

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672  
6671 SENATE STATE AFFAIRS

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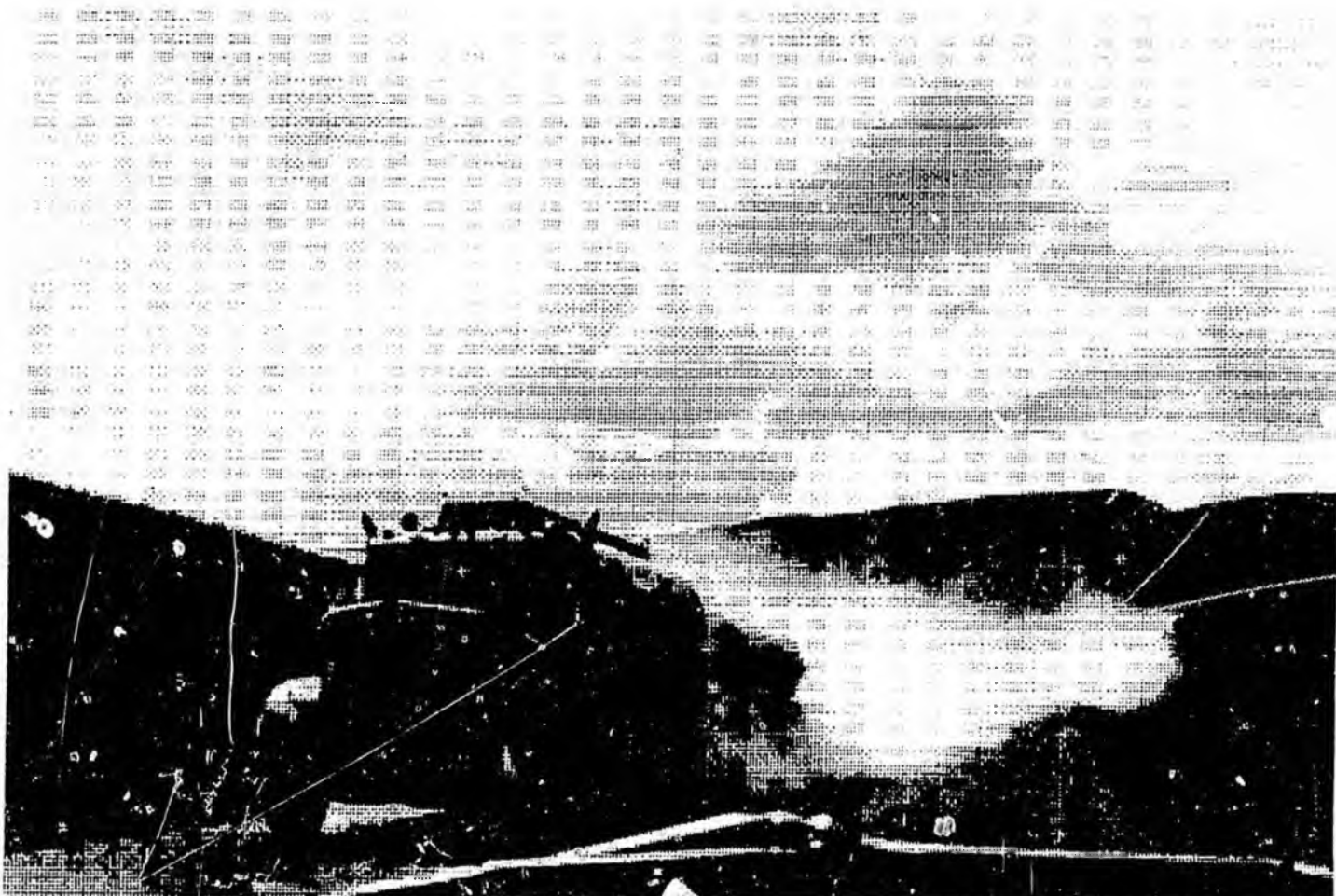
## DALTON HIGHWAY CHECK POINT

AVERAGE DAILY TRAFFIC  
VEHICLE COUNT  
1976 - 1988

MONTH YEAR	76	77	78	79	80	81	82	83	84*	85	86	87	88
January		98	89	73	68	122	164	105					
February		262	96	49	68	122	131	122					
March		465	112	59	76	215	181	156					
April		433	98	68	75	206	169	113					
May		251	96	69	83	149	145	95					
June		240	157	75	105	112	174	81					
July	402	222	119	81	125	122	151	100	79	109	88	57	72
August	381	210	142	89	154	139	137	104		76	91	67	80
September	349	203	81	84	136	159	150	98		36	69	64	85
October	231	142	62	73	130	136	122	94			63	55	64
November	166	131	71	69	115	140	97	96			58	48	
December	119	120	69	59	100	134	103	71					
ANNUAL AVERAGE	275	231	99	71	103	146	144	103	79	74	74	58	77
LOCATION	YUKON RIVER							DISASTER CREEK			CHANDALAR SHELF		

\* 1984 figures are from DOT&amp;PF traffic counter at Atigun River

# DALTON HIGHWAY CORRIDOR MAINTENANCE AND IMPROVEMENTS



DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

JUNE 1989

**DRAFT**

## DALTON HIGHWAY CORRIDOR MAINTENANCE AND IMPROVEMENTS

Legislative intent in the 1990 Dalton Highway & Aviation operating budget states: "It is the intent of the Legislature that the Department should negotiate a cost recovery agreement with the North Slope oil producers for the maintenance of the Dalton Highway. If such an agreement is not negotiated by October 1, 1989, the Department shall initiate a toll, paid by the users of the Dalton Highway."

Several issues will need to be addressed if the road is to become a toll road: How should State regulations be revised to set up toll road? Will the toll facility be at the Yukon River, at the Fox Weigh Station, or elsewhere? Will users pay by weight or by axle? Do we charge the same fee to travel 50 miles as we charge for 350 miles? How do we set the fee to make sure revenue matches collection without frequent toll changes? Will all the users pay a toll, or will it be limited to vehicles servicing the oil fields? These issues will be difficult to resolve by the October 1 deadline.

The Legislature funded the Department \$160,000 in the 1990 capital budget for a toll facility. After the facility is set up, it will need to be staffed 24 hours a day. There will also need to be a part-time accountant to provide accounting for the tolls. The Legislature did not authorize additional operating funds for toll personnel. The cost for personnel, supplies, and maintenance of the toll facility will be \$263,000 in FY90 for 9 months and \$350,000 in FY91 for a full year. Thus, a toll facility will substantially increase the total cost of maintaining the road.

The alternative to building and staffing a toll facility is the negotiation of a cost recovery agreement with the North Slope oil producers. This would appear to be the most cost effective and expeditious alternative.

The financing of maintenance and capital improvements by the private sector has several precedents in Alaska. The Klondike Highway near Skagway was built by the State of Alaska. There has been intensive use of the highway by a Canadian mining company and it has been given the designation, "industrial use highway". The mining company and the State of Alaska have an agreement whereby the mining company is charged through an agreement based on "equivalent axle loads" for improvements needed to keep the road structurally sound. Similarly, Cominco, Ltd. is responsible, through prorated user fees, for the maintenance and operations costs of the state-owned DeLong Mountain Transportation System, a 55-mile road and an ocean port in western Alaska.

A cost recovery agreement needs to be preceded by an analysis of the maintenance and capital needs of the Dalton. Following is a list of those needs.

**DALTON HIGHWAY CORRIDOR  
OPERATING & CAPITAL PROJECT NEEDS**

Base Restoration and Resurfacing Yukon River to Deadhorse	\$30,000,000
Reconstruction-Livengood to Yukon River	54,000,000
Yukon River Bridge Redecking	920,000
Chandalar Maintenance Shop Construction	3,000,000
Dalton Hwy Communications System	500,000
Dalton Hwy Culvert Repair/Replacement	1,000,000
Dalton Hwy Bridge Deck Repair	
Phase 1	775,000
Phase 2	729,000
Dalton Hwy Guardrail Repair	1,000,000
Dalton Hwy Permanent Snow Fence	1,200,000
Dalton Hwy Roadway Delineators	500,000
Gravel Products (annual)	200,000
10 Additional Seasonal Personnel (annual)	300,000
Additional Equipment Operating Cost (annual)	300,000
Additional Equipment Purchase	1,700,000
5 Water Tankers	240,000
1 Snow Blower	300,000
1 Backhoe	200,000
3 Graders	450,000
2 Vibratory Rollers	200,000
6 6" Water Pumps	120,000
1 Vacuum Truck	100,000
3 Belly Dumps	90,000

## GENERAL FUND CAPITAL PROJECTS

Because of light use by the general public, the Dalton Highway generally ranks low when competing with other projects for limited capital improvement funding. Except for funds for the toll facility, the Dalton Highway has not received any capital improvement funding for the past two years (See Figure 1). No future funding is included in our Six Year Plan until 1992.

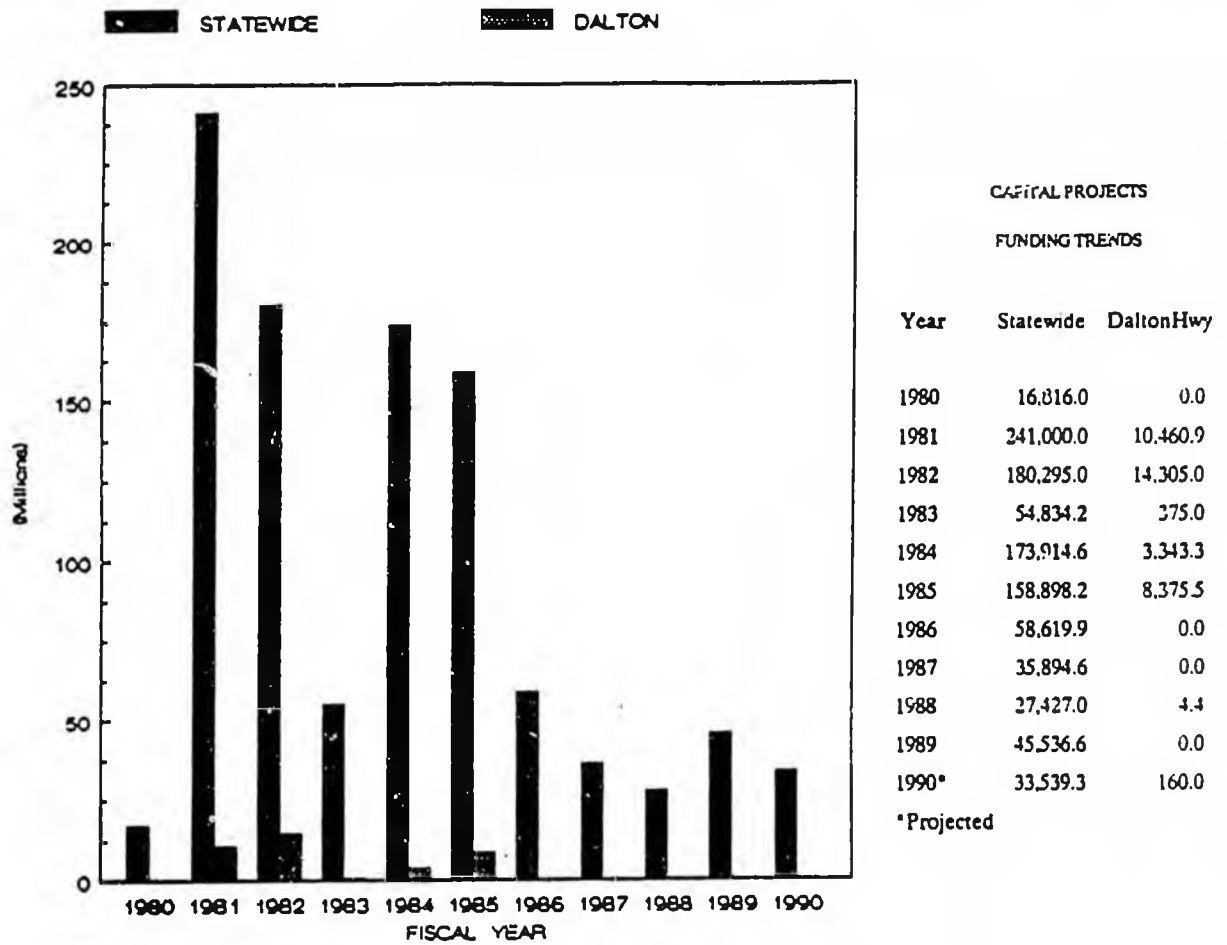
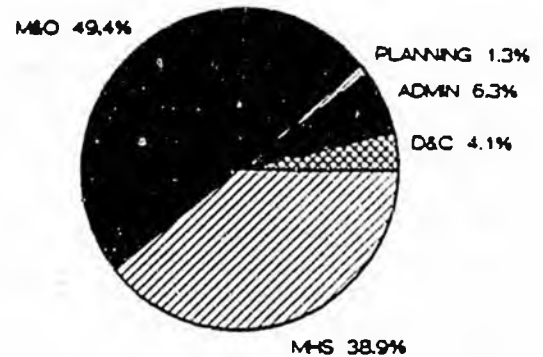


Figure 1: General fund appropriations to the Department for highways, aviation, marine transportation, and facilities. This includes match for Federal-Aid projects. Grant appropriations administered by the Department are not included.

## DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES BUDGET DISTRIBUTION

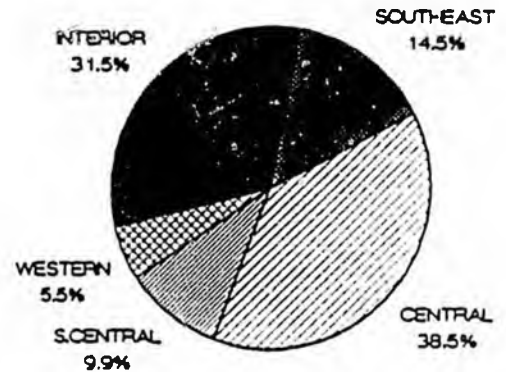
The Department of Transportation & Public Facilities (DOT&PF) received approximately \$160 million in general funds to fund operations for the current fiscal year. The following tables show the distribution of funding (in thousands) for FY90:

Administration	\$10,182.4
Planning & Research	2,042.4
Design & Construction	6,578.8
Maintenance & Operations	79,699.6
Marine Highway System	<u>62,761.9</u>
Total:	\$161,265.1



The 49% that is budgeted for highway, airport and facility Maintenance & Operations is distributed among five maintenance areas:

Central Region	\$30,681.3
Southeast Region	11,585.1
Interior District	25,123.4
Southcentral District	7,901.3
Western District	<u>4,408.5</u>
Total:	\$79,699.6



*The Dalton Highway receives 26% of Interior District's budget: 21% or \$5,289.2 for the highways and 5% or \$1,215.0 for facilities.*

## HIGHWAY AND AIRPORT MAINTENANCE FUNDING TRENDS

The Dalton Highway carries only 1.5% of the State's total traffic yet receives 9.7% of DOT&PF's highway maintenance funding. The average annual expenditure per lane mile is \$5,583, nearly 50% higher than other Interior District roads. This is despite the fact that the facility is unpaved and has no illumination, traffic signs or other high cost maintenance items. Remoteness, climate and terrain are responsible for a portion of these high costs, however, a large portion is due to the current poor condition of the facility. It is estimated that annual maintenance expenditures will have to be increased from the current \$6.5 million per year to nearly \$11 million to provide an adequate maintenance level. The graphic representation below depicts a five-year trend for the Dalton Highway and Statewide highway and airport maintenance and operations.

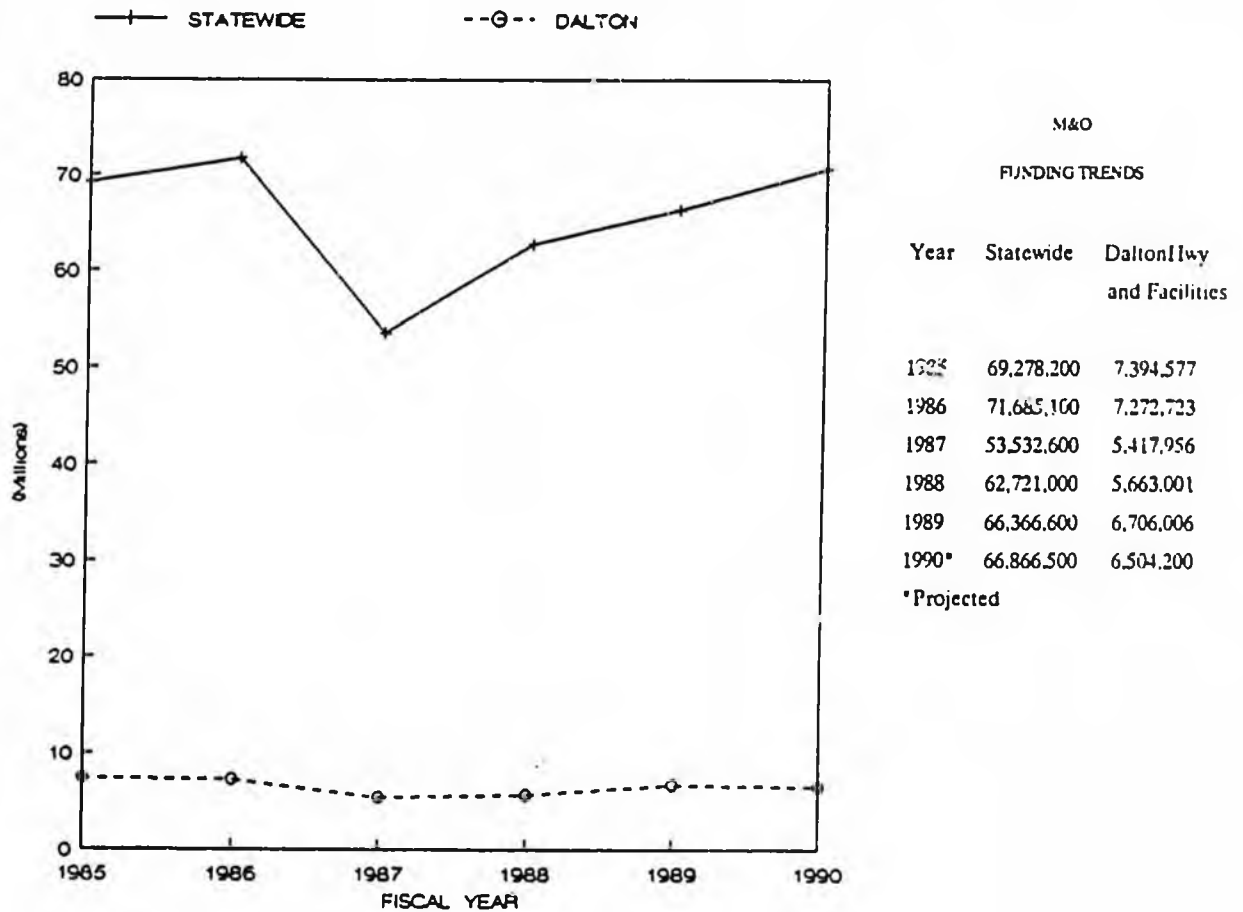


Figure 2: Funding shown reflects highway and airport maintenance and operations. Maintenance of DOT&PF and other State facilities are not included.

## HIGHWAY AND AIRPORT MAINTENANCE FUNDING TRENDS

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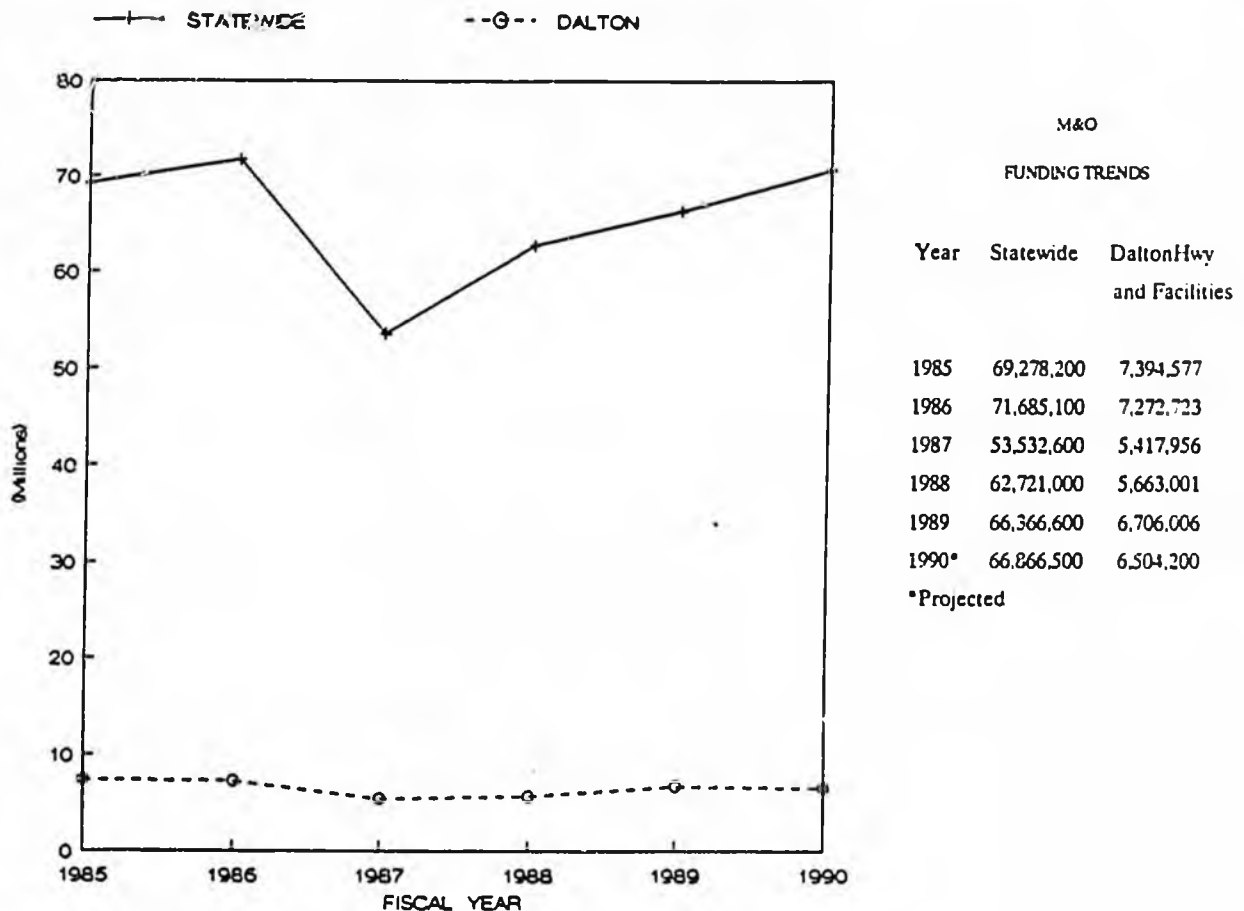


Figure 2: Funding shown reflects highway and airport maintenance and operations. Maintenance of DOT&PF and other State facilities are not included.

**CHAPTER 30.  
JAMES DALTON HIGHWAY  
OPERATION**

**Section**

- 10. Permits required
- 20. Permit applications
- 30. Issuance of permits
- 40. Types of permits
- 50. Conditions and enforcement
- 60. Emergency services
- 70. Definitions

**17 AAC 30.010. PERMITS REQUIRED.** No vehicle, except an emergency vehicle, may use or travel upon the Dalton Highway, as defined in 17 AAC 30.070(4), without a permit issued to the owner or operator of the vehicle by the commissioner or his designated representative. (Eff. 10/15/78, Reg. 68; am 3/30/84, Reg. 89)

Authority: AS 19.05.010 AS 19.10.100  
AS 19.05.020 AS 19.40.110  
AS 19.05.030 AS 44.80.070  
AS 19.05.040

**17 AAC 30.020. PERMIT APPLICATIONS.** Permit applications may be obtained from the department at its Fairbanks or Anchorage offices, or at other locations designated by the commissioner. (Eff. 10/15/78, Reg. 68; am 3/30/84, Reg. 89)

Authority: AS 19.05.010 AS 19.05.040  
AS 19.05.020 AS 19.10.100  
AS 19.05.030(1) AS 44.80.070

**17 AAC 30.030. ISSUANCE OF PERMITS.** Permits will be issued only for official, industrial, or commercial travel on the Dalton Highway, and only for vehicles which meet the following criteria to the satisfaction of the commissioner or his designated representative:

(1) conform with applicable state and federal statutes and regulations governing vehicles or highways;

(2) carry sufficient safe fuel to travel the Dalton Highway or written assurance of the availability of fuel to the vehicle along the road;

(3) carry adequate equipment reasonably necessary to make minor repairs, prevent accidents, and minimize injury to persons and property including, but not limited to, the following:

(A) two mounted spare tires for each size wheel on the vehicle;

(B) tire-changing tools and jacks;

(C) six red 15-minute flares except when otherwise prohibited by law;

(D) six emergency reflectors;

(E) one spare headlight;

(F) tire chains for each driving wheel from October 1 to May 1;

(G) arctic gear and clothing for each person in the vehicle from October 1 to May 1;

(H) a reasonable supply of emergency food, water, and medical supplies for each person in the vehicle. (Eff. 10/15/78, Reg. 68; am 3/30/84, Reg. 89)

Authority: AS 19.05.010 AS 19.05.040  
AS 19.05.020 AS 19.10.100  
AS 19.05.030(1) AS 19.40.100

**17 AAC 30.040. TYPES OF PERMITS.** When the commissioner or his designated representative determines that it is in the best interest of the state and that the public health, safety, and welfare, including the safety of traffic on the Dalton Highway, will be adequately protected, one of the following two types of permits will be issued for vehicles which meet the criteria of 17 AAC 30.030:

(1) a single-trip permit to allow the vehicle to use and travel upon the Dalton Highway on dates specified in the permit, either for a round trip or a one-way trip;

(2) an annual permit to allow the vehicle to use and travel upon the Dalton Highway for one year from the date of issuance of the permit. (Eff. 10/15/78, Reg. 68; am 3/30/84, Reg. 89)

Authority: AS 19.05.010 AS 19.05.040  
AS 19.05.020 AS 19.10.100  
AS 19.05.030(1)

~~**17 AAC 30.050. CONDITIONS AND ENFORCEMENT.** (a) Permits issued under this chapter will include conditions and provisions which the commissioner or his designated~~

(5) "official travel" means travel by vehicles engaged in official government business or university affiliated research. (Eff. 10/15/78, Reg. 68)

Authority: AS 19.05.010

AS 19.10.100

AS 19.05.020

AS 28.05.010(4)

AS 19.05.040

**17 AAC 30.050. CONDITIONS AND ENFORCEMENT.** (a) Permits issued under this chapter will include conditions and provisions which the commissioner or his designated representative determines to be necessary to protect the health, safety, and welfare of the public and travelers on the road. Permittees must agree to comply with these conditions and provisions as well as all applicable state and federal laws by signing the permit.

(b) The permittee shall indemnify and hold harmless the state and its representatives, agents, and employees from all suits, actions, or claims of any character brought because of any injuries or damages sustained by any person or property in consequence of any act or omission, in any way related, directly or indirectly, to the issuance or use of the permit, of the permittee, its representatives, agents or employees, or of the State of Alaska, its representatives, agents, or employees, or of any other person. Each permit will include this provision in its terms, and the provision must be accepted by the permittee by execution of the permit.

(c) Enforcement of this chapter and the conditions specified in a permit, including inspection of vehicles to ascertain compliance with those conditions and with the requirements of sec. 30 of this chapter, will be performed by any officer of the Alaska State Troopers or other designated representative of the commissioner.

(d) Any violation of permit provisions or any falsification of statements on a permit application may result in the immediate revocation of the permit and may result in denial of future permit applications for the vehicle, operator, or owner, as appropriate.

(e) The owner or driver, or both, of any vehicle which uses or travels upon the North Road without a permit, in violation of sec. 10 of this chapter, is guilty of a misdemeanor under AS 19.05.140. (Eff. 10/15/78, Reg. 68)

Authority: AS 19.05.010 AS 19.05.140  
AS 19.05.020 AS 19.10.100  
AS 19.05.040 AS 28.05.010(4)

**17 AAC 30.060. EMERGENCY SERVICES.**

(a) A permittee must agree to pay all costs for emergency services furnished by the state. The

state will provide emergency services only if no other means of assistance is available. The issuance of a permit does not obligate the state to provide emergency services.

(b) A permittee must provide for removal of his stalled vehicle from the North Road within a reasonable time or the department will provide for its removal at the permittee's expense. (Eff. 10/15/78, Reg. 68)

Authority: AS 19.05.010 AS 19.10.100  
AS 19.05.020 AS 28.05.010(4)  
AS 19.05.040

**17 AAC 30.070. DEFINITIONS.** As used in this chapter

(1) "commissioner" means the commissioner of transportation and public facilities;

(2) "emergency vehicles" means wreckers, tow cars, ambulances or other vehicles called by the Alaska State Troopers or another authorized representative of the commissioner to assist in particular emergency situations;

(3) "industrial, or commercial travel" means travel

(A) necessary and related to oil and gas exploration and development or support of those activities; or

(B) necessary and related to mineral exploration and development or support of those activities, providing the applicant has obtained all necessary prospecting and/or mining permits; or

(C) necessary and related to agricultural development and support of that activity; or

(D) necessary and related to access by local residents to their property; or

(E) by a vehicle engaged in mass transportation and certified by the Alaska Transportation Commission as a common carrier or which is a private or contract carrier in compliance with AS 42.10 and 3 AAC 62 - 3 AAC 76;

(4) "North Road" means the North Slope Haul Road from the north bank of the Yukon River to Deadhorse;

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No.	Page
		90-5000	1 of 1
SUBJECT James Dalton Highway Permit System		Effective Date	
		July 1, 1986	
DIVISION Maintenance and Operations		SECTION	CHAPTER TITLE
		Deputy Commissioner	Dalton Highway
		Supersedes P & P No.	Dated
		New	
		APPROVED BY	
		<i>Wm S. Spraker</i>	

PURPOSE:

To provide a standard procedure for issuing permits to use the restricted portion of the James Dalton Highway and for performing the functional duties and responsibilities of the checkpoint personnel in accordance with Title 17, Chapter 30 of the Alaska Administrative Code (AAC), and Alaska Statutes (AS) 19.40.

POLICY:

It is the policy of the department to institute and maintain a permit and checkpoint control system to ensure that only official, industrial or commercial traffic is allowed on that portion of the Dalton Highway closed to public use as designated by the Commissioner.

Consistent with the requirements of AS 19.40, all travel on the restricted portion of the Dalton Highway must be necessary and directly related to allowable activities, as further defined below and in 17 AAC 30.070.

Permits obtained under false pretenses, or used by other than authorized permittees or to access the restricted portion for purposes other than those permitted may result in permanent permit revocation.

DISTRIBUTION:

All holders of the DOT&PF Administrative Manual of Policies and Procedures.

PROCEDURES:

1. Designated Contact Person
  - A. An individual from the Division of Maintenance and Operations, Northern Region, will be designated as the official "Contact Person" for the Dalton Highway Permit System. This individual will be responsible for overseeing the permitting system and serve as the contact point for public inquiries.
2. Travel Purposes
  - A. The following list identifies the general purposes for which permits to travel on the restricted portion of the James Dalton Highway can be issued:
    - i) Travel necessary and related to oil and gas exploration and development or support of those activities, so long as the applicant has obtained all necessary permits.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 2 OF 9
		Effective Date July 1, 1986	
SUBJECT  James Dalton Highway Permit System		Supersedes P & P No. New	Dated
		APPROVED BY <i>Wm S. Spink</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

- i) Travel necessary and related to mineral exploration and development or support of those activities, so long as the applicant has obtained all necessary prospecting and/or mining permits.
- iii) Travel necessary and related to agricultural development and support of those activities, so long as the applicant has obtained all necessary permits.
- iv) Travel necessary and related to access by local residents to their property, irrespective of whether they are permanent or seasonal residents.
- v) Travel by individuals engaged in official government business, or university affiliated research.
- vi) Travel by motor carriers engaged in commerce, including bona fide common carriers, contract carriers, private carriers, and exempt carriers.
- B. Since it is impossible to envision all of the possible cases for which a permit could be issued, the above list is not meant to be all inclusive. Any application for a reason not explicitly addressed by this list must be approved by the Director, Maintenance and Operations, Northern Region.
- C. The following list provides additional clarifications on how to treat permit requests for one of the reasons noted in Sec. 2.A.:
- i) Oil and Gas - periodically, there will be requests from those stating they have a contract with Alyeska, ARCO, SOHIO, etc., or that they are working for a company at Prudhoe. These must be handled keeping in mind that employment at Prudhoe does not automatically entitle an individual to a Dalton Highway permit. These applications must have a letter from their employer or contracting agency stating their destination(s) and reason for the travel. Contact the Director, Maintenance and Operations, Northern Region, or the Contact Person, for those who do not, or for those which raise uncertainty. Copies of the letter will be attached to our copy of the permit.
- ii) Oil and Gas - Alyeska vehicles will continue to utilize their fleet permit for those vehicles clearly marked and no window decal will be required.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 3 OF 9
SUBJECT  James Dalton Highway Permit System		Effective Date July 1, 1986	SUPERVISOR P & P No. New
DIVISION Maintenance and Operations		SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway
APPROVED BY <i>Wm S. Spauld</i>			

iii) Mining Activity - neither the Bureau of Land Management (BLM), nor the Department of Natural Resources (DNR) require permits in order to prospect or stake a mining claim. In order for an individual to obtain a Haul Road permit for these purposes, they must go to the appropriate agency, obtain the necessary application and/or site location notice paperwork from the appropriate agency and present it to us in a completed form. This procedure will be followed for those who have not previously had a Dalton Highway permit for this purpose, or those filing a new claim. However, those coming back for permit renewal to access the same claim must have proof of:

- A validly recorded mining claim; or
- A current recorded annual assessment if the original recording of the claim is more than one year old.

This information can be in one of two forms:

- The applicant produces the required paperwork for inspection, including recorded proof of annual assessment if applicable; or
- The applicant produces a letter from the appropriate agency that the individual has a validly recorded claim and/or up-to-date assessment work.

Finally, obtain copies of presented paperwork for attachment to our copy of permit.

- iv) Agricultural - the State's Division of Agriculture will be utilized to determine the validity of requests for agricultural permits.
- v) Local Residents - proof of residency will be required. This can be in the form of a recorded deed or the address from a driver's license. Although other proof may be acceptable, consult the Director, Maintenance and Operations, Northern Region, or the Contact Person, prior to permit issuance. Copies of acceptable proof will be attached to our copy of the permit.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No.	Page
		90-5000	4 OF 9
SUBJECT		Effective Date	
		July 1, 1986	
James Dalton Highway Permit System		Supersedes P & P No.	Date
		New	
		APPROVED BY	
		<i>W. S. Smith</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

vi) Official Government Business - use of privately owned or rented vehicles by anyone stating they are on official government business must be accompanied by a letter, on agency letterhead (if a State of Alaska agency, the State memo format will suffice), signed by an appropriate official of that agency. The letter must contain:

- Dates of travel;
- Purpose of travel; and
- Statement that the purpose of the travel and need for the permit is to conduct official agency business.

A copy of this letter will be attached to our copy of the permit.

vii) Official Government Business - the regulation is specific that all vehicles except emergency vehicles operating north of Dietrich shall have a permit. This applies to all Federal, State and local government vehicles, including State of Alaska maintenance vehicles. Issuance of such permits is not a problem since by law such vehicles are for official use only.

viii) University Affiliated Research - an applicant must submit a letter, on the institution's letterhead, signed by the department head, containing:

- Date of travel;
- Purpose of travel; and
- Statement that the purpose of travel and need for a permit is to conduct university affiliated research.

A copy of this letter will be attached to our copy of the permit.

ix) Motor Carriers - permits will be issued for the purpose of commercial mass transportation and for those purposes which previously qualified as common, contract, private or exempt carriers under the now defunct Alaska Transportation Commission, including tour bus operators. The following criteria should be used to determine qualified applicants:

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 5 OF 9
		Effective Date July 1, 1986	
SUBJECT  James Dalton Highway Permit System		Supersedes P & P No. New	Dated
		APPROVED BY <i>Walter S. Spink</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

- Valid Alaska business license;
- Valid Alaska commercial vehicle license;
- The transportation activity must fit within one of the carrier definitions contained in AS 42.10.420 (See attached AG informal opinion, dated April 30, 1986); and
- The commercial activity to be engaged in must require access to general Dalton Highway area.

x) Motor Carriers - annual permits may be issued to vehicles engaged in pilot car services as a business. Other vehicles used as pilot cars may be issued a single trip permit, providing the person requesting the permit can furnish a valid oversize permit issued by the Department of Commerce Permit Office, documenting the need for a pilot car.

xi) News Media - all such requests must be approved by the Director, Maintenance and Operations, Northern Region.

### 3. Issuance of Permits

- A. Those persons authorized to issue permits for travel on the restricted portion of the James Dalton Highway will strictly adhere to the provisions of AS 19.40, 17 AAC 30, and this policy and procedures document.
- B. An applicant must fill out the standard permit application form and produce a valid driver's license for identification. Applicants representing organizations or companies must have a written document (e.g., signed letter on agency/company letterhead) demonstrating their authorization to make a permit request.
- C. The application will be reviewed for completeness, with particular emphasis on the purpose of travel. Justification must be provided explaining why the proposed travel is necessary. Clarifying questions should be asked if necessary. In order to be approved for a permit, the purpose of travel must be in strict compliance with AS 19.40 and 17 AAC 30. The Justification for Access section of the permit must be filled out, with an accompanying written explanation included on the permit document.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 6 OF 9
		Effective Date July 1, 1986	
SUBJECT  James Dalton Highway Permit System		Supersedes P & P No. New	Dated
		APPROVED BY <i>Wm S. Spahr</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

- D. Annual permits may be issued to vehicles making repetitive trips to and from Deadhorse or to facilities within the permitted area (i.e., pump stations).
- E. Vehicles making occasional trips will be given a single trip permit and identification dash marker for use within a specified period of time based on the purpose of travel.
- F. Vehicles being transported to or from the Deadhorse/Prudhoe Bay area for the purpose of being utilized on a full-time basis in that general area only will be given single trip permits. Annual permits will be issued for vehicles needed in allowable operations from the Deadhorse/Prudhoe Bay area to other locations along the road.
- G. All permits will be issued for a single vehicle and individual only, and are not transferable. Requests for multi-individual permits will be considered on a case-by-case basis. In the case of commercial trucking companies, Alyeska Pipeline Service Company, and government agencies, this requirement is waived insofar as permitting the individual. In these cases, the permit will be for a specific vehicle only. Additional waivers will be considered if justified, such as for owner-operators who use different drivers. All waivers and multi-individual permit requests must be approved by the Director, Maintenance and Operations, Northern Region.
- H. All permittees will be instructed at the time of issuance about the procedures to follow north of the checkpoint and that travel by permittees north of the checkpoint must be necessary and related to those activities for which the permit was issued. All permittees will also be provided a brochure with more detailed information. (NOTE: Brochure is not available as of 7/1/86.)
- I. Unless an applicant's stated purpose for the permit takes him or her to Deadhorse, you will need to define the northernmost limit of authorized travel, and note this information on the permit document. A permit for business just north of Dietrich, for example, does not authorize travel on the remainder of the highway.
- J. These procedures are intended to provide direction and guidance in issuing permits for straightforward, clearly understood requests. For those requests which the intent or purpose is not clearly understood and satisfactory to the

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 7 OF 9
		Effective Date July 1, 1986	
SUBJECT  James Dalton Highway Permit System		Supersedes P & P No. New	Date
		APPROVED BY <i>Wm S. Spauld</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

issuing person, the Director, Maintenance and Operations, Northern Region, or the Contact Person, should be contacted.

#### 4. Checkpoint Procedures

- A. Log each vehicle on the daily log form, including the name of individual and trip destination.
- B. Inspect the owner's (hard) copy of permit for:
  - i) Valid dates;
  - ii) Valid signature;
  - iii) Permit matching vehicle license number, vehicle make, model, color and description;
  - iv) In the case of annual permits, whether permit and window decal match; or in the case of single trip permits, whether permit and dash marker match;
  - v) Check the vehicle operator's driver's license to ensure that it is the same name and license number as on the permit. In the case of commercial trucking companies, Alyeska, or government agencies, this requirement is waived since the permits are not in the drivers' names.
- C. Ask the purpose for the trip and destination, if appropriate, and check against the authorized use and destination listed on the permit.
- D. Inform those who do not meet the above requirements that they may not proceed.
- E. Do not attempt to physically stop uncooperative travellers from proceeding past the checkpoint. Inform them as to why they do not meet the requirements and notify the Alaska State Troopers, Coldfoot Detachment, and the Contact Person at the Division of Maintenance and Operations, Northern Region, if they proceed. Note all such occurrences in the daily log, including time of apparent violation and successful contact with the designated personnel.
- F. Question permittees with off-road vehicles (ORV) as to their intended use and note the statutory prohibition against ORV use within five miles either side of the road, unless it is related to oil and gas exploration or they hold a mining

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & P No. 90-5000	Page 8 OF 9
		Effective Date July 1, 1986	
SUBJECT  James Dalton Highway Permit System		Supersedes P & P No. New	Dated
		APPROVED BY <i>Wm J. Spink</i>	
DIVISION Maintenance and Operations	SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway	

claim. Notify the Alaska State Troopers, Coldfoot Detachment, of any permittee who passes the checkpoint with an ORV, but does not possess a permit for one of the authorized ORV uses. Note all such occurrences in the daily log.

- G. Local Department of Transportation and Public Facilities maintenance vehicles and Public Safety vehicles will not be required to stop at the checkpoint as long as they are clearly marked.

#### 5. Authorized Permits List

- A. Every reasonable effort will be made by the Division of Maintenance and Operations, Northern Region, to maintain a up-to-date list of current permits. A copy will also be kept at the checkpoint facility. Included in this list will be information on the permit holder, driver's license number, vehicle make and license number, whether the permit is single use or an annual permit, expiration date, and the purpose(s) and northernmost location or area for which the permit is issued.
- B. This list will be used to run cross-checks on suspicious travellers as identified by checkpoint personnel, DOT&PF or Public Safety officials, Alyeska officials, North Slope Borough officials, or others who notify the checkpoint personnel or the Contact Person at the Division of Maintenance and Operations, Northern Region. If the cross-check uncovers inconsistent information between what is observed versus the data base, DOT&PF personnel shall notify the Alaska State Troopers, Coldfoot Detachment, and indicate the nature of the apparent permit violation.
- C. Checkpoint personnel will also conduct random cross-checks of actual traffic as time permits.
- D. Copies of all permits issued will be provided checkpoint personnel and the North Slope Borough on a weekly basis between July 1 and October 1. Copies of all permits issued will be provided the North Slope Borough as frequently as necessary during the remainder of the year, but at least once every month.

#### 6. Permit Suspension/Revocation (NOTE: This section is not in force until appropriate changes are made to 17 AAC 30.070.)

- A. Clear and documented cases of a permit being obtained under false pretenses will result in immediate permit revocation.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>POLICY AND PROCEDURES</b>		P & F No. 90-5000	Page 9 OF 9
SUBJECT  James Dalton Highway Permit System		Effective Date July 1, 1986	
		Supersedes P & F No. New	Dated
DIVISION Maintenance and Operations		SECTION Deputy Commissioner	CHAPTER TITLE Dalton Highway

APPROVED BY  
*Wm S. Spurr*

- B. Clear and documented cases of a permit being used to access the restricted portion of the Dalton Highway for purposes other than those for which the permit was issued, or being used by other than authorized permittees will result in the following action against the permittee:
  - i) A first time offense will result in a ten day suspension.
  - ii) A second time offense will result in a thirty day suspension.
  - iii) A third time offense will result in a full year suspension.
  - iv) A fourth time offense will result in permanent revocation.
  
- C. Any decision to suspend or revoke a permit must be approved by the Director, Maintenance and Operations, Northern Region.
  
- D. Any decision to suspend or revoke a permit may be appealed to the Deputy Commissioner, Northern Region. A decision by the Deputy Commissioner will be made within 15 days of receipt of an appeal request, and will constitute the final administrative decision of the department.
  
- E. A permit suspension or revocation on the grounds of using the permit for purposes other than those for which the permit was issued must be based on evidence that the permittee's primary trip purpose was for an unauthorized reason. Engaging in activities not related to the purpose for which the permit was issued, such as fishing or picnicking, does not constitute sufficient grounds for permit suspension or revocation so long as those activities are incidental to a trip for the purpose authorized under the permit.
  
- F. These provisions apply to holders of both annual and single trip permits. Penalties will be applied against repeat offenders consistent with Sec. 6.B., regardless of whether different permits are involved in the violations.

THE FOLLOWING DOCUMENT HAS  
NOT BEEN FILMED BUT IS  
AVAILABLE IN THE ORIGINAL  
FILE

# ALASKA

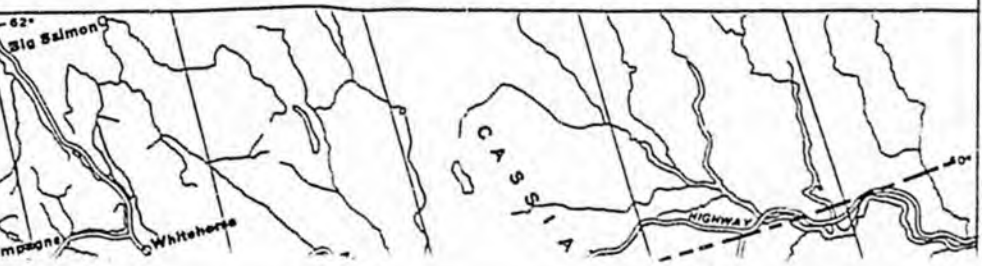
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES REGIONS

AND  
MAINTENANCE STATIONS  
JULY, 1983

PREPARED BY THE  
STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND  
PUBLIC FACILITIES  
STANDARDS AND STATEWIDE PROGRAMS

## LEGEND

- EXISTING HIGHWAY SYSTEM.....—————
- RAILROAD.....—————
- FERRY ROUTE.....- - - - -
- D.O.T. REGION ..... [stippled pattern]
- D.O.T. MAINTENANCE STATIONS ..... ⊕ JUNEAU
- D.O.T. DISTRICT BOUNDARY ..... [stippled pattern]



**S B**

**369**

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SS SB 369

SPONSOR: Rules/Governor

BILL TITLE: Members of the boards of fisheries  
and games

DATE REFERRED 3.26.90

HEARING SCHEDULED 4.11.90

FISCAL NOTE PREPARED

SPONSOR CONTACTED - Molly 4100

INTERESTED PARTIES CONTACTED

Laird Jones - Dir. of Div. of Boards

See Gov's letter in bill file

OTHER

Date of 5-Day Notice: 1-18-90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-26-90

Resources \_\_\_\_\_ Committee considered \_\_\_\_\_ SSSB 369

Relating to the members of the boards of fisheries and game.

and recommended:

replace with CS SSB 369 (RES)  same title  
 new title

attached amendment(s)

CS SSB 369 (RES) letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

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

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) FTG

zero fiscal note(s)

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]  
[Signature]  
[Signature]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Artis Stupulski Acting Chair Do Pass  
Chair: Signature and Recommendation

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSICNER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4100

March 30, 1990

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

Dear Senator Pourchot:


You now have in your committee SB 369, introduced by the Governor, which concerns the Boards of Fisheries and Game. This bill received extensive work in the Senate Resources Committee and does three things:

1. It requires a member of either board to disclose any interest they might have, financial or otherwise, in a business or organization relating to fish or game resources.
2. It makes clear that the Governor has the authority to remove a board member if that member has been convicted of violating a statute or regulation on fish or game.
3. It increases the compensation that board members receive to the federal per diem rate (currently \$125 a day for Anchorage) and \$150 a day honorarium for each meeting day. Board members currently receive \$150 a day per diem for regulatory meetings and \$100 a day for nonregulatory meetings.

I would greatly appreciate your scheduling a hearing on this bill as soon as possible. No other board or commission in the state meets for the length of time that these boards meet, nor does any other board have the responsibility for regulating an industry that is literally worth billions of dollars.

If you need any information on this legislation, do not hesitate to contact the department's legislative liaison, Molly McCammon, at 465-4100. Thank you.

Sincerely,

  
Don W. Collinsworth  
Commissioner

Wednesday, April 11

CS SB 369, boards of fish and game.

TO TESTIFY;

Laird Jones, Director of Division of Boards

NOTES;

1. Fish and Game will bring a new LOWER fiscal note to the hearing.

2. There is a similar house bill, HB 476 which compensates the board members at a similar rate by establishing them in Range 22/Step A positions. This would allow them to receive increases whenever state employees do. Fish and Game is not proposing amendments to match that though they are comfortable with either the senate or the house approach.

3. This bill has received extensive review and change in Senate Resources.

4. See letter of intent.

# Alaska State Legislature

## Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman  
Senator Jay Kerttula, Vice Chairman  
Senator Dick Liason  
Senator Steve Frank  
Senator Rick Halford  
Senator Arliss Sturgulewski  
Senator Fred Zharoff



P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4907

### SENATE RESOURCES COMMITTEE LETTER OF INTENT CS SS SB 369 (RES)

In passing CS SB 369, the Senate Resources Committee acknowledges the serious situation which has evolved regarding the personal sacrifices required of those who serve on the Alaska Boards of Fish and Game, and our desire to find ways to ease this situation.

The Resources Committee supports Alaska's system of strong, autonomous, lay Boards of Fish and Game. The state has been very fortunate that dedicated qualified individuals have always been willing to serve on the Boards of Fish and Game. But serving on these two boards is so different from serving on other state boards and commissions, and the demands of time, stress and personal expense are becoming so extreme, that a number of measures will need to be taken in order to make it possible for these boards to continue to function effectively as lay boards.

By slightly increasing the compensation received by the board members, CSSB 369 begins to address part of the hardship created by the very long regulatory meetings of the boards, and the large number of total days members must be away from home and jobs, and paying for hotels and restaurants. However, we believe that increased monetary compensation for board members is only one step towards solving the hardships that extended meetings cause to the board members, the public, and governmental staff and operations.

We urge the Boards of Fish and Game to pursue methods of "streamlining" their functions in ways which will not damage the quality of their decision-making or the public input process. The following are several areas which we would encourage the boards to consider:

- \* The Board of Fish might be able to revise the schedule under which they consider regulatory areas to a minimum three year cycle, instead of the current two-year cycle. This may be effective in reducing the average number of meeting days required per year. It would be especially important to maintain a very clear and workable method for taking particular issues up earlier if the need (not necessarily an emergency) arises, and to assure the public that this mechanism is in place.

The Board of Game currently has a fairly well established set of regulatory cycles, but may benefit from reviewing them to see if any could be extended.

- \* In recent years the boards have made an effort to set the submission deadlines for proposals as far in advance of regulatory meetings as feasible. We see that as an effective means of avoiding last minute "knee-jerk" proposals and encourage this practice whenever stable conditions make it appropriate.
- \* When boards issue their "call for proposals" before a meeting, keep the scope of the areas to be considered as narrow and explicit as possible.
- \* In conjunction with above item, the boards might consider prioritizing their work load by listing the areas of proposals to be taken up into categories ranging from crucial management issues down to very optional decisions. By giving notice of which category proposals will be in, the boards could take up the imperative categories for certain at the upcoming meeting, while retaining the option to simply not hear the lower priority items, or to hold them over for a future meeting, if time runs short.
- \* Discontinue the practice of accepting and publishing proposals from lone individuals. Instead, for any proposal to be included in the process, require that it be sponsored either by a local Fish and Game advisory committee OR by 25 people. The names of all of the co-sponsors would then be printed with the proposal in the proposal book. This would ensure that there is a least a small constituency for every proposal before it is printed thousands of times, distributed statewide, and takes up the time of the board for consideration.
- \* We recognize the potential benefits of board access to additional data for decision-making, particularly socio-economic data. This could be accomplished by either the creation of an additional staff position or with funding for contractual research. Either way, it would be desirable to have the research under the direction of the boards themselves. We would urge the boards to consider the value of such research, and how it might best be accomplished, and to report back to the Legislature.

We appreciate the dedication and hard work of past and present members of the Boards of Fish and Game, and encourage their efforts to seek ways to more efficiently handle their ever-increasing work load.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: "An act relating to members of the Boards of Fisheries and Game."  
 Sponsor: Governor  
 Requestor: \_\_\_\_\_

Agency Affected: Fish and Game  
 BRU: Boards of Fish and Game  
 Components: \_\_\_\_\_

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	145.1	145.1	145.1	145.1	145.1	145.1
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>145.1</b>	<b>145.1</b>	<b>145.1</b>	<b>145.1</b>	<b>145.1</b>	<b>145.1</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	145.1	145.1	145.1	145.1	145.1	145.1
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No FY 90 impact.

Prepared by: Beverly D. Reaume *Beverly Reaume*  
 Division: Administration

Phone: 465-6120  
 Date: 3-21-90

Approved by Commissioner: Walter J. Miller *Walter Miller*  
 Agency: Fish and Game

Date: 2/22/90

**Distribution (by preparer):**

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

SB 359 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES - 7 MEMBERS

CURRENT

83 DAYS AT \$150 PER DAY	\$87,150	
22 DAYS AT \$100 PER DAY	\$15,400	
TOTAL		\$102,550

PROPOSED

105 DAYS AT \$150 PER DAY HONORARIUM	\$110,250	
105 DAYS AT \$125 PER DAY PER DIEM	\$91,875	
TOTAL		\$202,125

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF FISHERIES \$99,575

BOARD OF GAME - 7 MEMBERS

CURRENT

38 DAYS AT \$150 PER DAY	\$39,900	
10 DAYS AT \$100 PER DAY	\$7,000	
TOTAL		\$46,900

PROPOSED

48 DAYS AT \$150 PER DAY HONORARIUM	\$50,400	
48 DAYS AT \$125 PER DAY PER DIEM	\$42,000	
TOTAL		\$92,400

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF GAME \$45,500

GRAND TOTAL \$145,075

# STATE OF ALASKA

STEVE COWPER, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4100

March 30, 1990

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

Dear Senator Pourchot:


You now have in your committee SB 369, introduced by the Governor, which concerns the Boards of Fisheries and Game. This bill received extensive work in the Senate Resources Committee and does three things:

1. It requires a member of either board to disclose any interest they might have, financial or otherwise, in a business or organization relating to fish or game resources.
2. It makes clear that the Governor has the authority to remove a board member if that member has been convicted of violating a statute or regulation on fish or game.
3. It increases the compensation that board members receive to the federal per diem rate (currently \$125 a day for Anchorage) and \$150 a day honorarium for each meeting day. Board members currently receive \$150 a day per diem for regulatory meetings and \$100 a day for nonregulatory meetings.

I would greatly appreciate your scheduling a hearing on this bill as soon as possible. No other board or commission in the state meets for the length of time that these boards meet, nor does any other board have the responsibility for regulating an industry that is literally worth billions of dollars.

If you need any information on this legislation, do not hesitate to contact the department's legislative liaison, Molly McCammon, at 465-4100. Thank you.

Sincerely,

  
Don W. Collinsworth  
Commissioner

# 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

RE: Wednesday, April 11 Committee Hearing

DATE: April 10, 1990

On Wednesday, April 10 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SS SB 394. An Act relating to eligibility to participate in the state group insurance for certain licensees in vocational rehabilitation programs.

Second Hearing. Sponsored by Senator Fahrenkamp, this bill would allow the Division of Vocational Rehabilitation (DVR) to include blind and severely disabled people in business as vendors in the group health insurance program. DVR is currently required to provide insurance for these vendors from the proceeds from vending machines in government buildings which are deposited in the Small Business Enterprise Revolving Fund, at a current cost of \$14,772 per year. Including the five vendors in group health would create a savings to the revolving fund of \$5,100 per year and the vendors would receive more comprehensive insurance than they presently have. At the committee's request, DVR has provided results of a current study on comparative rates for disabled versus non-disabled individuals which generally says that there are no increases in insurance compensation costs nor lost-time injuries.

CS HB 224. An Act creating preferences in state employment for prisoners of war and for certain rehabilitated veterans and prisoners of war; and allowing repeated use of the state employment preference by certain veterans and prisoners of war for applications for nonpermanent positions.

Second Hearing. Sponsored by Representative Kubina, this bill changes statute to allow for repeated use of state employment preference by eligible veterans and prisoners of war for nonpermanent positions. It does have one exception for veterans or prisoners of war who were terminated because of a service related disability and who have not worked in a permanent position for two years. These people, with medical certification, are entitled to receive a preference for a permanent position. We have requested Legal to draft an amendment specifying that POWs be "Alaskans". Legal will respond with a paragraph on the "constitutionality" of a residency requirement.

CSSSHB 218. An Act extending the authority of the Alaska Housing Finance Corporation to assist in the development of congregate housing and directing the Alaska State Housing Authority to develop a pilot program for

congregate housing; and providing for an effective date. Second Hearing. Based on committee concerns, a proposed CS has been developed which requires AHFC to operate within prudent lending guidelines, clarifies that no subsidies will be authorized, defines congregate housing and identifies Alaska State Housing Authority role in the pilot program. Your packet contains the CS, a memo from Representative Ulmer highlighting the changes and an explanation of "layered financing".

CSSS SB 369, An Act relating to members of the boards of fisheries and game; and providing for an effective date. Sponsored by Rules at request of the Governor, this bill requires members of the Board of Fisheries or the Board of Game to disclose any interests in organizations relating to fish and game resources. Language in the CS clarifies the Governor's authority to remove board members convicted of violating a statute or regulation on fish or game and increases board compensation to the federal per diem rate (currently \$125 per day for Anchorage) and an honorarium of \$150 for each meeting day. Senate Resources attached a Letter of Intent which states support for increased compensation for board members and urges "streamlining" their functions to reduce hardships to members, the public and government staff.

SB 106, An Act relating to school boards in regional educational attendance areas. Sponsored by Senator Coghill, this bill amends AS 14.08.051(b), relating to the school board sections of statutes on education in the unorganized borough. It provides that a petition to divide a regional educational attendance area (REAA) into sections to recast section boundaries, or a petition to elect REAA school board members, must contain signatures of qualified voters in the area equal to eight percent (reduced from 15%) of the total vote cast in the most recent regional school board election.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Boards	BILL NUMBER CSSSSB 369	SPONSOR Governor
SHORT TITLE OF BILL "An act relating to members of the boards of fisheries and game."			
DEPARTMENT POSITION Support			
PREPARED BY Laird A. Jones	<i>Laird A. Jones</i>	DATE 04/13/90	COMMISSIONER'S SIGNATURE <i>[Signature]</i>
		DATE 04/13/90	

SUMMARY

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUP(S) AFFECTED BY BILL Those members of the public affected by quality of regulation promulgated by the boards.
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED (Amended)

BACKGROUND/LEGISLATIVE INTENT

The Board of Fisheries meets approximately 89 days and the Board of Game meets approximately 45 days per year. The fourteen volunteer board members are unable to sustain themselves away from home at the current compensation rate.

ANALYSIS OF BILL/PROGRAM EFFECTS

Section 1 requires board members to disclose financial or other interests in a business or organization relating to fish or game resources. Section 2 provides the governor the ability to remove a board member who has been convicted of violating a fish or game statute or regulation. Section 3 provides board members with per diem and honorarium of \$150 per day for any board approved meetings or conferences.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: "An act relating to members of  
 the Boards of Fisheries and Game."  
 Sponsor: Governor  
 Requestor: \_\_\_\_\_

Agency Affected: Fish and Game  
 BRU: Boards of Fisheries and Game  
 Components: \_\_\_\_\_

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	100.0	100.0	100.0	100.0	100.0	100.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	100.0	100.0	100.0	100.0	100.0	100.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No FY90 impact. See attached.

Prepared by: Laird A. Jones  
 Division: Boards

Phone: 465-4110  
 Date: 04/13/90

Approved by Commissioner: \_\_\_\_\_  
 Agency: Fish and Game

Date: 04/13/90

**Distribution (by preparer):**

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

CSSSSB 369 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES (7 MEMBERS)

Current

89 DAYS AT \$150 PER DAY	\$ 93,450
3 DAYS AT \$100 PER DAY	2,100

TOTAL \$ 95,550

Proposal

92 DAYS AT \$150 PER DAY HONORARIUM	\$ 96,600
92 DAYS AT \$100 PER DAY PER DIEM	64,400

TOTAL \$161,000

Increased costs resulting for Board of Fisheries \$ 65,500

BOARD OF GAME (7 MEMBERS)

Current

45 DAYS AT \$150 PER DAY	\$ 47,250
3 DAYS AT \$100 PER DAY	2,100

TOTAL \$ 49,350

Proposal

48 DAYS AT \$150 PER DAY HONORARIUM	\$ 50,400
48 DAYS AT \$100 PER DAY PER DIEM	33,600

TOTAL \$ 84,000

Increased costs resulting for Board of Game \$ 34,650

GRAND TOTAL \$100,150



SB 369 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES - 7 MEMBERS

CURRENT

83 DAYS AT \$150 PER DAY	\$87,150
22 DAYS AT \$100 PER DAY	\$15,400

TOTAL	\$102,550
-------	-----------

PROPOSED

105 DAYS AT \$150 PER DAY HONORARIUM	\$110,250
105 DAYS AT \$125 PER DAY PER DIEM	\$91,875

TOTAL	\$202,125
-------	-----------

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF FISHERIES	\$99,575
--	----------

BOARD OF GAME - 7 MEMBERS

CURRENT

38 DAYS AT \$150 PER DAY	\$39,900
10 DAYS AT \$100 PER DAY	\$7,000

TOTAL	\$46,900
-------	----------

PROPOSED

48 DAYS AT \$150 PER DAY HONORARIUM	\$50,400
48 DAYS AT \$125 PER DAY PER DIEM	\$42,000

TOTAL	\$92,400
-------	----------

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF GAME	\$45,500
---	----------

GRAND TOTAL	\$145,075
-------------	-----------

PROPOSED CS FOR SB369 (RES)

SUB-COMMITTEE PROPOSAL FOR SB369

PROPOSE AMENDING THE BILL TO ACCOMPLISH THE FOLLOWING CHANGES IN COMPENSATION FOR BOARD MEMBERS:

- \* Currently members receive \$150/ day per diem for regulatory meetings, and \$100/ day per diem for other meetings.
- \* This CS proposes that members will receive the federal rate of per diem (currently \$125/day in Anchorage where most board meetings take place), PLUS an honorarium of \$150 for ALL meetings.

Federal tax law allows a person to collect the amount equal to federal rate of per diem without reporting it as income. This amount is proposed in the CS as it will simplify paperwork and reporting requirements for board members.

- \* Net gain in total compensation for members over what they receive now is about \$125 per day during regulatory meetings, and about \$175 per day during other meetings.

PROPOSE ADOPTION OF A LETTER OF INTENT SUPPORTING AND ENCOURAGING EFFORTS BY THE BOARDS TO FIND APPROPRIATE WAYS TO SHORTEN THE NUMBER OF MEETING DAYS REQUIRED. LETTER SUGGESTS PARTICULAR AREAS THEY MIGHT LOOK AT.

*draft.*

SB 369 BOARDS OF FISHERIES AND GAME

3/15/90

CURRENT (14 BOARD MEMBERS)

65 DAYS AT \$150 PER DAY \$136,500

15 DAYS AT \$100 PER DAY \$21,000

TOTAL \$157,500

PROPOSED (14 BOARD MEMBERS)

80 DAYS AT \$150 PER DAY HONORARIUM \$168,000

80 DAYS AT \$125 PER DAY PER DIEM \$140,000

TOTAL \$308,000

INCREASED COSTS RESULTING FROM SB 369

\$150,500

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Fish and Game  
 Title: "An act relating to members of  
the Boards of Fisheries and Game." BRU: Boards of Fish and Game  
 Sponsor: Governor Components: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	150.5	150.5	150.5	150.5	150.5	105.5
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	150.5	150.5	150.5	150.5	150.5	150.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No FY 90 impact.

Prepared by: Beverly D. Reaume *Beverly Reaume* Phone: 465-4120  
 Division: Administration Date: 3-15-90

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: Fish and Game

**Distribution (by preparer):**

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

LETTER OF INTENT OF THE SENATE RESOURCES COMMITTEE  
CS SB 369 RES  
AN ACT RELATING TO THE BOARDS  
OF FISH AND GAME

In passing CS SB 369, the Senate Resources Committee acknowledges the serious situation which has evolved regarding the personal sacrifices required of those who serve on the Alaska Boards of Fish and Game, and our desire to find ways to ease this situation.

The Resources Committee supports Alaska's system of strong, autonomous, lay Boards of Fish and Game. The state has been very fortunate that dedicated qualified individuals have always been willing to serve on the Boards of Fish and Game. But serving on these two boards is so different from serving on other state boards and commissions, and the demands of time, stress and personal expense are becoming so extreme, that a number of measures will need to be taken in order to make it possible for these boards to continue to function effectively as lay boards.

By slightly increasing the compensation received by the board members, CSSB 369 begins to address part of the hardship created by the very long regulatory meetings of the boards, and the large number of total days members must be away from home and jobs, and paying for hotels and restaurants. However, we believe that increased monetary compensation for board members is only one step towards solving the hardships that extended meetings cause to the board members, the public, and governmental staff and operations.

We urge the Boards of Fish and Game to pursue methods of "streamlining" their functions in ways which will not damage the quality of their decision-making or the public input process. The following are several areas which we would encourage the boards to consider:

- \* The Board of Fish might be able to revise the schedule under which they consider regulatory areas to a minimum three year cycle, instead of the current two-year cycle. This may be effective in reducing the average number of meeting days required per year. It would be especially important to maintain a very clear and workable method for taking particular issues up earlier if the need (not necessarily an emergency) arises, and to assure the public that this mechanism is in place.  
The Board of Game currently has a fairly well established set of regulatory cycles, but may benefit from reviewing them to see if any could be extended.

- \* In recent years the boards have made an effort to set the submission deadlines for proposals as far in advance of regulatory meetings as feasible. We see that as an effective means of avoiding last minute "knee-jerk" proposals and encourage this practice whenever stable conditions make it appropriate.
- \* When boards issue their "call for proposals" before a meeting, keep the scope of the areas to be considered as narrow and explicit as possible.
- \* In conjunction with above item, the boards might consider prioritizing their work load by listing the areas of proposals to be taken up into categories ranging from crucial management issues down to very optional decisions. By giving notice of which category proposals will be in, the boards could take up the imperative categories for certain at the upcoming meeting, while retaining the option to simply not hear the lower priority items, or to hold them over for a future meeting, if time runs short.
- \* Discontinue the practice of accepting and publishing proposals from lone individuals. Instead, for any proposal to be included in the process, require that it be sponsored either by a local Fish and Game advisory committee OR by 25 people. The names of all of the co-sponsors would then be printed with the proposal in the proposal book. This would ensure that there is a least a small constituency for every proposal before it is printed thousands of times, distributed statewide, and takes up the time of the board for consideration.
- \* We recognize the potential benefits of board access to additional data for decision-making, particularly socio-economic data. This could be accomplished by either the creation of an additional staff position or with funding for contractual research. Either way, it would be desirable to have the research under the direction of the boards themselves. We would urge the boards to consider the value of such research, and how it might best be accomplished, and to report back to the Legislature.

We appreciate the dedication and hard work of past and present members of the Boards of Fish and Game, and encourage their efforts to seek ways to more efficiently handle their ever-increasing work load.

Signed,

-----  
Sen. Bettye Fahrenkamp, Chairman

-----  
Sen. Dick Eliason

-----  
Sen. Jay Kerttula

-----  
Sen. Fred Zharoff

-----  
Sen. Steve Frank

-----  
Sen. Arliss Sturgulewski

-----  
Sen. Rick Halford

Original sponsor(s): Rules/Governor

1 IN THE SENATE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 369 ( )

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the members of the boards of  
7 fisheries and game."

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

9 \* Section 1. AS 16.05.221 is amended by adding a new subsection to  
10 read:

11 (c) A member of the Board of Fisheries or the Board of Game who  
12 has an interest, financial or otherwise, in a business or organization  
13 relating to fish or game resources, shall disclose that interest in  
14 the manner provided for in AS 39.52.220.

15 \* Sec. 2. AS 16.05.280 is amended to read:

16 Sec. 16.05.280. REMOVAL OF BOARD MEMBERS. The governor may  
17 remove a board member for inefficiency, neglect of duty, [OR] miscon-  
18 duct in office, or because the member has been convicted of violating  
19 a statute or regulation on fish or game, by delivering to the member a  
20 written copy of the charges and giving the member an opportunity to be  
21 heard in person or through counsel at a public hearing before the  
22 governor or a designee upon at least 10 days' notice by registered  
23 mail. The member may confront and cross-examine adverse witnesses.  
24 Upon removal, the governor or a designee shall file in the proper  
25 state office the findings and a complete statement of all charges made  
26 against the member.

27 \* Sec. 3. AS 16.05.290 is amended to read:

28 Sec. 16.05.290. COMPENSATION OF BOARD MEMBERS. Each member of a  
29 board is entitled to travel expenses and [\$150] per diem at a rate

1 equal to that paid to federal employees in the state by the federal  
2 government, for each day going to and from and for each day in actual  
3 attendance at board meetings or other meetings or conferences author-  
4 ized by a board. In addition, each member is entitled to an honorar-  
5 ium of \$150 for each day in actual attendance at board meetings or  
6 [FOR] other meetings or conferences authorized by a board [A MEMBER  
7 SHALL RECEIVE \$100 PER DAY].  
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## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: "An act relating to members of the Boards of Fisheries and Game."  
 Sponsor: Governor  
 Requestor: \_\_\_\_\_

Agency Affected: Fish and Game  
 BRU: Boards of Fish and Game  
 Components: \_\_\_\_\_

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	145.1	145.1	145.1	145.1	145.1	145.1
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	145.1	145.1	145.1	145.1	145.1	145.1
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	145.1	145.1	145.1	145.1	145.1	145.1
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No FY 90 impact.

Prepared by: Beverly D. Reaume *Beverly Reaume*  
 Division: Administration

Phone: 465-4120  
 Date: 3-21-90

Approved by Commissioner: Walter J. Leavelle *Walter Leavelle*  
 Agency: Fish and Game

Date: 2/22/90

**Distribution (by preparer):**

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

SB 369 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES - 7 MEMBERS

CURRENT

83 DAYS AT \$150 PER DAY	\$87,150
22 DAYS AT \$100 PER DAY	\$15,400

TOTAL	\$102,550
-------	-----------

PROPOSED

105 DAYS AT \$150 PER DAY HONORARIUM	\$110,250
105 DAYS AT \$125 PER DAY PER DIEM	\$91,875

TOTAL	\$202,125
-------	-----------

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF FISHERIES	\$99,575
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BOARD OF GAME - 7 MEMBERS

CURRENT

38 DAYS AT \$150 PER DAY	\$39,900
10 DAYS AT \$100 PER DAY	\$7,000

TOTAL	\$46,900
-------	----------

PROPOSED

48 DAYS AT \$150 PER DAY HONORARIUM	\$50,400
48 DAYS AT \$125 PER DAY PER DIEM	\$42,000

TOTAL	\$92,400
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INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF GAME	\$45,500
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GRAND TOTAL	\$145,075
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**S B**

**370**

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 370

SPONSOR Gov/Rules

BILL TITLE Expands PERS/TRS, dissolves Disability  
Review Board.

DATE REFERRED 1-8-90

HEARING SCHEDULED 2-26-90

FISCAL NOTE PREPARED

SPONSOR CONTACTED -

INTERESTED PARTIES CONTACTED

NO. Retirement - Bob Stalvaker 4460  
Yes Sally Smith:

OTHER

5051e

# STATE OF ALASKA

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

## DEPARTMENT OF ADMINISTRATION

### DIVISION OF RETIREMENT & BENEFITS

PLEASE REPLY TO:

- P.O. BOX CF  
JUNEAU, ALASKA 99811-0203  
PHONE: (907)465-4460
- 701 EAST TUDOR ROAD, SUITE 240  
ANCHORAGE, ALASKA 99503-7445  
PHONE: (907) 563-5885

Fax# 465-3086

**STEVE COWPER, GOVERNOR**

April 10, 1990

The Honorable Pat Pourchot  
Alaska State Senator  
P.O. Box V  
Juneau, AK 99811

Dear Pat:

Thanks so much for carrying SB 370 on the Senate floor for us. Attached are some comments and a bill analysis that I hope will help. If you have questions as you look them over, please give me a call at 465-4470.

Sincerely,



Sally Smith  
Director

SS/ksl

cc: Frank S. Baxter, CPA  
Commissioner  
Department of Administration

Gary Bader  
Deputy Commissioner  
Services to State Agencies  
Department of Administration

Sioux Plummer  
Special Assistant  
Department of Administration

## COMMENTS FOR SB 370

...expanding the PERS and TRS Boards and eliminating the Disability Review Board...

Legislation in 1982 established the Disability Review Board to

- provide expert review of disability claims
- advise the retirement boards and the administrator on disability appeals

Current Disability Review Board Composition, 5 members:

- the chairs of the PERS and TRS Boards
- 2 physicians
- a representative from the vocational rehabilitation office

Problems

- the Disability Review Board is ADVISORY only
- recommendations forwarded to the retirement boards do not carry meaningful information from the DRB hearing
- DRB recommendations are overturned more than 50% of the time by the retirement boards
- disability applicants must submit to the time and expense of two hearings if the DRB rules against them
- state must prepare for and travel to two hearings if the DRB rules against the appellant

This bill will

- abolish the Disability Review Board
- add 2 physicians as voting members to the PERS and TRS boards ONLY for the purpose of hearing disability appeals
- allow PERS and TRS board members to hear medical evidence first hand
- reduce expenses for both the appellants and the State by eliminating 4 meetings per year
- simplify the process but still present the information

## SECTION ANALYSIS

### Section 1.

Adds two physicians as voting members to the TRS Board for disability appeals only.

Physicians are appointed by the governor:

two each from at least two of the state's four judicial districts hearing location determines which physicians serve for the hearing

### Section 2.

Regular board members receive travel and per diem as necessary (no change)

Physicians receive hourly compensation based on normal hourly earnings (no change, currently \$250 per hour)

### Section 3.

Same as sections 1 and 2 except its the PERS Board

### Section 4.

Repeals the Disability Review Board

### Section 5.

Places current DRB physicians on the PERS and TRS Boards until new appointments are made.

### Section 6.

Effective date, July 1, 1990.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act expanding the PERS and TRS Board to include two physician members\*  
 Sponsor: Rules Committee  
 Requestor: Governor

Agency Affected: Administration  
 BRU: Retirement & Benefits  
 Components: Retirement & Benefits

\*to hear disability appeals; dissolving the PERS and TRS Disability Review Board, ...  
**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	(2.0)	(2.0)	(2.0)	(2.0)	(2.0)	(2.0)
CONTRACTUAL	(6.0)	(6.0)	(6.0)	(6.0)	(6.0)	(6.0)
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
<b>TOTAL OPERATING</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>

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

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	(8.0)	(8.0)	(8.0)	(8.0)	(8.0)	(8.0)
<b>TOTAL</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>	<b>(8.0)</b>

**POSITIONS:**

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

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

Prepared by: Sally Smith, Director *Sally Smith* Phone: 465-4470  
 Division: Retirement & Benefits Date: 1/01/90  
 Approved by Commissioner: Frank Betsworth Date: 1/21/87  
 Agency: Administration

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

**SENATE COMMITTEE REPORT**  
**FIRST COMMITTEE OF REFERRAL**

DATE: January 8, 1990

FURTHER: Finance

Date of 5-Day Notice: 2.22.80  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: \_\_\_\_\_

State Affairs Committee considered

SENATE BILL NO. 370

"An Act expanding the Public Employees Retirement Board and the Teachers' Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees' and Teachers' Disability Review Board; and providing for an effective date."

and recommended:

- replace with \_\_\_\_\_ CS \_\_\_\_\_  same title  
 attached amendment(s)  new title  
 \_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

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

**ATTACHES NEW FISCAL NOTE(S):**

Department(s)/Date:

Department(s)/Date:

fiscal note(s) Admin 1.8.90

zero fiscal note(s) \_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

**SIGNING DO PASS:**

**OTHER RECOMMENDATIONS:**

Tom Kelly  
Paul Adams  
Paul Adams

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pat Kourilsk do pass  
Chair: Signature and Recommendation

for handling an absentee ballot would be the same as that of a question ballot.

Number 429

SENATOR KELLY suggested that since the bill would not impact any races this year that it be given a January 1, 1991 effective date.

Number 438

LINDA EDGEWORTH responded that their only concern is to see State election standards set in place prior to the passage of proposed federal legislation, which would have January 1, 1993 effective date.

Number 602

SENATOR KELLY moved and asked that SB 378 be amended by adding a January 1, 1991 effective date. Hearing no objection, it was so ordered by the Chairman.

Number 608

SENATOR ADAMS moved and asked unanimous consent that the CS for SB 378 be passed from committee with individual recommendations. Hearing no objection, it was so ordered by the Chairman.

#

#SB370

Number 615

CHAIRMAN POURCHOT introduced SB 370 as the next order of business.

Number 620

SALLY SMITH, Director of the Division of Retirement and Benefits, stated that the bill would repeal the Disability Review Board and incorporate the services of that board into the existing PERS and TRS board for the purposes of hearing appeal cases for disability retirement benefits. She stated that this change would streamline the process, and provide for better final decisions that are based more on fact and less on emotion. She also noted that it should save the state money in travel expenses and attorney fees.

Number 677

SENATOR KELLY questioned the savings to the state, asking what the compensation rate would be to the physicians serving on the board.

Number 682

SALLY SMITH stated that the current compensation rate set for the

two physicians serving on the board was set in statute at \$250 an hour, and that most of the meetings held to date had only been for one day with limited travel. She noted that to forestall any further travel costs, the bill authorized a pool of physicians, appointed within the State's four judicial districts, who would act as consultants to the board on disability appeal cases, when a meeting was held within their area.

Number 748

SENATOR KELLY asked how many people were currently on disability retirement and what they received monthly.

Number 751

SALLY SMITH stated that there were 183 cases under PERS and 99 under TRS. She noted that the average age under PERS for police and fire was 39.5 with benefits at \$735/month and that for all others under TRS, the average age was 43 at \$1034/month. She further noted that occupational injuries under PERS received higher benefits than non-occupational injuries, but that the overall benefits received under TRS were higher than those under PERS.

Number 796

CHAIRMAN POURCHOT asked how an appeal case would differ by changing the system.

Number 800

SALLY SMITH stated that presently an appeal case is heard first before the review board and then the PERS and TRS board, and that combining the boards would eliminate a duplication of appearance and attorney fees on the part of the appellant.

Number 860

SENATOR UEHLING moved and asked unanimous consent that the CS for SB 370 be passed from committee with individual recommendations. Hearing no objection, it was so ordered by the Chairman.

#

#SB150

Number 866

CHAIRMAN POURCHOT introduced a proposed CS for SB 150 as the last order of business.

TAPE ONE, SIDE B

Number 001

SENATOR DUNCAN, prime sponsor of SB 150, gave an overview of the

# 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

RE: Monday, February 26 Committee Hearing

DATE: February 24, 1990

On Monday, February 26 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 378, An Act relating to voter qualification and registration for state elections; and relating to computation of time for purposes of AS 15.

This bill, introduced at the request of the Governor, would allow qualified individuals voting in person before an election official, who have been residents of the state for at least 30 days, but who have failed to register in time for election, to register on election day and to vote in statewide elections for statewide candidates and measures. SB 378 also clarifies that absentee ballots are subject to the same review process and are counted in the same manner as questioned ballots. A clarification of the "computation of time rule" is added to provide that if a deadline for an election activity or requirement falls on a weekend or holiday, the deadline is extended to the first weekday after the weekend/holiday.

SB 370, An Act expanding the Public Employees Retirement Board and the Teachers' Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees' and Teachers' Disability Review Board; and providing for an effective date.

This bill, introduced at the request of the Governor, repeals AS 39.36, which was enacted in 1982 to establish the Disability Review Board (DRB) as an advisory board to the Public Employees Retirement Board (PERB), the Teachers' Retirement Board (TRB) and the administrator of the state retirement systems on disability claims. A high percentage of appeals to PERB have been contrary to DRB's advice. This bill would dissolve the DRB and provide for the appointment of physician members to serve on PERB and TRB only for the purpose of hearing appeals involving medical issues.

Proposed CS for SS SB 150, An Act establishing a senior housing office and loan program in the Department of Community and Regional Affairs; and authorizing the issuance of bonds for senior housing.

Senator Duncan has revised the previous proposed CS, to include the following: clarification of AHFC's and the Department of Community and Regional Affairs roles in setting regulations, approving loans and administering loans. This bill sets a \$30 million bond cap, specifies the interest rates on construction loans and permanent loans and clarifies how the Senior Housing Revolving Fund works.

SB 370, An Act expanding the Public Employees Retirement Board and the Teachers Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees and Teachers Disability Review Board; and providing for an effective date.

NOTIFIED; \*indicates will testify

\*Sally Smith: Director of Retirement and Benefits  
Steve Hafling: member Disability Review Board, reps PERS  
Bob Covington: member TRS board  
Charlie Arteaga: member Disability Review Board, reps TRS

FYI:

Appears to be a "streamlining" bill, I have not found anyone who disagrees with dissolving the board from either the administration or non-administration side. The Advisory Board's opinion is often turned around by the PERS board, this happens with the TRS board too but not as often.

NO ONE ON TELECONFERENCE

STEVE COWPER  
GOVERNOR



370

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 8, 1990

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

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill expanding the Public Employees Retirement Board and the Teachers' Retirement Board to include two physician members when the boards are hearing disability appeals, and dissolving the Public Employees' and Teachers' Disability Review Board (DRB).

The bill repeals AS 39.36 (sec. 4 of the bill), which was enacted in 1982 to establish the DRB as an advisory board to the Public Employees Retirement Board (PERB), the Teachers' Retirement Board (TRB), and the administrator of the state retirement systems on disability claims and other medically related matters. The DRB's functions have proven to be very expensive, both to the retirement systems and to claimants. Justification for the expense is questionable, since the PERB rulings are contrary to the DRB's advice in a high percentage of appeals. Disability decisions will be made more expeditiously and less expensively, and the purpose of the legislature in establishing the DRB will be effectuated, if physicians are instead included as members of the PERB and TRB.

Sections 1 and 3 of the bill provide for appointment by the governor of physician members to serve on the boards only for the purpose of hearing appeals involving medical issues concerning entitlement to disability benefits. Two physicians will be appointed from at least two of the state's judicial districts. The two physician members from the judicial district in which a disability appeal hearing is conducted will serve on the board during the appeal unless unable to do so or unless there are no physician members from that judicial district, in which case physician members from other judicial districts will serve

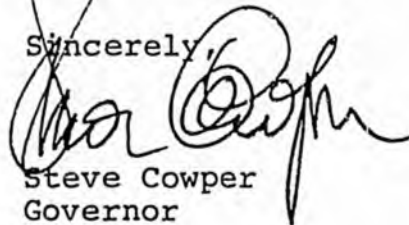
on a rotating basis under regulations adopted by the boards.

As with the DRB, physician members will be compensated for their service, at a rate determined by the commissioner of administration, commensurate with the physicians' normal hourly earnings. (Sections 2 and 3 of the bill.)

Transition provisions in sec. 5 of the bill allow current physician members of the DRB to serve as physician members of PERB and TRB until the governor appoints physician members.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper  
Governor



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 8, 1990

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

Dear Mr. President:

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The bill repeals AS 39.36 (sec. 4 of the bill), which was enacted in 1982 to establish the DRB as an advisory board to the Public Employees Retirement Board (PERB), the Teachers' Retirement Board (TRB), and the administrator of the state retirement systems on disability claims and other medically related matters. The DRB's functions have proven to be very expensive, both to the retirement systems and to claimants. Justification for the expense is questionable, since the PERB rulings are contrary to the DRB's advice in a high percentage of appeals. Disability decisions will be made more expeditiously and less expensively, and the purpose of the legislature in establishing the DRB will be effectuated, if physicians are instead included as members of the PERB and TRB.

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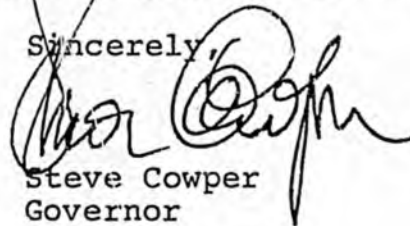
on a rotating basis under regulations adopted by the boards.

As with the DRB, physician members will be compensated for their service, at a rate determined by the commissioner of administration, commensurate with the physicians' normal hourly earnings. (Sections 2 and 3 of the bill.)

Transition provisions in sec. 5 of the bill allow current physician members of the DRB to serve as physician members of PERB and TRB until the governor appoints physician members.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper  
Governor

## PERS BOARD MEMBERS

C. R. "Steve" Hafling  
Chairman  
1147 G Street  
Anchorage, AK 99501  
Phone: 277-2409 - work  
FAX # 264-6745  
*Term Expires: 6/20/90*

Michael Andrews  
408 Haines Avenue  
Fairbanks, AK 99701  
Phone: 457-4444 - work  
456-7254 - home  
*Term Expires: 6/20/94*

Marlene A. Johnson  
9505 Antler Way  
Juneau, AK 99801  
Phone: 945-3275 - Wings of AK  
945-3372 - Home  
586-1512 - Sealaska  
789-3898 - Son  
*Term Expires: 6/20/92*

James "Pat" Wellington  
2802 Wesleyan  
Anchorage, AK 99508  
Phone: 265-8362 - work  
338-2653 - home  
*Term Expires: 3/7/90*

Mary A. Notar  
3371 Douglas Hwy.  
Juneau, AK 99801  
Phone: 586-2571 - home  
*Term Expires: 3/7/90*

Rob Johnson, PERS & TRS Board Attorney  
Wohlforth, Argetsinger, Johnson & Brecht  
900 W. 5th Ave., Suite 600  
Anchorage, AK 99501 Phone 276-6401

## TRS BOARD MEMBERS

Charles M. Arteaga  
Chairman  
1439 Millar  
Ketchikan, AK 99901  
Phone: 225-9815 - work  
225-6776 - home  
*Term Expires: 1/31/93*

Garris "Bob" Covington  
SRD Box 9340  
Palmer, AK 99645  
Phone: 745-3365- home  
745-4266 - work  
*Term Expires 1/31/91*

Roxy A. McDonagh  
402 East 23 Avenue  
Anchorage, AK 99503  
Phone: 272-0957 - home  
*Term Expires: 1/31/92*

Dorothy Wells  
P. O. Box 56171  
North Pole, AK 99705  
Phone: 488-6955 - home  
*Term Expires: 6/30/90*

Stephanie Winsor  
c/o Cully School  
Point Lay, AK 99759  
Phone: 833-2715 - home  
833-2313 - work  
*Term Expires: 6/30/90*

REVISION DATE: 3/20/89

DISABILITY REVIEW BOARD

MEMBER	APPT	REAPT	REAPT	TERM	
Keith Anderson Dept. of Ed., P.O. Box P Juneau 99811 Ex-Officio	0/00/00	0/00/00	0/00/00	0/00/00	KEN HARDY 243-3333
Charles Arteaga 1439 Millar Ketchikan 99901 Teacher's Retirement Chair	0/00/00	0/00/00	0/00/00	90/01/31	225-9815
Vernon A Cates 2001 Wildwood Lane Anchorage 99503 Physician	84/06/22	85/05/21	88/07/25	92/06/30	276-6301
C. "Steve" R Hafling 1147 "G" Street Anchorage 99501 Personnel Board Chair Chair	60/00/00	84/07/31	0/00/00	90/06/20	277-2409
J. Michael James 2401 East 42 Avenue Anchorage 99501 Physician	84/06/22	86/08/06	0/00/00	90/06/30	563-8876

1984 — Legis dec'd to streamline  
by creating Disability Review Bd.

Main board ignores Advisory Board  
recommendations thus

add physicians to main board,  
to give benefit

DRB has been told — OK

(Drs get paid more)

\* send  
lists

DRB: **5** members

PERS / Steve Hafling (

TRS / Charlie Artega

~~Steve~~

non-occupational

# Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faika, 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  
RE: Monday, February 26 Committee Hearing  
DATE: February 24, 1990

On Monday, February 26 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 378, An Act relating to voter qualification and registration for state elections; and relating to computation of time for purposes of AS 15.

This bill, introduced at the request of the Governor, would allow qualified individuals voting in person before an election official, who have been residents of the state for at least 30 days, but who have failed to register in time for election, to register on election day and to vote in statewide elections for statewide candidates and measures. SB 378 also clarifies that absentee ballots are subject to the same review process and are counted in the same manner as questioned ballots. A clarification of the "computation of time rule" is added to provide that if a deadline for an election activity or requirement falls on a weekend or holiday, the deadline is extended to the first weekday after the weekend/holiday.

SB 370, An Act expanding the Public Employees Retirement Board and the Teachers' Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees' and Teachers' Disability Review Board; and providing for an effective date.

This bill, introduced at the request of the Governor, repeals AS 39.36, which was enacted in 1982 to establish the Disability Review Board (DRB) as an advisory board to the Public Employees Retirement Board (PERB), the Teachers' Retirement Board (TRB) and the administrator of the state retirement systems on disability claims. A high percentage of appeals to PERB have been contrary to DRB's advice. This bill would dissolve the DRB and provide for the appointment of physician members to serve on PERB and TRB only for the purpose of hearing appeals involving medical issues.

Proposed CS for SS SB 150. An Act establishing a senior housing office and loan program in the Department of Community and Regional Affairs; and authorizing the issuance of bonds for senior housing.

Senator Duncan has revised the previous proposed CS, to include the following: clarification of AHFC's and the Department of Community and Regional Affairs roles in setting regulations, approving loans and administering loans. This bill sets a \$30 million bond cap, specifies the interest rates on construction loans and permanent loans and clarifies how the Senior Housing Revolving Fund works.

**S B**

**378**

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER 378

SPONSOR GOV/RULES

BILL TITLE Voter qualification and registration

DATE REFERRED 1-8-90

HEARING SCHEDULED 2-26-90

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Linda Edgeworth 4611

INTERESTED PARTIES CONTACTED

Jim Crawford - (FAX 562-0889)

Linda Edgeworth - 4611 (Div. of Elections)

John Pugh - (H) 586-1598 (W) 789-4531

League of Women Voters - 274-8477

OTHER

SENATE COMMITTEE REPORT  
FIRST COMMITTEE OF REFERRAL

DATE: January 8, 1990

FURTHER: Judiciary

Date of 5-Day Notice: 2.22.90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: \_\_\_\_\_

State Affairs Committee considered

SENATE BILL NO. 378

"An Act relating to voter qualification and registration for state elections; and relating to computation of time for purposes of AS 15."

and recommended:

- replace with \_\_\_\_\_ (CS) SB 378  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  
Office of the Treasurer 1.8.90  
\_\_\_\_\_  
\_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Lee Adams  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Paul Lee (No Rec)  
Tom Kelly (No Rec)  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
do pass

Chair: Signature and Recommendation

# 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

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SB 378, An Act relating to voter qualification and registration for state elections; and relating to computation of time for purposes of AS 15.

TELECONFERENCE; Anchorage LIO. NOTE!! I set a 3 minute limit on individuals and a 5 minute limit on groups. You always have the power to extend but I wanted to keep Charles McKee under control.

NOTIFIED; \* indicates will testify

\*Linda Edgeworth: Division of Elections  
Jim Crawford: Republican Party  
John Pugh: Democratic Party  
League of Women Voters

FYI:

National Democratic Party endorses this concept. Locally, it will probably favor whoever is best financed to "get out the vote". . .with ARCO coming on so politically strong this year, may damage the Demos in the governors race. (Comments from John Pugh)

No response yet from Crawford.

Congress is considering this issue currently for the Presidential race.

ANCH. LIO on line: Jim Crawford or League of Women Voters may be on line.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act relating to elections & computation of time.  
 Sponsor: Rules Committee  
 Requestor: Governor

Agency Affected: Office of the Governor  
 BRU: Elections  
 Components: I - Elections, II Primary & Gene

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

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

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

**FUNDING:** (Thousands of Dollars)

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

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Linda Edgeworth, Information Officer Phone: 465-4611  
 Division: Division of Election Date: 12/22/89

Approved by Commissioner: *[Signature]* (Acting) Date: 12.22.89  
 Agency: Dave Koevuniemi

Office of the Governor  
 Distribution (by preparer):

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

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS  
P.O. BOX AF  
JUNEAU, ALASKA 99811-0105  
PHONE (907) 465-4611

### COMMENTS IN SUPPORT OF SB 378

Prepared By  
Division of Elections  
January 18, 1993

#### What the Bill Does:

The intent of this bill is to increase voter participation and to expand Alaska's registration opportunities. The bill would allow qualified individuals who have been residents of the State for at least 30 days, but who have failed to register in time for the election, to register on election day, and to vote in statewide elections for statewide candidates and measures. The bill imposes certain restrictions and guidelines to ensure the integrity of the process, and provide administrative guidelines:

1. The voter would still have to meet all basic voter qualifications established in AS 15.05.
2. The voter would have to have resided in the state for at least 30 days;
3. To be eligible, the voter would have to vote in person before an election official at a polling place, or before an absentee official at a designated absentee voting site; and,
4. The voter registering on election day would only be eligible to vote and have his or her ballot counted for statewide candidates and measures.

#### What the Bill Does Not Do:

The bill does not affect the 30 day prior registration requirement for voting in districtwide, regional, municipal or areawide elections. To be eligible to vote in these elections and races the voter would still have to have registered in the jurisdiction at least 30 days prior to the election.

Continuation of the 30 day prior registration requirement for subjurisdictions of the state safeguards the integrity of elections where the specific residence of the voter dictates his or her eligibility to vote in specific district or regional races and on

local issues. For statewide candidates and measure residency anywhere in the state qualifies the voter. The 30 day prior registration requirement for districtwide, regional and local elections, also inhibits the potential for fraudulent cross-district voting which might occur on election day if the prior registration requirement already mandated by law were not maintained.

#### General Comments:

Limited and controlled election day registration is not a new concept in Alaska. Similar procedures are already in place for presidential elections when these same voters are allowed to register on election day and have their ballot counted for presidential candidates. House Bill 378 merely extends the program to provide similar service in all statewide elections, rather than only those held in presidential years. The fundamental systems and procedures are already in place, have already proved themselves in actual use, and are fully accountable.

The bill is also offered in response to growing congressional support and active pursuit of federal legislation which would require such measures for any federal race. Many of the federal bills gaining momentum contain provisions which would be detrimental to Alaska's existing election procedures. Often in federal legislation, however, exemptions are introduced and included for states who already have similar provisions in place. In anticipation of eventual federal intervention, enactment of legislation like that proposed in SB 378 could allow Alaska to continue to maintain control over its own election process.

#### Additional Technical Amendments:

While much of the bill is dedicated to conforming amendments related to the primary subject matter of the bill, two other issues are addressed.

1. The bill adds clarification to the statutes that absentee ballots are treated in the same manner as questioned ballots with regard to their review and counting. As a matter of practice and in the interests of guaranteeing equal protection, the counting rules specified for questioned ballots have been applied to votes cast by in person absentee ballot. This bill merely codifies the traditional practice.
2. A clarification of the "computation of time rule" is added to provide that, for the purposes in Title 15, if a deadline for an election activity, voter or candidate requirement falls on a weekend or holiday, the deadline is extended to the first weekday after the weekend or holiday.

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS  
P.O. BOX A  
JUNEAU, ALASKA 99811-0105  
PHONE (907) 465-4611

### SECTIONAL ANALYSIS SENATE BILL 378

Prepared by  
Division of Elections  
January 19, 1990

Most sections of this bill provide technical amendments and conforming language related to the general issue of election day registration for statewide elections.

#### Related Sections:

#### Section 1 Voter Qualifications - General

The only change in this section of the statute is the splitting of the 30 day residency requirement in the state from the 30 day residency requirement in the district. By treating these eligibility criteria as separate requirements, the bill clarifies the basis on which a voter is eligible to vote in the different types of elections covered by this bill.

#### Section 2 Voter Qualifications - Presidential Elections

The current statute refers to voters who have not resided in "an election district" for 30 days being eligible to vote for president and vice president. The amendment adds reference to 30 day residency in the state. Any citizen of the United States should be eligible to vote for President even if they have only just recently moved.

#### Section 3 Election Day Registration - Statewide Races

This section contains the substance of the proposal. It provides that an individual who has been a resident of the state for at least 30 days, but who has failed to register at least 30 days prior to the election may register on election day and vote in statewide races if:

1. the voter registers by voting a questioned ballot before an election official on election day; or,

2. the voter votes in person before an absentee official at a designated absentee voting site.

Section 4            Registration

This section maintains the existing 30 day prior registration requirement but adds a reference to the exceptions involving voting for president, or statewide candidates and measures.

Maintaining the 30 day prior registration requirement is critically important for the purposes of preparing precinct registers. Under existing law, any voter who is not registered by the 30 day cut-off will not appear on the precinct register, forcing the person to vote a questioned ballot. The questioned ballot is, in fact, a registration form subject to full review by the District Review Board. It is during this review that the eligibility of the voter is evaluated, and it is determined exactly how much of the voter's ballot may be counted.

Section 5            Re-registration by Voters Who have been Purged

This section makes conforming amendments to the statute covering voters whose prior registration has been cancelled for failure to vote. The 30 day prior registration with exceptions for presidential and statewide races is clarified in conformity with the election day registration provisions.

Section 6            Transfer of Registration

This amendment clarifies the stipulation that to vote in a district's election, the voter must be registered or transfer his or her registration to the district at least 30 days prior to the election.

Section 7            Questioned Ballots

Any voter whose name does not appear on a precinct register shall be allowed to vote a "questioned ballot" under the law. The current statute is misleading and confusing in that it indicates the voter "shall vote a questioned ballot in the precinct in which the voter resides." In reality, and as indicated in the beginning of the text in the same section, the voter is allowed to vote a questioned ballot in any precinct. The language within this section of the statute seems to contain conflicting language which is corrected by the amendment.

Unrelated Sections:

Section 8            Computation of Time

AS 01.10.080 states how the time in which an act is to be done is to be computed, extends a "deadline" date that falls on a weekend or holiday to the first working day after the weekend or holiday. Unfortunately, that rule only covers the typical situation of counting forward from a particular triggering event or date. However, since a number of election deadlines are determined by counting backwards from a given date, such as election day, the computation of time under Title 1 can have the effect of requiring voters and candidates to perform acts earlier than intended. The amendment clarifies that for Title 15, the computation of time rule always extends the deadline until the first weekday following the weekend or holiday.

Section 9            Treating Absentee In Person Ballot in the Same Manner as Questioned Ballots

This language is almost identical to that found in AS 15.07.090 (d), (Section 7 of the bill), and clearly provides that the handling of absentee ballots will be the same as that stipulated for questioned ballots. This new provision only serves to codify existing practice.

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS  
P.O. BOX AF  
JUNEAU, ALASKA 99811-0105  
PHONE (907) 465-4611

January 19, 1990

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

Dear Senator Pourchot:

I am most pleased that the Rules Committee has chosen to introduce Senate Bill 378 at the request of the Governor. Senate Bill 378, "An Act relating to voter qualifications and registration for state elections; and relating to the computation of time rule for purposes of Title 15," has the full support of the Division of Elections. I would appreciate your consideration of its being scheduled for hearing in your committee at the earliest opportunity.

The intent of this bill is to increase voter participation. The bill would allow qualified individuals voting in person before an election official, who have been residents of the State for at least 30 days, but who have failed to register in time for the election, to register on election day, and to vote in statewide elections for statewide candidates and measures.

Limited and controlled "election day registration" is not a new concept in Alaska. Similar procedures are already in place for presidential elections when these same voters are allowed to register on election day, and have their ballot counted for presidential candidates. House Bill 378 merely extends the program to provide similar service in all statewide elections rather than only those in presidential years. The bill does not affect the 30 day prior registration requirement for voting in districtwide, regional, municipal or areawide elections.

While much of the bill is dedicated to conforming amendments related to this proposal, two other issues are addressed.

1. The bill adds clarification to the statutes that absentee ballots are treated in the same manner as questioned ballots, in that they are subject to the same review process, and are counted in the same manner. This clarification merely codifies the traditional practice.

The Honorable Pat Pourchot  
January 18, 1990  
Page 2

2. A clarification of the "computation of time rule" is added to provide that, for the purposes in Title 15, if a deadline for an election activity, voter or candidate requirement falls on a weekend or holiday, the deadline is extended to the first weekday after the weekend or holiday.

For your review I have enclosed a copy of the zero fiscal note for this bill, as well as comments prepared by the Division of Elections in support of the measure.

We will look forward to working with you, your committee and your staff this session. Please contact me if we can provide further information or input.

Sincerely,



David Koivuniemi  
Director

Enclosures

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

CS. SENATE BILL NO. 378

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to voter qualification and registra-  
7 tion for state elections; and relating to computation  
8 of time for purposes of AS 15."

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

10 \* Section 1. AS 15.05.010 is amended to read:

11 Sec. 15.05.010. VOTER QUALIFICATION GENERALLY. A person may  
12 vote at any election who

13 (1) is a citizen of the United States;

14 (2) is 18 years of age or older;

15 (3) Repealed, sec. 38, ch. 116, SLA 1972;

16 (4) has been a resident of the state [AND OF THE ELECTION  
17 DISTRICT IN WHICH THE PERSON SEEKS TO VOTE] for at least 30 days just  
18 before the election; [AND]

19 (5) Repealed, sec. 1, ch. 15, SLA 1970;

20 (6) has been a resident of the election district in which  
21 the person seeks to vote for at least 30 days just before the  
22 election; and

23 (7) has registered before the election as required under  
24 AS 16.07 and is not registered to vote in another jurisdiction.

25 \* Sec. 2. AS 15.05.012 is amended to read:

26 Sec. 15.05.012. VOTER QUALIFICATION FOR PRESIDENTIAL ELECTION.

27 A person who is otherwise qualified under AS 15.05.010 but who has not  
28 been a resident of the state, or of the election district in which the  
29 person seeks to vote, for at least 30 days preceding the date of a

*Amendment:  
Jan 1, 1991  
effective date*

1 presidential election is entitled to register and vote for presiden-  
2 tial and vice-presidential candidates.

3 \* Sec. 3. AS 15.05 is amended by adding a new section to read:

4 Sec. 15.05.017. VOTER QUALIFICATIONS FOR STATEWIDE ELECTIONS. A  
5 person who is qualified under AS 15.05.010(1) - (4) but who has not  
6 registered under AS 15.07 at least 30 days before the date of a state-  
7 wide primary, general, or special election may vote for statewide  
8 candidates and ballot propositions if the person:

9 (1) registers and votes a questioned ballot at a polling  
10 place on election day; or

11 (2) registers and votes by absentee ballot in person under  
12 AS 15.20.061.

13 \* Sec. 4. AS 15.07.070(d) is amended to read:

14 (d) Qualified voters may register in person before a registra-  
15 tion official at any time throughout the year. Except as provided in  
16 AS 15.05.012, 15.05.014, and 15.05.017, [EXCEPT THAT] a person regis-  
17 tering within the 30 days preceding an election may not vote at that  
18 election. Upon receipt and approval of the registration forms, the  
19 director or the election supervisor shall forward to the voter an  
20 acknowledgment in the form of a registration card, and the voter's  
21 name shall immediately be placed on the master register located in the  
22 office of the director and on the district register located in the  
23 office of the election supervisor. Names of persons registering 30 or  
24 more days before an election shall be placed on the official registra-  
25 tion list for that election.

26 \* Sec. 5. AS 15.07.090(b) is amended to read:

27 (b) A voter whose [SHALL REREGISTER IF THE VOTER'S] registration  
28 is cancelled for failure to vote in prior elections as provided in  
29 AS 15-07.130 must reregister. Except as provided in AS 15.05.012 and

1       15.05.017, the [THE] reregistration may not be made later than 30 days  
2       preceding an election.

3       \* Sec. 6. AS 15.07.090(c) is amended to read:

4               (c) The director shall transfer the registration of a voter from  
5       one precinct to another within an election district when requested by  
6       the voter. The request shall be made 30 or more days before the  
7       election day. The director shall transfer the registration of a voter  
8       from one election district to another when requested by the voter.  
9       The request must be made 30 or more days before the election day and  
10       the voter must reside in the new election district for at least 30  
11       days in order to vote in that district's election.

12       \* Sec. 7. AS 15.07.090(d) is amended to read:

13               (d) A person who claims to be a registered voter, but for whom  
14       no evidence of registration in the precinct can be found, shall be  
15       granted the right to vote in the same manner as that of a questioned  
16       voter and the ballot shall be treated in the same manner. The ballot  
17       shall be considered to be a "questioned ballot" and shall be so des-  
18       ignated. The director or the director's representative shall deter-  
19       mine whether the voter is registered in the election district before  
20       counting the ballot. A voter who has failed to obtain a transfer as  
21       provided in (c) of this section shall vote a "questioned ballot." [IN  
22       THE PRECINCT IN WHICH THE VOTER RESIDES.]

23       \* Sec. 8. AS 15.15 is amended by adding a new section to read:

24               Sec. 15.15.015.       COMPUTATION OF TIME.       Notwithstanding  
25       AS 01.10.080, if the last day of a time period in which an act is  
26       required to be done under this title falls on a Saturday, Sunday, or  
27       holiday, the last day is extended to the first weekday following the  
28       Saturday, Sunday, or holiday.

29       \* Sec. 9. AS 15.20.061 is amended by adding a new subsection to read: