Capital improvements and land acquisition, in most cases, are paid from bonds issued for that purpose.

Legislative Research conducted a 50-state mail survey and to date, we received responses from 41 states. Of those states which responded, twelve fund their parks solely from general funds, federal funds, and user fees.<sup>1</sup> Currently Oregon funds its parks through general funds (20%), park user fees (25%), vehicle registration fees (33%), State Highway Fund (3%), miscellaneous funds (5%), and federal funds (14%).<sup>2</sup> Oregon's 1985-87 biennial budget for state parks is \$37 million or \$18.5 million each fiscal year. Although Oregon ranks eleventh in amount of money appropriated for state parks, it ranks second in percentage of total budget allocated to parks.<sup>3</sup>

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<sup>1</sup>User fees are those revenues collected from patrons of the park facilities. Examples include park entrance fees, camping ground fees, cabin or lodge rental, concessions operations, beach or pool use fees, golf course fees, etc.

<sup>2</sup>The Highway Division reimburses the Parks Division from the State Highway Fund because the Parks Division maintains wayside parks which also serve as rest areas. Miscellaneous funds include real property, rental for agricultural production, sale of timber and land, and fees from Deschutes River boat passes.

<sup>3</sup>National Association of State Park Directors, Annual Information Exchange 1986 (Denver, Colorado: National Park Service, Denver Service Center, 1985).

Other states have found other ways to supplement their park budgets. These methods have brought in as much as \$6 million in one state to as little as \$75,000 in another. The following paragraphs briefly describe each funding mechanism, what states implement or have considered them, and when possible, the amount of revenue generated in fiscal year 1985.

**Cigarette and Alcohol Taxes.** Nebraska has imposed a one cent tax on each pack of cigarettes purchased which has raised \$1.3 million for Nebraska's parks. Alabama also has a cigarette tax which has raised \$430,000. Michigan and North Dakota have considered this tax to supplement park funds. Kansas imposed a ten percent liquor-by-the-drink sales tax of which one third goes to local park and recreation projects. Other alcohol taxes which Washington has considered include a beer tax on brewers for the privilege of selling in the state, sales tax on liters of wine and hard liquor, and a ten percent tax on retail sales-by-the-drink licenses.

**Land Leasing.** Like Oregon, other states lease land for private endeavors to help fund state parks. Washington leases coastal areas for aquatic purposes, Vermont leases land for ski areas, and Iowa leases land for agricultural purposes. In general, not much revenue is generated. Oregon raised \$90,000 in fiscal year 1985, and Iowa raised \$170,000.

**Business Taxes and Royalties.** These revenues are payments from private industries. The states that impose these taxes do so because it can be argued that industry takes something of value from the land and they should return something of value for that privilege. Some of these taxes can be large revenue enhancers. Wisconsin's forestry mill tax raised \$1.96 million or 23 percent of its fiscal year 1985 park budget. Montana's coal tax raised \$602,400 or 14 percent of its park budget. Iowa receives sand and gravel royalties; Texas and New Mexico levy a severance tax on the oil and gas industries. Determining the business tax or royalty varies from a simple one percent of gross product value to complex formulas.

**Fuel Taxes.** At least eight states collect fuel taxes to supplement state park budgets. But in Iowa, Nevada, South Dakota, Washington, and Montana, only fuel taxes collected from watercraft use can be used for the parks. Washington has collected over \$1 million annually from this source. Montana also receives fuel taxes from snowmobile users. Park divisions in Idaho and New Mexico collect a portion of the total fuel taxes collected by the state. But

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\*Mike Reed, Outdoor Recreational Funding, Washington Senate Parks and Ecology Committee, Washington Legislature, October 1982.

New Mexico can only use this revenue source for maintaining boating facilities.

**Sale and Excise Taxes.** Both Missouri and Washington reserve a small portion of the state's sales tax for their state park budgets. Michigan and North Dakota have considered taxing the purchase of certain recreational equipment such as skis, cameras, hiking and camping equipment, etc. In a Washington study it was observed that there may be difficulties in collecting taxes and enforcing the program unless a new division in the Department of Revenue is created.

**Document Taxes.** Maryland has a real estate tax program to supplement its park budget. A certain percentage of the value of property is taxed when it is sold or otherwise transferred to another party. The seller is obligated to pay the tax. Maryland receives \$6 million annually from this source. Florida receives revenue for parks from several document transaction taxes such as 13 percent of the state real estate tax, bill of sale on stock, promissory notes, and stock certificates. Florida collects \$5 million annually from these sources to supplement its park budget.

**License and Registration Fees.** Ohio collects \$1.6 million annually from boat licenses. Idaho collects \$617,500 from snowmobile, motor bike, off road vehicle, and boat registration fees. South Dakota collects boat registration fees and Montana collects snowmobile registration fees to enhance their state park budgets.

**Gambling.** Colorado designates 3.5 percent of its lottery proceeds to state parks. South Carolina designates its bingo proceeds for parks.

**Miscellaneous.** New Mexico has encouraged the development of nonprofit "Friends of the Park" groups which raise funds and provide other volunteer services for the parks. Maryland systematically collects donations through a check-off box on the state income tax form and has a Citizen Donation Committee which allocates the money. Vermont sells state park T-shirts. Ohio sells park salvage equipment. Michigan has considered securing uncollected bottle deposit money from soda and alcoholic beverage distributors. No information was available to determine the amount of revenue each source collected.

APR 23 1985

BILL SHEFFIELD, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF PARKS AND OUTDOOR RECREATION

225A CORDOVA STREET  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 276-2653

MAILING ADDRESS:  
POUCH 7001  
ANCHORAGE, ALASKA 99510

April 19, 1985

Re: Legislation for Campground Fees

The Honorable Arliss Sturgulewski  
Alaska State Legislature  
State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Here's information on our proposed campground fee legislation (CS HB267) which recently passed the House 38-0.

#### The History of Fees in Public Campgrounds

The federal government began collecting fees in national parks over 50 years ago. Of the country's 50 state park systems, only Alaska has no campsite fee program. Here in Alaska, the U.S. Forest Service, National Park Service, U.S. Fish and Wildlife Service and Municipal campgrounds all charge fees for camping. And, of course, private campgrounds charge.

In 1976, there was a \$10.00 annual entrance fee established to use the Alaska State Park System. This program was terminated two years later by legislation dealing with motor vehicles [AS 28.10.411(e)] which stated that any vehicle with an Alaskan license plate need not pay State Park fees.

