

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
6628 SENATE STATE AFFAIRS

1032

February 8, 1989

RECEIVED FEB 9 1989

To: Senator Arliss Sturgulewski, Chairman
Senate Rules Committee

From: Reed Reynolds, Director
Southeast Region Emergency Medical Services Council
207 Moller Drive, Sitka, AK 99835

For years the board and staff of Southeast Region Emergency Medical Services Council have witnessed the results of boating safety practices that are clearly inadequate. We have observed and supported the efforts of the young evolving Alaska Marine Safety Education Association. Such programs offer real hope for improvement in the record of Alaska's most unsafe industry.

However, it is our observation that boating in Alaska continues to be relatively unsafe. Public cost, costs to family and business, together with quality of life all cry out for the State of Alaska to provide direction. Boating safety efforts cannot achieve their full potential lacking the incentive and initiative of a state legislature which says unsafe boating practices in Alaska are not acceptable!

In late January, 1989, the commander of the Coast Guard base in Sitka commented before the Sitka Chamber of Commerce that Alaska is the only state without a boating safety act. You have been presented with facts which document the unsafe and high cost condition of boating in Alaska. It seems clear that we can no longer rely on the assumption of individual responsibility for boating safety. It is the opinion of the board and staff, the emergency medical services community in Southeast Alaska, that the State of Alaska must provide responsible direction and leadership towards a resolution of this tragic condition.

This letter offers the full support of the Southeast Region EMS Council for SB 111 and commend you, your staff and those working for improved boating safety in Alaska. Your leadership is recognized and appreciated. Please let us know if there is anything we can do that will assist those considering this legislation.

cc: Senator Pat Pouchot, Chairman
Senate State Affairs Committee

Senator Rick Uehling, Co-Chairman
Senate Finance Committee

Senator Jim Duncan
Senator Dick Eliason
Senator Lloyd Jones
Representative Peter Goll
Representative Ben Grussendorf
Representative Bill Hudson
Representative Robin Taylor
Representative Fran Ulmer

Safe boating law needed now

Capt. Michael Stenger is worried and frustrated. As chief of the Search and Rescue Branch of the 17th Coast Guard District, the men and women who work for him risk their lives to rescue Alaskans who get into trouble while boating. Many times, they reach the accident victims in time to save them. Sometimes - too many times - they can't reach them in time or the accidents occur on inland waters away from where the Coast Guard operates. In Alaska, 70 percent of all boating deaths in 1986 were on lakes and rivers.

He is worried because he knows dozens more Alaskans will needlessly die this year in boating accidents. He knows that because that has been the case every year. In 1986, for example, 53 Alaskans died in boating accidents.

That makes boating accidents second only to traffic accidents as the greatest cause of accidental death in our state. Alaska's boating death rate is 28 times the national average, based on a per-boat average.

He is frustrated because he knows more can be done to stem the rising tide of boating deaths. But the Alaska Legislature has refused to act, leaving Alaska as the only state without a safe boating law. California has one. Washington has one. Iowa has one. But Alaska doesn't.

Because Alaska doesn't have a safe boating law, safety education and awareness are lacking and enforcement of safe boating practices - especially on inland waterways - is lacking. And people are dying.

Would a safe boating law really make a difference in the death toll? Yes. Statistics show that since the federal Safe Boating Law was passed by Congress in 1971, the overall number of boating fatalities has decreased by 30 percent even though the number of boats has increased by 50 percent.

Stalled in both the state House and Senate finance committees are identical bills that would enact a safe boating law in Alaska.

Such a law would promote safety and safety education, and instead of draining the state treasury, it would make money for Alaska. Because it provides for the Department of Public Safety to take over boat registration, it would bring in about \$250,000 per year after administrative costs and the salaries of 16 people needed to run it are taken out.

One of the basic goals of the legislature is to ensure the safety of Alaskans. Without the passage of a safe boating law, this legislature cannot say it has fully lived up to that goal.

There may be reasons for not supporting a safe boating bill for Alaska, but no good ones.

ISSUE: Safe boating bills stalled in legislature

succeeded in his crusade to get the government to ban lawn darts. But bet on him.

The darts are about a foot long, with plastic fins and steel points. They are thrown at targets in a game comparable to horseshoes: Descending on a normal arc, they strike with a force that one researcher estimates at 23,000 pounds per square inch.

The mills of government grind slowly, and that is generally good. But for 18 years - longer than there

One student

THE CHICAGO TRIBUNE

The assistant professor called all the way from upstate New York, seeking sympathy and understanding.

I could understand why she was upset. A federal judge had just sentenced her to six months in prison for having fraudulently obtained a student loan a few years ago.

She said she was shocked by the harsh sentence. While she expected to be punished, she couldn't believe that she would be sent to prison.

And I can understand that, too. The government has been ineffective, if not tolerant, in collecting billions of dollars in deadbeat student loans.

Government officials bluster and make threats, but little is done to get the money. There are too many deadbeats to chase down.

So suddenly Assistant Professor A'isha Ajayi, 30, found herself in front of a stern Vermont judge who says she must be locked up. (If you're curious about her name, she was born Karen Babcock, in Connecticut, but changed her name for religious reasons.)

Her reaction to the prison sentence is: "Why me?"

The sentence is unusual. Maybe other student deadbeats have been jailed, but she's the first that I've heard of.

"I was arrested last August," says Ms. Ajayi, who now teaches telecommunications at the State Uni-

LETTERS

Dear Editor:

It may have escaped your attention, but the state of Alaska, you, and the Alaska Marine Highway System, passed an historic milestone back in January - the 25th anniversary of

provided by Stungulewski
Juneau Empire - date?



Alaska State Legislature



SENATOR
ARLISS STURGULEWSKI

Chairman, Senate Community and Regional Affairs Committee
Vice-Chairman, Senate Judiciary Committee
Member, Senate Resources Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508


While in Juneau
P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

January 6, 1989

TO: All Senators

FROM: Senator Arliss Sturgulewski 

RE: Boating Safety Legislation/Co-sponsorship

Alaska has the highest boating fatality rate in the nation. The U.S. Coast Guard has stated that Alaska's recreational boating death rate on a per capita basis is 28 times the national average. In 1987 there were 46 recreational boating deaths and 70% of these occurred in the inland regions of Alaska where no boating safety program exists.

Alaska is the only state in the Union without a boating safety program. The U.S. Coast Guard concentrates its efforts in federal waters and on commercial vessels but there is no statewide organized program for recreational boating.

There would be no general fund impact by establishing this program. Federal funds are available if Alaska adopts a boating safety and registration program. An estimated \$250,000 from federal funds would be available each year. The remaining funds would come from program receipts from the boating registration fees.

There is growing support for a boating safety bill and I will be re-introducing the attached legislation again this session.

If you would like to add your name as a co-sponsor, please contact Frank Homan on my staff at 465-3818 before Friday, January 13.

Attachment

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 4, 1989

SUBJECT: Sectional Summary of SB 111; An Act relating to boating safety, boating accidents, and boat numbering; and providing for an effective date

TO: Senator Arliss Sturgulewski

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is the sectional summary of SB 111 requested by Frank Homan of your staff.

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

Section 1 of the bill provides for reporting of boating accidents and for enforcement of boating safety standards and boat numbering requirements by the Department of Public Safety.

ARTICLE 1. BOATING SAFETY.

Sec. 05.25.200 requires the Department of Public Safety to offer educational programs to reduce boating accidents.

Sec. 05.25.210 sets out the safety equipment that a boat must carry.

A boat must carry and exhibit a white light that is visible all around the horizon.

A boat must carry one flotation device for each person on the boat. The flotation device must be of a type approved by the Coast Guard for the class of vessel.

The commissioner of public safety may require a boat or class of boats to carry additional safety equipment.

Sec. 05.25.220 sets out the requirements for boats operating in the vicinity of divers.

A diver may display a diver's flag while in the water. The diver must remain within 100 feet of the flag while at or near the surface. The minimum size and design of the flag are set out.

A boat operator must proceed with caution in the vicinity of a diver's flag.

A diver's flag may be used with, but not in place of, any flag required by the Coast Guard.

Sec. 05.25.230 prohibits a person to operate a boat, water skis, surfboard, or other similar device in a negligent manner, or to operate a boat that is not equipped as required by this chapter.

Sec. 05.25.290 provides that AS 05.25.210 - 05.25.290 are applicable to all water in the state to the extent that the federal government does not have a conflicting regulation. Federal regulations prevail over state law where there is a conflict.

The commissioner of public safety shall adopt regulations to implement AS 05.25.210 - 05.25.290. These regulations shall specify those waters of the state to which each regulation applies.

ARTICLE 2. BOATING ACCIDENTS.

Sec. 05.25.300 sets out the duties of boat operators and witnesses at boating accidents.

The operator of a boat that is involved in a boating accident that results in death, injury, or property damage shall remain at the scene of the accident and render reasonable assistance to injured persons and provide the names of occupants and the identifying number of the operator's boat to operators or survivors of the other boats involved in the accident.

A witness to a boating accident shall provide the witness's name to the operator and occupants of each boat involved in the accident, to injured persons, and to the owner of the property damaged in the accident.

Sec. 05.25 305 provides for reports of boating accidents involving the death or disappearance of a person.

The operator of a boat involved in an accident resulting in the death or disappearance of a person must notify the department of relevant information as soon as possible. If the operator of the boat is not available to give the notice, the owner or other persons on the boat must give the notice to the department.

Sec. 05.25.310 provides for reports to the department of accidents involving death, injury, or disappearance of a person or significant property damage or loss of the boat.

The department may require persons to submit supplemental reports. The department may also require witnesses to submit reports.

A report is required within 48 hours after the accident if a person dies within 24 hours after the accident, is injured, or disappears as the result of an accident. Reports not required to be submitted within 48 hours must be submitted within 10 days after the accident.

The department shall provide forms for reporting accidents. The forms shall request information required by Coast Guard regulations.

Sec. 05.25.315 provides that the state registrar of vital statistics shall forward to the department a copy of the death certificate for each death resulting from a boating accident.

Sec. 05.25.320 provides for the confidentiality of accident reports.

Accident reports are confidential and are solely for the use of administrative and enforcement agencies.

The department may disclose the following information to a party involved in an accident: the identity of the owner, operator, and occupants of each boat involved in the accident, the identifying number of each boat, the names of insurance companies insuring parties involved in the accident, and the identity of witnesses.

Accident reports may not be used as evidence in a civil action or criminal prosecution arising out of the action.

The department shall compile and analyze information from accident reports. The department shall publish statistical information on boating accidents.

The department shall provide information on accidents to federal officials as required by federal law.

Sec. 05.25.325 provides that AS 05.25.300 - 05.25.325 apply to all boats operated in the state except those exempted by state or federal law. Among the vessels exempted from AS 05.25.300 - 05.25.325 are documented vessels operated only for nonrecreational purposes, foreign boats temporarily in state water for nonrecreational purposes, boats owned and operated by the federal government, and a ship's lifeboat. ↓

ARTICLE 3. NUMBERING AND REGISTRATION.

Sec. 05.25.400 requires boats to have a certificate of number.

A person may not operate a boat unless the owner of the boat holds a certificate of number for the boat and the certificate of number is carried on the boat and accessible for inspection.

Certain boats that are leased for a short term, noncommercial purpose are exempted from the requirement that the certificate be on board the boat if certain conditions are satisfied.

Sec. 05.25.405 provides for the placement of a boat's identifying number and decal.

A boat may not be operated in this state unless the boat displays its identification number and validation decal.

An identifying number shall be permanently located on the forward half of the boat or other appropriate position so that it is readily visible. No other number may appear on the forward half of the boat. The validation decal shall be placed three inches behind the identifying number.

Sec. 05.25.410 provides for the application for a certificate of number.

The owner of a boat or a boat dealer shall apply to the department for an identifying number. The applicant for an identifying number shall sign the application and pay the application fee.

A certificate of number issued to a boat dealer may be valid for more than one boat.

Sec. 05.25.415 provides for the application for a certificate of number for a boat that has already been awarded a certificate of number by the federal government or another state.

The owner of a boat that already has an identifying number issued by the federal government or another state must apply for a certificate of number from the department within 10 days after the appropriate reciprocity period expires. The reciprocity periods are set out in AS 05.25.445(6) and (7).

Sec. 05.25.420 provides for certificate of number fees to be set by the department.

Sec. 05.25.425 provides for the issuance of certificate of number and validation decals. The certificate of number must be wallet size and contain information describing the boat. The color of the validation decal shall be rotated over a four-year cycle.

Sec. 05.25.430 provides for the expiration of certificates of number and renewal and reissuance of certificates of number and validation decals. The identifying number of the boat does not change when the certificate of number is renewed.

Sec. 05.25.435 provides that a certificate of number is invalid if the boat is subsequently documented, the boat is destroyed, the applicant provides false information on the application, the boat has left the state for 60 days, or the owner of the boat loses ownership of the boat.

Sec. 05.25.440 provides that the owner of a boat must inform the department if the boat is transferred or sold, lost, stolen, recovered, or destroyed. The owner must also inform the department when the boat is no longer principally used in the state. The owner of a boat must also report a change of address.

Sec. 05.25.445 provides for exemptions from AS 05.25.400 - 05.25.440 for boats that are documented, foreign boats operated only temporarily in state water, owned and operated by the federal government or the state (other than a recreational type boat), a ship's lifeboat, or otherwise granted an exemption. Boats with a certificate of number issued by the federal government or another state are exempt for certain periods after entering the state.

ARTICLE 4. GENERAL PROVISIONS.

Sec. 05.25.900 provides for accounting and disposition of fees collected under this chapter.

Sec. 05.25.910 provides that the commissioner of public safety may exempt boats from provisions of this chapter, except when the exemption is inconsistent with federal law.

Sec. 05.25.920 provides for enforcement of this chapter by peace officers.

Sec. 05.25.930 provides that a violation of this chapter is a misdemeanor and is punishable by a fine of not more than \$500 or imprisonment for not more than six months or both.

Sec. 05.25.940 provides that the commissioner of public safety shall adopt regulations under the Administrative Procedure Act as necessary to implement this chapter.

Sec. 05.25.990 establishes definitions of "boat", "certificate of number", "commissioner", "dealer", "department", "length", "operate", "owner", "ownership", "passenger", "state of principal use", and "state water".

Section 2 of the bill repeals the existing state statutes relating to the operation of boats and boating safety, AS 05.25.010 - 05.25.100.

Section 3 of the bill provides that this Act takes effect January 1, 1990.

SB III
3-9-89

USCG - any boats registered Kotzebue?
Barrow?

USCG Stenger, USCG Harben, Jeff, DPS Pence, Manning, DHSS Homan

2 people in each - seasonal only

Thank suggest phase in.

Jnu
Palmer
Homer
Soldotna
Tbx
Cordova
Sitka

come on 1st yr.

come on 2nd yr

- education
- voluntary checks
- patrol marine events
- accident investigation
- make sure registered

USCG auxiliary will continue to do education
USCG will continue to provide boating safety on all navigable waters - problem is don't have resources to do a good job. not primary mission

What level of enforcement will feds. require?

USCG - don't think ^{state needs} enforcement unit in SE AK.

- excellent compliance, good CG presence
- Don't need state educ. either (CG auxiliary)

Stetcher has sent copy of bill + F/N to CG guy who ^{Bob D. Weiss in D.C.} approves programs. Waiting to hear from him.

DPS - ^{F/N contains} educ. specialist who will serve as trainer

+ 60.0 contractual

AMSEA at Seward (AVTEC) does instructor training. so does USCG

Have trained volunteers, Troopers, ADFAG, USFWS, etc.



Per USCG Hdqtr.

1988-7 states - boating pop. same as Alaska

educ. expenses: ME

ND

Most states put most \$ into enforcement - Skinger thinks should be just the opposite!

NV 336,500

SD

NM

VT \$633

range \$336,500 to \$633 - flexibility!

12-300 = range of enforcement officers nationwide. Not all state people - county sheriffs!

SB III says any police officer can enforce.

Gretchen - can't cut anywhere but compliance

priority order by USFWS

state needs a presence in Southeast - biggest boat lost area in state

- Jane
- Homer
- Soldotna
- Palmer
- Fox
- Sitka
- Cordova

Suggest Frank - 2 teams 1st yr. Emphasize educ. in other areas 1st yr.

Congress considering requiring title-ing of boats - if passes, state would have to handle this, too, to receive fed. \$

DPS does have seasonals that do enforcement - 90% of time is spent on commercial fisheries. ADF&G guys who check fish size, etc. have 1 week training from DPS.

Gretchen will look at things we've discussed, including increasing fee - \$35 triennially?

F/N incl. no \$ for software, hardware, etc. Counting on getting from USCG.

U.S. Department
of Transportation
United States
Coast Guard



Commandant
United States Coast Guard

Washington, D.C. 20593-0001
Staff Symbol:
Phone: G-NAB/42
(202) 267-1077

16750

MAR 14 1989

From: Commandant
To: Commander, Seventeenth Coast Guard District (b)

5B111

Subj: ALASKA STATE BOATING LAW

Ref: (a) PHONCON CAPT Gr'swold (G-NAB)/CDR Harben (b)

1. As discussed in reference (a), I held a brief meeting regarding Alaska's State Boating Law on 13 March here at Headquarters. Our initial review of Alaska's proposed boat numbering regulation indicates substantial compliance with the requirements for approval of a state's numbering and casualty reporting system. I can say, comfortably, that we could approve Alaska's numbering and casualty reporting system contingent upon review of state implementing regulations and some minor adjustments to the proposed legislation language. This has been done before, most recently in New Hampshire. Approval of the numbering system would make Alaska eligible for at least a portion of the Wallop-Breaux funds.

2. States have been given wide latitude defining their safety program efforts. I would urge Alaska to concentrate its efforts in those areas that traditionally have suffered the most accidents. Other states have elected to include volunteer efforts as part of their overall scheme; therefore, not duplicating safety programs in common locales. Since the Coast Guard Auxiliary is alive and well in many Alaskan coastal communities, it would seem logical that Alaska might consider the interior of the state to begin their education program.

3. In closing, all of us in Headquarters are anxious to have Alaska on board. Had Alaska had an approved numbering system for FY89, its allocation would have been about \$200,000. This would account for two of the three sources of Wallop-Breaux, namely the equal share and number of registered boats. Subsequent years, Alaska's expenditures would add to the formula. We support your efforts, Senator Pat Pourchot's interest and the Department of Public Safety's assistance.

Handwritten signature of W. S. Griswold in cursive script.
W. S. GRISWOLD

Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling

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

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: March 6 Committee Meeting
DATE: March 4, 1989

On Monday, March 6 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SJR 18, Proposing an amendment to the Constitution of the State of Alaska relating to income from the permanent fund.

SJR 18 would amend the Constitution to specify that income of the permanent fund be appropriated for dividends, to the fund principal, and for administrative costs of the fund. Any other use would require voter approval.

SB 69, An Act providing for an advisory vote on the use of the earnings reserve account.

SB 69 would provide for an advisory vote on distributing the balance in the earnings reserve account of the permanent fund as follows:

- 50% to the general fund
- 25% to the principal of the permanent fund
- 25% for a special dividend

SB 73, An Act relating to retirement incentive programs for the public employees' retirement system and the teachers' retirement system

A draft committee substitute is being prepared that would:

Place the program into temporary law rather than permanent statute.

Require that cost savings be demonstrated in 3 years rather than 5. Three years corresponds to the number of years the employer has to reimburse the retirement program.

Prohibit participation by assistant commissioners.

Require that OMB maintain statistics on the program.

Modify the application "windows".

A draft letter of intent that calls for the state's RIP costs to be paid from within existing appropriations is attached. Also attached are the OMB guidelines on implementation of the original RIP, a comparison of the original RIP to SB 73, and additional information on RIP costs.

SB 111, An Act relating to boating safety, boating accidents, and boat numbering.

SB 111 would require the Department of Public Safety to offer public education programs designed to reduce boating accidents, to maintain an accident reporting system, and to establish a boat registration program. The bill incorporates current law regarding safety equipment and enforcement, and expands current accident reporting requirements.

In the absence of a state boating program, the Coast Guard is responsible for the registration of ^{vessels} ~~vehicles~~. Approximately 30,000 boats are currently registered in Alaska. The registration fee is \$6 triennially, with all fees being deposited in the U.S. treasury. The department estimates an additional 20,000 boats would be registered under the state program. Fees would be set by regulation; the fiscal note proposes \$30 triennially.

Wallop-Breaux funds, generated through a federal tax on motorboat fuel sales, are available to all states with a federally approved boating safety program. Alaska's share of these funds would be \$250-310,000 annually. These funds must be matched dollar for dollar with state funds which would be raised through boat registration fees. The department estimates a total program cost of \$800,000.

According to the U.S. Coast Guard, Alaska's death rate from boating is 28 times the national average per 100,000 registered boats, and the highest rate in the U.S. Alaska is the only state in the union without a boating safety program.

SB 111 BOATING SAFETY

TO TESTIFY

SENATOR STURGULEWSKI, SPONSOR (FRANK HOMAN)

GRETCHEN PENCE, DEPT. PUBLIC SAFETY

CAPTAIN MIKE STENGER AND COMMANDER JEOFF HARBEN, U.S. COAST GUARD

F.Y.I.

REDUCED FISCAL NOTE -- PROGRAM COSTS NOW COVERED BY BOAT REGISTRATION FEES. FEES WOULD BE \$30 TRIENNIALLY AS ORGINALLY PROPOSED. SAVINGS COME FROM REDUCING ENFORCEMENT OFFICERS FROM 14 TO 10 -- HAD ORIGINALLY PLANNED 2-PERSON TEAMS IN JUNEAU, PALMER, HOMER, FAIRBANKS, SOLDOTNA, CORDOVA, SITKA. NOW PROPOSE NONE IN CORDOVA AND SITKA BECAUSE OF COAST GUARD PRESENCE THERE.

ALSO, ESTIMATE OF FEDERAL FUNDS HAS BEEN REDUCED FROM 250.0-310.0 TO 200.0 TO 250.0

BILL AND FISCAL NOTE WERE SUBMITTED TO U.S.C.G. GUY IN WASHINGTON, D.C. THAT ACTUALLY APPROVES THE STATE PLANS. TWO CHANGES IN THE C.S. CAME FROM HIM. OTHERWISE, HE FEELS COMFORTABLE THAT ONCE IMPLEMENTING REGULATIONS ARE ADOPTED, PROGRAM WILL RECEIVE APPROVAL.

C.S.:

P. 13, L. 29 PENALTY IS INFRACTION (DEFINITION IN OTHER SECTION OF STATUTE SAYS MAXIMUM FINE \$300). BAIL COULD BE MAILED IN. ORIGINAL BILL WAS MISDEMEANOR.

P. 5, L. 3 TO CONFORM WITH FEDERAL LAW, MUST REPORT ACCIDENT IF PROPERTY DAMAGE EXCEEDS \$500 [\$200].

P. 8, L. 14 & P. 10, L. 19 AT U.S.C.G. REQUEST, ADDED SPECIFICITY REGARDING BOAT NUMBERING

P. 10, L. 9 DELETE PRORATING OF REGISTRATION FEES -- WILL BE HANDLED IN REGULATION (FEES WILL BE SET BY REGULATION, TOO)

PER U.S.C.G. 3/10/89: 52 BOATS REGISTERED IN KOTZEBUE
363 BARROW

3/6/89
slllpoop.txt

SB 111 BOATING SAFETY, BOATING ACCIDENTS, AND BOAT NUMBERING
TO TESTIFY

SENATOR STURGULEWSKI, SPONSOR (FRANK HOMAN)

GRETCHEN PENCE, DEPT. PUBLIC SAFETY

COMMANDER GEOFF HARBEN, U.S. COAST GUARD

JOHN MANNING, D.H.S.S. DIVISION OF PUBLIC HEALTH AND
ALASKA MARINE SAFETY EDUCATION ASSOCIATION

JOE GRAHAM, JUNEAU HARBORMASTERS

F.Y.I.

ALASKA WILL RECEIVE \$250-310,000 IN FEDERAL FUNDS. DEPARTMENT
SAYS MUST BE MATCHED WITH STATE FUNDS. HOW MUCH OF WHAT'S IN SB
111 IS REQUIRED BY THE FEDS. IN ORDER TO RECEIVE FEDERAL FUNDS?

DEPT. PUBLIC SAFETY PROPOSED AMENDMENT:

DELETE PAGE 10, LINES 6-7 (AS 05.25.420(B):

THE LANGUAGE CALLS FOR REGISTRATION FEES TO BE PRORATED
BASED ON THE NUMBER OF MONTHS THE REGISTRATION WILL BE IN
EFFECT -- DEPT. SAYS ALL REGISTRATIONS WILL BE ISSUED FOR
THREE YEARS.

FROM 1984-87 AVERAGE 57 DROWNING DEATHS PER YEAR IN ALASKA; 2ND
ONLY TO CAR ACCIDENTS. 40% ALASKAN NATIVES. 70% IN INLAND
WATERS (LAKES, RIVERS).

N.A.N.A. WANTS EXEMPTION FROM BOAT REGISTRATION FOR RURAL AREAS.
HOWEVER, A TANANA CHIEFS REPORT SAYS: WITHIN DOYON NATIVE
REGIONAL CORP. BOUNDARIES 1977-86 WERE 102 DROWNINGS -- 60 WERE
NATIVES. NATIVES ARE 13% OF POPULATION OF INTERIOR, BUT ACCOUNT
FOR 59% OF DROWNINGS.

THE LAW AND THE EDUCATION WORK! SINCE PASSAGE OF 1971 FEDERAL
SAFE BOATING LAW, FATALITIES NATIONWIDE HAVE DECREASED 30% WHILE
NUMBER OF BOATS HAS INCREASED 50%.

RE: EDUCATION. BILL DOESN'T CALL FOR INVOLVEMENT OF DEPT. OF
EDUCATION -- SHOULD IT?

THE ALASKA MARINE SAFETY EDUCATION ASSOCIATION IS INTERESTED
IN GETTING SOME OF THE FEDERAL MONEY. WHAT DOES THE ASSOCIATION
DO NOW? HOW ARE THEY FUNDED?

I COULDN'T TRACK DOWN A COPY OF ANOTHER STATE'S EDUCATIONAL
PACKET -- WILL PURSUE FOR A FUTURE HEARING IF YOU WANT. DEPT.
KNOWS THERE'S A LOT AVAILABLE FROM WHICH TO DRAW, BUT STRESSES
THAT IT MUST BE TAILORED FOR ALASKA'S CONDITIONS.

COAST GUARD REGISTERS BOATS IN ALASKA NOW -- 30,000. DEPT.
ANTICIPATES REGISTERING 50,000. WHY SO MANY MORE?

Ron Sommerville,
AK Outdoor
Council

Al opposes bill.
Sturgulewski
will suggest
lesser
penalties
for violation
in rural
areas
(infraction,
fine vs.
\$500
misd-
meanor)

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Falks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



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

907-485-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: March 22 Committee Hearing
DATE: March 21, 1989

On Wednesday, March 22 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 28, An Act prohibiting salaries for certain employees from exceeding the governor's salary

SB 28 would prohibit state employees' salaries, including cost-of-living adjustments, geographical differentials, longevity increments, and bonuses from exceeding the governor's salary. The prohibition would apply to the executive, legislative, and judicial branches and to the University, school districts and political subdivisions.

The prohibition would also apply to the Alaska Railroad Corporation, boards, commissions, authorities, and recipients of state grants if they receive at least 50% of their annual budget from the state.

The governor's salary is set in statute at \$81,648.

SB 111, An Act relating to boating safety, boating accidents, and boat numbering

SB 111 would require the Department of Public Safety to establish a boat registration system and to offer public education programs designed to reduce boating accidents. By doing so, the state would be eligible for \$250,000 to \$300,000 annually in federal boating safety funds, to be matched dollar for dollar with state funds. To be eligible for the federal funds, the department must provide an adequate level of enforcement of boating safety laws.

SB 111 was heard by the committee on March 6. The department was asked to review the projected cost of the program and the ability

of boat registration fees to cover program costs. A revised fiscal note will be presented at the hearing.

The attached committee substitute makes the following changes:

- Changes the penalty for a violation of the boating safety requirements from a misdemeanor (maximum \$500 fine, 6 month imprisonment) to an infraction (maximum \$300 fine). The fine could be paid without a court appearance.
- Increases from \$200 to \$500 the amount of property damage that would need to occur before an accident must be reported. This change conforms SB 111 to federal law.
- Clarifies, at the U.S. Coast Guard's request, the numbering system that would be used in registering boats.
- Deletes, at the department's request, a provision for prorating registration fees. The fee structure would be established by regulation.

HB 57. An Act authorizing the Violent Crime Compensation Board to pay compensation for personal injury or death to the victim of an assault in any degree

HB 57 would broaden the eligibility for compensation for violent crimes to include assault in any degree, rather than only first and second degree as under current statute. This would bring Alaska into compliance with the 1988 reauthorization of the Federal Victims of Crime Act, which requires that states provide compensation to victims of domestic violence (4th degree assault). The federal act provides funds in an amount equal to 35% of what the state pays in compensation to victims.

The Violent Crimes Compensation Board was established in 1972 to alleviate the financial hardships of medical expenses or loss of income sustained by innocent victims of violent crimes. The board consists of three members appointed by the Governor.

HB 57 has a \$20,000 fiscal note. In FY 89 the board received \$399,900 in state funds; the Governor has requested \$198,500 in supplemental funding. The Governor's FY 90 budget requests \$604,600 in state funds, including \$201,500 of Permanent Fund dividends not paid to convicted felons (per AS 43.23.005). In FY 88 the board awarded \$504,489 to victims; \$392,500 was state funds.

111mail.txt

ALASKA STATE LEGISLATURE

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
Juneau, AK 99811

907-465-3712

Senate State Affairs Committee

May 11, 1989

Brian Bergman, Harbormaster
City and Borough of Sitka
304 Lake Street
Sitka, Alaska 99835

Dear Brian:

Thank you for contacting me to express your support for Senate Bill 111, which would require the state to offer public education programs designed to reduce boating accidents, and to establish a boat registration program.

I, too, support SB 111 and am sorry to have to report that the bill did not make significant progress through the system this session. We held hearings on the bill in the State Affairs Committee in early March, but it got stalled in the Senate Finance Committee where it will stay until next session. I have spoken to the bill sponsor, Senator Sturgulewski, and am assured that she will continue to work on the proposal during the legislative interim in an effort to address the outstanding concerns.

Specifically, many bush legislators are concerned about the registration requirement -- concerned that the bill is punitive, rather than solely educational. In addition, there are concerns by many legislators that at a time when we are working to reduce the size and cost of state government, adding a number of compliance officers at a cost of several hundred thousand dollars annually is inappropriate despite the fact that program costs would be funded through registration fees and federal monies.

Personally, I am appalled at the large number of boating accidents suffered in Alaska each year and feel strongly that a boating safety program is needed. I assure you SB 111 has my support, and I am hopeful that it will be favorably considered next session.

Sincerely,

A handwritten signature in dark ink, appearing to be "Pat", written over the typed name.

Senator Pat Pourchot
Chairman

111mail.txt



City and Borough of Sitka

304 LAKE STREET. SITKA, ALASKA. 99835

April 19, 1989

Senator Pat Pourchot, Chairman
Senate State Affairs Committee
P.O. Box V
Juneau, Alaska 99811

Dear Senator Pourchot:

As Harbormaster and Port Director for the City of Sitka, I am personally concerned about the tragic and needless loss of life of my neighbors and fellow Alaskans on our waters.

Senate Bill 111, as introduced by Senator Sturgulewski, is a bill that can effectively reduce the loss of life and property of Alaskans. Required safety equipment and boating safety education are essential if the State is to be successful in reducing the number of lives lost in boating accidents.

As a member of the Alaska Association of Harbormasters and Port Administrators, Inc., I have supported the efforts to obtain passage of a boating safety bill. I now ask you to support Senate Bill 111. This is a bill that Alaskans can be proud of. When the roll for passage is called, please vote "Yea".

Sincerely,

Brian Bergman
Sitka Harbormaster

cc: Senator Arliss Sturgulewski
Senator Rick Uehling
Senator Dick Eliason
Representative Ben Grussendorf

BGB:POURCHOT/TXTHARB:

ALASKA STATE LEGISLATURE

111mail.txt

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
Juneau, AK 99811

907-465-3712

Senate State Affairs Committee

May 11, 1989

Dale R. Muma, Harbormaster
City of Cordova
P. O. Box 1210
Cordova, Alaska 99574

Dear Dale:

Thank you for contacting me to express your support for Senate Bill 111, which would require the state to offer public education programs designed to reduce boating accidents, and to establish a boat registration program.

I, too, support SB 111 and am sorry to have to report that the bill did not make significant progress through the system this session. We held hearings on the bill in the State Affairs Committee in early March, but it got stalled in the Senate Finance Committee where it will stay until next session. I have spoken to the bill sponsor, Senator Sturgulewski, and am assured that she will continue to work on the proposal during the legislative interim in an effort to address the outstanding concerns.

Specifically, many bush legislators are concerned about the registration requirement -- concerned that the bill is punitive, rather than solely educational. In addition, there are concerns by many legislators that at a time when we are working to reduce the size and cost of state government, adding a number of compliance officers at a cost of several hundred thousand dollars annually is inappropriate despite the fact that program costs would be funded through registration fees and federal monies.

Personally, I am appalled at the large number of boating accidents suffered in Alaska each year and feel strongly that a boating safety program is needed. I assure you SB 111 has my support, and I am hopeful that it will be favorably considered next session.

Sincerely,

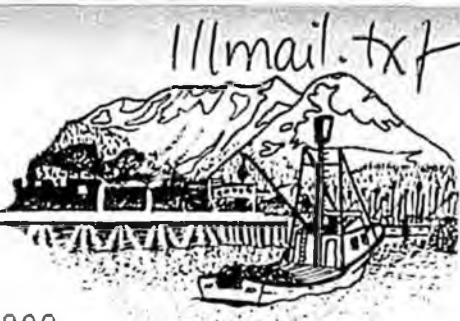
A handwritten signature in dark ink, appearing to read "Pat Pourchot".

Senator Pat Pourchot
Chairman

CITY OF CORDOVA

Harbor and Port

(907) 424-6400



April 19, 1989

Senator Pat Pourchot, Chairman
Senate State Affairs Committee
P.O. Box V
Juneau, AK 99811

Dear Senator Pourchot,

As Harbormaster/Port Director for the City of Cordova, I am personally concerned about the tragic and needless loss of life of my neighbors and fellow Alaskans on our waters.

Senate Bill 111, as introduced by Senator Sturgulewski, is a bill that can effectively reduce the loss of life and property of Alaskans. Required safety equipment and boating safety education are essential if the State is to be successful in reducing the number of lives lost in boating accidents.

As a member of the Alaska Association of Harbormasters and Port Administrators, Inc., I have supported the efforts to obtain passage of a boating safety bill. I now ask you to support Senate Bill 111. This is a bill that Alaskans can be proud of. When the roll for passage is called please vote "Yea".

Sincerely,

A handwritten signature in cursive that reads "Dale R. Muma".

Dale R. Muma
Harbormaster/Port Director

cc: Senator Arliss Sturgulewski, Chairman
Senator Rick Nehling, Co-Chairman
Senator Ted Stevens
Representative Bette Case

5-11-89

in Sen Fin - heard once
→ subcom.

Sturg. continue to work
on during interim. Concerns:
- size of enforcement
- staff + \$
- rural

S B

113

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 113

SPONSOR Kerttula

BILL TITLE Violent Crime Compensation Bd. pay
for any degree assault

DATE REFERRED 1-13-89

HEARING SCHEDULED

FISCAL NOTE PREPARED

SPONSOR CONTACTED Paula x3771
Tennel

INTERESTED PARTIES CONTACTED

See HB 57

OTHER



Official Business

Alaska State Legislature

Senate

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

RECEIVED MAY 18 1989

MEMORANDUM

TO: Senator Pat Pourchot, Chairman
Senate State Affairs Committee

FROM: Senator Jay Kerttula

SUBJECT: SB 113 - Authorizing Violent Crime Compensation
Board to pay compensation for personal injury
or death to the victim of an assault in any
degree.

DATE: January 16, 1989

I would appreciate it very much if you would schedule a committee hearing on Senate Bill 113 at your earliest convenience.

Thank you very much for your attention to this request'

Per Paula (Kerttula) 1-25-89

*must pass 10/1/89 or will lose
fed. violent crimes (??) \$*

S B

115

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 115

SPONSOR Duncan

BILL TITLE Create AK Native Affairs Commission

DATE REFERRED 1-13-89

HEARING SCHEDULED 2-24-89

FISCAL NOTE PREPARED

SPONSOR CONTACTED Dale 4766

INTERESTED PARTIES CONTACTED

will check & call back
 Sheila ^{Karen} Gottehrer, Bds + Commission } 3500
 Linda Perez, Admin. Services } Gov's office
 Sherry Kochman, Leg. Office ^{Mike Natch} }

AFN, Janie Leask [274-3611] Phone hook-up

Dale will call: Klingit Haida
VANB, Richard Stitt

yes
AFN, Julie Kitka 274-3611

586-1432

Andy Ebara, ANB
Ed Thomas, Te H
Ron Williams, ANB

OTHER
SB115 SEC. TXT = sectional

9 appointed members + 6 Executive Branch
Travel & per diem
study, research, disseminate...
Annual report → Leg/Gov (Jan. 15)
BY DUNCAN, ZHAROFF AND
ELIASON

1 IN THE SENATE

2 SENATE BILL NO. 115

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating an Alaska Native Affairs Commis-
7 sion."

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

9 * Section 1. AS 44.19 is amended by adding new sections to read:

10 ARTICLE 17. ALASKA NATIVE AFFAIRS COMMISSION.

11 Sec. 44.19.561. CREATION OF COMMISSION. (a) There is created
12 in the Office of the Governor the Alaska Native Affairs Commission.
13 The commission consists of the attorney general, the commissioner of
14 commerce and economic development, the commissioner of community and
15 regional affairs, the commissioner of education, the commissioner of
16 fish and game, and the commissioner of health and social services, or
17 their designees, and nine members appointed by the governor.

18 (b) The members appointed by the governor under (a) of this
19 section shall be residents of the state. In making the appointments,
20 the governor shall consider

21 (1) the recommendations made by Alaska Native corporations,
22 Alaska Native nonprofit associations, Alaska Native fraternal orga-
23 nizations, and other groups and persons having an interest in Alaska
24 Native affairs;

25 (2) statewide geographical representation on the commis-
26 sion.

27 Sec. 44.19.562. MEETINGS. A majority of the members constitutes
28 a quorum for conducting business and exercising the powers of the
29 commission. The commission shall meet at the call of the chair, at

1 the request of a majority of the members, or at a regularly scheduled
2 time as determined by a majority of the members.

3 Sec. 44.19.563. TERM OF OFFICE AND COMPENSATION. (a) Each
4 appointed member shall serve a term of four years. A vacancy shall be
5 filled for the balance of the unexpired term in the same manner as
6 original appointments.

7 (b) Members of the commission do not receive compensation for
8 their services but are entitled to per diem and travel expenses author-
9 ized by law for commissions under AS 39.20.180.

10 Sec. 44.19.564. POWERS AND DUTIES. (a) The commission may

11 (1) study and analyze all facts relating to laws, regula-
12 tions, and guidelines with respect to Alaska Native affairs, including
13 issues of health, education, and economic development;

14 (2) act as a clearinghouse and coordinating body for mat-
15 ters concerning Alaska Natives and the state and for information
16 relating to the affairs of Alaska Natives;

17 (3) cooperate with public and private agencies in joint
18 efforts to study and resolve problems of Alaska Natives in the state;

19 (4) disseminate the results of research and data compiled
20 by the commission by publication and other methods such as public
21 hearings, conferences, and seminars;

22 (5) recommend legislative and administrative action on
23 matters relating to Alaska Native affairs;

24 (6) select and retain the services of consultants whose
25 advice is necessary to assist the commission in obtaining information;

26 (7) establish standing committees among the members to
27 investigate and make recommendations on issues of concern;

28 (8) create task forces composed of commission members and
29 other experts;

*Staff
see p. 77*

1 (9) accept monetary gifts or grants from the federal gov-
2 ernment, private corporations, charitable foundations, professional
3 associations, or other sources for implementation of programs neces-
4 sary or desirable for carrying out the general purposes of the commis-
5 sion;

6 (10) hire an executive director and additional administra-
7 tive staff as necessary to the commission's function.

8 (b) The commission shall elect one of its appointed members as
9 chair and may select other commission officers as it considers neces-
10 sary.

11 (c) By January 15 of each year the commission shall file a
12 report with the governor and the legislature of its proceedings for
13 the previous calendar year and shall submit recommendations for
14 legislative and administrative action.

15 * Sec. 2. Notwithstanding AS 44.19.563, enacted by sec. 1 of this Act,
16 the governor shall set the terms of the initial nine members of the Alaska
17 Native Affairs Commission appointed under AS 44.19.561, enacted by sec. 1
18 of this Act, so that three members serve for one year, three members serve
19 for two years, and three members serve for three years.

ALASKA NATIVE AFFAIRS COMMISSION

" An Act creating an Alaska Native Affairs Commission."

Section 1.

CREATION OF THE COMMISSION

THE ALASKA NATIVE AFFAIRS COMMISSION is created in the office of the Governor. The Commission membership includes from State government, the Attorney General, the Commissioner of Commerce and Economic Development, the Commissioner of Community and Regional Affairs, the Commissioner of Education, the Commissioner of Fish and Game, and the Commissioner of Health and Social Services. The Governor, considering statewide geographical representation, also appoints nine other Alaskans to serve on the Commission. These appointments are made from recommendations of the Alaska Native corporations, Alaska Native nonprofit associations, Alaska Native fraternal organizations, and others having interest in Native affairs.

MEETINGS of the Commission shall be at the call of the chair, at the request of a majority of the members, or at a regularly scheduled time as determined by a majority of the members. A majority of the members constituted a quorum for conducting the Commission's business.

MEMBERS of the Commission appointed by the Governor serve a four year term. Vacancies shall be filled for the balance of the unexpired term for the vacant seat. Commission members are not entitled to compensation but may receive per diem and travel expenses.

POWERS AND DUTIES of the Commission provide that it may:

(1) study and analyze all facts relating to laws, regulations, and guidelines with respect to Alaska Native affairs, including issues of health, education, and economic development;

(2) act as a clearing house and coordinating body for matters concerning Alaska Natives and the state and for information relating to the affairs of Alaska Natives;

(3) cooperate with public and private agencies in joint efforts to study and resolve problems of Alaska Natives in the state;

(4) disseminate the results of research and data compiled by the Commission by publication and other methods such as public hearings, conferences, and seminars;

(5) recommend legislative and administrative action on matters relating to Alaska Native affairs;

(6) select and retain the services of consultants whose advice is necessary to assist the Commission in obtaining information;

(7) establish standing committees among the members to investigate and make recommendations on issues of concern;

(8) create task forces composed of Commission members and other experts;

(9) accept monetary gifts or grants from the federal government, private corporations, charitable foundations, professional associations, or other sources for implementation of programs necessary or desirable for carrying out the general purposes of the Commission;

(10) hire an executive director and additional administrative staff as necessary to the Commission's function.

CHAIR of the Commission shall be elected from the members who are appointed to serve and any other officers may be selected as is necessary.

REPORTS of the Commission's activities are required to be filed with the Governor and the legislature by January 15 of each year. In addition the Commission shall submit recommendations for legislative and administrative action.

SECTION 2.

TERMS OF MEMBERSHIP for the initial nine members appointed to the Alaska Native Affairs Commission shall be staggered so that three members serve for one year, three members serve for two years, and three members serve for three years.

NEWS RELEASE

JANUARY 16, 1989

CONTACT:

DALE STALEY

465-4766

JUNEAU --- A BILL TO ESTABLISH AN ALASKA NATIVE AFFAIRS COMMISSION WAS INTRODUCED FRIDAY IN THE ALASKA STATE SENATE.

THE PRIME SPONSOR OF THE LEGISLATION, JUNEAU SENATOR JIM DUNCAN, SAID, "THE CREATION OF THE ALASKA NATIVE AFFAIRS COMMISSION WILL PROVIDE A STRUCTURED ORGANIZATION OF SIX ADMINISTRATION OFFICIALS AND NINE OTHER PERSONS INTERESTED IN ALASKA NATIVE AFFAIRS WHO WILL REPRESENT ALASKA NATIVE INTEREST STATEWIDE." THE LEGISLATION IS A RESPONSE TO CONCERNS EXPRESSED BY THE ALASKA NATIVE BROTHERHOOD & SISTERHOOD AND THE TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA.

DUNCAN SAID, "35 OTHER STATES HAVE ESTABLISHED COMMISSIONS SIMILAR TO THIS AND MOST OF THOSE STATES HAVE LESS THAN HALF THE INDIGENOUS POPULATION WE HAVE IN ALASKA."

MORE MORE MORE

PAGE 2

BOTH THE ALASKA NATIVE BROTHERHOOD & SISTERHOOD AND THE TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA HAVE PASSED RESOLUTIONS SUPPORTING THE ESTABLISHMENT OF AN ALASKA NATIVE AFFAIRS COMMISSION. THESE RESOLUTIONS STRESS THE NEED FOR A SINGLE AGENCY DEALING SPECIFICALLY WITH ALASKA NATIVE RELATIONSHIPS WITH STATE GOVERNMENT.

SENATOR DUNCAN EXPLAINED, "IT IS IMPORTANT THAT A STATE LEVEL COMMISSION BE CREATED THAT CAN HELP COORDINATE STATE AGENCY POLICIES THAT DEAL WITH ALASKA NATIVE ISSUES. THE STRUCTURE OF THE PROPOSED COMMISSION WILL ASSIST AGENCIES TO HAVE AN AWARENESS OF HOW WELL THEY ARE ADDRESSING NATIVE ISSUES." THE COMMISSION MEMBERSHIP WILL INCLUDE THE ATTORNEY GENERAL, AND THE COMMISSIONERS OF COMMERCE AND ECONOMIC DEVELOPMENT, COMMUNITY AND REGIONAL AFFAIRS, EDUCATION, FISH AND GAME, AND HEALTH AND SOCIAL SERVICES. IN ADDITION THE GOVERNOR WITH RECOMMENDATIONS FROM ALASKA NATIVE ORGANIZATIONS WILL APPOINT NINE MEMBERS FROM THE GENERAL PUBLIC WHO HAVE AN INTEREST IN ALASKA NATIVE AFFAIRS AND REPRESENT ALL REGIONS OF THE STATE.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

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

October 3, 1988

MEMORANDUM

TO:

FROM: Karen Oakley *ko*
Legislative Analyst

RE: Native Affairs Commissions in Other States
Research Request 89.028

You are interested in creating an Alaska Natives Affairs Commission and asked what other states have created such commissions. You were specifically interested in whether the commissions were created for short-term or long-term purposes and whether the commissions were established by statute or executive order. You also asked for examples of the missions of the commissions.

In this memorandum, I first discuss the results of my survey of Indian commissions in other states and then present considerations about such a commission in Alaska.

In summary, I found that many states have established commissions on Indian affairs. The majority have been created by legislatures through statute to serve the long-term purpose of solving jurisdictional issues arising from the presence of reservations. Because Alaska does not have reservations (except Metlakatla), and therefore does not face the same types of jurisdictional issues, the impetus for establishment of a Native affairs commission in Alaska is not the same as in other states. Alaska does face other issues involving Alaska Natives, and a Native affairs commission could address these issues. A comprehensive study of the status of Alaska Natives, such as the study done prior to formal establishment of the Alaska Women's Commission, could serve to indicate the usefulness of an Alaska Native Affairs Commission.

October 3, 1988

Page 2

INDIAN AFFAIRS COMMISSIONS IN OTHER STATES

At least 28 states have created a formal Indian affairs agency, commission or office. In the remaining states, including Alaska, the governor's office typically provides any Indian affairs liaison or coordination services needed. I sent questionnaires to the 28 states with commissions or offices, and 15 states responded. Table 1 presents basic information about the commissions which responded to the survey. Attachments A through O provide the statutes or executive orders creating the commissions for each of the responding states. The attachments also include any annual reports or other informational materials returned with the questionnaire. Below, the general features of the commissions and agencies are discussed.

Commission Establishment

Most Indian affairs commissions are relatively long-standing institutions. Of the 15 Indian affairs commissions or offices studied, four were established in the 1950s, four in the 1960s and seven in the 1970s. All but one of the existing commissions have been established in statute; only the Washington Office of Indian Affairs was created by executive order. The Louisiana Commission on Indian Affairs was originally created by executive order, but was later established in statute. All of the states responding to the survey noted that their commissions or offices were established to meet long-term goals.

Commission Types

The Indian affairs commissions and offices studied are of three general types:

- 1) an independent commission, generally with an executive director and other support staff (Arizona, Nevada, New Mexico, Oregon, Texas, Virginia);
- 2). a council or commission within another executive branch agency which may or may not have staff dedicated to the commission (Colorado, Connecticut, Louisiana, Massachusetts, Nebraska, North Carolina, Utah); or
- 3) an office of Indian affairs, either in the Governor's office or another executive branch agency, without a commission (Montana, Washington).

TABLE 1
STATE NATIVE COMMISSIONS: BASIC INFORMATION

STATE	INDIAN POPULATION	NUMBER OF FEDERALLY-RECOGNIZED TRIBES	YEAR COMMISSION CREATED	COMMISSION NAME	LOCATION IN STATE GOVERNMENT	HOW CREATED	COMMISSION				STAFF AND BUDGET			ATTACHMENT
							NUMBER OF MEMBERS	HOW SELECTED	MEETING FREQUENCY	PAY	EXECUTIVE DIRECTOR	OTHER STAFF	FY 88 BUDGET	
Arizona	200,000	18	1953	Arizona Commission on Indian Affairs	Independent	statute	15 (see Note 2)	appointed by governor	quarterly	\$30/day plus per diem	appointed by governor	2.5	\$165,000	A
Colorado	21,015	2	1976	Colorado Commission of Indian Affairs	Office of the Lieutenant Governor	statute	14	(see Note 3)	quarterly	none	appointed by commission and must be Indian	1	50,000	B
Connecticut	4,500	1	1973	Connecticut Indian Affairs Council	Dept. of Environmental Protection	statute	8	5 appointed by tribes; 3 by governor	monthly	\$25/day plus mileage	none	1	10,000	C
Louisiana	11,000	3	1972	Governor's Commission on Indian Affairs	Office of the Governor (see Note 4)	statute	9 (all Indians)	appointed by governor	quarterly	some travel	appointed by governor	2	96,641	D
Massachusetts	15,000	1	1974	Commission on Indian Affairs	Executive Office of Administration and Finance	statute	7 (all Indians)	appointed by governor	monthly	none	none	2	94,980	E
Montana	40,000	7	1951	State Coordinator of Indian Affairs	Dept. of Commerce	statute	see Note 5					1	81,208	F
Nebraska	26,000	3	1970	Commission on Indian Affairs	Dept. of Economic Development	statute	15 (all Indians)	appointed by governor from tribal nominees	quarterly	\$35/per day plus expenses	appointed by governor and must be Indian	3	101,000	G
Nevada	14,700	24	1965	Nevada Indian Commission	Independent	statute	5 (3 Indians)	appointed by governor	quarterly	\$50/meeting	appointed by governor	1.5	105,820	H

TABLE 1 (Continued)

STATE NATIVE COMMISSIONS: BASIC INFORMATION

STATE	INDIAN POPULATION	NUMBER OF FEDERALLY-RECOGNIZED TRIBES	YEAR COMMISSION CREATED	COMMISSION NAME	LOCATION IN STATE GOVERNMENT	HOW CREATED	COMMISSION				STAFF AND BUDGET			ATTACHMENT
							NUMBER OF MEMBERS	HOW SELECTED	MEETING FREQUENCY	PAY	EXECUTIVE DIRECTOR	OTHER STAFF	FY 88 BUDGET	
New Mexico	130,000	22	1955	Commission on Indian Affairs	Independent	statute	10 (8 Indians)	appointed by governor from tribal nominees	quarterly	\$58/day plus 22 cents/mile	appointed by commission	6	280,000	I
North Carolina	64,635	1	1971	Commission on Indian Affairs	Dept. of Administration	statute	24 (see Note 6)	popular vote of tribes; appointed by governor	quarterly	none	appointed by commission and must be Indian	48	3,500,000	J
Oregon	27,000	8	1975	Commission on Indian Services	Independent	statute	12 (see Note 6)	appointed by Speaker and President from tribal nominees	quarterly	expenses	appointed by commission	1	183,931 (FY 87-88 biennium)	K
Texas	65,000	3	1967	Texas Indian Commission	Independent	statute	3 (1 Indian)	appointed by governor	quarterly	\$30/day plus travel expenses	appointed by commission	2	84,000	L
Utah	20,000	7	1967	Board of Indian Affairs	Dept. of Community and Economic Development	statute	9 (6 Indians)	appointed by governor; confirmed by Senate	7 plus 4 to 5 special	\$75/day plus travel and per diem	appointed by board with concurrence of governor and Dept. head	1	100,000	M

TABLE 1 (Continued)
STATE NATIVE COMMISSIONS: BASIC INFORMATION

STATE	INDIAN POPULATION	NUMBER OF FEDERALLY-RECOGNIZED TRIBES	YEAR COMMISSION CREATED	COMMISSION NAME	LOCATION IN STATE GOVERNMENT	HOW CREATED	COMMISSION				STAFF AND BUDGET			ATTACHMENT
							NUMBER OF MEMBERS	HOW SELECTED	MEETING FREQUENCY	PAY	EXECUTIVE DIRECTOR	OTHER STAFF	FY 88 BUDGET	
Virginia	9,500	0	1983	Virginia Council on Indians	Independent	statute	10 (5 Indians)	appointed by governor	quarterly	travel expenses	currently none; hired by council subject to funding	0.5	3,000	N
Washington	58,186	26	1969	Governor's Office of Indian Affairs	Office of the Governor	executive order		(No Commission)			appointed by governor	2	281,000 (FY 87-88 biennium)	0

NOTES:

1. The information in the table was provided by each commission or agency in response to a survey conducted by the House Research Agency, August 1988.
2. The Arizona commission consists of 7 Indians appointed by the governor from names submitted by the tribes, two non-Indians appointed by the governor, the governor, the superintendent of Public Instruction, the director of the Department of Health Services, the director of the Department of Transportation, the Attorney General and the director of Economic Security.
3. The Colorado commission consists of the lieutenant governor, director of Department of Social Services, the director of the Department of Health, the director of the Department of Natural Resources, the director of the Department of Local Affairs, two official representatives of the Ute tribes and two at-large members elected by the commission.
4. The Louisiana commission was originally created by executive order. In 1980, the commission was created in statute, and the commission was placed within the Department of Urban and Community Affairs. In 1987, the commission was placed in the Office of the Governor.
5. The Montana State Coordinator of Indian Affairs is appointed by the governor from a list of five qualified Indian applicants submitted by the tribal councils. Montana does not have an Indian commission.
6. The North Carolina commission consists of 17 Indians elected by the various North Carolina tribes, one person appointed by the Speaker of the House, one person appointed by the Senate President, the Secretary of Human Resources, the director of the State Employment Security Commission, the Secretary of Administration, the Secretary of Natural Resources and the Community Development and the Commission of Labor.
7. The Oregon commission consists of 10 Indians selected by the Speaker of the House and the Senate President from tribal nominees, one member of the Senate, member of the House of Representatives.

Prepared by the House Research Agency, October 1988 (89.028).

Commission Membership

The number of commission members varied from three members (Texas) to 24 members (North Carolina); the majority have commissions composed of between nine and 15 members. All of the commissions are required to have Indian members, and the tribal composition of the commission is frequently specified in statute. The number of Indians required to be appointed to the commissions and their method of appointment varies. Texas requires that one of the three commissioners be Indian, while Louisiana, Massachusetts and Nebraska require that all commissioners be Indian. In eight states, the governor is given the authority to appoint the commissioners. In three states, the commissioners are appointed by the governor (or the legislature) from lists of nominees submitted by the tribes. In three states (Colorado, North Carolina and Connecticut), the tribes elect their own representatives to serve on the commissions.

In addition to Indian members and other at-large members, the commissions of Arizona, Colorado, North Carolina and Oregon include executive branch department heads. The Oregon commission also includes members of the legislature.

Meeting Frequency

The commissions are generally required by statute to meet at least quarterly or monthly. The commissions may meet more often if necessary.

Remuneration of Commission Members

Remuneration of commission members varies from none to \$75 per day plus expenses. Most states pay, at minimum, travel expenses plus \$30 to \$50 per day. Commission members that are also executive branch appointees are not paid extra for their attendance at commission meetings.

Commission Staff and Budgets

Most of the commissions employ an executive director and one or two other staff. The directors are appointed either by the governor or by the commission. Colorado, Nebraska and North Carolina require that the executive director be Indian.

The FY 88 budgets of most of the commissions are in the \$100,000 to \$200,000 range. The Virginia and Connecticut commissions are funded at a very low level--less than \$10,000.

October 3, 1988

Page 7

The North Carolina commission--with 49 employees, 10 field offices and a budget of \$3.5 million--is unique among the commissions. According to Dave McCoy, Assistant Director of the North Carolina Commission on Indian Affairs, only \$500,000 of their budget is state general funds. The remaining \$3 million is mostly federal block grant monies which the commission uses to implement specific programs. The North Carolina commission started out with modest budgets--\$12,500 in 1976--but over the years has aggressively pursued other sources of money to carry out programs to meet the needs of Indians. In North Carolina, the counties are supposed to provide services to Indians and other residents, but the commission found that many counties were not meeting the needs of the Indians. The commission therefore took over as administrator of many of the federal grant programs, such as housing, day care, adult basic education, drug and substance abuse, and Job Training Partnership Act programs, which are more often administered by local governments. The North Carolina Commission on Indian Affairs is the largest housing authority in North Carolina. The North Carolina commission is also in the process of opening a \$50 million Coastal Tourist Center.

Commission Powers, Duties and Functions

All of the statutes establishing the commissions contain sections addressing the powers, duties and functions of the commissions.¹ All of the commissions have several general purposes, of which the most often stated purpose was

- to coordinate intergovernmental dealings between tribes and the state.

Frequently, the commissions were also mandated by statute to

- assemble facts and investigate problems,
- make recommendations to the governor and/or the legislature, and
- produce an annual or biennial report.

Most of the commissions are legal entities with the power to receive and administer funds, to enter into contracts for the provision of services, to adopt regulations, and to administer programs. At least two of the commissions were given specific responsibilities with regard to program administration. For example, the Utah Board of Indian Affairs was given the authority to expend moneys received by the State of Utah from the federal government pursuant to a 1933 act extending the Navajo Indian reservation. Other commissions and offices were not given this kind of power and thus serve in a purely advisory, liaison or promotional role.

¹See Attachments A through O for copies of the statutes and specific mission statements.

Current Issues of Concern to the Commissions

The annual reports submitted by many of the commissions provided information on the issues of current concern to the commissions. The most commonly cited issues were jurisdictional--relating to the proper roles of state, federal and tribal governments in dealing with Indian affairs. Other common issues or concerns were Indian burial sites, water rights and quality, economic development on reservations, defining "Indians" for the purposes of state programs, housing, child welfare, taxation, education, and corrections.

CONSIDERATIONS FOR A COMMISSION ON ALASKA NATIVE AFFAIRS

Status of Alaska Natives: Effect on the Need for a Commission

In other states, Indian affairs commissions have been established to address jurisdictional problems which do not, for the most part, exist in Alaska. Under federal Indian law, American Indian tribes retain certain internal powers of self-government. In the continental United States, most Indian tribes have a government-to-government relationship with the federal government. Most Indians also reside on reservations. For states, the special status of Indian citizens relative to the federal government and the presence of often large areas of "Indian Country" within their borders created complicated jurisdictional problems. States established Indian affairs commissions to provide a forum for addressing these problems.

In comparison to the Indian tribes of other states, Alaska Natives have a fundamentally different relationship with the federal government. At the time that Alaska became a territory of the United States, reservations were out of favor, and only a few reserves were ever established in Alaska. All but one of these reservations, Metlakatla, were revoked in 1971 with passage of the Alaska Native Claims Settlement Act (ANCSA). The ANCSA, which settled the land claims of Alaska Natives through grants of land and money, had assimilationist goals. Except for Metlakatla, the State of Alaska does not consider that Indian Country exists in Alaska.² Thus, the State of Alaska has not been faced with the type of jurisdictional problems that other states have faced and which have encouraged the establishment of Indian affairs commissions.

²Although the state staunchly maintains that Indian Country does not exist in Alaska except in Metlakatla, some proponents of Native sovereignty argue that there is Indian Country in Alaska. The state is currently involved in several lawsuits involving the sovereignty issue. See House Research Memorandum 88.192 (Attachment P) for further information on this topic.

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Current Method of Addressing Alaska Native Issues

Recent Alaska governors have typically assigned one of their special assistants responsibility for following and dealing with Alaska Native issues. Sandra Borbridge held this position under Governor Sheffield, and Rosita Worl holds this position under Governor Cowper. In addition to following Alaska Native issues, Ms. Worl is also responsible for a variety of other issues, including those involving the Departments of Community and Regional Affairs, Military Affairs, Education, Transportation and Public Facilities, Law, and the University of Alaska.

Commissions in Alaska Generally

Currently, there over 100 boards and commissions in Alaska. Generally, commissions are established by statute in Title 44 (State Government) either under the Office of the Governor or under the department which administers the board or commission. Commissions may also be created by executive order. House Research Memoranda 88.214, 88.156, 86.159, 85.255 and 85.168 provide information on Alaska boards and commissions and are found in Attachment Q.

House Research Memorandum 85.168 provides background information on the Alaska Women's Commission and may be of particular interest. In 1977, the legislature instructed the Human Rights Commission to produce a report on the status of women in Alaska. That study identified several problem areas and recommended establishment of a women's commission to address those problems. Such an approach may be useful in this situation.

I hope you find this information useful. If you need additional information, please let me know.

Attachments are to numerous for copying; may be seen in our office.



Grand Camp
Alaska Native Brotherhood

ALASKA NATIVE BROTHERHOOD EXECUTIVE COMMITTEE
March 5-6, 1987 Meeting
Juneau, Alaska

RESOLUTION NO. 6

TITLE: IN SUPPORT OF THE ESTABLISHMENT OF AN ALASKA NATIVE COMMISSION

WHEREAS; 35 States have established, by statute or executive order, American Indian Commissions, and

WHEREAS; Members to the Commission are Native American leaders selected by the Tribal groups and appointed by the respective Governor, and

WHEREAS; The primary purpose for the creation of a Commission is to improve relations between the State and Indian groups, and

WHEREAS; In carrying out it's charge, the Commission's staff acts as the coordinating agency for intergovernmental programs concerning Indians and the State, and assists in setting the policy for, and acts as the clearinghouse for, all State programs affecting Indian people in the State, and

WHEREAS; Most Commissions have the authority to investigate, study and act upon the entire subject of Indian conditions and relations within a State, including, but not restricted to, issues of health, education, economic development and legislation, and

WHEREAS; Alaska Natives, age 16 years and older, number 85,818 in the State of Alaska, according to BIA figures, and

WHEREAS, There is no existing single agency dealing specifically with Alaska Native relationships with State government, now therefore,

Past ANB Grand Presidents
Dr. Alfred Widmark
Patrick J. Paul
Thomas Jackson

John Hope
Frank See
Dr. Walter Soboleff

Richard Still
Steven V. Hclch
Nelson D. Frank

Frank O. Williams
Herbert Hope
Robert R. Martin

Roy Peratrovich, Grand President Emeritus
Dr. Cyrus Peck, Sr., Grand Secretary Emeritus
Dr. Mildred Sparks, ANS Grand President Emerita

RESOLUTION NO. 6

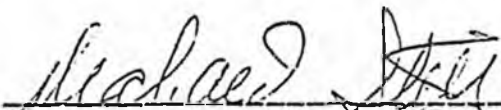
Page 2

BE IT RESOLVED; By the Executive Committee of the Alaska Native Brotherhood, meeting in Juneau, Alaska, March 5-6, 1987, go on record as requesting the State Legislature to enact legislation creating an Alaska Native Affairs Commission, and

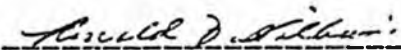
BE IT FURTHER RESOLVED, That the powers and duties of the Commission be modeled upon similar commissions in other States.

ATTEST:

I certify that this resolution was adopted by the ANB Executive Committee during meetings in Juneau, Alaska, March 5-6, 1987.



Richard Stitt, Grand President



for Albert Kookesh, Grand Secretary

ALASKA NATIVE BROTHERHOOD & SISTERHOOD

GRAND CAMP

POLICY STATEMENT

ISSUE:

The Governor has developed and announced a "Native Policy Statement" outlining the present status of the State's relationship with Alaska Natives, and the policies of the Cowper administration on Native issues.

RECOMMENDATIONS:

1. The Grand Camp President shall monitor the implementation of the Native Policy Statement.
2. The Local Camps shall review and analyze how the Native Policy affects their communities and report their findings to the Grand Camp President.
3. Strongly recommend that the Governor's Special Staff Assistant for Native Affairs monitor the implementation of the Native Policy Statement and report the findings to the ANB/ANS, Tlingit-Haida, AFN and other affected entities.
4. Each Commissioner should prepare an initial status report on how the Native Policy is implemented within its department; the changes and the financial resources that are needed to implement the Native Policy; and should report to the Governor on a regular basis the progress of implementation.
5. The State of Alaska should establish a Native Affairs Commission, per Senator Duncan's proposed legislation.
6. Compliment Governor Steve Cowper for his progressive effort in adopting the first comprehensive statement on Native Policy for the State of Alaska.

REFERRED TO STATE/FEDERAL COMMITTEE - ANDREW EBONA -CHAIRMAN
COMMITTEE RECOMMENDATION: DO PASS
ADOPTED BY ANB/ANS CONVENTION 11-19-88



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 87/88-18

Title: Creation of an Alaska Native Affairs Commission

Submitted by: Delegates Robert Loescher and Andrew Ebona

WHEREAS, the Executive Committee of the ANB Grand Camp has approved a resolution to request the Legislature to enact legislation creating an Alaska Native Affairs Commission; and

WHEREAS, the concept of such a commission at the State level could only help to develop policy in dealing with Alaska Native issues; and

WHEREAS, 35 other states, most with less than half the indigenous population than Alaska have established such commissions; and

WHEREAS, there are many models to choose from in setting up a commission;

WHEREAS, Alaska Natives age 16 years and older number 85,818 in the State of Alaska according to BIA figures; and

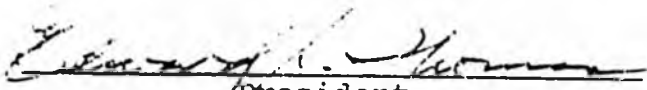
WHEREAS, there is no existing single agency dealing specifically with Alaska Native relationships with State government;

NOW, THEREFORE, BE IT RESOLVED by the Central Council in its Annual Assembly go on record as supporting the ANB Grand Camp Executive Committee resolution asking for the creation of an Alaska Native Commission; and

BE IT FURTHER RESOLVED, that copies of the resolution be sent to the Honorable Governor Steve Cowper, Senator Jim Duncan, Legislative Bush Caucus, Grand Camp President ANB Richard Stitt, RurALCAP President Gordon Jackson, and SEACAP President Miles Murphy.

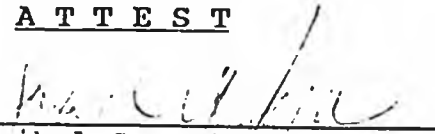
ADOPTED this 18th day of April, 1987, by the Fifty-Second General Assembly of the Central Council of Tlingit and Haida Indian Tribes of Alaska, in session at Juneau, Alaska.

C E R T I F I E D



President

A T T E S T



Tribal Secretary

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act creating an Alaska
Native Affairs Commission."
Sponsor: Duncan, Zharoff, Eliason
Requestor: Senator Duncan

Agency Affected: Office of the Governor
BRU: Commissions/Special Offices
Components: Alaska Native Affairs
Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		157.6	162.5	167.5	172.7	178.0
TRAVEL		88.7	88.7	88.7	88.7	88.7
CONTRACTUAL		110.8	96.6	36.6	36.6	36.6
SUPPLIES		3.7	2.5	2.5	2.5	2.5
EQUIPMENT		43.5	1.0	1.0	1.0	1.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		404.3	351.3	296.3	301.5	306.8

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		404.3	351.3	296.3	301.5	306.8
FEDERAL FUNDS						
OTHER						
TOTAL		404.3	351.3	296.3	301.5	306.8

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

See attached analysis

Prepared by: Michael A. Nizich, Director *M. Nizich* Phone: 465-3616
Division: Administrative Services Date: 2/15/89

Approved by Commissioner: Garrev M. Peska *Garrev M. Peska* Date: 2/15/89
Agency: Office of the Governor

Distribution (by preparer):

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

PERSONAL SERVICES

Fiscal note assumes Juneau location of commission staff consisting of three positions -- Executive Director, Research Analyst, and Administrative Assistant.

Request for New Position forms are attached. Salaries are shown at step A for FY 90. Personal Services requests for subsequent years include one-step merit increases for all three positions.

TRAVEL 88.7

Travel has been averaged to incorporate travel costs from statewide geographical locations of the public members and assumes five commission meetings across the state.

Juneau:

Public members

travel @ 500/person x 8 people	= 4,000	
per diem @ 80/day x 3 days x 9 people	= 2,160	6,160

Anchorage:

Public members

travel @ 360/person x 8 people	= 2,880	
per diem @ 80/day x 3 days x 9 people	= 2,160	

Administrative staff

travel @ 366/person x 2 people	= 732	
per diem @ 80/day x 3 days x 2 people	= 480	

Departmental members

travel @ 366/person x 6 people	= 2,196	
per diem @ 80/day x 3 days x 6 people	= 1,440	9,888

Fairbanks:

Public members

travel @ 400/person x 8 people	= 3,200	
per diem @ 80/day x 3 days x 9 people	= 2,160	

Administrative staff

travel @ 436/person x 2 people	= 872	
per diem @ 80/day x 3 days x 2 people	= 480	

TRAVEL - continued

(Fairbanks)

Departmental members

travel @ 436/person x 6 people	=	2,616	
per diem @ 80/day x 3 days x 6 people	=	1,440	10,768

Rural (Bethel)

Public members

travel @ 661/person x 8 people	=	5,288	
per diem @ 85/day x 3 days x 9 people	=	2,295	

Administrative staff

travel @ 612/person x 2 people	=	1,224	
per diem @ 85/day x 3 days x 2 people	=	510	

Departmental members

travel @ 612/person x 6 people	=	3,672	
per diem @ 85/day x 3 days x 6 people	=	1,530	14,519

Rural (Nome)

Public members

travel @ 720/person x 8 people	=	5,760	
per diem @ 90/day x 4 days x 9 people	=	3,240	

Administrative staff

travel @ 682/person x 2 people	=	1,364	
per diem @ 90/day x 4 days x 2 people	=	720	

Departmental members

travel @ 682/person x 6 people	=	4,092	
per diem @ 90/day x 4 days x 6 people	=	2,160	17,336

Subtotal:			58,671
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TRAVEL - continued

The proposed legislation provides for the commission to appoint task forces comprised of commission members and other experts. As the number of task forces/members are unknown at this time, an additional amount for travel, per diem, honorariums, etc. is included.

Task force travel/per diem/honorarium reserve	=	30,000
	Total Travel:	88,671

CONTRACTUAL 110.8

Fiscal note assumes Juneau location of commission staff.

Proposed legislation provides for consulting services (see Sec. 44.19.564(6) on page 2) to assist in obtaining information with respect to health, education, and economic development issues. Fiscal note assumes professional services contracts for related research through FY 91.

Professional Services:

3 contracts @ 20,000	=	60,000
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Communication:

Telephone (toll costs, base/local fixed costs, centrex network costs) 600/mo x 12 months	=	7,200	
Telecopier charges, 25/mo x 12 months	=	300	
Teleconference charges, 5 @ 450	=	2,250	
Postage, 300/mo. x 12 months	=	3,600	13,350

Transportation:

Freight/express charges, 75/mo x 12	=	900
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Advertising, Printing & Binding:

Subscriptions	=	75	
Advertising, 5 meetings x 350 ea.	=	1,750	
Printing, 5 newsletters x 800 ea.	=	4,000	
Annual report forms, misc.	=	13,500	
Photocopy, fixed costs, 55/mo x 12	=	750	
Photocopy, vendor charges	=	660	
		400	21,135

Minor repair/Maintenace:	=	1,200
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CONTRACTUAL - continued

Rental for Space:

Per Depart. of Administration standards:

Executive Director	150.0 sq. ft.	
Research Analyst	83.0 sq. ft.	
Admin. Support Tech.	83.0 sq. ft.	

Total of 316 sq.ft. x 3.75/sf x 12 mos.	=	14,220
-----------------------------------------	---	--------

Total Contractual:		110,805
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SUPPLIES AND MATERIALS 3.7

Office and library supplies, 300/mo x 12	=	3,600	
Data processing supplies	=	100	3,700

EQUIPMENT 43.5

Communication Equipment:

network hookup, 3 stations x 1500	=	4,500	
1 controller/modem	=	5,000	
3 position phone system	=	1,500	11,000

Data Processing Equipment:

3 PC workstations @ 4500	=		13,500
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Furniture/Office Equipment:

3 Desks, chairs, etc., @ 5,000	=	15,000	
2 5-drawer lateral file cabinets	=	850	
Bookcases	=	350	
Photocopier	=	1,800	
2 calculators	=	150	
typewriter	=	800	18,950

Total Equipment:		43,500
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Position Title Executive Director		No. of Positions 1	Range/Step 23/a	Barg. Unit Partially Exemp
Time Status PFT	Staff Months 12	Location Juneau		Election District 4
		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary	52.5			
Benefits	17.5			
Premium Pay				
Other				
Total Personal Services		70.0		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		70.0		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	70.0		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
		<p>The Executive Director will be responsible for coordinating the work of the Commission; preparing the Annual Report; overseeing work production and projects of the Commission; coordination and interaction with state agencies, and other related groups and organizations; serving as liaison between the Commission and the Governor's Office; supervising staff; and other duties as assigned by the Commission and/or the Office of the Governor.</p> <p>This position is established as a permanent full time, Range 23A, which is comparable with the status of like positions of other similar agencies.</p>		

**Request For
New Position**

Agency Office of the Governor
 BRU Commissions/Special Offices
 Component Alaska Native Affairs
Commission

Page 1 of 3
 Revised Date

FY 90

Position Title Research Analyst		No. of Positions 1	Range/Step 18/A	Barg. Unit Partially Exempt
Time Status PFT	Staff Months 12	Location Juneau		Election District 4
Type of Expenditure		Justification		
		The Research Analyst will be responsible for gathering, compiling, analyzing and reporting on data related to Alaska Native affairs; production of the newsletter; assistance with production of Annual Report responding to requests for information; and other duties as assigned by the Executive Director and/or the Commission.		
		This position is established as permanent full time, Range 18A, which is comparable with the status of like positions of other similar agencies.		
Amount				
1	2	3		
Salary	37.5			
Benefits	14.0			
Premium Pay				
Other				
Total Personal Services		51.5		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		51.5		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	51.5		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Office of the Governor
 BRU Commissions/Special Offices
 Component Alaska Native Affairs
Commission

Page 2 of 3
 Revised Date

FY 90

Position Title Administrative Assistant I		No. of Positions 1	Range/Step 12/A	Barg. Unit Partially Exempt
Time Status PFT	Start Months 12	Location Juneau		Election District 4
Type of Expenditure		Amount		
1	2	3		
Salary	25.0			
Benefits	11.1			
Premium Pay				
Other				
Total Personal Services		36.1		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		36.1		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	36.1		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

Justification

The Administrative Assistant will be responsible for general routine office correspondence and communications; management of the office; travel and other related arrangements for Commission meetings; and other duties as assigned by the Executive Director and/or the Research Analyst.

This position is established as a permanent full time, Range 12A, which is comparable with the status of like positions of other similar agencies.

**Request For
New Position**

Agency Office of the Governor
 BRU Commissions/Special Offices
 Component Alaska Native Affairs
Commission

FY 90

Page 3 of 3
 Revised Date

Alaska State Legislature



SENATOR JIM DUNCAN

P. O. BOX V JUNEAU, ALASKA 99811-3100
(907) 465-4766

COMMITTEES:
FINANCE
VICE CHAIR -
HEALTH EDUCATION
& SOCIAL SERVICES
BUDGET & AUDIT
BANKING &
ECONOMIC
DEVELOPMENT

MEMORANDUM

TO: ~~Senator Pat Pourchot, Chairman~~
~~Senate State Affairs Committee~~

FROM: ~~Senator Jim Duncan~~

SUBJECT: Hearing for SB 115

DATE: January 30, 1989

Please find attached information concerning Senate Bill 115, "An Act creating an Alaska Native Affairs Commission." I have introduced this legislation with the hope of bringing Alaskan government and Native Alaskans closer together.

Several states, most with smaller native populations than the over 85,000 Alaska natives age 16 and older, have some form of Native commission. Most of these are created by statute and are appointed by the governor. The responsibilities of these commissions typically involve serving as an advocate for Native interests coming before state government.

I am requesting your consideration for scheduling a hearing on SB 115 before the Senate State Affairs Committee at your earliest convenience. Please contact Dale Staley of my staff if you need any additional information.

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



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

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: February 24 Committee Hearing
DATE: February 23, 1989

On Friday, February 24 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bill:

SB 115, An Act creating an Alaska Native Affairs Commission

SB 115 would establish in the Governor's office a 15 member commission to serve as a coordinating body for matters concerning Alaska Natives. The commission would be charged with studying the problems of Alaska Natives and making recommendations for legislative and administrative action.

The commission would be authorized to hire staff and would be required to submit an annual report. A fiscal note based on five meetings per year and three staff positions is attached.

Sen. Pourchot
Feb. 23, 1989

SB 115 CREATING AN ALASKA NATIVE AFFAIRS COMMISSION

MEMBERS

Attorney General
DCED Commissioner
C&RA Commissioner
DOE Commissioner
ADF&G Commissioner
DHSS Commissioner
9 public members

Governor to consider recommendations
of Native groups; statewide geo-
graphical representation

TERMS

4 years
staggered
per diem and travel, but no compensation

STAFF

executive director and additional staff as necessary

ANNUAL REPORT

by January 15
to Governor and Legislature

DUTIES

study laws
coordinate information
resolve problems
disseminate research results
recommend action

POWERS

create task forces
retain the services of consultants
accept monetary gifts and grants

SB 115 CREATING ALASKA NATIVE AFFAIRS COMMISSION

TO TESTIFY:

SENATOR DUNCAN, SPONSOR (DALE)

SOMEBODY FROM ADMINISTRATION - Jim Plasman, CoRA

RICHARD STITT, ALASKA NATIVE BROTHERHOOD

ED THOMAS, TLINGIT AND HAIDA CENTRAL COUNCIL

ANDY EBONA, ALASKA NATIVE BROTHERHOOD

RON WILLIAMS, ALASKA NATIVE BROTHERHOOD

SOMEBODY FROM A.F.N. --?? Janie Leask on teleconference holding

OTHERS (SEE WITNESS LIST)

per Boucher's staff - are holding off hearing it (at sponsor's request) because of concerns of AFN + Governor's office.

F.Y.I.

PETER GOLL HAS SAME BILL IN HOUSE (IN STATE AFFAIRS)

DUNCAN WANTS FISCAL NOTE REDUCED. ASSUMPTIONS INCLUDE 3 STAFF, 5 MEETINGS PER YEAR, TRAVEL COSTS FOR AGENCY MEMBERS, 60.0 IN CONSULTANT CONTRACTS, ETC.

HOUSE RESEARCH REPORT OCT. 1988:

28 STATES HAVE COMMISSIONS ON INDIAN AFFAIRS. MAJORITY CREATED TO ADDRESS JURISDICTIONAL ISSUES ARISING FROM PRESENCE OF RESERVATIONS -- THESE SAME ISSUES DON'T FOR THE MOST PART EXIST IN ALASKA.

REPORT SUGGESTS A COMPREHENSIVE STUDY OF THE STATUS OF ALASKA NATIVES TO INDICATE THE USEFULNESS OF AN ALASKA NATIVE AFFAIRS COMMISSION. (NOTES THAT WOMEN'S COMMISSION WAS OUTGROWTH OF 1977 STUDY BY HUMAN RIGHTS COMMISSION ON STATUS OF WOMEN IN ALASKA; STUDY WAS REQUESTED BY LEGISLATURE.)

ALL OF THE OTHER STATES' COMMISSIONS ARE REQUIRED TO HAVE INDIAN MEMBERS (NOT SB 115).

S B

117

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 117

SPONSOR Duncan

BILL TITLE University License Plates

DATE REFERRED 1-16-89

HEARING SCHEDULED 2-8-89

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Date 4766 Mike Young ^{new staff person}

INTERESTED PARTIES CONTACTED

yes ✓ Suzi Tryck, Univ Anch 278-5433
Jrw 586-2660, ex. 824

✓ Gail Howelski, DPS 4322

Bill Brown {cs OK
4335 }

OTHER

SB 117, SPECIAL REQUEST UNIVERSITY LICENSE PLATES

TO BE PRESENT:

SENATOR DUNCAN, SPONSOR MIKE YOUNG

BILL BROWN, DEPT. PUBLIC SAFETY

F.Y.I.

TWO CHANGES IN C.S.:

1. ALLOW FOR DESIGN OF LICENSE PLATES CARRYING THE NAMES, RATHER THAN THE ACRONYMS, OF THE STATE UNIVERSITY CAMPUSES (UAA, UAF, UAS)
2. SPECIFY THAT LEGISLATIVE APPROPRIATIONS OF LICENSE PROCEEDS TO THE UNIVERSITY ARE TO BE REVENUES IN EXCESS OF THE COST OF ISSUING THE PLATES

FISCAL NOTE REFLECTS THESE CHANGES. NO LONGER LIMITED TO 999 PLATES AT EACH CAMPUS; COST PER SET OF PLATES INCREASED FROM \$3.55 TO \$5.00

THE THRESHOLD QUESTION: D.P.S. ORDERS PLATES IN BATCHES OF 50. ANTICIPATE NO PROBLEM SELLING 50 OF THESE, ESPECIALLY OVER THE YEARS.

6-0384E
Ford
2/9/89

DRAFT

Original sponsor: Duncan

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 117 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to special request university li-
7 cense plates."

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

9 * Section 1. AS 28.10.181 is amended by adding a new subsection to
10 read:

11 (o) Special request university plates. Upon application by the
12 owner of a passenger vehicle, noncommercial van or pick-up truck, or
13 motor home, the department may design and issue registration plates
14 representing the state university campuses, University of Alaska
15 Anchorage, University of Alaska Fairbanks, or University of Alaska
16 Southeast. The department may disapprove the issuance of registration
17 plates under this subsection when the requested plates are a duplica-
18 tion of an existing registration.

new wording

19 * Sec. 2. AS 28.10.421(d) is amended by adding a new paragraph to read:

20 (15) special request university plates.....\$50
21 plus the fee required for that vehicle under (b)(1) or (2) of this
22 section; the fee required by this paragraph shall be collected only on
23 the first issuance and on the replacement of special request plates;
24 the commissioner of administration shall separately account by univer-
25 sity campus designation for the fees received under this paragraph
26 that the department deposits in the general fund; the annual estimated
27 balance in the accounts that is in excess of the cost of issuing
28 special request university plates may be appropriated by the legisla-
29 ture for the support of programs at each campus.

new wording

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



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

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: February 13 Committee Hearing
DATE: February 10, 1989

On Monday, February 13 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 27, An Act relating to purchase of international investments by the Alaska permanent fund; and changing certain requirements related to the purchase of domestic investments by the Alaska permanent fund.

SB 27 would permit investment of a portion of the Permanent Fund in nondomestic stocks and bonds. The percentage of the Fund's total investments which could be invested in each stated category would remain as under current law:

15%	mortgages
15%	real estate
20%	certificates of deposit, term deposits, bankers' acceptances issued by a domestic <u>or nondomestic</u> bank
50%	<u>domestic or nondomestic securities, domestic stocks, nondomestic corporate promissory notes</u>

Similar legislation introduced last year failed to reach final passage. The primary difference between last year's version and SB 27 is in the investment categories. Last year's bill allowed investment of up to 20% of the fund in foreign stocks and bonds in addition to the 50% in domestic stocks and bonds.

SB 27 is supported by the Permanent Fund Board of Trustees as a way to reduce the Fund's overall risk and enhance the Fund's overall performance. Statistical information on international investments is attached.

SB 117, An Act relating to special request university license plates.

In response to concerns expressed at our earlier hearing on SB 117, a draft committee substitute has been prepared. The committee substitute: (1) allows for the design of license plates carrying the names, rather than the acronyms, of the state university campuses; and (2) specifies that legislative appropriations of license proceeds to the university should be limited to those revenues that are in excess of the cost of issuing the plates.

SB 113, An Act authorizing the Violent Crime Compensation Board to pay compensation for personal injury or death to the victim of an assault in any degree, had been scheduled for a committee hearing February 13. This bill has been removed from the calendar at the sponsor's request.

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



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

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members

FROM: Senator Pat Pourchot, Chairman

RE: February 8 Committee Hearing

DATE: February 7, 1989

On Wednesday, February 8 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 59, An Act relating to mandatory use of safety devices in motor vehicles.

SB 59 is scheduled for committee action. The bill would make failure to wear a seatbelt an infraction carrying a fine of up to \$15, and would remove the current exemption of rural areas from the child safety device requirements. A draft committee substitute that sets a maximum \$50 fine for violation of the child safety requirements is attached. Under current statute a violation could carry a fine of up to \$300; the court system's current bail schedule sets the fine at \$50.

SB 32, An Act relating to registration of vehicles owned by charitable organizations.

SB 32 would increase the annual registration fee for vehicles owned by charitable organizations. Current statute establishes a special \$5 fee for vehicles owned by municipalities or charitable organizations. SB 32 would remove charitable organizations from this category, requiring them to pay the standard registration fees.

In 1987 there were 2,481 vehicles registered by charitable organizations. Of these, 906 were passenger cars, 2 were motorcycles, 245 were non-commercial trailers, 1124 were trucks or vans, and 195 were buses. The standard fees for these classes of vehicles are \$35 for a car, \$20 for a motorcycle, \$5 for a non-commercial trailer, \$40 for a truck or van, and \$50-220 for a bus depending on its weight.

The Department of Public Safety estimates a \$82,140 increase in revenues through passage of SB 32.

SB 92, An Act relating to motor vehicles and related functions of the Department of Public Safety and Department of Commerce and Economic Development.

SB 92 would make a variety of improvements to the motor vehicle registration law. In brief, it transfers the licensing authority for motor vehicle dealers from the Department of Public Safety to the Department of Commerce, establishes a procedure for registration of interstate rental trucks and trailers, broadens the non-commercial trailer registration requirements, allows for cancellation of fraudulently obtained identification cards, eliminates the requirement that lien documents be filed with the division of motor vehicles, allows for issuance of handicap parking permits to organizations, and repeals the foreign consul license plate provisions. The Governor's transmittal letter and a sectional analysis, both of which are attached, provide information on each of these provisions.

A draft committee substitute has been prepared to correct three errors identified in the original bill. Page 9, lines 13 and 16 incorrectly indicated the current registration fees; the repeal of AS 28.10.181(g) on page 10, line 24 necessitates the repeal of AS 28.10.421(d)(6).

SB 117, An Act relating to special request university license plates.

SB 117 would authorize the Department of Public Safety to issue license plates representing the state university campuses with the letters "UAA", "UAF", or "UAS". The fee for such plates would be \$50, payable at first issuance and upon replacement. Fees would be separately accounted for and could be appropriated by the legislature for the support of programs at each campus.

In addition to "vanity" plates (\$30), current statute provides for special license plates for Pearl Harbor survivors and former prisoners of war (\$0), members of the Alaska National Guard (\$30), motor vehicle dealers (\$45), elected state officials (\$0), disabled veterans and other handicapped persons (\$0), historic vehicles (\$10), consular officers of foreign governments (\$35), amateur mobile radio station vehicles (\$0), ranchers and farmers (\$35), and Winter Olympics commemoration (\$70).

SB 137, An Act relating to commercial vehicle driver licensing.

SB 137 would bring Alaska into compliance with the Federal Commercial Motor Vehicle Safety Act (CMVSA) of 1986. The CMVSA requires that all states have a licensing system for drivers of commercial vehicles. The system must include written

and road tests for the size vehicle being operated and all drivers must be licensed by April 1, 1992. The penalty for noncompliance is the withholding of 10% of federal highway funding.

SB 137 defines "commercial vehicle" by adopting the federal standards (gross weight rating of 26,001 or more pounds, designed to transport more than 15 passengers, or transporting placarded amounts of hazardous materials) while continuing the state's tradition of less strict regulation of vehicles on roads not connected to the main highway system or to heavily-traveled roads. In addition, the definition specifically excludes farmers and firefighters, as allowed by federal law.

With passage of SB 137, the Department of Public Safety plans to begin issuing commercial vehicle operating licenses by January 1, 1991. SB 137 has a zero fiscal note. According to DPS, total implementation costs cannot be estimated at this time. Federal grant monies will be forthcoming; if supplemental state funds are needed, they will likely appear as an increment in the department's FY 91 operating budget.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2-1-89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

FINANCE

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 2-13-89

1/16/89
Mr. President:

STATE AFFAIRS Committee considered SB 117

special request university license plates

and recommended:

replace with CS SB 117 (St Aff) same title
 attached amendment(s) and new title

_____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) attached zero
 appropriation no FN attached

fiscal impact
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Al Adams
Jan Fink
Tom Kelle
Pat Kelly

Pat Kelly
Chairman signature and recommendation

Committee backup attached

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to special request university license plates.
Sponsor: Senator Duncan
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Motor Vehicles
Component: Field Services
Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	8.1	1.4	1.4	1.4	1.4
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	8.1	1.4	1.4	1.4	1.4

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	60.0	11.3	11.3	11.3	11.3
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	8.1	1.4	1.4	1.4	1.4
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	8.1	1.4	1.4	1.4	1.4

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

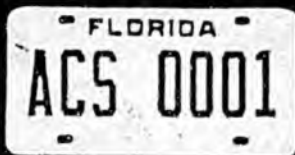
See page 2

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 02/10/89

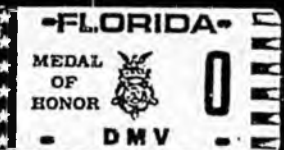
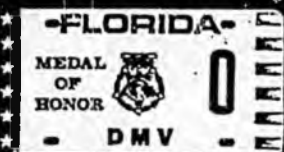
Approved by Commissioner: Arthur English
Agency: Department of Public Safety

Date: 2-10-89



49. **State Agencies:** Certain state agencies are issued tags containing a two or three letter agency prefix followed by four numbers (sample above). The agencies and agency prefixes are:

- ACS-Department of Agriculture and Consumer Services.
- DC-Department of Corrections
- DDL-Division of Driver Licenses
- DMV-Division of Motor Vehicles
- DNR-Department of Natural Resources
- DOT-Department of Transportation
- FHP-Florida Highway Patrol
- FMP-Florida Marine Patrol
- GFC-Florida Game and Fresh Water Fish Commission
- LES-Department of Labor and Employment Security.
- PSC-Public Service Commission.

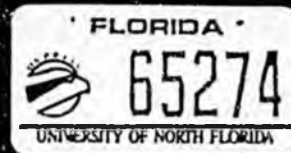


50. **Medal of Honor:** Issued free to any United States citizen who is a resident of Florida and who was awarded the Medal of Honor while serving as a member of the United States Armed Forces.

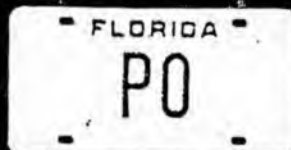
special order plates
cost \$5 per set
compared to the
\$355 for regular
plates.



51. **Challenger License Plate:** Issued to commemorate the astronauts who died when the space shuttle Challenger exploded in 1986. The Challenger license plate is available on request.



52. **Collegiate License Plate:** Authorized to raise scholarship funds for the nine state universities. Also authorized for private universities if sufficient demand. Available on request.



53. **Emergency Service Special Registration Plate:** Issued for the front of any motor vehicle owned by a certified emergency medical technician, certified paramedic, firefighter, law enforcement officer, or emergency management personnel.

from Duncan

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to special request university license plates.
Sponsor: Senator Duncan
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Motor Vehicles
Component: Field Services
Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	8.1	1.4	1.4	1.4	1.4
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	8.1	1.4	1.4	1.4	1.4

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	60.0	11.3	11.3	11.3	11.3
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	8.1	1.4	1.4	1.4	1.4
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	8.1	1.4	1.4	1.4	1.4

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See page 2

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 02/10/89

Approved by Commissioner: D. H. English
Agency: Department of Public Safety

Date: 2-10-89

Analysis:

The figures used for this fiscal note are strictly estimates as we have no idea how many people will request the university plates.

It is estimated that in FY90 the following number of plates will be requested:

UAA - 600; UAF - 400; and UAS - 200; for a total of 1,200

In FY91 and subsequent years it is estimated there will be 100 new requests for UAA; 75 new requests for UAF; and 50 new requests for UAS; for a total of 225 new requests each fiscal year. The language in Section 2 of the bill indicated it is the intent of the committee that the expense of the program be paid from the additional revenues. Since all the revenues go to the general fund, the appropriation must be made by the legislature.

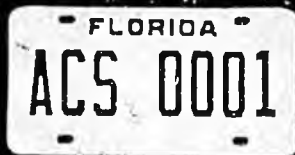
CONTRACTUAL

1,200 special request plates @ 5.00 per set	6.0
Postage for mailing @ \$1.76 per set x 1,200	<u>2.1</u>
	8.1

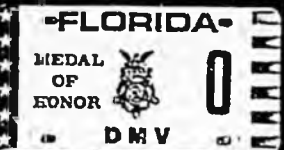
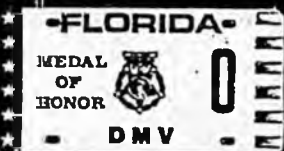
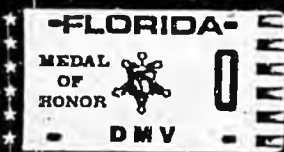
REVENUE

It should again be emphasized these are rough estimates only, as we have no idea how many people will request the university license plates.

1,200 special request university plates @ \$50 each for FY90 = \$60.0
225 special request university plates @ \$50 each for FY91 and subsequent years \$11.3 annually.



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 DDL-Division of Driver Licenses
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 PSC-Public Service Commission.



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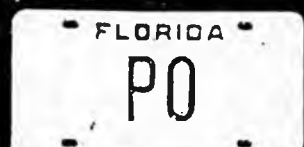
special order plates cost \$5 per set compared to the \$355 for regular plates.



51. **Challenger License Plate:** Issued to commemorate the astronauts who died when the space shuttle Challenger exploded in 1986. The Challenger license plate is available on request.



52. **Collegiate License Plate:** Authorized to raise scholarship funds for the nine state universities. Also authorized for private universities if sufficient demand. Available on request.



53. **Emergency Service Special Registration Plate:** Issued for the front of any motor vehicle owned by a certified emergency medical technician, certified paramedic, firefighter, law enforcement officer, or emergency management personnel.

from Duncan

owner of the vehicle, may register the vehicle without and shall type or stamp on the face of the State of of registration "No Title Issued." The issuance of of title shall be withheld until the registered or des for the surrender of the out-of-state title, or in the state, documents which satisfy the department of y liens on the vehicle, or until the posting of a vehi- qual to the market value of the vehicle which bond ned for two years.

of a commercial vehicle desires to maintain title in on, the department, when satisfied that the appli- ly operating in-state and is the lawfully registered nercial vehicle, may register the commercial vehicle title and shall type or stamp on the face of the State te of registration "No Title Issued." (§ 7 ch 178 SLA ch 45 SLA 1987)

ments. — The 1987 section or" preceding "AS 28.10.141," and tion (a) substituted added subsection (c). and inserted "this

Interstate use of vehicles. When, in the course of operation in this state a commercial vehicle li- Interstate Commerce Commission under 49 U.S.C. 1 — Commerce Act) or regulated by the Federal Maritime r 46 U.S.C. 804 (Shipping Act) is registered in and it is desirable to retain the registration and e in the other jurisdiction, the owner or an agent of register the vehicle and pay all required fees and for inspection the certificate of registration issued by The department, when satisfied that the applicant is mption from the title requirements of this chapter, vehicle but may not issue a certificate of title. (§ 7 ; am § 5 ch 45 SLA 1987)

ments. — The 1987 and deleted the former last sentence, st sentence substi- which read "Notice of the fact that the vehicle is registered in another jurisdic- tion shall appear on the certificate of reg- istration issued by this state and (v) the records of the department maintained un- der AS 28.10.071." for "of a vehicle"

Sec. 28.10.151. Vehicles transported under special permits. (a) When moved or driven under a special permit to be designed and issued by the department, the registration required by this chapter is not required of

(1) a vehicle under construction and which is not completed;
(2) a vehicle while being moved from one place to another for the purpose of inspection, weighing, or meeting other requirements of the department;

(3) a vehicle while being moved or driven from one location to another for the purpose of rebuilding, dismantling, or permanently removing the vehicle from the highways and vehicular ways and areas of the state; or

(4) an unladen commercial vehicle making a single continuous trip by a noncircular route for a period of time not exceeding 10 days.

(b) A special permit issued under this section shall be prominently displayed. (§ 7 ch 178 SLA 1978; am §§ 6, 7 ch 45 SLA 1987)

Effect of amendments. — The 1987 amendment added subsections (a)(4) and (b).

Sec. 28.10.165. Souvenir winter olympics plate. The department may issue a souvenir Winter Olympics commemorative license plate. A person may not attach a souvenir plate to a motor vehicle in the manner described in AS 28.10.171 for attachment of registration plates. The department shall charge a fee of \$30 for each plate issued under this section. The commissioner of administration shall separately account for fees received under this section that the department deposits in the general fund. The legislature may appropriate the annual estimated balance in the account to the Alaska sports fund established under AS 05.35.150. (§ 2 ch 24 SLA 1988)

Cross references. — For legislative intent regarding appropriation of proceeds from sale of Winter Olympics plates, see sec. 1, ch. 24, SLA 1988 in the Temporary and Special Acts; for approval of design of plates, see sec. 9, ch. 24, SLA 1988 in the Temporary and Special Acts.

Sec. 28.10.181. Registration of unique and special vehicles and vehicles used for special purposes. (a) The department shall register unique and special vehicles and vehicles used for special purposes and issue registration plates as provided in this section. Notwithstanding other provisions of this chapter, registration plates issued under this section remain with the person or organization to whom they are issued when vehicle ownership is transferred or title or interest in the vehicle is assigned, except for plates issued under (b), (c), (d) and (e) of this section. Registration plates issued under this section may not be used on, or transferred to, a vehicle other than the vehicle for which the plates are issued without the approval of the department

and payment of any required fees and taxes prescribed in AS 28.10.421(d), 28.10.431 and 28.10.441; however, if the plates issued under (e), (f) and (j) of this section are transferred to a vehicle for which the registration fee is more than the fee for the vehicle from which the plates are transferred, the owner shall pay the difference between the two fees. Registration plates issued under this section to which a person is no longer entitled or the transfer of the plates to another vehicle which the department does not approve shall be returned immediately to the department by the person or organization to whom the plates were originally issued.

\$10

(b) Historic vehicles. The owner of an historic vehicle may make application for special registration under this subsection. The department, when satisfied that the vehicle meets the requirements for historic vehicle registration under regulations adopted by the commissioner, shall register the vehicle and issue two permanent registration plates of distinctive design and color bearing no date. These plates remain with the vehicle as long as it is registered under this subsection. Vehicles qualifying for registration under this subsection shall be issued registration plates numbered in a separate numerical series beginning with "Historic Vehicle No. 1."

(c) Special request plates. Upon application by the owner of a passenger vehicle, motorcycle, noncommercial van or pick-up truck, or motor home, the department shall design and issue registration plates containing a series of not more than six letters or numbers or combination of letters and numbers as requested by the owner. The department may, in its discretion, disapprove the issuance of registration plates under this subsection when the requested symbols are a duplication of an existing registration or when the symbols are considered unacceptable by the department.

\$30

(d) Vehicles owned by disabled veterans and handicapped persons. A person who presents to the department written proof that the person is at least 70 per cent disabled or medically handicapped and should be given special consideration by the public with respect to the parking or standing of the person's vehicle in designated spaces, may register one passenger vehicle without charge. The proof required under this subsection may consist of evidence that the person receives at least 70 per cent disability compensation from a government agency at the time of registration or an affidavit signed by a physician licensed to practice medicine in this state. Upon the request of the applicant the department shall issue a specially designed registration plate which displays

0

(1) recognition of the disabled veteran if the applicant's disability originated from the applicant's service with the armed forces of the United States; or

(2) the standard handicap symbol (the wheelchair logo).

\$5

(e) Vehicles owned by the state, municipalities, and charitable organizations of the state. Every certificate of registration and registration plate issued to the state, a municipality or charitable organization of the state is in effect until the vehicle for which the registration certificate and plate were issued is no longer owned and operated by the state, the municipality or the charitable organization of the state or until the department, in its discretion, declares its expiration. The state, municipality or charitable organization of the state shall maintain a current listing of all vehicles registered to it in the order of the registration number assigned to each vehicle, and shall provide a copy of the listing to the department upon request. The listing shall include a description of each vehicle and other identifying information required by the department. Registration plates issued under this subsection shall be of a distinctive design and numbering system. For the purposes of this subsection, "charitable organization" means a non-profit association, corporation, society or other entity organized, incorporated or headquartered in the state for educational, cultural, scientific or other charitable purposes, as prescribed in regulations of the department.

(f) Vehicles owned by elected state officials. The department shall issue special registration plates to each incumbent elected official for display on noncommercial motor vehicles owned and driven by the official. The department shall number or design the plates so that registration by an elected state official is indicated upon the plates. The registration plates issued under this subsection remain with the owner of the vehicle only during the official's term of office.

0

(g) Vehicles owned by consular officers of foreign governments. A vehicle owned by a consular officer of a foreign government shall be issued registration plates displaying the title "consular corps" or "cc." However, the commissioner may waive the registration of consular vehicles and the payment of fees and taxes when consistent with international treaties or agreements.

\$35

(h) Vehicles owned by ranchers, farmers, and dairymen. A vehicle not exceeding an unladen total gross weight of 16,000 pounds, owned by a person deriving the person's primary source of livelihood from the operation of a ranch, farm, or dairy where the person resides full-time, and which vehicle is used exclusively to transport the person's own ranch, farm, or dairy products to and from the market or to transport supplies, commodities or equipment to be used on the person's ranch, farm or dairy, may be registered under this subsection and may be issued registration plates of a distinctive design or system of numbering.

\$35

(i) Amateur mobile radio station vehicles. A validly licensed amateur radio operator who presents satisfactory proof that the owner holds an unexpired Federal Communications Commission amateur radio operator's license of any renewable class, and who presents sat-

0

isfactory proof that the vehicle contains or carries an amateur radio transmitter and receiving unit of a type applicable to the license class applied for, and who is permitted by law to operate a fixed station, may register one amateur mobile radio station vehicle for each radio license issued by the federal government and may receive for the vehicle distinctive registration plates instead of regular registration plates. The number on the plates shall be the radio call sign of the owner.

(j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer may apply for dealer registration plates. A plate issued under this subsection may be used only on dealer-owned vehicles during the routine and normal course of the dealer's business, excluding service vehicles, or for transporting an unregistered vehicle from a port of entry to the dealer's facilities or from one dealer to another or, in the case of a house trailer, from the retail facility to a trailer space. If the dealer sells or transfers the vehicle, the dealer plates may be used on the vehicle by the new owner or transferee for a period of not more than five days after the sale or transfer. The department may seize the dealer plates if it has reason to believe that the plates are being used to defeat the purposes of, or are in violation of, this chapter.

(k) Occasional users of highways. The department may issue a license to the owner of a vehicle which is only occasionally used on a highway. The applicant must show to the satisfaction of the department that the vehicle to be licensed under this subsection will travel upon state highways less than five per cent of its total hours of operation. The department may not issue more than two licenses under this subsection to a single person.

(l) Vehicles owned by Pearl Harbor survivors and former prisoners of war. The department, upon receipt of written proof, shall issue without charge special registration plates for one noncommercial motor vehicle to a person who was an active military duty in Pearl Harbor on December 7, 1941, or who has been a prisoner of war during a declared war or other conflict, as determined by the Department of Defense under federal regulations. The design and color of the Pearl Harbor survivor or prisoner of war plates shall be solely within the discretion of the commissioner.

(m) Special request plates for Alaska National Guard personnel. Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home who presents satisfactory proof of current membership in the Alaska National Guard, the department may design and issue registration plates that identify the vehicle as registered to a member of the Alaska National Guard. The owner shall return the registration plates to the department within 10 days following discharge from the Alaska National Guard.

(n) Special request Winter Olympics commemorative plates. The department shall issue registration plates commemorating the Winter

Olympics upon application by the owner of a passenger vehicle, non-commercial van or pick-up truck, or motor home. (§ 7 ch 178 SLA 1978; am § 2 ch 54 SLA 1979; am § 1 ch 151 SLA 1984; am § 5 ch 60 SLA 1986; am §§ 3 — 5 ch 24 SLA 1988)

Cross references. — For approval of design of plates authorized under (n) of this section, see sec. 9, ch. 24, SLA 1988 in the Temporary and Special Acts.

Effect of amendments. — The 1986 amendment added subsection (m).

The 1988 amendment, in the first sentence in subsection (c), inserted "motorcycle" and substituted "shall" for "may"; in

subsection (l), inserted "Pearl Harbor survivors and" in the catchline and "Pearl Harbor survivor or" in the second sentence and, in the first sentence, substituted "shall" for "may" and inserted "was on active military duty in Pearl Harbor on December 7, 1941, or who", and added subsection (n).

Article 2. Title.

Section 201. Title required; exceptions

Sec. 28.10.201. Title required; exceptions. (a) Except as otherwise provided in (b) of this section or in AS 28.10.131 and 28.10.141, every owner of a vehicle subject to registration in this state shall apply for a certificate of title under this chapter.

(b) The owner of a vehicle described in AS 28.10.011 as being exempt from registration and the owner of a snowmobile or off-highway vehicle may not apply for, nor may the department issue, a certificate of title for such a vehicle. However, the department may issue a certificate of title to the owner of a vehicle exempt from registration under AS 28.10.011(3), (6), (7), (11), or (12) only upon application by that owner.

(c) The certificate of title issued may, when there is more than one owner, state the name of each owner in the conjunctive or in the disjunctive in order to indicate that the owners own the vehicle together or in the alternative.

(d) Except for vehicles registered under AS 28.10.131(h) or (c) and 28.10.141, the department may not register a vehicle unless the applicant for registration at the same time applies for and obtains a certificate of title under this chapter, or presents satisfactory evidence that a certificate of title was previously issued to the applicant. The department may not accept the application for the original certificate of registration or title to a vehicle unless the vehicle is in the state at the time of application. However, the department may accept an application for registration and certificate of title for a vehicle which is not in the state when the application is made by a registered and bonded dealer or by a resident of the state when the application is accompanied by a manufacturer's statement of origin, or in the case of a used vehicle, when the application is accompanied by a certificate of title

\$45

\$15

0

\$30

\$70

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to special request university license plates.
Sponsor: Senator Duncan
Requestor: Senator Duncan

Agency Affected: Public Safety
BRU: Motor Vehicles
Component: Field Services
Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	6.4	1.2	1.2	1.2	1.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	6.4	1.2	1.2	1.2	1.2

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	60.0	11.3	11.3	11.3	11.3
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	6.4	1.2	1.2	1.2	1.2
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	6.4	1.2	1.2	1.2	1.2

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)

See page 2.

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 1/18/89

Approved by Commissioner: DA.H. English
Agency: Department of Public Safety

Date: 1-24-89