

ALASKA LEGISLATURE

COMMITTEE

FILES

1987-1988

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HB

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HB

32

HB

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SPONSOR STATEMENT
CSHB 25 (Finance)
Representative Terry Martin

When the Office of Equal Employment Opportunity was established by statute in 1985, it was given the responsibility to administer the states equal employment opportunity program and to ensure compliance.

The problems arose, however, when the OEEO was unable to do more than simply suggest solutions to agencies found to be in noncompliance with affirmative action and equal employment guidelines. The agency was in no way obligated to comply with those recommendations.

As a result of the Office's lack of enforcement authority, many complaints went unresolved or were unsatisfactorily resolved, forcing the complainant to refile his/her grievance with the Human Rights Commission, union or federal agency.

HB 25 was introduced to empower the OEEO to enforce compliance with established guidelines by directing the agency in question and/or the Division of Personnel to take certain action with regard to employees who have been discriminated against by the state.

Public interest in the issue of discriminatory action by the state against its employees runs very high as evidenced by the documentation on file in our office from individuals who allege to have been discriminated against by the state. All of these individuals have filed complaints with the Office of Equal Employment Opportunity or the Human Rights Commission or both.

In many cases, as a result of the unsatisfactory resolution of these complaints by the state agencies involved, many of these individuals have been forced to enter into costly litigation. Many others could not afford to do so.

Last year the Governor proposed a plan to reorganize and consolidate the eight state EEO offices. Under this plan, the duties of investigating and resolving complaints of discrimination would be removed from the Office of Equal Employment Opportunity. The new focus of the Office of Equal Employment Opportunity would be setting and attaining affirmative action goals and training programs. The Human Rights Commission would become the sole state agency responsible for resolution of complaints.

However, testimony heard in the House State Affairs and House Judiciary Committees, indicates that the public has little confidence in the Human Rights Commission and would prefer that the Office of Equal Employment Opportunity continue to investigate and resolve complaints. Public testimony revealed

SPONSOR STATEMENT - CSHB 25 (Finance)

Page 2

that much of the dissatisfaction with the Human Rights Commission stems from the fact that the Commission has been unable to resolve complaints in a timely manner due to a backlog of unresolved cases and a reduction in staff and budget.

In closing, we believe that this legislation, if enacted, would offer some degree of protection to individuals filing complaints of discrimination against the state and would statutorily empower the Office of Equal Employment Opportunity to take a more specific course of action against state agencies or individuals found to have discriminated against another individual.

/laj/d2.laj

FISCAL NOTE

REQUEST:

Revision Date: 03-17-88 Agency Affected: Department of Administration
 Title: An act relating to affirmative BRU: Personnel
action.
 Sponsor: Martin Components: Centralized Administrative
 Requestor: _____ Services

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)

CSHB 25 (Judiciary) is consistent with current federal and State requirements regarding selection procedures. This bill will not have a fiscal impact on the Division of Personnel.

Prepared By: Dave Otto
 Division: Personnel

Phone: 465-4430
 Date: 3-17-88

Approved by Commissioner: John M. Andrews
 Agency: Department of Administration

Date: 3/18/88

Distribution (by preparer):

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

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

REQUEST: _____

Bill Version: HB 25
Publish Date: 1-19-87

Revision Date: _____
Title: An Act Relating to
Affirmative Action

Agency Affected: Office of the Governor
BRU: Commissions/Special Offices

Sponsor: Martin
Requestor: House State Affairs

Component: Equal Employment
Opportunity

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Michael A. Nizich, Director
Division: Administrative Services

Phone: 465-3616
Date: 2-6-87

Approved by Commissioner: Carol P. Kastelic
Agency: Exec. Assistant, Office of the Governor

Date: 2-6-87

Distribution (by preparer):

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

February 22, 1988

CONFIDENTIAL

Judith Kay
FOI 33453
June 1. A. 99802

Representative Terry Martin
Alaska House of Representatives
FOI A. Mail Stop 3100
June 1. A. 99011

Dear Representative Martin:

RE: C-1-B-23

I would like to state that I support this legislation, C-1-B-23 for the following reasons:

On September 5, 1985 I started my employment with the Alaska Department of Labor, Division of Workers' Compensation.

During my employment there, I was subjected to RACIAL harassment. Upon my opposing the harassment, my former Supervisor responded defensively creating a retaliatory work environment at the place of State employment. Since that, she influenced and encouraged my coworkers against me.

In addition, I was subjected to derogatory comments from my coworkers and supervisors. Events escalated to a physical assault on me by a coworker. These actions were condoned by the Director. After my filing a complaint for Racial harassment with Alaska Office of EEO, I was terminated on June 5, 1986 in RETALIATION by Alaska Department of Labor for ALLEGED failure to meet the performance standards which they had prepared for my termination evaluation distinctively. These actions were CONDONED by former department EEO Rep as well as the former Commissioner.

According to Alaska Human Rights Commission, my employer has the right to harass me as long as they were harassing other employees because there are no laws stating that harassment on the basis of race, sex, religion, color or national origin, age, physical or mental disability, marital status, changes in marital status, pregnancy or parenthood. For example, according to my Supervisors and Directors it is not discrimination if a person makes unwelcome jokes against another person who has mental disability as long as she/he was making unwelcome jokes against a person who has physical disability. According AK Human Rights Commission, my employers were treating us equally.

On March 3, 1987 I was rehired by Alaska Department of Labor, Division of Administrative Services. Upon my returning to department of Labor, certain employees responded defensively creating a RETALIATORY environment.

Starting from the first day of my employment my new Supervisor's attitude toward me was BIAS and ABRASIVE. It was as if he was talking in a BAD APPLE and also, as if I was already LABELLED as a TROUBLE MAKER.

Although my employers were receiving FEDERAL funding for my position, I was not provided with minimum office furnishings, adequate office space and a work station to perform my job responsibilities. I was denied office furnishings and office space by my supervisor with insulting remarks.

Discriminatory and inadequate accommodations resulted in back, shoulder and arm strain. Upon my filing an occupational injury report, I was reprimanded by my supervisor.

In addition, there were some jokes of SEXUAL harassment nature at the place of State employment. Upon my opposing those jokes, Co-workers and Supervisors responded defensively creating a retaliatory work environment.

It seemed that my performance evaluation reports were used to retaliate against me. In my evaluation I was rated as UNACCEPTABLE in Interpersonal Relationships. According to my supervisor, filing occupational injury report, opposing jokes of sexual harassment nature; calling AFEA; calling office of EEO and bringing a EEO investigator were like making threats to the Co-workers, Supervisors and the management and it causes interpersonal relationship problems. I have never caused interpersonal relationship problems. I brought the EEO investigator because I felt threatened by my co-workers, Supervisors and Directors.

In addition, he rated my work performance according to seniority rights instead of my performance on the job. Furthermore, according to him, merit increases, promotions, training, office furnishings, office space and work station are supposed to be provided according to seniority rights instead of job responsibilities. My supervisor's actions were condoned because my evaluations were reviewed and approved by his Supervisors as well as the Director prior to giving them to me.

While seniority right is a plus, it is not everything. This means no-one should go to college, get a degree or get any kind of work experience because it is not important. This means a rule clerk could qualify for any kind of position as long as the supervisor like this person for personal reasons.

Upon receiving my rebuttal to my evaluation, again he responded defensively for complaining about and reporting these activities through my rebuttal. In retaliation, he placed FRAUDULENT and LIBELUS memos in my personnel file. Again, my supervisor's actions were condoned by his supervisors as well as the Director.

Furthermore, he influenced and encouraged my co-workers against me creating a retaliatory work environment at the place of State employment. I was subjected to THREATS, VERBAL ATTACKS, RACIAL and CULTURAL harassment, NAME calling, OFFENSIVE personal remarks, joking INSULTS, casually expressed SLURS or DEROGATORY comments by my co-workers and supervisors. Again, these actions were CONDONED.

When these kind of activities persisted, again, I opposed it in writing. Again, I was terminated on October 2, 1988 in RETALIATION by Alaska Department of Labor for ALLEGED failure to work to resolve interpersonal relationship in the work place.

It appears that Supervisors and Directors are trained and skilled to cover their tracks to go around the law instead of complying with the law. From my experience with Alaska Department of Labor, I have come to the conclusion that VERY WELL ESTABLISHED OLD HABITS from the OLD GENERATION and from the OLD ADMINISTRATION are not only still existing but also persisting in the Department of Labor.

According to Labor Relations, my employer's actions were not prohibited by the CONTRACT. If this is true, I was working under a BIASED contract because it seems that I was required to take unlawful harassment, discrimination and retaliation at the place of State employment. How can State employment have this kind of contract? How can State of Alaska be an Equal Employment Opportunity Employer?

Today, I am a victim of unlawful harassment, discrimination and retaliation and my constitutional rights have been VIOLATED numerous times in many ways by the Alaska Department of Labor.

I have received letters from Senator Duncan and Governor Cowper stating that this Administration does not permit, tolerate or condone unlawful employment practices.

It is interesting to point out that personal relationships are interfering with professional decisions because all the involved Directors, Supervisors and co-workers are still employed by Department of Labor while I was the only one who was terminated both times.

It appears that STATE is permitting, tolerating and condoning my Employers', Supervisors' and Co-workers' actions.

I hate being on the defensive. But I do not feel I can permit, tolerate or condone such MALICIOUS, FRAUDULENT, LIBELOUS and BIASED judgement about my personality and character go unanswered and I will not rest until JUSTICE is done.

Again, I want to state that I support CSHS 25 and I urge that it should be passed.

Sincerely,



Juliet Kay



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
EXECUTIVE COMMITTEE, 1986 - 1988

April 29, 1987

EXECUTIVE COMMITTEE

President
Edward K. Thomas
Admin. Office

Won 1987 58-1432
Res 1987 78-2076

First Vice President
Doris Wray
P.O. Box 477
Metlakatla, Alaska 99821
Won 1987, 88-4004

Second Vice President
Mon Jacobs J
P.O. Box 625
Sik. Alaska 99831
Res 1987, 747-8162

Third Vice President
Joy Hope
P.O. Box 311
Juneau, Alaska 99801
Won 1987 465-4892
Res 1987 785-0571

Fourth Vice President
Douglas W. Junc
4001 AC Westport
Sammeter Peak Rd
Reamond WA 98281
Won 1986 653-4581
Res 1986 882-1181

Fifth Vice President
Raymond E. Roberts
3721 Adak Avenue
Metlakatla, Alaska 99801
Won 1987 225-6781
Res 1987 225-5481

Sixth Vice President
Richard J. Smith
9401 Brook Road
Juneau, Alaska 99801
Res 1987 135-0011

Executive Director
Mc. Evelyn E. Myer
Admin. Office
Won 1987 586-1432
Res 1987 780-0232

The Honorable Steve Cowper
Governor of Alaska
P. O. Box A
Juneau AK 99811

Dear Governor Cowper:

re Resolution 87/88-04 : Support for House Bill 25

The Central Council of Tlingit and Haida Indian Tribes of Alaska advised legislative committees of its support of HB 25 upon adoption of a Central Council position last week. The formal resolution is enclosed for your records.

We believe this piece of legislation is critical to the proper functioning of the EEO law, and we urge its enactment into law.

Please advise if we may provide further support. Thank you.

Sincerely,

Edward K. Thomas
President

EKT/jg
encls

cc: State Legislators
State Agencies
Bush Caucus
Rep. Terry Martin



CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801

FIFTY-SECOND GENERAL ASSEMBLY
Central Council of Tlingit and Haida Indian Tribes of Alaska
April 16-18, 1987
Juneau, Alaska

Resolution 87/88-04

Title: Support for HB 25

Submitted by: Juneau T&H Community Council

WHEREAS, the State Equal Employment Opportunity law, AS 44.19, was passed in 1985; and

WHEREAS, the Alaska Native Brotherhood, Central Council of Tlingit and Haida Indian Tribes of Alaska and Sealaska Corporation worked hard to assure the passage of the law; and

WHEREAS, Native hire in State government continues to remain a high priority for us; and

WHEREAS, HB 25 has been introduced in this legislative session to amend the EEO law; and

WHEREAS, the bill is designed to strengthen and give clout to current EEO law; and

WHEREAS, HB 25 in its present form would provide the office of EEO tools necessary to adequately implement the EEO law;

NOW, THEREFORE, BE IT RESOLVED by the Central Council of Tlingit and Haida Indian Tribes of Alaska, in Annual Assembly, to go on record as supporting HB 25 in its present form; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Bush Caucus, Representative Terry Martin, and Governor Steve Cowper.

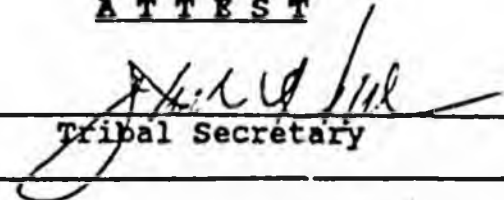
ADOPTED this 17th day of April, 1987, by the Fifty-Second General Assembly of the Central Council of Tlingit and Haida Indian Tribes of Alaska, in session at Juneau, Alaska.

C E R T I F I E D



President

A T T E S T



Tribal Secretary

TELEPHONE: 907/ 586-1432

February
1987

Editor: Tim Weiss

UMC MEETING

February 6, 5-7:30 pm
Filipino Community Hall
251 South Franklin St.

AGENDA:

Appointment of Committees on UMC's function: membership, fund raising, legislative lobbying, Martin Luther King anniversary 1988, problem of UMC, solutions.

Meetings are open to the public.

MEMBERSHIP DUES DUE

UMC Treasurer, Aida Ganey, has informed me that UMC membership dues are due. UMC needs your support to continue putting out this newsletter, to continue to provide support to the minority community, put on functions such as Martin Luther King Jr. Day celebrations, and future efforts. Dues are totally tax deductible.

AFFIRMATIVE ACTION BILL INTRODUCED

As Review by: *Ben Holganza, UMC President*

HB 25 entitled "An Act relating to affirmative action" was recently introduced by Representative Terry Martin. This would amend the State Office of EEO statute by adding a few requirements and duties to the office, namely:

1) *require the division of personnel in the Department of Administration to purge records from an employee's personnel file if the records are the direct or indirect result of complaint of unlawful discrimination by a state official or employee;*

2) *forbid an agency to hire or promote employees and require an agency to reverse a personnel action including a hiring decision if it finds that the action was based on a discriminatory employment practice;*

3) *require an agency to change its selection procedures if it finds that the procedures have a discriminatory affect on members of a protected class; and*

4) *require an agency to hold a disciplinary hearing to determine whether an employee has violated this subsection; the office may participate in the hearing.*

I have heard that the ideas in this bill originated from an actual case that Rep. Martin was aware of in which a state employee was "blackballed" after filing and winning a discrimination complaint. Apparently the fact that he/she had filed a complaint was kept in the personnel files and agencies who interviewed this person felt that he/she might be a troublemaker.

Several people have commented that even former convicts have more rights than state government employees do. Former convicts can have their conviction and arrest records purged after serving their probation, but state employees who file a complaint can't. Is this justice?

This bill would also serve another valuable function, it would finally define the function of OEEA more clearly and settle the dispute over whether OEEA is a "resource" agency or an "enforcement" agency.

PUBLIC HEALTH NURSES' APPEAL

On November 27, 1986, Superior court Judge Duane Craske directed the parties in the public health nurses' case to get on with the appeal of the Human Rights Commission's Order. The commission decided earlier in January 1986 that the state Department of Health and Social Services and Department of Administration had discriminated against the nurses by paying them less than physician's assistants. The commission decided that nurses were victims of sex discrimination because their work was of comparable character to the work of the physician's assistants but were paid less.

In February 1986, the state appealed the commission decision and since then the progress of the appeal was stymied by disputes about which judge should decide the case and whether damages should be calculated before the appeal would be heard. In the most recent action, Judge Craske of Sitka told the parties to go forward on the appeal without a specific damage award.

TO : House Finance Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

During the afternoon hearing held on April 22, 1988, I shared with you some of the roadblocks I have encountered while seeking employment with the Alaska State government. Over the last two and one half (2 1/2) years I have been presented with no real opportunities to apply my professional auditing/accounting training and experience in the State's government.

Below I have constructed a synopsis summarizing the actions I feel violate the 1964 Civil Rights Act, Title VII; Alaska Statute 44.19; Freedom of Information Act; my first, ninth and fourteenth amendments to the U.S. Constitution.

After you have read this information, I sincerely hope your compassion and your legislative integrity will permit you to support House Bill #25, passing it out of Committee and supporting it through full passage and implementation.

Thank you for your support.

Additional information will be provided upon request. Similar occurrences showing lack of Affirmative Action by Dept of Labor, Dept. of Environmental Conservation, Dept. of Natural Resources, the Office of the Governor, Department of Administration and the Dept. of Labor can also be shared with you showing a pattern of traditionally hiring nonminority

TO : Judiciary Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

SUBJECT: Interview(s) with Department of Revenue

Ms. Harrison received numerical ratings for Revenue Auditor I, II, III, IV after numerous complaints against Revenue personnel to rate Ms. Harrison's application. Revenue personnel personnel had procrastinated over a nine month period of time before rating application. Ms. Harrison questioned fifteen point variance between Revenue Auditor II level (90) and Revenue Auditor III level of (75). No justification was given by Revenue personnel. There is only a 5 point difference between Revenue Auditor I rating of (95) and Revenue Auditor II rating.

Ms. Harrison inquired to local Audit Manager and Commissioner on projected hiring of Revenue Auditors. Audit Manager's response, "the money budgeted for Fiscal Year 1988 was to be used for promoting Revenue Auditors presently working within the department." The Equal Employment Opportunity Manager was also informed of the same. At least three newspaper advertisements were published encouraging applicants to apply. Ms. Harrison discussed the contradiction with the Commissioner during a meeting on 7/16/87. This was one of several meetings and telephone calls to come. Commissioner informed Ms. Harrison new Revenue Auditor jobs were budgeted for F.Y. 1988 and the positions would be filled.

Ms. Harrison was notified by mail of Revenue Auditor positions (seven (7) positions in the Anchorage area) to be filled. Ms. Harrison responded by certified mail confirming interest in being interviewed for one of the seven positions. All seven positions were at the III level.

First interview took place by telephone on 10/7/87. The first question asked Ms. Harrison was if she could report to work in the Anchorage area within two weeks. Ms. Harrison was also asked to participate in a visual. To be exact -- Ms. Harrison was asked to visit a revenue employee who worked in the State Office building and chat with him. Ms. Harrison was instructed that it would not be another interview, she did not have to discuss her qualifications or the job being interviewed for. She was to just chat with the employee and that this employee would be able to see what they had not been able to see by telephone. Ms. Harrison declined to participate in the visual.

TO : Judiciary Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

SUBJECT: Interview(s) with Department of Revenue
Page Two

Ms. Harrison complained to the Commissioner and Revenue Audit Manager in the Anchorage area. Later Ms. Harrison was informed by the Commissioner he had been informed the interview never took place. Telephone records will show telephone call took place on 10/7/87 from approximately 3:07 p.m. and lasted to 3:44 p.m. Ms. Harrison was then informed by Anchorage Audit Manager he wanted to make everything right. He decided to throw out the telephone interview and set up a local interview with the same Revenue employee Ms. Harrison was asked to participate in a visual with. The interview with the Revenue employee lasted approximately three hours. Later Ms. Harrison was informed she was highly recommended for one of the Revenue Auditor III positions but was not selected.

Three (3) white males and two (2) white females, outside of State government were hired for five (5) of the Revenue Auditor positions; numerous positions of Revenue Auditors were upgraded to higher levels; One (1) white male was hired as Revenue Auditor I and One (1) Asian/Pacific Islander male was hired as Revenue Auditor I during the periods Ms. Harrison pursued work with Department as a Revenue Auditor. Two (2) white employees within the service were also hired as Rev Aud IIIs. Ms. Harrison was interviewed again on 2/11/88 for a Revenue Auditor III position in the Seattle Office but did not receive job offer.

Revenue Auditor register has reopened for the third time in a one year period. Ms. Harrison's rating will expire in less than one year. Department continue to seek new applicants despite Ms. Harrison's rating of being qualified.

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE														
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M	
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT
REVENUE FULL-TIME REVENUE AUDIT SUPVR I	5	0	0	0	0	0	0	0	0	0	0	0	0	2	3
REVENUE AUDIT SUPVR III	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
REVENUE AUDITOR I	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1
REVENUE AUDITOR III	11	0	0	0	0	0	0	0	0	0	0	0	4	7	
REVENUE AUDITOR IV	7	0	1	0	0	0	1	0	0	0	0	0	2	3	
REVENUE AUDITOR V	9	0	0	0	0	0	0	0	0	0	0	0	1	8	
REVENUE ENFORCEMENT OFCR IV	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
REVENUE ENFRCMNT OFCR II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
 H/M = HISPANIC MALE
 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
 AN/M = ALASKAN NATIVE MALE
 U/M = UNKNOWN MALE

W/F = WHITE FEMALE
 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE														
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M	
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	
REVENUE FULL-TIME REVENUE HEARING EXAMINER	5	0	0	0	0	1	0	0	0	0	0	0	0	2	2
REVENUE OFFICE MANAGER	3	0	0	0	0	0	0	0	0	0	0	0	0	3	0
SECRETARY I	6	0	0	0	0	1	0	0	0	0	0	0	0	4	1
SECRETARY II	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
SPEC ASST/COMM I	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SPEC ASST/COMM II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
STATE INVST OFCR I	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4
STATE INVSTMNT OFCR II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
 H/M = HISPANIC MALE
 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
 AN/M = ALASKAN NATIVE MALE
 U/M = UNKNOWN MALE

W/F = WHITE FEMALE
 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

CURRENT WORKFORCE STATISTICS IN THE EXECUTIVE BRANCH
 (WITHIN JOB GROUP/BY DEPARTMENT/BY JOB CLASS)
 REQUESTED BY NICOLE HARRISON
 PREPARED JULY 1, 1987

		RACE/SEX PROFILE													
		AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M
DEPARTMENT	JOB GROUP														
CLASSTITLE	TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT

REVENUE															
1405															
RESEARCH ANALYST III	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
*TOTAL JOB GROUP 1405	2	0	0	0	0	0	0	0	0	0	0	0	0	1	1
1410															
ACCOUNTING SUPERVISOR III	2	0	0	0	0	0	0	0	0	0	0	0	0	2	0
COORD/FLD AUDIT OPERATION	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
FLD SVC MGR/REVENUE	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
LOAN EXAMINER III	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
PETRO PROPRTY APPRAISER I	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PETRO PROPRTY APPRAISER III	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
REVENUE AUDITOR III	5	0	0	0	0	0	0	0	0	0	0	0	0	2	3
REVENUE AUDITOR IV	8	0	1	0	0	0	1	0	0	0	0	0	0	3	3
REVENUE AUDITOR V	9	0	0	0	0	0	0	0	0	0	0	0	0	2	7
REVENUE FIELD AUDITOR II	4	0	0	0	0	0	0	0	0	0	0	0	0	1	3
STATE INVST OFCR I	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4

12/9
 Undercut
 no 800...
 female
 as of Oct 30

2	3
3	3
2	7
1	3

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE													
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT
REVENUE														
FULL-TIME														
STATE INVSTMNT OFCR III	2	0	0	0	0	0	0	0	0	0	0	0	0	2
STATE INVSTMNT OFCR IV	1	0	0	0	0	0	0	0	0	0	0	0	0	1
STATE PETRO PROPERTY ASSES	1	0	0	0	0	0	0	0	0	0	0	0	0	1
SUPPLY OFFICER II	1	0	0	0	1	0	0	0	0	0	0	0	0	0
TAX COLLECTION SPEC II	3	0	0	0	0	0	1	0	0	0	0	0	2	0
TAX EXAMINER II	13	0	0	0	0	0	0	0	0	0	0	0	12	1
TAX EXAMINER III	2	0	0	0	0	0	0	0	0	0	0	0	1	1
TREASURY CC. IPTROLLER	1	0	0	0	0	0	0	0	0	0	0	0	0	1

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
 H/M = HISPANIC MALE
 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
 AN/M = ALASKAN NATIVE MALE
 U/M = UNKNOWN MALE

W/F = WHITE FEMALE
 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

TO : Judiciary Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

SUBJECT: Interview with Department of Regional & Community Affairs

Ms. Harrison was interviewed on 3/18/87, by Auditor within Division of Administration, for Internal Auditor II position. The interview was unstructured. Ms. Harrison was again interviewed by Director of Administrative Services and informed at end of interview the Commissioner would want to interview her. The selector was delayed for over two months.

Ms. Harrison was later informed the Internal Auditor II vacancy had been filled by someone who had previous State Administrative experience. This requirement was not mentioned by either of the interviewers but was mentioned to Senator Duncan's Aide when she inquired to the Department as to why I was not hired for the position. Previous state administrative experience is not specified in Internal Auditor job description.

A white male was hired on or about 3/30/87. As of 2/87 the Department of Community & Regional Affairs employ two (2) white male Internal Auditors. One at the II level and one at the III level.

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE															
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M		
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	

COMMUNITY & REGIONAL AFFAIRS																
FULL-TIME																
INTERNAL AUDITOR II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	X
INTERNAL AUDITOR III	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	X
LOAN CLOSER II	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	
LOAN EXAMINER I	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
LOAN EXAMINER II	5	0	0	2	1	0	0	0	0	0	0	0	0	1	1	
LOAN EXAMINER III	2	0	0	0	0	0	0	0	0	0	0	0	0	2	0	
LOAN MANAGER	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
LOCAL GOVERNMENT SPEC II	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
 H/M = HISPANIC MALE
 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
 AN/M = ALASKAN NATIVE MALE
 U/M = UNKNOWN MALE

W/F = WHITE FEMALE
 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE														
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M	
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	

COMMUNITY & REGIONAL AFFAIRS															
FULL-TIME															
LOCAL GOVERNMENT SPEC III	8	0	0	1	0	0	0	1	0	0	0	0	0	3	3
LOCAL GOVERNMENT SPEC IV	6	0	0	1	1	0	0	0	0	0	0	0	0	1	3
LOCAL GOVERNMENT SPEC V	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
NAT RESOURCE MGR I	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
NAT RESOURCE MGR II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
NAT RESOURCE OFFICER I	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
NAT RESOURCE OFFICER II	2	0	0	0	1	0	0	0	0	0	0	0	0	0	1
PLANNER III	2	0	1	0	0	0	0	0	0	0	0	0	0	0	1

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
 H/M = HISPANIC MALE
 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
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W/F = WHITE FEMALE
 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

TO : Judiciary Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

SUBJECT: Interview with Department of Transportation

Ms. Harrison mailed certified return receipt affirmative response confirming interest in being interviewed for Internal Auditor II position. Ms. Harrison was interviewed by Division Auditor (telephone interview) but was not selected for position. A white male was hired to fill the vacancy.

Later Ms. Harrison met with Audit Manager twice and talked with him on several occasions in seeking employment with Department. In the most recent telephone inquiry with Audit Manager, Ms. Harrison was informed the previous problem presented was promoting the Internal Auditor IIs, currently on board, to Internal Auditor IIIs. This inquiring took place during 12/87. Ms. Harrison was also informed by Audit Manager the Internal Auditor II position we had discussed would be filled in January, 1988. My rating for Internal Auditor II and III expired in January, 1988.

As of 2/88 the Department of Transportation employs One(1) Alaska Native male as Internal Auditor II; four (4) white males as Internal Auditor IIIs; three (3) white males as Internal Auditor IVs; and one (1) white male as Internal Auditor V.

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PRFILE			AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M	
	AI/F	AI/M	AN/F												
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	
TRANSPORTATION & PUBLIC FACILITIES															
FULL-TIME															
HIGHWAY ENG TECH WG IX	2	0	0	0	0	0	0	0	0	0	0	0	0	1	1
HIGHWAY ENG TECH WG V	3	0	0	0	0	0	0	0	0	0	0	0	0	0	3
HIGHWAY ENG TECH, WG VII	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
INFORMATION OFFICER III	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
INTERNAL AUDITOR II	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
INTERNAL AUDITOR III	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4
INTERNAL AUDITOR IV	3	0	0	0	0	0	0	0	0	0	0	0	0	0	3
INTERNAL AUDITOR V	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

RACE/SEX CODES:

W/M = WHITE MALE
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 B/F = BLACK FEMALE
 H/F = HISPANIC FEMALE
 API/F = ASIAN/PACIFIC ISL. FEMALE
 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

TO : Judiciary Committee Members

REF : G. Nicole Harrison
In Support of House Bill #25

SUBJECT: Interview with Department of Health & Social Services

Ms. Harrison mailed certified return receipt response to Department of H & SS confirming interest in being interviewed for Internal Auditor III vacancy. In January, 1986 Ms. Harrison was interviewed by one of the auditors and told she was highly recommended to Auditor Manager. She was then interviewed by Audit Manager. A written test was given during each interview. During second interview, Ms. Harrison was strongly encouraged to pursue CPA status. CPA status was not one of the requirements on vacancy announcement, job description nor discussed during two interviews as being manatory.

Later Ms. Harrison was told by first interviewer that Audit Manager was interested in hiring an applicant with CPA status and that was her initial intent.

A white male was hired to fill Internal Auditor II vacancy. As of 2/29/88 the Department of Health & Social Services employ two white males as Internal Auditor IIIs and one white female as Internal Auditor IV.

REQUEST FOR INFORMATION-STATISTICS WITHIN JOB GROUPS
 WITHIN DEPARTMENTS FOR THE PERIOD ENDING FEBRUARY 29, 1988
 (REQUESTED BY NICOLE HARRISON)
 PREPARED MARCH 14, 1988

EMPLOYER STATUS CLASSTITLE	RACE/SEX PROFILE															
	AI/F	AI/M	AN/F	AN/M	API/F	API/M	B/F	B/M	H/F	H/M	UNK/F	UNK/M	W/F	W/M		
TOTAL	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT	

HEALTH & SOCIAL SERVICES																
FULL-TIME																
HRBRVW DEV CTR SUPT	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
INDUSTRIAL THERAPIST	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	
INSTITUTNL EDUCATION COORD	2	0	0	0	0	0	0	0	0	0	0	0	0	2	0	
INTERNAL AUDITOR III	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
INTERNAL AUDITOR IV	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	
INVESTIGATOR II	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
JANITOR, WG IX	5	0	0	0	0	0	0	1	0	0	0	0	0	0	4	
LABORATORY ASSISTANT I	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	

RACE/SEX CODES:

W/M = WHITE MALE
 B/M = BLACK MALE
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 API/M = ASIAN/PACIFIC ISL. MALE
 AI/M = AMERICAN INDIAN MALE
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 AI/F = AMERICAN INDIAN FEMALE
 AN/F = ALASKAN NATIVE FEMALE
 U/F = UNKNOWN FEMALE

HB

31

SENATE COMMITTEE REPORT

FURTHER: TRANSPORTATION

DATE TURNED INTO OFFICE MARCH 30, 1987

2/17/87

Mr. President:

STATE AFFAIRS

Committee considered CSHB 31 (TRSP)

relating to registration of commercial and noncommercial motor vehicles, efd.

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]

[Signature]

Chairman signature and recommendation

Committee Backup Attached

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE
COMMITTEE ON OIL AND GAS



ANCHORAGE
P. O. BOX 104836
ANCHORAGE, AK 99510
(W) (907) 276-6818
(H) (907) 338-7425

JUNEAU
POUCH V
STATE CAPITOL
JUNEAU, AK 99811
(907) 465-3712

House of Represent'atives

MEMORANDUM

DATE: February 18, 1987

TO: Senator Mitch Abood, Chairman
Senate State Affairs Committee

FROM: Representative Pat Pourchot
Representative Red Boucher

SUBJECT: CSHB 31 (Trsp) Relating to Registration of Commercial and Noncommercial Vehicles

CSHB 31 (Trsp) changes our vehicle registration laws to legally, but forcefully, discourage the use of nonresident commercial and noncommercial vehicles. In this way the bill is an important element of the Alaska residency and local hire goals.

Current regulations provide for permitting or registration of nonresident commercial vehicles operating temporarily instate. Excepting ICC and FMC carriers, the regulations do not require the display of the permit or registration. It is difficult for law enforcement officers and the public to distinguish between a vehicle holding a valid temporary permit and one operating illegally instate. Moreover, the fees paid are prorated for the period of time allowed by the permit and are significantly cheaper than those charged resident operators.

In addition, many new residents or nonresidents working temporarily instate illegally maintain their vehicle registration in other states. These operators benefit from our roads and jobs without paying the required fees.

CSHB 31 (Trsp) would:

- 1) Shorten the length of time a nonresident, noncommercial vehicle is exempt from State registration requirements and require proof of any exemption from registration.
- 2) Eliminate the distinction between resident and nonresident commercial vehicles for purposes of registration, assessing fees, and display of license plates.
- 3) Limit the authority for issuance of special permits and the exemption from normal registration to only short-term, one-way unladen commercial vehicles and licensed ICC and FMC carriers. Permits would have to be prominently displayed.

CSHB 31 (Trsp) has received no opposition and unanimously passed the House. We would be very appreciative if this bill could be scheduled for a hearing before the Senate State Affairs Committee at your earliest convenience.

INDEX

1. Cover Memo
2. Summary
3. CSHB 31 (TRSP) and Bill History
4. Sectional Analysis for HB 31
5. Position Papers
6. Fiscal Note - Department of Public Safety
7. Alaska Statutes - Title 28 - Chapter 10
Relating to Motor Vehicle Registration and Title
8. Department of Public Safety Regulations
Relating to Motor Vehicle Registration and Title

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT



HOUSE FINANCE COMMITTEE
COMMITTEE ON OIL AND GAS

ANCHORAGE
P.O. BOX 104836
ANCHORAGE, AK 99510
(W) (907) 276-6818
(H) (907) 338-2425

JUNEAU
POUCH V
STATE CAPITOL
JUNEAU, AK 99811
(907) 465-3712

House of Representatives

MEMORANDUM

DATE: February 23, 1987

TO: Senate State Affairs Committee
Senator Mitch Abood, Chairman
Senator Rick Uehling, Vice-Chairman
Senator Jan Faiks
Senator Willie Hensley
Senator Joe Josephson

FROM: Representative Pat Pourchot *Pat*
Representative Red Boucher

SUBJECT: CSHB 31 (Transportation), "An Act relating to registration of commercial and noncommercial vehicles; and providing for an effective date."

We continue to hear complaints of commercial vehicles with out-of-state license plates operating on our highways. While some operators may pay the required registration fee, others do not. Enforcement of registration laws is difficult as there is no visual means to quickly identify the illegal nonregistered operator.

In addition, many new residents or nonresidents working temporarily instate fail to comply with state registration requirements, choosing instead to maintain their vehicle registration in other states. These residents benefit from our roads and jobs without paying the required fees.

CSHB 31 (Trans) would eliminate distinctions between nonresident and resident commercial vehicles for purposes of registration, assessing fees, and display of license plates. Only licensed ICC and FMC carriers and unladen commercial vehicles operating under a one-way trip permit would be exempted - although prominent display of permits would be required.

Additionally, this bill would shorten the length of time a nonresident, noncommercial vehicle is exempt from state registration requirements and require proof of any exemption from registration.

We consider this legislation to be an important element of the Alaska residency and local hire issues in its attempt to enforce our vehicle registration laws and to legally, but forcefully, discourage the use of nonresident commercial vehicles.

CSHB 31 (Trsp) has received no opposition and unanimously passed the House.

SUMMARY

HB 31

Relating to Registration of
Commercial and Noncommercial Motor Vehicles

Background

Current State law or regulations require the registration of all vehicles operating instate. However, many new residents or non-residents working temporarily instate illegally maintain their vehicle registration in other states. These operators benefit from our roads and jobs without paying the required fees.

Current State law also does not specifically address the handling of nonresident commercial vehicles operating temporarily instate. Regulations now provide for permitting or registration for such vehicles. However, with the exception of licensed ICC and FMC carriers, the regulations do not require the display of a permit or registration for nonresident commercial vehicles. Thus, it is difficult for law enforcement officers and the public to distinguish between a vehicle holding a valid temporary permit and one operating illegally instate.

Additionally, fees for temporary permits for nonresident commercial vehicles are now determined administratively by prorating the resident commercial vehicle fee for the number of days the nonresident vehicle is registered for use instate. This method does not appear to result in fees appropriate for the privilege of operating nonresident commercial vehicles in Alaska.

HB 31 would accomplish the following:

1. Shorten the length of time a nonresident, noncommercial vehicle is exempt from State registration requirements and require proof of any exemption from registration.
2. Eliminate the distinction between resident and nonresident commercial vehicles for purposes of registration, assessing fees, and display of license plates.
3. Limit the authority for issuance of special permits and the exemption from normal registration to only short-term, one-way unladen commercial vehicles and licensed ICC and FMC carriers. Permits would have to be prominently displayed.

BILL HISTORY

BILL: HB 31
NAME: CSHB 31 (TRSP)
TITLE: "An Act relating to registration of commercial and noncommercial motor vehicles; and providing for an effective date."

PRIME SPONSOR: Pourchot
CO-SPONSOR: Boucher, Taylor, Donley

CURRENT STATUS: (S) STA

<u>Date</u>		<u>Page</u>	<u>Action</u>
01/12/87	(H)	25	Profile released
01/19/87	(H)	25	Read the first time - Referral(s) State Affairs, Transportation
01/28/87	(H)	84	STA Rpt 6 DP
01/28/87	(H)	85	0 Fiscal note/analysis published 1/28/87
02/13/87	(H)	217	TRA Rpt CS(TRSP) 5 DP
02/13/87	(H)	218	Co-sponsor added: Taylor
02/16/87	(H)		Rules to calendar 2/16/87
02/16/87	(H)	248	Read the second time
02/16/87	(H)	248	TRA CS adopted unan consent
02/16/87	(H)	249	Advanced to third reading unan consent
02/16/87	(H)	249	Read the third time CSHB 31 (TRSP)
02/16/87	(H)	249	Passed Y37 N- X3
02/16/87	(H)	249	Effective date same as passage
02/16/87	(H)	252	Co-sponsor added: Donley
02/16/87	(H)	253	Transmitted to (S)
02/17/87	(S)	324	Read the first time - Referral(s) State Affairs, Transportation

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 20, 1987

SUBJECT: Registration of Motor Vehicles - HB 31
TO: Representative Pat Pourchot
FROM: Michael F. Ford *M. F.*
Legislative Counsel

The following is a sectional analysis of HB 31, as requested:

Section 1

Lowers the nonresident exemption from registration of a non-commercial vehicle from 90 to 60 days, and the requirement that registration take place after employment is lowered from 15 to 10 days after the person becomes employed. Requires commercial vehicles to be registered when use begins, except as provided in AS 28.10.011 and 28.10.131(c).

Section 2

Requires the person claiming nonresident exemption from registration to provide proof of qualification for the exemption.

Section 3

Technical amendment in conjunction with section 4.

Section 4

Allows the owner of a commercial vehicle temporarily operating in-state to register a commercial vehicle, while maintaining title in another jurisdiction.

Section 5

Requires owners of commercial vehicles licensed by the I.C.C. or the F.M.C., and registered in another jurisdiction

who desire to retain registration and title in the other jurisdiction, to register the commercial vehicle, but exempts the owner from title requirements.

Section 6

Adds an additional exemption from registration requirements for an unladen commercial vehicle making a single continuous trip not exceeding 10 days.

Section 7

Requires special permits issued under AS 28.10.151 to be prominently displayed.

Section 8

Technical amendment in conjunction with section 4.

Section 9

Effective date.

MFF:mkr
m8/026

BILL NO: CSHB 31 (Trsp)

DATE: February 19, 1987

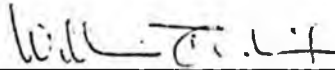
TITLE: An Act relating to registra- CONTACT: Bill Brown
tion of commercial and 465-4335
noncommercial motor vehicles.

DEPARTMENT OF
PUBLIC SAFETY

The bill will require full registration of commercial vehicles not used as legitimate interstate carriers, and reduce the time period in which a person is required to register a vehicle.

All commercial vehicles may now obtain a "trip permit" that allows them to operate in Alaska for up to 90 days. This gives summer commercial operators an advantage over Alaska residents who must pay full fees. This bill restricts use of the trip permit to only licensed interstate carriers, and requires temporary operators to pay full fees. This is done to put non-residents on an equal economic basis with Alaska residents while, at the same time, not placing a restrictive burden on legitimate interstate carriers.

The Department of Public Safety supports this bill.



WILLIAM R. NIX
Acting Commissioner

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

REQUEST: _____

Bill Version: CSHB 31(Trsp)
Publish Date: _____

Revision Date: _____
Title: An Act relating to registration
of commercial and noncommercial motor...

Agency Affected: Public Safety
BRU: Motor Vehicles

Sponsor: Pourchot
Requestor: Senate State Affairs

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						
---------	--	--	--	--	--	--

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)

Will not have any fiscal impact. There may be a slight increase in revenue, however, we are unable to predict the amount.

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 2-15-87

Approved by Commissioner: [Signature]
Agency: Public Safety

Date: 2-15-87

Distribution (by preparer):

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

JMC
2/19/87

PART 4.
DIVISION OF MOTOR VEHICLES

Chapter

70. Vehicle Registration, Title, and Transfer
(13 AAC 70.010-13 AAC 70.260)

CHAPTER 70.
VEHICLE REGISTRATION, TITLE,
AND TRANSFER

Article

1. Registration, Title and Transfer
(13 AAC 70.010-13 AAC 70.250)
2. General Provisions
(13 AAC 70.260-13 AAC 70.270)

ARTICLE 1.
REGISTRATION, TITLE AND TRANSFER

Section

10. Title and registration: burden of producing evidence of ownership on applicant
20. Title and registration: grounds for refusing title or registration or transfer of title or registration
30. Title and registration: ownership and transfer
40. Title and registration after involuntary transfer of ownership by court order
50. Title and registration after tax or customs sale
60. Title and registration after death of registered owner
70. Title and registration for a new vehicle not located in Alaska
80. Title and registration for a used vehicle
90. Title and registration for a vehicle purchased in foreign country other than Canada
100. Title and registration for vehicle purchased in Canada
110. Title and registration for assembled vehicle
120. Title and registration when no supporting evidence of ownership
130. Title and registration after dismantling or wrecking vehicle
140. Registration for vehicle registered elsewhere
150. Registration for occasional-use vehicle
160. Registration for snowmobile

170. Personalized registration plates for motor vehicles
180. Registration plates for handicapped registrant
190. Registration plates for mobile amateur radio station owner
200. Exemption from registration tax for military
210. Exemption from license tax for charitable organization
220. Refund of tax or fee
230. Satisfaction and release of liens: procedures
240. Duty of insurance company obtaining title to an unrepairable vehicle
250. Temporary operating permits

13 AAC 70.010. TITLE AND REGISTRATION: BURDEN OF PRODUCING EVIDENCE OF OWNERSHIP ON APPLICANT. An applicant for title to and registration of a vehicle has the burden of producing evidence of ownership in all cases. The department will provide reasonable guidelines to assist applicants for title and registration whose vehicles are not listed on the state's records system. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.020. TITLE AND REGISTRATION: GROUNDS FOR REFUSING TITLE OR REGISTRATION OR TRANSFER OF TITLE OR REGISTRATION. (a) The department will, in its discretion, refuse to issue title or registration or transfer title or registration if the application does not comply with the procedures established in the Alaska Motor Vehicle Act, AS 28.10 and the regulations in this chapter.

(b) If the department refuses to issue title or registration or transfer title or registration, it will promptly inform the applicant of its decision and briefly give reasons in writing for its action. An applicant may reapply after a refusal to act on an earlier application. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.110
AS 28.10.310

13 AAC 70.030. TITLE AND REGISTRATION: OWNERSHIP AND TRANSFER. (a) The department will issue title and registration in the names of all owners of a vehicle upon the application and signature of one or more of the multiple owners.

(b) Title to and registration of a vehicle recorded in the names of more than one owner in the conjunctive will not be transferred or encumbered without the signature on the title of every owner or his legally recognized representative. Title and registration in the conjunctive are signified by use of the word "and" between names of the owners listed on the certificates of title and registration.

(c) Title to and registration of a vehicle recorded in the names of more than one owner in the disjunctive will be transferred or encumbered on the signature of one or more of the multiple owners or his legally recognized representative. Title and registration in the disjunctive are signified by use of the word "or" between the names of the owners listed on the certificates of title and registration.

(d) In this section, "legally recognized representative" means any person who is the heir, beneficiary, assignee, or devisee of an owner or who holds a power of attorney signed by an owner, authorizing the holder to transfer, assign or encumber title to the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.040. TITLE AND REGISTRATION AFTER INVOLUNTARY TRANSFER OF OWNERSHIP BY COURT ORDER. In addition to the other requirements in AS 28.10, an applicant for title and registration after involuntary transfer by court order must submit a certified copy of a court order showing a transfer to the applicant of ownership of the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.410

13 AAC 70.050. TITLE AND REGISTRATION AFTER TAX OR CUSTOMS SALE. (a) In addition to the other requirements in AS 28.10, an applicant for title and registration who purchased a vehicle at a tax sale

must submit a copy of a bill of sale by the United States Internal Revenue Service, the Alaska Department of Revenue, or a municipality showing that the vehicle was sold for taxes owed upon it.

(b) In addition to the other requirements in

AS 28.10. an applicant for title and registration who purchased a vehicle at a sale by the United States Customs Service must submit a copy of a bill of sale issued by it. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.410

13 AAC 70.060. TITLE AND REGISTRATION AFTER DEATH OF REGISTERED OWNER. (a) In addition to the other requirements in AS 28.10, an applicant for new title and registration after the death of the registered owner must submit the following documents:

(1) letters of administration issued to the applicant as the personal representative of the estate of the deceased; or

(2) a certified copy of a probated will or a will declared valid by an order of informal probate naming the applicant the devisee of the deceased's vehicle; and

(3) the current title to and registration of the vehicle.

(b) When the estate of the deceased can be summarily administered under AS 13.16.690, the applicant for new title and registration after the death of a registered owner, in addition to the other requirements in AS 28.10, must submit a certified copy of the closing statement for the estate showing the applicant to be the person entitled to the vehicle and current title to and registration of the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.070. TITLE AND REGISTRATION FOR A NEW VEHICLE NOT LOCATED IN ALASKA. In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle not located in Alaska at the time of application must submit a manufacturer's certificate of origin. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.060 AS 28.10.260

13 AAC 70.080. TITLE AND REGISTRATION FOR A USED VEHICLE. In addition to the other requirements in AS 28.10,

an applicant for title to and registration of a used vehicle must submit

(1) an affidavit affirming that the vehicle is located within the state; and

(2) current title to and registration of the vehicle, or current registration alone if the owner cannot surrender out-of-state title. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.050 AS 28.10.260

13 AAC 70.090. TITLE AND REGISTRATION FOR VEHICLE PURCHASED IN FOREIGN COUNTRY OTHER THAN CANADA. (a) In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle purchased in a foreign country other than Canada must submit the following documents:

(1) a manufacturer's certificate of origin;

(2) DOD Form 430 or AD Form 89 issued by the Department of Defense or their successor forms; and

(3) other documents reasonably required by the department in its examination of the applications for title and registration.

(b) In addition to the other requirements in AS 28.10, an applicant for title to and registration of a used vehicle purchased in a foreign country other than Canada must submit the following documents:

(1) an affidavit affirming that the vehicle is located within the state;

(2) a bill of sale or comparable document evidencing a transfer of ownership and possession to the applicant;

(3) DOD Form 430 or AD Form 89 issued by the Department of Defense, or their successor forms; and

(4) other documents reasonably required by the department in its examination of the applications for title and registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.050 AS 28.10.260

13 AAC 70.100. TITLE AND REGISTRATION FOR VEHICLE PURCHASED IN CANADA. In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle purchased in Canada must comply with sec. 70 of this chapter and an applicant for title and registration to a used vehicle purchased in Canada must comply with sec. 80 of this chapter. (Eff. 3/29/78, Reg. 65)

Authority: AS 20.50.090
AS 20.50.260

13 AAC 70.110. TITLE AND REGISTRATION FOR ASSEMBLED VEHICLE. In addition to the other requirements in AS 28.10, an applicant for the title to and registration of a reconstructed vehicle or a vehicle assembled from a kit must submit a receipt of purchase for the engine, transmission, drive train, frame and body and other information reasonably required by the department in its examination of the applications for title and registration. The applicant may also be required to submit his vehicle to the department for an inspection for stolen parts before the issuance of title and registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.050

13 AAC 70.120. TITLE AND REGISTRATION WHEN NO SUPPORTING EVIDENCE OF OWNERSHIP. In addition to the other requirements in AS 28.10, an applicant for title and registration who has no supporting evidence of ownership must submit

(1) an affidavit affirming that he is the owner of the vehicle and that no liens or encumbrances exist on it;

(2) a cash bond or surety bond, executed by a corporate surety approved by the department, posted with the state and held by it for at least two years, in the amount of the retail value of the vehicle as determined from a departmental listing; and

(3) a statement signed by the applicant holding the state harmless in all suits concerning questions of title and ownership to the vehicle and promising to indemnify the state for all

judgments against it arising out of these actions. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.130. TITLE AND REGISTRATION AFTER DISMANTLING OR WRECKING VEHICLE. Title to and registration of a vehicle expires when it is disassembled or sold for scrap or parts. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.440

13 AAC 70.140. REGISTRATION FOR VEHICLE REGISTERED ELSEWHERE. The department will issue "No Alaska Title Issued" (NTI) registration only in the name of the owner shown on the records of the other state where the vehicle is registered. Lienholders recorded on the certificate of registration for another state will be shown on the NTI registration card issued by Alaska. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.060

13 AAC 70.150. REGISTRATION FOR OCCASIONAL-USE VEHICLE. (a) In addition to the other requirements in AS 28.10, an applicant for occasional-use registration must submit an affidavit affirming that the vehicle is used in relation to commercial fishing, mining, hunting, or farming operations and travels upon the highways less than 10 percent of its total hours of operation.

(b) No person may transfer an occasional-use registration plate to another vehicle. Upon the transfer or assignment of title to an occasional-use vehicle, the registration plates remain with the vehicle if it continues to be used as an occasional-use vehicle or must otherwise be returned to the department by the new owner.

(c) In this section, "occasional-use vehicle" means a motor vehicle as defined in AS 28.35.260(4) used in accordance with AS 28.10.127(a). (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.127

13 AAC 70.160. REGISTRATION FOR SNOWMOBILE. (a) In addition to the other requirements in AS 05.30, an applicant for registration of a snowmobile must submit a bill of sale for the vehicle. An applicant unable to

submit a bill of sale may be required to present the vehicle for an inspection of the serial number displayed on the frame and to submit an affidavit affirming that he is the owner and stating the circumstances under which he acquired ownership.

(b) When ownership of a registered snowmobile is transferred or assigned, the new owner shall notify the department of the change in ownership within 30 days and pay a transfer fee of \$2. When ownership of an unregistered snowmobile is transferred or assigned, the new owner shall notify the department of the change of ownership within 30 days and pay the original registration fee. (Eff. 3/29/78, Reg. 65)

Authority: AS 05.30.020
AS 05.30.050
AS 05.30.101

13 AAC 70.170. PERSONALIZED REGISTRATION PLATES FOR MOTOR VEHICLES. (a) The department will issue personalized registration plates for a pickup truck, van, motor home, or passenger car not used for commercial purposes.

(b) The department will not issue personalized registration plates displaying

(1) symbols in a combination identical to one already in use on a registration plate;

(2) a total of more than six or less than two symbols;

(3) the prefix "KL7";

(4) four consecutive numbers followed by two consecutive letters;

(5) three consecutive letters followed by three consecutive numbers;

(6) two consecutive letters followed by four consecutive numbers;

(7) symbols other than numbers or letters; or

(8) symbols in a combination which demeans any ethnic or racial group, carries a prurient meaning, or which is otherwise vulgar or indecent; any combination known by the department to be patently offensive to a person

of ordinary sensibilities will be considered vulgar or indecent or carrying a prurient meaning; any combination known by the department to be patently offensive to any racial or ethnic group will be considered demeaning to that group.

() The department will recall any personalized registration plate discovered to be in violation of subsection (b).

(d) In addition to the other requirements in AS 28.10, an applicant for personalized registration plates must submit five ranked combinations of symbols for the plates. No registrant may transfer personalized registration plates to another vehicle or person, except that a registrant may transfer plates to another vehicle registered in his name after proper application to the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.200
AS 28.10.120 AS 28.10.205

13 AAC 70.180. REGISTRATION PLATES FOR HANDICAPPED REGISTRANT. The department will issue only one set of special registration plates to each registrant under AS 28.10.200(b)(11). Special registration plates remain with the registrant if title or ownership to the vehicle is transferred. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.120
AS 28.10.200

13 AAC 70.190. REGISTRATION PLATES FOR MOBILE AMATEUR RADIO STATION OWNER. (a) The department will issue special registration plates containing the prefix "KL7" to a mobile amateur radio station owner. Each registrant will be issued only one set of special registration plates.

(b) In addition to the other requirements in AS 28.10, the applicant for special registration plates broadcasting on 75 meters through 10 meters must submit a copy of his amateur radio operator's license and call letters issued by the Federal Communications Commission and pay the annual license tax levied under AS 28.10.200(b)(7).

(c) In addition to the other requirements in AS 28.10, the applicant for special registration plates broadcasting on frequencies other than 75

meters through 10 meters must submit a copy of his amateur radio operator's license and call letters issued by the Federal Communications Commission and pay the annual license tax levied upon the particular type of vehicle to be registered.

(d) A registrant may use mobile amateur radio registration plates as long as he retains a qualifying amateur radio operator's license issued by the Federal Communications Commission and otherwise complies with the requirements of law. After proper application to the department, the registration plates may be placed on another vehicle containing a mobile amateur radio station. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.120
AS 28.10.060 AS 28.10.200

13 AAC 70.200. EXEMPTION FROM REGISTRATION TAX FOR MILITARY. A vehicle owned by a member of the armed forces of the United States on active duty, and a vehicle owned jointly by a member and one or more of his or her dependents, is exempt from registration if the vehicle is registered in a state of domicile other than Alaska. A vehicle owned solely by a dependent of a member of the armed forces of the United States on active duty is not exempt from registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
50 USC App. 574

13 AAC 70.210. EXEMPTION FROM LICENSE TAX FOR CHARITABLE ORGANIZATION. In addition to the other requirements in AS 28.10, a charitable organization applying for an exemption from the annual license tax must submit to the department, if requested by the department, a letter from the Internal Revenue Service establishing its tax exempt status. When the title to or ownership of a vehicle exempted from the annual license tax is transferred, the charitable organization shall surrender the registration plates to the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.210

13 AAC 70.220. REFUND OF TAX OR FEE. The department will not refund a tax or fee paid by an applicant unless the applicant can prove

that the tax or fee has already been paid for the current licensing period or can demonstrate that a refund is necessary to correct an administrative error. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.230. SATISFACTION AND RELEASE OF LIENS; PROCEDURES. (a) A lien recorded upon the title shall immediately be released by the lienholder upon satisfaction of the lien. Upon satisfaction, the lienholder shall release or assign his interest in the vehicle to the owner.

(b) An owner of a registered vehicle upon which a lien has been satisfied and released shall, within 10 days, apply for a new title, unless title to the vehicle will be transferred or assigned within 30 days of the release of the lien. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.430
AS 28.10.450

13 AAC 70.240. DUTY OF INSURANCE COMPANY OBTAINING TITLE TO AN UNREPAIRABLE VEHICLE. An insurance company obtaining title to an unrepairable vehicle through the satisfaction of an insurance claim shall mark the word "junk" on the face of the certificate of title and surrender the current title and registration to the department. The vehicle may then be sold by a bill of sale which indicates that the title has been surrendered to the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.250. TEMPORARY OPERATING PERMITS. (a) The department will, in its discretion, issue a temporary operating permit without charge to an owner of an unladen vehicle, pending action on the application for title and registration.

(b) The department will, in its discretion, issue a noncommercial trip permit for a fee as established by statute to an owner of an unladen vehicle, allowing a single continuous trip by a noncircular route for a period of time not to exceed 20 days.

(c) The department will, in its discretion, issue for a fee as set by statute a nonresident vehicle permit to an owner of a laden vehicle, allowing

the commercial operation of a vehicle registered in another state. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.290
AS 28.10.540

ARTICLE 2. GENERAL PROVISIONS

Section

260. Records of department
270. Definitions

13 AAC 70.260. **RECORDS OF DEPARTMENT.** (a) Certified or uncertified copies of records made within the scope of duty of an employee or representative of the department, unless specifically declared confidential by statute or regulation, will be available during regular business hours upon request and payment of a reasonable fee equal to the cost to the department of copying the record.

(b) Records of applications for title and registration and records of the denial, suspension, or revocation of the title and registration, will be retained by the department for a period of three years following the final entry in the title history or registration file for a vehicle. After three years, the commissioner will, in his discretion, destroy records of no further service in carrying out the powers and duties of the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 09.25.110 AS 28.10.010
AS 09.25.120 AS 28.10.020

13 AAC 70.270. **DEFINITIONS.** In this chapter

(1) "department" means the Alaska Department of Public Safety;

(2) "manufacturer's certificate of origin" includes a manufacturer's statement of origin. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

PART 5. VIOLENT CRIMES COMPENSATION BOARD

Chapter

80. Violent Crimes Compensation
(13 AAC 80.010-13 AAC 80.110)

CHAPTER 80. VIOLENT CRIMES COMPENSATION

Editor's Note: As of Register 71, the material formerly located in 7 AAC 77 has been transferred to 13 AAC 80, in recognition of the relocation of the Violent Crimes Compensation Board by sec. 1, ch. 87 SLA 1979. The history notes for the sections in this chapter continue the history of these provisions from their former location.

Section

10. Applications for compensation
15. Investigation and consideration
20. Hearings
30. Attorney fees
40. (Repealed)
50. Standards for compensation
60. Awarding compensation
65. Recommencing suspended proceedings
70. Finality of awards
80. Recovery from a collateral source
90. Emergency compensation
100. Recovery from an offender
110. Definitions

13 AAC 80.010. **APPLICATIONS FOR COMPENSATION.** (a) All applications for compensation shall be made on the form authorized by the board. The information required by the board shall be supplied in full by the claimant, or the claim may not be considered. Additional sheets may be used, as necessary, to complete descriptions of the injury, incident or expenses. For those unable to make applications for compensation themselves (e.g., minors or the mentally incompetent), claims may be filed by a parent, guardian or other individual authorized to administer the injured party's estate. The applicant shall sign his completed application under oath before a notary public.

(b) Those medical reports and examination results which are reasonably available shall be submitted by the applicant no less than 10 days before the date of the hearing. On the basis of their potential relative importance or material

HB

32

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 25, 1988

SUBJECT: Draft SCS CSHB 32 (State Affairs)
TO: Senator Mitch Abood
Chairman, Senate State Affairs
FROM: George Utermohle *GU*
Legislative Counsel

This memorandum accompanies the draft SCS CSHB 32 (State Affairs).

The three amendments that were requested for HB 32 were made as follows:

One: a new subsection (c) was added to Sec. 05.40.150, to allow a person who is not a member of the commission or a staff member of the commission to receive \$100 per day for each day that the person serves as a race meet observer. Sec. 05.40.150(b), relating to commission members who serve as race meet observers, was formerly Sec. 05.40.040(b).

Two: a new subsection (c) is added to the bill in Sec. 05.40.110, to allow the the commission to issue temporary special permits to participants in a race meet while they are awaiting the results of the background investigations and issuance of the special permit.

Three: a new subsection (c) was added to the bill in Sec. 05.40.130, to require that money in a parimutuel pool that is not claimed within one year shall be paid to the commission for deposit in the general fund.

GU:bb
WKB1/095

Alaska State Legislature

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Senator Mitch Abood
CHAIRMAN

Senate Committee on State Affairs

On Wednesday, January 20th and Monday, January 25th, the committee discussed four amendments to HB 32, but did not make a formal motion to accept any of them.

Amendments to SCSHB 32 (SA)

AMENDMENT #1

Page 6, line 28-19 continuing on page 7, lines 1-2:

Delete subsection "(b)" and insert new subsection (b) "a person appointed under subsection (a), except a person who is an employee of the commission is entitled to compensation of \$100 per day, plus per diem and travel expenses, for each day the person is engaged in the actual performance of duties as a race meet observer."

Page 7, lines 3-6:

Delete subsection "(c)"

HB 32 provides that a member of the racing commission or other individual chosen to be a race observer, receive \$100 a day for each day they act in that capacity.

The committee intended that an employee of the Racing Commission who is chosen as a race observer, shall not receive \$100 a day for each day that the person serves as a race observer.

AMENDMENT #2

Page 5, line 13, continuing on line 14:

After 'permit' delete "or a temporary permit"

Page 5, lines 20 - 23:

Delete subsection "(c)"

This amendment deletes the 'temporary special permit' language which was added by the bill drafter.

AMENDMENT #3

Page 4, line 14:

After 'chapter', insert "provided that an investigation required under 18.65.080 (c) has been completed."

AMENDMENT #4

The committee wanted to provide that all unclaimed money from holders of winning tickets be held for a specified time and then be returned to the general fund. States which have legalized parimutuel betting have provisions for unclaimed money that range from 6 months to 2 years; the average is about 6 months. SCSHB 32 (SA) currently provides for one year, but on January 25th, the committee discussed shortening the time period.

The bill drafter of SCSHB 32 (SA), Sec. 05.40.130 (c) mistakenly used the term 'parimutuel pool' instead of the unclaimed money of the holders of winning tickets.

FISCAL NOTE

REQUEST:

Revision Date: 1/19/88
Title: Establishing the Alaska Racing Commission & authorizing parimutuel wagering
Sponsor: Larson and Menard
Requestor: State Affairs

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	78.4	118.6	123.3	128.2	133.3	-
TRAVEL	13.9	*a 6.0	6.2	6.4	6.7	-
CONTRACTUAL	28.0	29.1	30.3	31.5	32.8	-
SUPPLIES	2.5	2.3	2.2	2.0	2.0	-
EQUIPMENT	33.4	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	156.20	156.00	162.00	168.10	174.80	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	*b 96.3	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	2	3	3	3	3	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

- a. Does not include site inspections nor events from 89-92.
b. Does not include license fees.

Prepared By: Steven E. Kettel
Division: Income and Excise Audit

Phone: 465-2320
Date: 1/19/88

Approved by Commissioner: _____
Agency: _____

Date: 1/19/88

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

REVISED FISCAL NOTE
CS H B 32

Worksheet

Personal Services--only the Office Manager and the Clerk Typist would be on board for FY 88. An auditor would be added in FY 89 as activities commenced.

Travel--Six commission meetings at 2 days each in Anchorage in FY 88 to develop regulations. Assumed were 3 commissioners from Anchorage, 1 from Fairbanks and 1 from Juneau.

FAI/ANC 6 x \$220	=	\$1,320
JNU/ANC 6 x \$352	=	2,112
per diem 6 x 5 x 2 x \$80	=	4,800
claims for mileage	=	500
Sub Total		\$ 8,732

Public hearings held in Anchorage, Fairbanks, Nome and Juneau by the office manager at 1.5 days each.

Travel	=	\$ 998
Per diem	=	480
Sub Total		\$ 1,578

Site inspections are averaged per inspection as follows for the manager and one commissioner.

Airfare	=	\$ 600
per diem 2 x 2 x \$80	=	320
Sub Total		\$ 920

Events will be attended by the manager and one commissioner.

For 1 6-day event, 8 days are required on site.

Airfare	=	\$ 600
Per diem 2 x 8 x \$80	=	1,280
Compensation @ \$100 per day	=	800
Sub Total		2,680

FY 88 GRAND TOTAL \$13,910

In FY 89 there would be four commission meetings. No site inspections events or regulatory hearings have been included.

FAI/ANC 4 x \$220	=	\$ 880
JNU/ANC 4 x 352	=	1,408
per diem 4 x 5 x 2 x \$80	=	3,200
mileage	=	500

FY 89 GRAND TOTAL \$ 5,988

For FY 90 - 92 a .04% increase was added.

FISCAL NOTE
CSHB 32

Assumptions for revenue figures

1. Effective date of July 1, 1987 and no races during FY '88.
2. Unknown number of races.
3. 34,400 players per 6-day event.
4. An average handle of \$963.2 based on an average wager of \$28.00 (Montana's average).
5. A takeout of 35% (\$337.1) with the state's share at 10% for state revenues of \$33.7 per event.

Assumptions for costs

1. Commission will be headquartered in Anchorage and meet 6 times in FY 88; quarterly thereafter. Each meeting will be 2 days.
2. Personal services will include an office manager to manage and oversee daily activities and to review and attend all events; an auditor I to follow-up all events; and a clerk typist III to process the paper.
3. Travel will include attendance by the office manager and one commissioner at each event plus the commission meetings.

STATE OF ALASKA 1987 LEGISLATIVE SESSION

No. 3

FISCAL NOTE

Bill Version: CSHB 32 (Fin)
 Publish Date: HOUSE 5/8/87

REQUEST

Bill/Resolution No.: CSHB 32 (FINANCE)
 Title: An Act establishing the
Alaska Racing Commission & authorizing pari-mutuel wagering
 Sponsor: Larson and Menard
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: _____
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES			11.3	43.5	64.3	
TRAVEL			6.6	10.2	13.8	
CONTRACTUAL			25.0	22.5	20.0	
SUPPLIES			2.5	2.5	2.5	
EQUIPMENT			9.0	6.0	0	
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING			54.4	84.7	100.6	

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

REVENUE			0	*a 96.3	*b 192.6	
---------	--	--	---	---------	----------	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME			1	3	3	
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

*a one event [does not include
 *b two events license or permit
 fees or admission]

see attached *HRA*

Prepared by: Al Adams, Chair Phone: 465-3706
 Division: House Finance Committee Date: 5/7/87

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

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



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Committee on Finance

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

CSHB 32 (Finance)

REVISED FISCAL NOTE

Worksheet

Assumes passage in second session and 7/1/88 effective date

Personal Services

FY 89	<u>11.3</u>	Office Manager 17A PT start 1/1/89
FY 90	<u>43.5</u>	
	28.4	Office Manager 17A PT start FT 4/1/90
	9.3	Revenue Auditor I 14A (seasonal) start 4/1/90
	5.8	Clerk Typist III 8A PPT start 1/1/90
FY 91	<u>64.3</u>	(first full year of operation)
	34.0	Office Manager FT(4/1 - 10/1) PT(10/1 - 4/1)
	18.7	Revenue Auditor I (4/1 - 10/1)
	11.6	CT III PPT

Travel

FY 89 Four commission meetings in Anchorage. No site inspections or events. Public Hearings by teleconference to coincide with commission meetings. Assume Office Manager in Anchorage, three commissioners from Anchorage, one Fairbanks, one Juneau

FAI/ANC	4 x 220	=	\$ 880
JNU/ANC	4 x 352	=	1408
per diem	4 x 5 x 2 x 80	=	3200
mileage			<u>500</u>
			\$ 5988

Misc. Office Manager travel

ANC/FAI	220
ANC/JNU	<u>352</u>
	572

FY 89 TOTAL \$ 6560

FY 90 Four commission meetings \$ 5988

One site inspection - manager and one commissioner

Airfare	600
per diem 2 x 2 x 80	<u>320</u>
	\$ 920

One event - six days (8 days) - manager and one commissioner

Airfare	600
per diem 2 x 4 x 80	1280
Compensation 8 x 100	<u>800</u>
	2680

Misc. Office Manager 572

FY 90 TOTAL \$ 10160

FY 91 Same as FY 90 (\$ 10,160) plus one additional site inspection (\$ 920) and one additional event (\$ 2680)

FY 90 TOTAL \$ 13760

CONTRACTUAL .	FY 89	FY 90	FY 91
Rent	5400	5400	5400
Office equipment maintenance	600	600	600
Copying & Postage	8000	8000	8000
Phone	6000	6000	6000
Clerical	<u>5000</u>	<u>2250</u>	<u>0</u>
	\$ 25,000	22,500	20,000

EQUIPMENT

Phone	1000	1000	0
Computer	5000	5000	0
Office furniture	<u>3000</u>	<u>0</u>	<u>0</u>
	\$ 9000	6000	

SUPPLIES	\$ 2500	2500	2500
----------	---------	------	------

REVENUE ASSUMPTIONS

- FY 90
 - one six day event
 - 34,400 players
 - Average Handle of \$963.2 based on average wager of \$28 (Montana's average)
 - A takeout of 35% with state share at 10% for state revenue of \$96.3 per event

- FY 91
 - two events - \$ 192.6

Submitted by Rep. LAESON

Parimutuel wagering

FIFTEEN QUESTIONS ABOUT HB 32 AND PARI-MUTUEL WAGERING
by Representative Larson

1. What is Pari-mutuel wagering?

Pari-mutuel wagering is a system of betting, which dates back to the mid 1800's. This type of wagering differs from typical gambling by virtue of the fact that the odds are not arbitrary. Pari-mutuel wagering occurs when all collective bettors pool their money together. The odds are then calculated systematically. The total amount wagered versus the individual bets, determines the total amount, which is divided among the winners.

2. What local support has there been for Pari-mutuel Wagering?

Both the cities of Palmer and Wasilla had an advisory proposition placed on the ballot of the October 7, 1986 general election concerning pari-mutuel wagering on certain horse races. (attachments)

The results in Palmer were 58.2% in favor of the concept of local option pari-mutuel horse racing. (In addition the Palmer Municipal code--chapter 3.32--addresses pari-mutuel wagering by virtue of city ordinance #321, dated August 13, 1985.)

The results in Wasilla showed 62% of the voters approved the concept. (In addition the City of Wasilla has Resolution on the books (W85-J-6) which supports the local option for pari-mutuel gambling.)

The Matanuska-Susitna Borough passed a resolution of support for state controlled, local option, pari-mutuel betting on 3/3/87.

3. What type of benefits will Pari-mutuel racing provide?

The most obvious benefit, initially, would be the generation of the racing business itself by the private sector. Infrastructure, such as breeding, training, and racing facilities will be an incentive for the construction industry. Additionally, racing will create a destination and accompanying services for the tourism trade. This business is a natural spin-off of our historical and agricultural heritage.

Clearly an obvious benefit would be the added state revenue, after the racing commences. The income will come painlessly to the state without burdening the taxpayer. The amount of revenue depends on the frequency of the events authorized by the commission.

4. Is pari-mutuel racing legal elsewhere?
Currently 36 states allow the pari-mutuel betting system for either horses, dogs or both.
5. What is the development scenario for Pari-mutuel racing?
After the local endorsement of the voters, preparation time could be six months to several years, depending on the level of development. A racing season might be for approximately 10 weeks, with both the Alaska and Tanana Fairs as the more competitive exhibitions. As participation increases, so would the growth.

Pari-mutuel professionals tell us that an average scenario would include typically eight races a day, with eight entries per field. Estimates indicate that 270 animals would be required for a successful start-up.

The most important thing about this type of racing is the controlled conditions which will guarantee the integrity of the race. Sophisticated racing equipment would be rented from outside; this is very normal procedure elsewhere, where racing is on a similarly small scale.

6. What is the fiscal note for HB 32?
Our expectation for the fiscal note is relatively small, based on the assumption that this is a 10 week season. The Commission will be providing the initial professional expertise. One and sometimes two staff persons will assist (part-time) in the preparation of regulations, public hearings, and paperwork. Based on the development of races and facilities, the employment requirements would follow the same growth curve.
7. Will team dog racing compete with existing dog races in Alaska?
No. In fact, the Alaskan Musers feel it would be good for their sport as well. Dog team races would probably occur in the summer when similar training occurs anyway. A team of dogs would use the same racing facility, only under slightly different track conditions. Naturally horses and dogs would not race at the same time.
8. What is the role of the Racing Commission?
The Commission will regulate racing and pari-mutuel racing. Their wide range of regulatory responsibilities are outlined clearly in the bill, including their specific enforcement powers regarding prohibited acts and penalties.

The Commission shall adopt regulations; appoint officials; supervise and distribute the pool; ascertain standards for veterinarians, equipment, audits, and other related matters; license races; inspect racetracks and animals; establish dates, durations, locations, fees; account for all records, collections and disbursements; hire staff; compel witnesses; and appoint hearing officers.

9. Has there been Pari-mutuel Legislation introduced in Alaska before?
Pari-mutuel legislation was introduced in the 10th, 11th, and 12th Legislative sessions. It passed the house in the 10th session, but died in the Senate. In both the 11th and 12th Legislative sessions the proposed legislation was never considered by the first committee of referral.
10. How is CSHB32 different from the earlier Pari-mutuel legislation?
Prior legislation did not require a majority municipal referendum nor did it require a municipal permit.
11. How is para-mutuel wagering different from other games of chance and contests of skill?
Oversight and regulation is much greater. The complexities of the wagering system and accompanying safeguards were built into it purposefully.

CSHB 32 legislates pari-mutuel guidelines which will disallow abuse. (A "totalisator" is used which is an especially designed electrical device which calculated the bets and determines the winnings--according to the odds.) The regulatory nature of the Commission coupled with the required, sophisticated equipment enhance the pari-mutuel system to offset tampering and to ensure security for the establishment and the bettor.
12. What is a "typical participant" in pari-mutuel wagering?
Studies have shown that participants are generally white collar workers with one or more years of higher education and an income of \$35,000 or more. Achievers (loosely defined as managers, administrators, business or government leaders, educators or politicians) are common participants in pari-mutuel racing.

13. How would this system affect the non-participants?

It wouldn't, except by choice. First, it would have to be a local decision to allow pari-mutuel wagering within the municipality. Sec. 05.40.120 requires a municipality to have a majority referendum authorizing pari-mutuel racing. Sec. 05.40.120 requires a public hearing before issuance or renewal of a license.

Secondly, and more importantly, it would be an individual choice to partake in wagering. The vulnerability of an individual can not be regulated. Article 3 prohibits a person under the age of 18 to use the pari-mutuel system.

14. How have other states benefited from pari-mutuel wagering?

Other states have benefited by revenues to the general fund, tourism potential, animal sales, construction and real estate purchases (some states constitutionally allow dedicated funds and many specific groups have benefited--such as capital improvement projects, school systems, or rehabilitation).

Texas, another state financially hurt from declining oil revenues, has just recently approved a pari-mutuel racing bill which will allow a statewide referendum regarding the issue. A co-sponsor estimates that if pari-mutuel wagering is approved, the state's general fund will benefit to the tune of \$110 million by 1991.

15. Who would be the monetary beneficiaries?

The licensee (usually a privately owned track) makes money by taking 15% of the pool. This figure is set high at the beginning, so as to allow for a quicker return on the private investment.

The state, which establishes the Commission, also takes a percentage equalling 10% of the pool. In addition the state is the recipient of all licensing revenue and can collect up to \$1.00 of the admission tickets.

The entrants would receive 10% of the pool respectively in the form of purse money.

The participants who have the "winning tickets" share the remaining 65% of the pool.

The municipality would be able to tax the property and collect a portion of the admission and concession fees, resulting in local revenue.

Horse Racing At The Fair



TRIPLE TUFF leads the field in one of last year's races at the new Alaska State Fair race track south of Palmer.

Riding is Bobby McCarthy Jr. Triple Tuff is now owned by Len and Marsha Melton.

Photo Finish At State Fair

6-29-74
Times

Nearly 1,000 people gathered at the Alaska State Fair race track in Palmer over the weekend to watch 22 horses charge across the finish line with one race so close only the photo finish camera could tell the winner. Great interest has generated among the crowd in racing.

Friday night the 220 winner was Pow Wow Gidget owned by Eills Enterprises and ridden by Dana Richmond; second Thanks Doc, owner Jinx Coster, jockey Sissy Melton; third was Dungaree ridden by Steve Clark and owned by Dennis Clark. In the 350, Doc won over Pow Wow Gidget.

The 440 saw Babe's Twig owned and ridden by Cecil Premus take the race with Triple Tuff owned by Len Melton, ridden by Hoot Melton, hot on his heels and Moon's Hotshot, Ellis Enterprises and jockey Dana Richmond taking third. Just a Bird and Mac's Little Kid also ran.

General Bars ridden by Bob McCarthy, owner Dennis Clark, won over Nile Queen ridden by Kris Roetman, owned by Emmett Roetman. Both are thoroughbreds.

An exciting cow pony race

with eight entries had only a third place winner, Danny owned and ridden by Kelly Wilson. The first and second place animals were disqualified for fouls.

Outstanding weather contributed to standing room only for Saturday afternoon racing. Pow Wow Gidget took Thanks Doc and Ragged Ann owned by Esther Erikson and ridden by Terry Erickson in the 220.

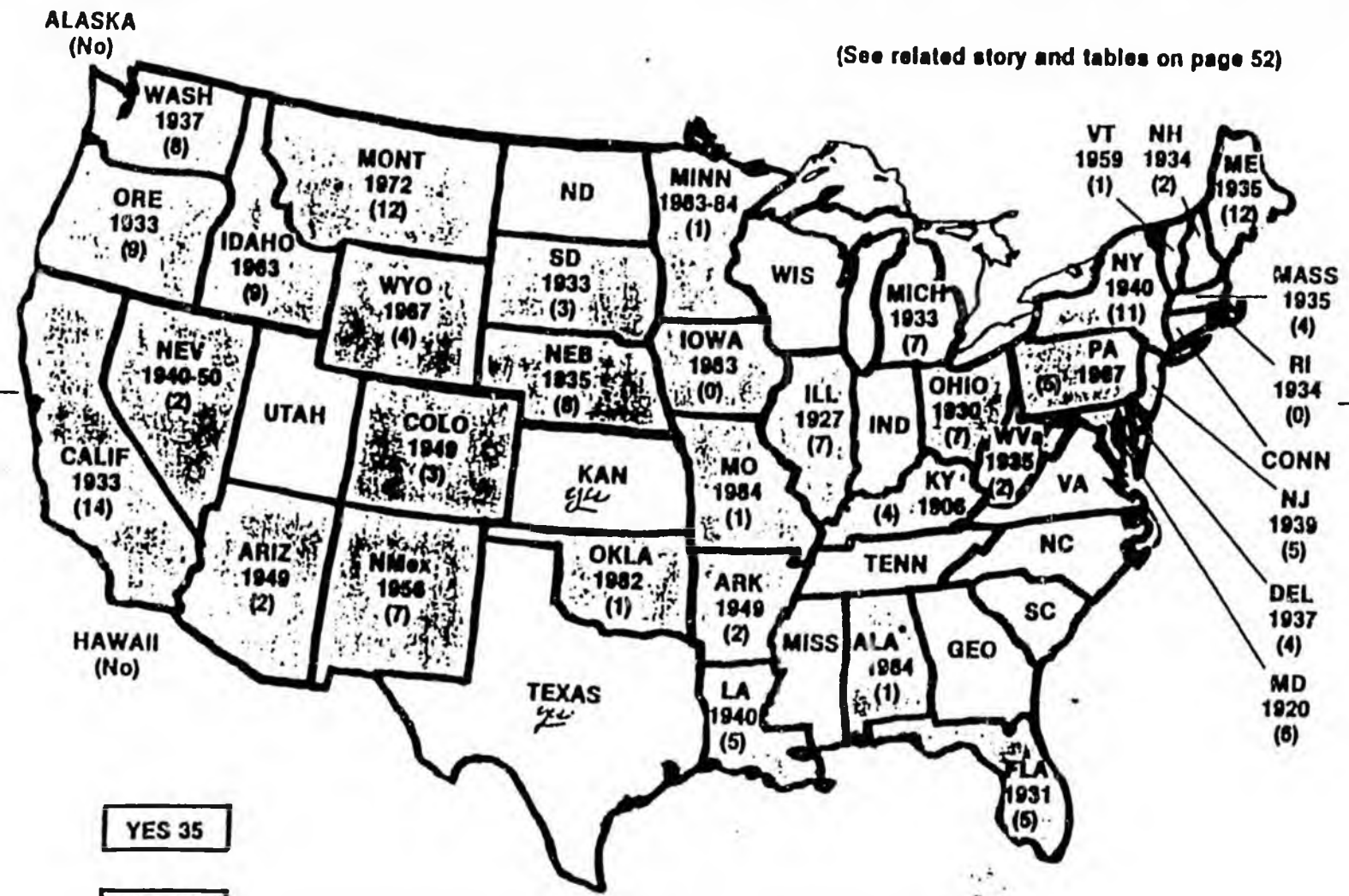
The next racing date will be Saturday and Sunday at 2 p.m. on July 6 and 7. Race horse owners may practice at the Alaska State Fair, Inc. race track one mile from Palmer on Tuesday and Thursday evenings, 7:30-9:30 p.m. and Sunday afternoon from 2-4 p.m. (except on racing days). Ed Premus will be the gate keeper while Vernon France is on vacation.

Performance horse racing

Parimutuel wagering: A look at where it's at

racing

(See related story and tables on page 52)



YES 35

NO 15

() number of licensed parimutuel horse tracks including fairs

Governor Appoints

OVERSIGHT BY
AG's Office

ALASKA RACING COMMISSION

LICENSING

SUBJECT TO
MUNICIPAL
REFERENDUM
AND
PUBLIC
HEARINGS

RACE
MEET
Operators

SUBJECT TO
Background
checks &
licensing

Concession
Operators

RACE MEET
PARTICIPANTS

OVERSIGHT
Adopt Regulations
Reporting Function
Supervision
Establish Standards
Set fees, licenses
Keep records & reports
Inspections
Investigations
Appointments

ALL SUBJECT TO
INVESTIGATIONS



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 29, 1986

MEMORANDUM

TO: Representative Mike Szymanski

ATTN: Paula Terrel

FROM: Penelope Weyhrauch
Legislative Analyst

RE: Parimutuel Wagering
Research Request 87.055

You asked for a discussion of state parimutuel wagering programs and revenues received from the programs. You were particularly interested in state fair parimutuel programs, and in the type of people who attend parimutuel wagering activities. In regard to Alaska, you were interested in the amount of revenues that could be generated by parimutuel wagering in the state, and whether or not dedicating parimutuel wagering revenue would violate Alaska's constitutional prohibition on dedicated revenues.

Parimutuel Wagering in the United States

In parimutuel wagering events, all bets on a given race are placed in a common pool, which is proportionally divided among those holding winning tickets after the race is run. Parimutuel wagering events are usually horse and dog races. Some form of horse racing is legal in 36 states, and is actually in operation in 30 states. Thoroughbred racing is legal in 36 states, harness racing in 28 states and quarter horse racing in 23 states. Greyhound racing is legal in 15 states and is operative in 14 states. Attachment A lists by state: parimutuel turnover (gross "handle"), number of racing days, number of races, and race attendance.

Parimutuel Wagering Revenues. Prior to distributing the pool among the winners, a specified percentage, or "takeout", is withheld. The takeout percentage in the western states ranges from 15 to 25 percent. The takeout percentage may be a constant percentage for all wagering pools or may depend on the type of bet, track, or type or number of horses. It may also vary according to whether the meet has a commercial or nonprofit purpose. The takeout is divided between the horse or dog owners' purses, the track, and the state in which the racing is conducted. Table 1 lists the western states and the distribution of the takeout in each state.

TABLE 1

Takeout Percentages and Distribution
in the Western States

State	Total Takeout	State	Meet Operator	Purses	Purse/Breeding Supplements	Other
ARIZONA						
Ave. Handle < \$200,000						
1st \$100,000	18-25	2	15-22		1	
All Additional	18-25	5	12-19		1	
Ave. Handle > \$200,000						
1st \$100,000	18-25	3	14-21		1	
All Additional	18-25	5	12-19		1	
CALIFORNIA						
Thoroughbreds						
Total Handle < \$250 M.	15-19.75	4.0-6.85	5.26-6.98	4.10-5.88	.34	
Total Handle > \$250 M.	15-19.75	5.7-7.45	4.93-6.49	4.03-5.47	.34	
Quarterhorses	15-19.75	2.5-5.55	6.16-8.43	5.04-7.06		
Harness	16-23.75	1.5-4.79	7.26-12.19	5.28-8.31		
Fair Meets						
Daily Handle < \$650,000	16-20.75	2.0-5.75	5.76-9.32	6.24-9.68		
Daily Handle > \$650,000	16-20.75	4.65-6.40	5.45-7.01	5.90-7.34		
COLORADO						
Commercial Tracks	18.5	3.5	15			
Non-profit Tracks	22.5-23	4	13	5.5	.5	
IDAHO	20-20.75	1.25-2.0	15.5-17.5		1	.25-2.25
MONTANA	20-22	1-1.6	19		0-1.4	

TABLE 1 (Continued)

State	Total Takeout	State	Meet Operator	Purses	Purse/Breeding Supplements	Other
NEVADA						
State Fair, others receiving state or local aid	18	1	17			
All others	18	2	8	8		
NEW MEXICO						
Daily Handle						
1st 250,000	18.75	2	16		.75	
Amount bet. \$250-350,000	18.75	2.5	15.5		.75	
Amount bet. \$350-400,000	18.75	3.5	14.5		.75	
Amount over \$400,000	18.75	6	12		.75	
State Fair	18.75	2	16		.75	
OREGON						
Commercial	18-22	4.5-5.5	6.05-8.75	6.25-6.925	1	.2
State Fair	19-25	.9-2.9	11.5-13.5	5.4-7.4	1	.2
Non-Commercial	16-22	.9-2.9	8.5-11.5	5.4-7.4	1	.2
Non-profit, all others	16-22	1.2-4.2	14.8-17.8			
WASHINGTON						
Daily Handle						
1st \$200,000	15-24.5	.5-4.0	14.5-20.5		1	
Amount bet. \$200-400,000	15-24.5	1-4.5	14.0-20		1	
Amount over \$400,000	15-24.5	4-7.5	11.0-17		1	
WYOMING						
	20	1	19			

SOURCE: National Association of Racing Commissioners, Pari-Mutuel Racing, 1985, pp. 13-16, and state statutes.

As shown in Table 1, the states' percentage of the takeout ranges from .5 to 7.5 percent. Takeout revenues received by state governments include revenues from track licenses, occupational licenses, parimutuel taxes, breakage (monies in excess of actual payoffs for winning tickets--calculated to the nearest nickel or dime), and admission taxes. Attachment B lists the total revenue and categorized revenue received by states from parimutuel wagering in 1982.

The states apply their percentage of takeouts from parimutuel wagering to different purposes. Table 2 lists the western states' application of their percentage of takeout. State takeout is distributed primarily to a state's general fund and to the State Racing Commission. Some states also fund their fair commissions through parimutuel revenues. Attachment C summarizes tax methods applied by states on parimutuel wagering activities.

Parimutuel Wagering Participants

According to a demographic study done by Dr. John Koza, parimutuel wagering is most likely to occur among white collar workers with one or more years of higher education and with household income of \$35,000 or more. It is less likely to occur among black or hispanic persons with household income of \$7,500 or less. According to Dr. Koza, the poor under-participate in horse racing probably because of the expense of transportation to the races and the relatively high playing expenses.

In regard to particular groups involved in parimutuel wagering, Dr. Koza found that "achievers" more frequently participate in parimutuel wagering than other groups. Achievers are defined as managers, administrators, and leaders in business, government, education, and politics. Dr. Koza estimates that 22 percent of Americans are achievers. Attachment D lists gambling groups identified by Dr. Koza and indexes the gambling activities they frequent.

The Commission on the Review of the National Policy toward Gambling prepared information on demographic characteristics of on-track bettors in 1974. Table 3 shows that (in 1974) 14 percent of the adult population bet on horse races and four percent of the adult population bet on dog races. Proportionately more men than women bet, with betting increasing as income and educational levels increased.

The family income and horse race betting chart (the lower portion of Table 3) shows that families earning under \$5,000 a year spent a higher percentage of their income on horse races than those earning more money. However, a 1975 survey completed by the National Gambling Commission found that persons in the under \$5,000 family income category had the lowest level of participation in racetrack betting of any income category.

1 The 1985 Consumer Price Index was 52.6 percent greater than the 1974 Consumer Price Index. 1974 Family Income listed on Table 3 should be multiplied by 152.6 percent to reach equivalent 1985 income levels. For example, a family with an income level of under \$5,000, becomes a family with an income level of under \$7,630.

TABLE 2
Distribution of State
Takeout Share

State	Use or Recipient	Percentage or Amount
Arizona	General Fund	61%
	Agriculture Promotion Fund	12%
	Breeders Awards	9.5%
	Fair Racing Betterment Fund	7.5%
	Coliseum Support Fund	6%
	Commission Expenses	4%
California	Fairs and Exposition Fund*	.63%
	General Fund	99.37*
Colorado	Commission Expenses	varies
	General Fund	all remaining funds
Idaho	Commission Expenses	100%
Montana	Commission Expenses	100%
Nevada	Commission Expenses	varies
	County Agriculture Assns.	all remaining funds
New Mexico	General Fund**	100%
OREGON	County Fair Commission	10.5%
	Counties	\$22,000+ each
	Various local shows & events	\$1,000 to \$8,000
	Commission expenses	varies
	OSU School of Vet. Medicine	.1% of gross handle
	General Fund	all remaining funds
Washington	General Fund	47%
	County fair fund	30%
	Commission Expenses	20%
	State Trade Fair Fund	3%
Wyoming	Commission Expenses	100%

SOURCE: National Association of Racing Commissioners,
Pari Mutuel Racing, 1985, pp. 13-16 and state statutes.

* Commission expenses are paid from this fund.

** The commission is funded from the general fund.

Source: John Houser, "Racing Takeout in the Western States" Research
Monograph 86:153, Oregon Legislative Research, August 13, 1986.