#### Why Should We Charge Fees Again?

In a few words -- declining revenues and increasing demands. In 1982, there were 2.2 million visitors to our state park system; in 1983, 4.3 million; and last year, about 5 million! We project ending the current fiscal year with 5.9 million visits. Information from other agencies charging fees shows that people desire well-developed, well-maintained camping facilities and they are willing to pay for them. Managers have also found a decrease in vandalism and a number of positive management spin-offs which occur when campsite fees are charged. Although government-operated campgrounds are seldom fully self-supporting, nationwide approximately 10% are. At a minimum, we can reduce the government subsidy of this popular, but nonetheless expensive, program. By the way, across the nation, state parks now capture about 25% of their operation costs with fees.

The Honorable Arliss Sturgulewski  
April 19, 1985  
Page 2 -

#### How Do People Feel About Campground Fees?

Surprisingly, more than half of facility users will pay without hesitation. The Forest Service here in Alaska reports 77% compliance at more remote facilities and 92% compliance where a volunteer campground host is on the premises. My field staff tells me that many visitors, especially those from Outside, are surprised that no fees are charged in Alaska State Park campgrounds. Owners of private campgrounds are very much in favor of the charge. They are tired of the free government competition. Last year, the Alaska Visitors' Association supported a previous attempt at legislation authorizing campsite fees. Editorials of support of this measure have recently appeared in the Anchorage Times, Anchorage Daily News and the Juneau Empire. The Fairbanks Daily News-Miner reprinted the Times editorial on their editorial page.

#### How Much Would Be Charged and At Which Facilities?

Fees would be approximately \$6.00 per overnight use of a campsite for residents, and approximately \$8.00 for non-residents. At first, only those campgrounds with substantial improvements would be included, with a graduated fee being charged for facilities with running water and modern restrooms. A "season pass" should also be made available at between \$50.00 and \$75.00 per year. Many of the less-developed, more primitive campgrounds should and will remain free. Only half of the state's campgrounds (2,000 campsites in the system now) would have fees.

#### How Would The Fees Be Collected?

The "iron ranger" self-registration fee station has been very successful for other agencies through the years, both outside and in Alaska. This is a simple, slotted iron container located near the park entrance into which fees are deposited by visitors who will be overnighiting at the campground. The fee station is self-operating and does not require staff. The station issues a camping permit which is placed on each vehicle dashboard. Park staff can then readily determine who has paid, while on routine patrol. At larger facilities, a volunteer campground host will welcome each visitor, assisting with nearby facility locations and assuring general compliance with the campsite fee program. By the way, we recruited over 200 volunteers last year and hope to expand volunteer assistance to 350 people this year.

#### How Much Revenue Would Be Generated and How Much Would the Program Cost?

If legislation is passed, a pilot collection program at selected sites could be started in mid-July 1985. By June of 1986 the program could be in full swing. The cost for FY'86 would be \$56.0 and in future years drop to \$26.4. These funds would be used to purchase fee collection stations, office safes and additional vehicle miles for collection purposes. The original fiscal note included \$21.4 personal services money to fund a part-time accounting

The Honorable Arliss Sturgulewski  
April 19, 1985  
Page 3 -

clerk in our Department office and several extra person months for our field collection staff. We still feel these funds are important to the program's smooth operation. Personal services funds were dropped in House Finance. In full operation, we should be able to raise half a million dollars a year.

Along with this proposed camping fee, I hope to work through existing regulations and statutes to generate revenue from programs such as public use cabins, guides and outfitters permits, concessions and tours of historical sites. I feel that with tourism being one of the largest job and revenue producing industries in Alaska, State Parks should be an active member of that industry. And with a declining revenue curve, it is encumbant on me to formulate economic strategies which make money and save money while serving the public.

I respectfully ask the support of Senate Resources in passing the bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil C. Johannsen", with a long horizontal line extending to the right.

Neil C. Johannsen  
Director

cc: Members/Senate Resource Committee  
Honorable Esther Wunnicke

SB

17

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1/21/87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: TRANSPORTATION

\*\*FISCAL NOTE(S) ATTACHED 1 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87  
Mr. President:

DATE TURNED INTO OFFICE 2/4/87

STATE AFFAIRS Committee considered SB 17

relating to vandalism of official traffic control devices and damages to highways and roads.

and recommended:

replace with CS SB 17 (S.A.)  same title  
 attached amendment(s) and  new title

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_
- letter of intent adopted a...

*1 more  
of FN comes  
not*

\*\* Committee  attached or  adopted  
 zero  1

MEMBER'S SIGNING DO PASS

[Signature]  
[Signature]  
[Signature]  
[Signature]  
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 \_\_\_\_\_  
 \_\_\_\_\_

[Signature]  
Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1/21/87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: TRANSPORTATION

\*\*FISCAL NOTE(S) ATTACHED 2 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87

DATE TURNED INTO OFFICE 2/3/87

Mr. President:

STATE AFFAIRS Committee considered SB 17

relating to vandalism of official traffic control devices and damages to highways and roads.

and recommended:

replace with CS SB 17 (S.A.)  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]  
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[Signature]  
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 2, 1987

SUBJECT: Draft CSSB 17(SA), relating to vandalism of traffic control devices and damages to highways

TO: Senator Mitch Abood, Chair  
Senate State Affairs Committee

FROM: George Utermohle *GU*  
Legislative Counsel

This memorandum accompanies draft CSSB 17(State Affairs).

SB 17 relates to vandalism of traffic control devices and damages to highways and roads. Section 1 of SB 17 amends AS 19.25.030, which creates a class A misdemeanor for damages to obstructions and highway construction. Section 3 of SB 17 creates three new misdemeanor offenses in AS 19.25.

The draft CS, in addition to the specific changes to the definition of "private traffic control device" requested by staff, moves those provisions of the bill relating to crimes to AS 11, the Alaska Criminal Code. Since the content of those provisions relate more to crimes against property than to the maintenance and operation of roads and highways, it is more appropriate that the provisions be included in the Criminal Code.

In moving the provisions from AS 19.25 to AS 11.46 certain style changes were made to the provisions in order to conform with the drafting style for the Criminal Code. The substance of the provisions was not changed.

GU:mkr  
m8/076

Enclosure

Original sponsors: Faiks and Sturgulewski

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 17 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to vandalism of official and private  
7 traffic control devices and damages to highways and  
8 roads."

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

10 \* Section 1. AS 11.46 is amended by adding new sections to read:

11 Sec. 11.46.460. INTERFERENCE WITH OR DAMAGE TO HIGHWAY OBSTRUC-  
12 TIONS OR CONSTRUCTION. (a) A driver or owner, or both, of a vehicle  
13 commits the crime of disregarding a highway obstruction, if the driver  
14 or owner, or both, drives a vehicle through, over, or around an ob-  
15 struction erected upon a highway under authority of AS 19.10.100.

16 (b) A person commits the crime of interfering with a highway  
17 obstruction, if the person opens an obstruction erected upon a highway  
18 under authority of AS 19.10.100 without written permission from the  
19 engineer in charge of the highway.

20 (c) A person commits the crime of destruction of highway con-  
21 struction, if the person knowingly damages the work upon a highway  
22 under construction.

23 (d) Disregarding a highway obstruction, interfering with a  
24 highway obstruction, and destruction of highway construction are  
25 class A misdemeanors.

26 Sec. 11.46.462. UNLAWFUL POSSESSION OF OFFICIAL TRAFFIC CONTROL  
27 DEVICE. (a) A person, except an employee of or a contractor for a  
28 state or municipal agency acting in an official capacity, commits the  
29 crime of unlawful possession of an official traffic control device if

1 the person possesses an official traffic control device.

2 (b) Unlawful possession of an official traffic control device is  
3 a class B misdemeanor and is punishable by a fine of

4 (1) not less than \$100 or more than \$500 for the first  
5 offense; or

6 (2) \$500 for each subsequent offense.

7 Sec. 11.46.464. INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL  
8 DEVICE. (a) A person, except an employee of or a contractor for a  
9 state or municipal agency acting in an official capacity, commits the  
10 crime of interference with an official traffic control device, if the  
11 person removes, relocates, defaces, alters, obscures, shoots at,  
12 destroys, or otherwise tampers with an official traffic control  
13 device.

14 (b) Interference with an official traffic control device is a  
15 class B misdemeanor and is punishable

16 (1) for the first offense, by a fine of not less than \$300  
17 or more than \$500, or by a sentence of not more than six months, or by  
18 both; and

19 (2) for the second and each subsequent offense, by a fine  
20 of not less than \$500 or more than \$1,000, or by a sentence of not  
21 less than six months or more than one year, or by both.

22 Sec. 11.46.466. INTERFERENCE WITH PRIVATE TRAFFIC CONTROL  
23 DEVICE. (a) A person commits the crime of interference with a pri-  
24 vate traffic control device if the person removes, relocates, defaces,  
25 alters, obscures, shoots at, destroys, or otherwise tampers with a  
26 private traffic control device.

27 (b) Interference with a private traffic control device is a  
28 class B misdemeanor and is punishable by a fine of

29 (1) not less than \$100 or more than \$500 for the first

1 offense; or

2 (2) \$500 for each subsequent offense.

3 Sec. 11.46.468. FORFEITURE OF PROPERTY UPON CONVICTION. Motor  
4 vehicles, firearms, and other personal property used in aid of a  
5 violation of AS 11.46.460 - 11.46.466 may be forfeited to the state  
6 upon conviction of the offender for the crime.

7 \* Sec. 2. AS 11.46.490 is amended by adding new paragraphs to read:

8 (5) "official traffic control device" means a traffic  
9 control device placed on a highway, road, or trail by authority of a  
10 state or municipal agency or a contractor employed by a state or  
11 municipal agency;

12 (6) "private traffic control device" means a traffic con-  
13 trol device, other than an official traffic control device, used to  
14 protect persons or real or personal property from imminent danger of  
15 serious injury or to warn persons of the presence of an imminent  
16 hazard to persons or real or personal property;

17 (7) "traffic control device" includes a sign, signal, road  
18 marker, barricade, flare, warning light, reflector, railroad sign or  
19 signal, shield, insignia, milepost, or similar device intended to  
20 warn, inform, or control the flow of pedestrian, equestrian, bicycle,  
21 or motor vehicle traffic.

22 \* Sec. 3. AS 19.25.040 is amended to read:

23 Sec. 19.25.040. DAMAGES TO STATE HIGHWAYS AND ROADS. The com-  
24 missioner of administration shall separately account for money depos-  
25 ited in the general fund that is derived from damages that are re-  
26 covered from vehicle owners, drivers, other persons, or insurance  
27 companies for damage to property related to state-owned roads and  
28 highways, including bridges, overpasses, signal poles, street lights  
29 and poles, traffic control devices [SIGNALS], guardrails, or fences.

1 The annual estimated balance in the account may be used by the legis-  
2 lature to make appropriations to the department for the purpose of  
3 repairing the damage.

4 \* Sec. 4. AS 19.25.030 is repealed.  
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# Alaska State Legislature



PRESIDENT  
907-465-3755

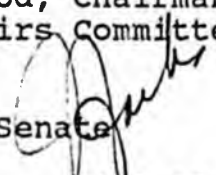
JAN FAIKS  
POST OFFICE BOX V  
JUNEAU, ALASKA 99811

Senate

January 26, 1987

## MEMORANDUM

TO: Senator Mitch Abood, Chairman  
Senate State Affairs Committee

FROM: Senator Jan Faiks  
President of the Senate 

SUBJECT: Background on Senate Bill 17  
An Act relating to vandalism of official  
traffic control devices and damages to highways  
and roads.

Senate Bill 17 has been referred to your committee for consideration. This bill expands the current statutes relating to vandalism of official traffic control devices and damages to highways and roads.

Safety on our highways and roads has long been of prime concern to all Alaskans. In recent years, the increase in the number of vehicles on our roads, along with an increase in major highway construction projects has lead to an alarming rate of accidents.

Vandalism to traffic signs, barricades, warning lights, and other safety devices contributes greatly to the deaths, personal injuries, and property damages suffered each year on our highways, roads, waterways, and other public and private property. The intent of this legislation is to provide criminal sanctions for vandalism to and theft of traffic control devices which have been utilized to protect or warn of dangers to real or personal property.

OUT OF SESSION

6060 YUKON DRIVE ANCHORAGE, ALASKA 99516 907-274-6611



This bill strengthens the current provisions found in AS 19.25.30-40 by incorporating provisions of the Model Statute on Vandalism as developed by the American Traffic Safety Services Association. The criminal sanctions specified by this bill conform with those currently provided under the Alaska Statutes.

The particular effects of this bill are as follows:

Section 1. AS 19.25.030 is amended to relate only to damages to traffic obstructions or work under construction. This bill proposes the addition of new sections (19.25.050-065) which relate specifically to unauthorized possession of, and vandalism to official traffic control devices.

Section 2. AS 19.25.040 presently requires the commissioner of administration to separately account for money deposited in the general fund that is derived from damages to property related to state-owned highways and roads that are recovered from vehicle owners, drivers, or insurance companies. Such related property includes bridges, overpasses, signal poles, street lights and poles, traffic signals, guardrails, or fences.

This bill expands AS 19.25.040 to include "other person" in the class of persons from whom damages to property may be recovered. Additionally, it replaces the phrase "traffic signals" with the broader term "traffic control devices". The purpose of these amendments is to increase the amount of money deposited in the general fund for damages to state highways and roads.

Section 3. Senate Bill 17 further amends AS 19.25 by adding new sections to Article 3 which provide criminal sanctions for persons who possess or interfere with official traffic control devices without proper authority from the state or municipal agency.

Since this bill was pre-filed, further research was conducted by my staff. I ask that the committee consider these changes to the bill which are of concern.

The language of the bill in proposed sections 19.25.050 (a) and 19.25.055 (a) needs to be amended to fully accomplish the intent of this proposed legislation.

My concern is that criminal sanctions must be provided for persons who vandalize and/or steal traffic control devices which have been utilized to protect or warn of dangers to real or personal property.

As presently drafted, the bill would make a criminal of anyone who possesses, or handles official traffic control devices, unless that person is an employee or an agent of a state or municipal agency acting in an official capacity. As you can understand, that small class of exempt persons ignores the highway construction industry, general contractors, private individuals, and others who may have a legitimate purpose for possessing, handling, and using such devices to warn others of dangers or to protect their property. As a result, I ask the committee's consideration of such an amendment to expand the category of individuals who can legally possess a traffic control device.

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

Bill Version: CSSB 17 (SA)  
Publish Date: \_\_\_\_\_

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_

Agency Affected: DOT&PF

Title: An Act Relating to Vandalism of Official and Private Traffic Control Devices & Damages to Highways & Roads

BRU: Engineering & Operations Standards

Sponsor: Faiks and Sturgulewski

Components: \_\_\_\_\_

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
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**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)**

No significant fiscal impact is anticipated.

*John J. Simpson, Director 2/5/87*

Prepared by: John J. Simpson, Director Phone: 465-2951  
Division: Engineering & Operations Standards Date: 2/5/87

Approved by Commissioner: Ralph LaPorte Date: 2/4/87  
Agency: Department of Transportation and Public

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



Dept. of Transportation & Public Facilities

# ***Position Paper***

**BILL NO:** CSSB 17 (SA)

**APPROVED:** Rocky Gutierrez  
Commissioner

**TITLE:** An Act Relating to Vandalism of Official and  
Private Traffic Control Devices and Damages  
to Highways and Roads

**DATE:** February 5, 1987

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The Department has no objections to this legislation.

For further information call Susan Fleischhauer at 465-3900.

SB

29

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
 Title: "An act relating to open containers of alcoholic beverages"  
 Sponsor: Rodey  
 Requestor: Senate State Affairs  
 Agency Affected: Dept. of Public Safety  
 BRU: Alaska Highway Safety Planning  
 Agency: Alaska State Troopers  
 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	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: T. Michael Lewis  
 Division: Alaska Highway Safety Planning Agency

Phone: 465-4374  
 Date: January 28, 1988

Approved by Commissioner: George H. Hootaki, Dep.  
 Agency: Department of Public Safety

Date: 1-28-88

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

SB

36

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: SB36  
Publish Date: \_\_\_\_\_

REQUEST \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act relating to Amateur  
Radio Week  
Sponsor: P. Fischer  
Requestor: P. Fischer

Agency Affected: A11  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
<b>OPERATING</b>						
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
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: Michael P. H. Muller Phone: 465-2200  
Division: Commissioner's Office Date: 1/30/87

Approved by Commissioner: Garrey Peska Date: 1/31/87  
Agency: Department of Administration

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

# Alaska State Legislature

Senator Paul A. Fischer  
Senate District D  
Box 784  
Soldotna, Alaska 99669  
(907) 262-9420 W  
262-9269 H



## State Senate

While in Juneau  
Pouch V  
Juneau, Alaska 99811  
(907) 465-3791

### MEMORANDUM

TO: Senator Mitch Abood, Chairman  
Senate State Affairs

FROM: Senator Paul Fischer

RE: Senate Bill 36 Amateur Radio Week

DATE: February 2, 1987

This legislation will mark the observance of amateur radio week in Alaska annually. It will coincide with the nationwide "Field Day" activities that the American Radio Relay League sponsors annually on the fourth Saturday in June. It recognized the important role that amateur radio has and will continue to play in Alaska.

The primary reason for the introduction of this legislation is to recognize the important role that amateur radio operators, better known as "Hams," have played in Alaska. Amateur radio operators have provided in many cases the only link between Alaska and the world during natural disasters. A notable example of their service to the citizens of Alaska was during the disastrous 1964 Alaska Earthquake; during this catastrophe amateur radio operators provided the first report that Kodiak had survived the earthquake. They also provided for a time the only communications between Alaska and the lower forty-eight states.

During local emergencies such as fires and automotive accidents amateur radio operators will often relay information that is vital to public safety. In emergencies, amateur radio operators often relay the status of victims and messages to their next of kin. On holidays amateurs send free messages for servicemen to their loved ones.

For these reasons, it is important and appropriate that amateur radio operators be recognized annually.

CS  
DR

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1/21/87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY

\*\*FISCAL NOTE(S) ATTACHED 1 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87 DATE TURNED INTO OFFICE 1/27/87  
Mr. President:

STATE AFFAIRS Committee considered SB 38

relating to the recording and collection of crime statistics.

and recommended:

replace with CS SB 38 (SA)  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS  
[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER RECOMMENDATIONS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman signature and recommendation

Committee Backup Attached

# Alaska State Legislature



PRESIDENT  
907-465-3755

JAN FAIKS  
POST OFFICE BOX V  
JUNEAU, ALASKA 99811

Senate

January 26, 1987

## MEMORANDUM

TO: Senator Mitch Abood, Chairman  
Senate Affairs Committee

FROM: Senator Jan Faiks, President of the Senate *Jan Faiks*

SUBJECT: Background on Senate Bill 38  
An Act relating to the recording and collection  
of crime statistics

Senate Bill 38 has been referred to your committee for consideration. This bill proposes an amendment to AS 44.41.020 to give the Department of Public Safety authority to establish and require standardized collection and recordation of law enforcement and crime statistics by local departments statewide.

The Department of Public Safety does not presently have statutory authority to require how arrest information will be classified and reported by state and local law enforcement agencies. As a result, the slightly different collection and classification procedures used by the more than 20 police jurisdictions in Alaska could distort the statewide crime statistics.

Most of the local police departments that elect to participate in the Department's system use an incident-by-incident method of reporting all criminal calls they answer. However, the State's two largest police departments, Anchorage and Fairbanks, employ different recording methods. My concern is that the inconsistencies in the classification and reporting of arrest data between local jurisdictions may not accurately reflect the level of crime in the State.

OUT OF SESSION

6060 YUKON DRIVE ANCHORAGE, ALASKA 99516 907-274-6611



AS 44.41.020 stipulates the duties of the Department of Public Safety. The new subsection to AS 44.41.020 proposed by this bill enables the Department to establish and require state and local law enforcement agencies to use standardized methods of collecting and recording law enforcement and crime statistics. It does not otherwise alter the existing statute.

BILL NO: SB 38

DATE: 1/23/87

TITLE: "An Act relating to the recording and collection of crime statistics."

CONTACT: Jos Mapranath  
Director  
Division of Administrative Services

DEPARTMENT OF PUBLIC SAFETY / CRIMINAL JUSTICE

A Legislative Audit report (06-4251-86-S) with DHSS Division of Family and Youth Services noted that the Department of Public Safety lacked the statutory authority to obtain crime statistics for the Uniform Crime Reporting System. This bill directly addresses this situation.

The Department of Public Safety's position on SB 38 is neutral. The basis for this position is because steps are already being taken to standardize reporting procedures utilized by the Uniform Crime Reporting section.

The Alaska UCR program, which collects and reports on crime offense data state-wide, is part of a network of states that report crime data to the FBI, which administers the program on the national level. Guidelines and procedures used for collecting data are developed by the FBI.

Crime data forwarded to the state UCR program is provided by 25 police agencies on a voluntary basis. The data submitted is either in an incident-based format--where each offense that occurs at a criminal incident is reported; or a summary-based format--where just the most severe offense within a criminal event is reported. Our larger police agencies, namely the Alaska State Troopers, Anchorage Police Department and Fairbanks Police Department, utilize the summary-based system whereas the smaller agencies use the incident-based reporting format. This data is then processed and forwarded to the FBI for publication in Crime in the U.S. and used on the state level for publication of Crime in Alaska.

The FBI, recognizing the problem with the different reporting methods being used, recently completed a three-year study culminating in the recommendation that all states adopt an incident-based reporting system based upon a report format designed by the FBI. As part of their study, the need for new definitions and data required by the FBI was proposed and currently the new data elements, definitions, and report design are being tested in a pilot program in South Carolina. The FBI hopes to have its new reporting system refined and ready to present to the states this year. When this occurs all reporting systems utilized by the Uniform Crime Reporting sections to collect and report crime offense data will be standardized.

The Department favors the proposal of requiring law enforcement agencies to use a standard process of reporting crime data but must point out that police agencies have been very cooperative in voluntarily providing their information in the past. However, to require standardization requires changes which could elicit resistance, especially if it entails money, by the police departments.

Since the UCR program is already moving in the direction of standardizing crime data they collect, the Department feels that the intent of this bill is already being met.

  
WILLIAM R. NIX  
Acting Commissioner

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: SB 38  
Publish Date: \_\_\_\_\_

REQUEST  
Revision Date: \_\_\_\_\_  
Title: "An Act relating to the recording and collecting of crime statistics."  
Sponsor: Sen. Faiks  
Requestor: Senate State Affairs

Agency Affected: Public Safety  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
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						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Kathy Niles  
Division: Administrative Services

Phone: 465-4336  
Date: 1/23/87

Approved by Commissioner: William R. Nix  
Agency: Public Safety

Date: 1/23/87

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

SB

40

WEDNESDAY, FEBRUARY 4, 1987

TEACHERS' BINDING ARBITRATION BILL

BETTY BENGTON

MS. BENGTON phoned this morning regarding article in Juneau Empire of February 2, 1987 on the teachers binding arbitration bill (SB 40). She stated that she had expressed her opposition to the bill last year and wanted to again say she is opposed to the bill.

She encourages Mitch to hold SB 40 in committee.

RECEIVED  
FEB 4 1987

SB

42

SIDE BY SIDE COMPARISON

SENATE BILL 42

SENATE BILL 42

Title change:

An Act relating to the early retirement program;  
and providing for an effective date

Page 1, line 15  
October 1, 1988

Page 1, line 16-18  
...of the state other than the University of Alaska,  
or a member of the Teachers' Retirement System other  
than an employee of the University of Alaska;

Page 1, line 19  
January 1, 1989

Page 1, line 21  
April 1, 1989

Page 2, line 28-Page 3, line 1  
...or a member of the Teachers' Retirement System other  
than an employee of the University of Alaska.

Page 3, line 1-2  
June 30, 1988

COMMITTEE SUBSTITUTE SB 42

Title change:

An Act relating to the retirement incentive  
program; use of the working reserve account;  
and providing for an effective date.

Page 1, line 16  
October 1, 1987

Page 1, line 17-19  
the state other than the University of Alaska  
[, OR A MEMBER OF THE TEACHERS' RETIREMENT  
SYSTEM OTHER THAN AN EMPLOYEE OF THE UNIVERSITY  
OF ALASKA;]

Page 1, line 20  
January 1, 1988

Page 1, line 21  
...or a member of the Teachers' Retirement System  
not employed by the state;

Page 1, line 23  
April 1, 1988

Page 3, line 1-3  
...[, OR A MEMBER OF THE TEACHERS' RETIREMENT  
SYSTEM OTHER THAN AN EMPLOYEE OF THE UNIVERSITY  
OF ALASKA]

Page 3, line 4-6  
June 30, 1987. A member of the Teachers Retirement  
System other than an employee of the

SENATE BILL 42

COMMITTEE SUBSTITUTE SB 42

University of Alaska or of the state may apply for participation in the program until September 30, 1987

Page 3, line 3-4  
...October 1, 1986, and September 30, 1988

Page 3, line 8  
...October 1, 1986 and September 30, 1987

Page 3, line 6  
...January 1, 1987, and December 31, 1988

Page 3, line 10  
...January 1, 1987 and December 31, 1987

Page 3, lines 7-11  
Sec. 4. Section 6(c), ch. 26, SLA 1986, is amended to read:  
(c) The Office of Management and Budget shall report to the legislature in January 1987, [AND] 1988, and 1989 on the effect of the retirement incentive program on state operation and personal services costs.

Page 4, lines 11-13  
Sec. 7. Section 11, ch. 26, SLA 1986, is amended to read:  
Sec. 11. Sections 1-6 of this Act are repealed July 1, 1989 [1988]

Page 4, lines 10-23  
Sec. 6. AS 37.05.152 (a) is amended to read:  
(a) There is established in the general fund a working reserve account. The working reserve account consists of amounts appropriated to state agencies for...

(5) payment of amounts owed to the Public Employee Retirement System (AS 39.35) and the Teachers' Retirement System (AS 14.25) under the retirement incentive program (ch. 126, SLA 1986, as amended).

Original sponsors: Duncan, Halford,  
Szymanski and Kerttula

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 42 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the retirement incentive program;  
7 use of the working reserve account; and providing for  
8 an effective date."

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

10 \* Section 1. Section 5(a), ch. 26, SLA 1986, is amended to read:

11 (a) The administrator shall accept the application of an eli-  
12 gible vested member if

13 (1) the member will be qualified to retire under AS 14.25.-  
14 110 or AS 39.35.370 after receipt of the retirement incentive and will  
15 be appointed to retirement on or before

16 (A) October 1, 1987, if the member is an employee of  
17 the state other than the University of Alaska [, OR A MEMBER OF  
18 THE TEACHERS' RETIREMENT SYSTEM OTHER THAN AN EMPLOYEE OF THE  
19 UNIVERSITY OF ALASKA];

20 (B) January 1, 1988, if the member is an employee of  
21 the University of Alaska or a member of the Teachers' Retirement  
22 System not employed by the state;

23 (C) April 1, 1988, for all other members of the Public  
24 Employees' Retirement System; and

25 (2) the member's agency or the employer under AS 14.25 or  
26 AS 39.35.550 - 39.35.650 has signed a reimbursement agreement that

27 (A) requires the agency or employer to reimburse the  
28 system for each member who is retired within three years after  
29 the end of the fiscal year in which the member is appointed to

1 retirement in an amount equal to

2 (i) the actuarial equivalent of the difference  
3 between the benefits the member receives after the addition  
4 of the retirement incentive under this section and the  
5 amount the member would have received without the incentive  
6 less the amount the participant has paid on the indebtedness  
7 determined under (c) of this section; and

8 (ii) an appropriate share of the administrative  
9 costs of the program; and

10 (B) provides that contributions from the agency or  
11 employer to the system under this section take priority over  
12 other obligations of the agency or employer to the maximum extent  
13 permitted by law.

14 \* Sec. 2. Section 5(b), ch. 26, SLA 1986, is repealed and reenacted to  
15 read:

16 (b) Except as provided in (f) of this section, in determining  
17 whether a member will qualify to retire under (a) of this section,

18 (1) for members of the Public Retirement System, only  
19 service credit for employment rendered to an employer under AS 39.35  
20 may be used;

21 (2) for members of the Teachers' Retirement System, credit-  
22 ed service may include service credit for employment rendered to an  
23 employer, territorial service under AS 14.25.105, Alaska BIA service  
24 under AS 14.25.107, and outside service under AS 14.25.060.

25 \* Sec. 3. Section 5(e), ch. 26, SLA 1986, is amended to read:

26 (e) A member who wishes to participate shall apply on a form  
27 provided by the administrator. A member may not apply for participa-  
28 tion in the retirement incentive program unless the member is employed  
29 in a position in a designated organizational unit. A state employee

1 other than an employee of the University of Alaska [, OR A MEMBER OF  
2 THE TEACHERS' RETIREMENT SYSTEM OTHER THAN AN EMPLOYEE OF THE UNIVER-  
3 SITY OF ALASKA,] may apply for participation in the program until  
4 June 30, 1987. A member of the Teachers' Retirement System other than  
5 an employee of the University of Alaska or of the state may apply for  
6 participation in the program until September 30, 1987. An employee of  
7 the University of Alaska may apply for participation in the program  
8 between October 1, 1986, and September 30, 1987. Other members of the  
9 Public Employees' Retirement System may apply for participation in the  
10 program between January 1, 1987, and December 31, 1987.

11 \* Sec. 4. Section 7, ch. 26, SLA 1986, is amended to read:

12       Sec. 7. INDEBTEDNESS ON REEMPLOYMENT. Except as provided in (b)  
13 of this section, if [IF] a participant in the retirement incentive  
14 program is reemployed as a member of the Public Employees' Retirement  
15 System under AS 39.35 or the Teachers' Retirement System under AS 14.-  
16 25 after appointment to retirement under the program, the participant  
17 loses the incentive credit received under sec. 5 (c) of this Act and  
18 is indebted to the system. The amount of the indebtedness is equal to  
19 110 percent of the amount the participant received as a result of  
20 participation in the program for which the participant was not other-  
21 wise entitled, including the cost of health insurance. The partici-  
22 pant is entitled to a credit to be applied against the reemployment  
23 indebtedness in the amount the participant has paid under sec. 5 (d)  
24 of this Act. Interest accrues on the indebtedness at the rate estab-  
25 lished by regulation from the date of reemployment until the member is  
26 appointed to retirement and accepts an actuarial adjustment to the  
27 member's future benefits or until the amount is paid in full.

28 \* Sec. 5. Section 7, ch. 26, SLA 1986, is amended by adding a new  
29 subsection to read:

1 (b) A member of the Teachers' Retirement System who retires  
2 under the retirement incentive program may continue to receive bene-  
3 fits from the Teachers' Retirement System that include retirement  
4 incentives while employed in a position covered by the Public Em-  
5 ployees' Retirement System. However, the member may not participate  
6 in the retirement incentive program under the Public Employees' Re-  
7 tirement System and may not receive credit for employment covered by  
8 the Teachers' Retirement System when retiring from the Public Employ-  
9 ees' Retirement System.

10 \* Sec. 6. AS 37.05.152(a) is amended to read:

11 (a) There is established in the general fund a working reserve  
12 account. The working reserve account consists of amounts appropriated  
13 to state agencies for

14 (1) cash payment of accrued leave;

15 (2) cash payment of terminal leave;

16 (3) payment of the employer's contribution for unemployment  
17 benefits of former employees; [AND]

18 (4) payment of claims for workers' compensation and general  
19 liability;

20 (5) payment of amounts owed to the Public Employees' Re-  
21 retirement System (AS 39.35) and the Teachers' Retirement System  
22 (AS 14.25) under the retirement incentive program (ch. 126, SLA 1986,  
23 as amended).

24 \* Sec. 7. Section 7, ch. 26, SLA 1986, as amended by secs. 4 and 5 of  
25 this Act, applies retroactively to May 16, 1986. With respect to a member  
26 of the Teachers' Retirement System who retired under the incentive program  
27 established by ch. 26, SLA 1986, and accepted employment from an employer  
28 covered by the Public Employees' Retirement System before the effective  
29 date of this Act, the division of retirement and benefits shall

1 (1) restore any incentive credit lost under sec. 7, ch. 26, SLA  
2 1986, before it was amended by this Act;

3 (2) recompute the member's benefits, considering the retroactive  
4 restoration of credit under (1) of this section;

5 (3) make a lump-sum payment to the member of additional benefits  
6 due, considering the recomputation under (2) of this section;

7 (4) recompute any indebtedness previously determined under  
8 sec. 7, ch. 26, SLA 1986, before it was amended by this Act; and

9 (5) refund any overpayments made by the member in relation to an  
10 indebtedness recomputed under (4) of this section.

11 \* Sec. 8. This Act takes effect immediately under AS 01.10.070(c).  
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STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

May, 1988

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

Mary Van Nimwegen

Senate State Affairs  
March 16, 1987  
1:30 pm.

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of the working reserve  
7 account for the retirement incentive program; and  
8 providing for an effective date."

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

10 \* Section 1. AS 37.05.152(a) is amended to read:

11 (a) There is established in the general fund a working reserve  
12 account. The working reserve account consists of amounts appropriated  
13 to state agencies for

14 (1) cash payment of accrued leave;

15 (2) cash payment of terminal leave;

16 (3) payment of the employer's contribution for unemployment  
17 benefits of former employees; [AND]

18 (4) payment of claims for workers' compensation and general  
19 liability; and

20 (5) payment of amounts owed to the public employees' re-  
21 tirement system and the teachers' retirement system under the retire-  
22 ment incentive program.

23 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).  
24  
25  
26

# Alaska State Legislature

Senate Advisory Council



P.O. Box V  
State Capitol  
Juneau, Alaska 99811  
Phone: (907) 465-3114

## MEMORANDUM

TO: Senator Mitch Abood  
Alaska State Senate

ATTN: Carol Horos

FROM: Paula d. Scavera *AS*  
Researcher

DATE: March 20, 1987

I have received information from the University concerning University employees that have retired under the Retirement Incentive Program and have compiled this information with the other departments.

Attached are the updates for the two charts with the information from the University included.

**RECEIVED**  
MAR 23 1987

STATUS OF POSITIONS VACATED BY RIP

AGENCY	*DELETED	VACANT	FILLED AT HIGHER RANGE	FILLED AT HIGHER STEP	FILLED AT LOWER RANGE	FILLED AT LOWER STEP	CHANGED FROM FULLTIME TO PARTTIME	FILLED AT LOWER MONTHLY SALARY	FILLED AT EQUAL RANGE \STEP	TOTAL
*****										
Governor	2		**2				1			5
Revenue		4		1	1	4		1		11
M. Affair	1				1					2
Correc.		2			4	7				13
CRA		1						1		2
LEG.AFF.	3	1								4
DEC		1				1		1		3
LAW	2	1								3
DOT	9	69	1	3	3	44		13		142
DNR	15	2				6		3		26
COMM.	4	3			1	1		2		11
LEG.Audit	1									1
Labor	2	7		1		4		1		15
ADMIN	5	5			7	10	2			29
EDUC	6	6	1		1	3				17
P.Safety	2	26			14					42
HESS	3	30		2	6	31		1		73
Fish&Game	11	7	2		3	8		2		33
UNIV.	11	18			17					46
TOTALS	77	183	6	7	58	119	3	1	24	468

\*Deleted in FY 87 or FY 88 Budget

\*\* 1 of these positions is now vacant

EXEMPT EMPLOYEES RETIRED UNDER RIP

Agency	Commissioner	Deputy Commissioner	Director	Other	TOTAL
Governor				5	5
Revenue				1	1
Education			1		1
DOT		1	3		4
Corrections			1		1
CRA	1				1
Public Safety	1		3		4
Leg. Affairs				4	4
Leg. Audit				1	1
Fish & Game			1	2	3
DNR			3		3
Commerce				4	4
DEC			1		1
Admin			3	1	4
HESS				1	1
UNIV.				25	25
TOTALS	2	1	16	44	63

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

May, 1988

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

Mary Van Nimwegen

Senate State Affairs  
January 28, 1987

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

January 23, 1987

SUBJECT: Sectional analysis of SB 42  
(Early retirement program)

TO: Senator Jim Duncan

FROM: Teresa B. Cramer *TBC*  
Legislative Counsel

You have requested a sectional analysis of SB 42, relating to the early retirement program.

Title. Due to an oversight, the title refers to the "early retirement program" instead of the "retirement incentive program."

Section 1 extends the application period for the retirement incentive program by one year for each category.

Section 2 permits members of the Teachers' Retirement System to use credited service for territorial service employment, Alaska BIA service, and outside service to satisfy the qualifications for the retirement incentive program. Members of the Public Employees' Retirement System are not permitted to use other kinds of service.

Section 3 extends the period within which application forms may be received to conform to the changes in Sec. 1.

Section 4 requires the Office of Management and Budget to report on the program in 1989 as well as in the prior two years.

Sections 5 and 6 permit a member of the Teachers' Retirement System who retires under the incentive program to work for an employer covered by the Public Employees' Retirement System without having to pay the penalty or the value of the incentives received from TRS and without having to give up the TRS monthly benefits. The bill continues to penalize

all PERS retirees who are reemployed by either a PERS or a TRS employer as well as TRS retirees who accept reemployment with a TRS employer.

These differences in treatment raise constitutional questions based on the state's equal protection clause, which requires that a classification that creates different treatment for persons be reasonable, not arbitrary, and be based on a difference that bears a fair and substantial relation to the object of the legislation, so that all persons similarly circumstanced are treated alike. Isakson v. Rickey, 550 P.2d 568 (Alaska 1976).

For this provision to withstand a constitutional challenge, there would need to be information that justified treating TRS retirees differently from PERS retirees and also that justified treating TRS retirees finding reemployment with a PERS employer differently from those reemployed by a TRS employer. The justification would need to show that the different treatment was related to the purpose of the legislation.

Section 7 extends the program one year.

Section 8 makes section 5 retroactive. It would be appropriate to make section 6 retroactive as well.

Section 9 is an immediate effective date clause.

If I may be of further assistance, please advise.

TC: csh  
c7/024

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: SB 42  
Publish Date: \_\_\_\_\_

REQUEST \_\_\_\_\_

Revision Date: Bill/Res No: SB 42  
Title: An Act relating to the early retirement program.  
Sponsor: Duncan  
Requestor: \_\_\_\_\_

Agency Affected: Administration  
BRU: Retirement and Benefits  
Components: Retirement Incentive Program (RIP)

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	69.1	120.3	0	0	0
TRAVEL	0	1.9	0	0	0	0
CONTRACTUAL	0	20.0	20.0	0	0	0
SUPPLIES	0	1.0	1.5	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	92.0	141.8	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 I/A & PGM RCPTS	0	92.0	141.8	0	0	0
TOTAL	0	92.0	141.8	0	0	0

POSITIONS:

FULL-TIME	0	2.0	3.0	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

See attached.

Prepared By: J. K. Humphreys *J. K. Humphreys* Phone: (907) 465-4470  
Division: Retirement and Benefits Date: January 23/1987  
Approved by Commissioner: Garrey Peska *Garrey Peska* Date: 1/22/87  
Agency: Department of Administration

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

SENATE BILL 42  
FISCAL NOTE ANALYSIS

Prepared by Division of Retirement and Benefits  
Department of Administration

ANALYSIS:

This legislation extends the Retirement Incentive Program (RIP) through FY 89. The money to fund the RIP positions and the contractual costs listed below will be collected as part of the administration fee paid by each employer who participates in the RIP.

Personal Services:

See attached forms. Two positions are requested in the fiscal note for FY 88, under the assumption that three positions which were originally requested in the division's operating budget for FY 88 prior to this proposed extension of the RIP program will be granted. There are seven nonpermanent positions authorized in FY 87 for the RIP; this request, along with the three RIP positions requested in the FY 88 budget, would result in a decrease to a total of five RIP positions for FY 88, and a further decrease to three positions in FY 89.

Travel:

\$1.9 represents the cost of two counseling trips in FY 88; one for participating school districts and the other for participating political subdivisions.

Contractual:

\$20.0 represents 75% of projected FY 87 costs, based upon actual expenditures from July through December 1986. Contractual costs include postage, forms, printing, phones, and data lines.

An analysis of the impact of this bill on the actuarial soundness of the Public Employees' (PERS) and Teachers' (TRS) Retirement Systems funds is provided in the attached letter to Senator Abood.



# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

### DIVISION OF RETIREMENT & BENEFITS

PLEASE REPLY TO:

P.O. BOX CR  
JUNEAU, ALASKA 99811-0203  
PHONE: (907)465-4460

2600 DENALI ST. SUITE 401  
ANCHORAGE, ALASKA 99503  
PHONE (907) 277-7504

Public Employees' Retirement System  
Teachers' Retirement System  
Judicial Retirement System  
Elected Public Officers Retirement System  
National Guard Retirement System  
Territorial Retirement System  
Retirees' Voluntary Dental Vision-Audio Plan  
Supplemental Benefits System  
Group Health/Life Insurance Benefits  
Deferred Compensation Plan  
Public Employers Social Security Contributions

STEVE COWPER, GOVERNOR

January 26, 1987

The Honorable Mitch Abood  
Chairman, Senate State Affairs Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Abood:

Re: Senate Bill 42

In accordance with AS 24.08.036, I am providing the analysis below on Senate Bill 42. The analysis includes the long-term and short-term costs to the state if the bill is adopted and the impact the bill will have on the actuarial soundness of the Public Employees' Retirement System (PERS) and the Teachers' Retirement System (TRS) funds. Required changes to the appropriation for the Division of Retirement and Benefits are discussed in a separate fiscal note.

The Retirement Incentive Program Act requires state agencies and participating employers and employees to reimburse the PERS or TRS for the cost of participation in the program, it also requires state agencies to show savings in order to participate in the program. As the amendments in this bill make no changes to those requirements, there should be no long-term or short-term costs to the state. There will not be any impact on the actuarial soundness of the retirement systems funds if this bill becomes law.

Sincerely,

  
J.K. Humphreys  
Director

JKH/JAL/cam/7

POSITION PAPER

SB 42

This bill would extend the window of eligibility an additional year for the Retirement Incentive Program (RIP); allow members of the Teachers' Retirement System (TRS) to attain eligibility for service retirement by combining credit under the RIP with non-membership service in addition to membership service; and allow members of the TRS who retire under the RIP to return to employment as members of the Public Employees' Retirement System (PERS) without losing the RIP credit and with no indebtedness to the system.

Extending the eligibility period for the RIP, in addition to increasing the number of potential eligibles, would tend to defeat the purpose of the program by allowing those members who have already been designated as eligible to participate in the program to delay their retirement. Costs would be increased for many employers who have already entered into agreements based on existing estimates. The success or failure of this program cannot be assessed until the eligibility period has expired and all eligibles who are going to retire have done so. Only then should consideration be given to continuing the program by opening a second window.

The removal of the penalty for returning to public employment is contrary to the basic purpose of the program as we understand it. If we are going to give employees additional incentives to retire, then it seems that there should be some form of disincentive to returning to public employment. Crossover employment by retirees between the PERS and TRS tends to keep the demand for the dwindling number of public jobs high.

The Department opposes this bill for the reasons stated above.

*John A. Logan*  
\_\_\_\_\_  
Director of Division of Retirement & Benefits

*1-27-87*  
\_\_\_\_\_  
Date

*Garrey Peska*  
\_\_\_\_\_  
Commissioner Garrey Peska  
Department of Administration

*1/27/87*  
\_\_\_\_\_  
Date

# Alaska State Legislature

Senate Advisory Council



PO. Box V  
State Capitol  
Juneau, Alaska 99811  
Phone: (907) 465-3114

## MEMORANDUM

TO: Senator Mitch Abood  
Alaska State Senate

ATTN: Carol Horos

FROM: Paula d. Scavera   
Researcher

DATE: March 13, 1987

RE: Retirement Incentive Program

Attached are my findings on the people who have retired under the Retirement Incentive Program. I have also included comments from various personnel officers on how RIP is working or not working in their departments and school districts.

I was not able to include the University retirees in my research, because my letter of February 19, 1987 (copy attached) was never answered, nor were any of my phone calls.

If you have any questions, please contact me.

Attachment: